

Conflicts in Africa and the African Union Peace and Security Council: A Decade Balance Sheet

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Abstract

May 2014 marked tenth year of the official inauguration of the African Union Peace and Security Council. The Council was inaugurated on 25 May 2004 in Addis Ababa on the historic day Organization of African Unity (OAU) was formed 41 years ago at the same place. The organ was established as a collective security structure responsible for promotion of peace, security and stability in the continent. Thus, it has various specific responsibilities intended to assure achievement of this grand objective. This article tries to discuss efforts made by the Council for one decade towards fulfillment its foundational responsibilities. It is arguable that though the Council has made various efforts to enshrine its responsibilities, conflicts and political instabilities continue to characterize the continent. Activities of the Council are curtailed by the political economic and organizational/institutional limitations. Thus, the Council can better realize its mandate of promoting peace, security and stability in the continent if the political, economic and organizational hurdles are well addressed.

Keywords: Conflicts in Africa, Peace and Security Council, African Union

1. Introduction

Other than anything, conflicts best characterize post-colonial Africa. These conflicts involved multitude of actors; state and non-state. The list includes local warlords, insurgent groups, terrorists, state military and paramilitary, illegal arms merchants and transboundary criminals. Added to this is weakness of African states not only to provide basic services to their citizens but also to establish themselves on legitimate grounds and defend the state from both internal and external security threats. Conflicts in Africa can't be attributed to any single or limited set of factors. Rather they occur because of number of factors which were closely interrelated. The list may include marginalization and political oppression, resource greed, desire to control state power, external intervention, and secessionist and irredentist motives. What needs not to be ignored as an explanatory factor for conflicts in Africa is the legacy of colonial rule. The colonial powers favored one ethnic and religious group against the other leading to development of hatred and deep rooted enmity and also left arbitrarily drawn state boundaries.

Given these, no other body can better understand and deal-with the conflicts than Africans themselves. Out of this understanding Organization of African Unity (OAU) was established in 1963 as a continental grouping of African states. Though OAU was preoccupied with ending colonial rule in Africa, it tried to deal with conflicts in Africa; for example by sending peacekeeping contingents and brokering peace negotiations. In spite of such attempts, the organization failed to meaningfully deal with the conflicts across the continent. And this led to emergence of a new and stronger continental organization called the African Union (AU) in 2002. AU came up with multitude of new innovations learning lesson from the failures of OAU. Among these establishment of the Peace and Security Council as a collective security organ to carry out conflict prevention, management and resolution functions is the major one.

This short paper is concerned with assessing overall activities of the Peace and Security Council. So, at first the concept of collective security, which is the basis of the organ and the Union, is briefly discussed alongside with overview of conflicts in the post-colonial Africa. Then, establishment of AU and its spelt out collective security mechanisms are described. Lastly, the establishment, powers and functions, structure, achievements and challenges of the Peace and Security Council are discussed ending with the concluding remarks.

2. Collective Security

Collective security is one of the alternatives states of the world have to mitigate their sense of insecurity under the conditions of international anarchy i.e. absence of centralized management of interstate relations (Viotti and Mark, 2006, p.200). It is a very complex and elusive concept that stands for various forms of collective actions used in an effort to keep peace. Broadly defined, collective security stands for commitment of at least two states to take collective measures to deal-with the would be threats to peace or act collectively if the threat actually occurs (Palmer, 1999). Thus, it is an inward looking grouping of at least two states organized for cooperative maintenance of order and to provide security for all its members against any state who might contemplate aggression.

Collective security system is a method of managing power relations of states and to confront the would

be aggressors through a trans-state body or other ‘partially centralized’ system of security arrangements active in specifically defined spheres, leaving the ultimate power defused among states which are parties to such an arrangement (Bilgrami, 1977, p.124). It involves:

“[E]stablishment and operation of a complex scheme of national commitments and international mechanisms designed to prevent or suppress aggression...by presenting...reliable promise of effective collective measure ranging from diplomatic boycott...to military sanctions, to enforce the peace” (Claude, 1971, p. 247).

So, it implies a situation in which the act of aggression against one state by another becomes a concern for all others, even when they are not direct and immediate targets of the anonymous aggressor or such policies. It envisages a broad spectrum of policy choices ranging from negotiation to actual military action. So, it provides a wide range policy options that may not necessarily imply military intervention but also embrace techniques of peaceful settlement of disputes.

Collective security system urges for coordination of policies of states or institutionalization of interactions of states “... in accordance with firmly established general principles” and proposes establishment of “... institutions capable of providing some degree of centralized supervision and management...” (Claude, 1962, p.148). It can be practiced at universal level (involving nearly all states and regions of the world), at regional level (encompassing states from a particular geographic region) and also between two or few states (Viotti and Mark, 2006, p. 207).

The failed League of Nations (LoN) and its successor, the United Nations (UN), are the best examples of collective security arrangements at universal level. The Concert of Europe (1815-1854), the African Union (AU) and its predecessor, the Organization of African Unity (OAU), the Arab League and the Association of South East Asian Nations (ASEAN) exemplify regional level collective security arrangements. The Five Power Defense Arrangement, which links Australia, Malaysia, New Zealand, Singapore and United Kingdom; Economic Community of West African States (ECOWAS), and the Pacific-Asia Network are some of the collective security arrangements formed by few numbers of states, some of which even encompassing states from different corners of the world (Bernaldez, 1999).

3. Overview of Conflicts in Post-Colonial Africa

Conflict is one of the defining features of Africa since achievement of political independence by majority of African states in the 1960s. It caused untold destruction to the continent and continue to be the major impediment to its development (Deng and Lyons, 1998, p. 14). Generally, conflicts in Africa take two forms: intrastate and interstate. The former refers to conflicts between individuals and groups within a state while the later stands for conflicts involving more than one state.

Intrastate conflicts, commonly called civil wars, may arise from struggle between two or more groups to control state power, resource or even secede from the state. And this type of conflicts can cause deadly destruction if the state fails to successfully mediate between the conflicting parties (Nel and McGowan, 1999, p.166-70). Particularly, ethnic identities are important in explaining intrastate conflicts in Africa. Ethnic identities in themselves are not conflictual or led to conflict. Rather, they can serve as basis for conflict if unmanaged or mismanaged in competition for political power or controlling resource (Deng and Zartman, 1991, p.146). It can be safely said that nearly all of African states faced civil wars, of different scale, since their respective date of independence. Specifically speaking, Democratic Republic of Congo (DRC), Sudan, Somalia, Rwanda, Burundi, Angola and Uganda have been hot spots in the continent for years.

The second form of conflicts in Africa, interstate conflict, is more related to territorial or boundary disputes between and among African states. This emanates from artificial colonial boundaries which were drawn disregarding ethnic boundaries existing prior to the arrival of colonial powers and led to discrepancy between ethnic and state boundaries (Nel and McGowan, 1999, p.166-70). Thus, at independence majority of African states were artificial states with shaky base and greater possibility of disintegration (ibid, p.189). Interstate conflicts in post-colonial Africa, largely border or territorial disputes, include the conflict between Ethiopia and Somalia in 1960s and 70s, between Algeria and Morocco in 1963, between Botswana and Namibia over *Kasikili* Island, and between Cameroon and Nigeria over *Bakassi* peninsula in 1990s.

To sum up, four generalizations can be made about conflicts in Africa. First, both intra and interstate conflicts are closely interrelated. That is, interstate conflicts could easily become intrastate or vice versa (Yoh, 2008, p.71). For example, Uganda-Tanzania border conflict led to civil war in Uganda and toppling down of Idi Amin in 1979. Second, conflicts in Africa were caused by number of, but very interrelated, factors; the major ones being resources, self-determination and domestic and regional supremacy. Third, no one can exactly determine human casualty and material destruction caused by conflicts in Africa. But, it is obvious that both civil wars and interstate conflicts caused untold loss of human life, material destruction and far reaching social, economic, political and cultural effects. Lastly, in terms of trend, both intra and interstate conflicts showed remarkable change at continental level in general. From mid 1950s to 1980s, the magnitude of conflicts has been

much higher across Africa; though it declined at about 50% after the mid 1990s (Marshall, 2005, p.2). Related to this, number of human casualty, refugees and internally displaced people sharply fell since the mid 1990s; though started to show some ascendance in recent years (ibid).

4. Transformation of OAU to the AU

As it was said, conflicts amongst and within state stand to be the major factor for the socio-economic backwardness of Africa. Therefore, promoting peace, security and stability in Africa appears to be a major prerequisite for the development and integration agenda in the continent (Preamble of the Constitutive Act). To this end, the Heads of State and Government of the Member States of the OAU transformed the organization, which remained ineffective in dealing with security challenges the continent used to face, to a new organization called the African Union (AU). Preamble of the Constitutive Act (the Act hereafter) of the AU underlines that its establishment was necessitated by, among others, the desire to promote peace, security and stability so as to relieve Africa from the scourge of conflicts which were continuing to be the major impediment to socio-economic development of the continent.

AU, as a regional collective security arrangement, was established to perform numerous objectives. First, AU is responsible to “defend the sovereignty, territorial integrity and independence of its member states” (Art. 3(b) of the Act). Second, it is also responsible to “promote and defend African common positions on issues of interest to the continent and its peoples (Art. 3(d) of the Act). Third, AU was designed to “promote peace, security and stability on the continent” (Art. 3(7) of the Act).

These objectives, of direct resemblance to the principle of collective security, were to be achieved by and through establishing a common defense policy for the continent, peaceful resolution of interstate conflicts, ensuring commitment to the principle of non-interference by states and by intervening at times of “grave circumstances” (Art. 4 of the Act). Restraining of the member states from entering into any treaty or alliance incompatible with the principles and objectives of the Union and from allowing their territory as a base for subversive activities is additional way- forward set as to achieve organizational objectives (ibid).

5. Collective Security Measures under the Constitutive Act

Here are some of the mechanisms endorsed by the AU Constitutive Act to ensure peace and security in the continent and materialize the principles of collective security in particular.

5.1 Arms Control. Arms control refers to measures undertaken to selectively limit the testing, deployment and use of weapons and forces to curtail arms race, reduce possibility of war or limit its scope (Morgan, 1993, p. 50). It is aimed at regulating use of armaments and restricting only certain aspects of arms and military forces. Thus, they continue to exist but, to a manageable or controllable extent. Arms control measures can be designed at any stage in the life cycle of weapons and force (either in the stage of development, deployment, decision to use or use) on unilateral, bilateral or multilateral levels (ibid, p. 51).

5.2 Disarmament. Disarmament is the most straight forward way to eliminate armed conflicts. It is a means to peace through deprivation of belligerents the means to wage war or by abolishing or, at most, eliminating the human and material instrumentalities of warfare (Claude, 1971, p.286-87; Morgan, 1993, p.246). The assumption behind is the belief that military resources “figure significantly among the factors which make war a political probability” (Claude, 1971, p.287).

5.3 [Conflict] Early Warning. Early Warning can be defined as the process of collecting and analyzing information so as to provide strategic options for preventive action or, as may be required, informed response (IGAD, 2000, p.22). It involves information sharing; dissemination of relevant data, researches; and analysis to identify critical developments in a timely manner and either prevent or limit destructive effects of violent conflicts.

5.4 Intervention. Broadly defined intervention refers to acts of an ‘external’ body or state that affects the ‘domestic’ affairs of another sovereign state (Nye, 2003, p.154). It encompasses various mechanisms extending from targeted speeches and media broadcasts to blockade and extensive military actions (ibid, p.154-55).

5.5 [Post-Conflict] Peace Building. Peace building refers to “restructuring, reconstruction and rehabilitation phase” in the process of conflict management (Erskine, 2000, p.138). Peace building aims at rebuilding the public and social life of the people in a war torn or fractured country (ibid).

5.6 Peace Keeping. Peacekeeping is a conflict control mechanism usually under a third party. It is “intended to keep a peace that has been arranged or about to be concluded” and create an environment conducive to the

peacemaking processes or in which settlement can be achieved (Olonisakin, 2000, p.6). For most part it is military act intended to create an atmosphere for fathering negotiations and settlement of disputes. But, it may also include civilian personnel to accompany military men and provide what collectively called peace support operations. The practice of peacekeeping was introduced to the international security system when the first UN force, called the UN Emergency Force (UNEF1), was established in response to the Suez crisis in 1956.

6. The Peace and Security Council

In order to effectively address one of the key objectives of the African Union, namely promotion of peace, security, and stability in the continent, Assembly of the Union adopted a protocol establishing collective security organ called the Peace and Security Council in July 2002 (Murithi, 2005, p. 85). The organ was officially inaugurated on 25 May 2004, on the historic day OAU was formed 41 years ago at the same place (in Addis Ababa) (Khamis, 2008, p.164). This organ was designed to perform various activities. These include promotion of peace, security and stability in Africa, anticipation and prevention of conflicts and developing a common defense policy for union (Art. 3 of the Protocol).

The Peace and Security Council (the Council hereafter) is “a collective security and early-warning arrangement” established to act as a “standing decision-making organ for the prevention, management and resolution of conflicts” in Africa (Art. 2 (1) of the Protocol). The overall objective of the organ is to “promote peace, security and stability in Africa” (Art. 3 of the Protocol). This grand objective is to be achieved through helping peace-building and post-conflict reconstruction, by developing a common defense policy, supporting democratic practices and coordinating continental efforts against terrorism (ibid).

6.1 Powers and Functions

Art. 7 (1) of the Protocol states that the Council should discharge all its functions in conjunction with the chairperson of the commission. This article also lists down powers and functions of the Council. However, it is impossible to discuss all the powers and functions of the Council one by one in this short paper. So, here will be an overview of powers and functions of the Council.

Since establishment of the Council is necessitated for maintenance of peace, security and stability of the continent, all of the powers given to the Council are to do, one or the other, with peace and stability of the continent. First of all, the Council is responsible to “anticipate and prevent disputes and conflicts” before they escalate into a full blown conflicts (Art. 7 (a) of the Protocol). This obligation is to be discharged in collaboration with the AU commission, Panel of the Wise and, most importantly, the Continental Early Warning System.

Once the conflict has occurred, the Council is responsible to “undertake peace-making and peace-building functions” (Art. 7 (b) of the Protocol). The means to achieve these includes deploying peace support missions, instituting sanctions and/or through intervention by the Union (Art. 7(c)-(g) of the Protocol). The Council’s power and responsibility is not limited to anticipation, prevention and management of conflicts but extends to the post-conflict situations. To this effect, the Council is responsible to assist restoration of rule of law and development of democratic institutions, consolidation of peace agreements, and implementation of demobilization programmes, resettlement and reintegration of displaced persons and provide assistance to vulnerable persons (Art. 14 of the Protocol).

In addition to these, implementation of the defense policy of the Union and of the conventions on prevention and combating terrorism, and promotion of relationships between the Union and other international organizations, such as the UN, are some of the important obligations of the Council (Art. 7 of the Protocol). The Council is also obliged to submit regular reports about its activities and on the security situation of the continent to the Assembly of the Union (Art.7 (q) of the Protocol).

6.2 Internal Structure and Supportive Bodies

As per the Protocol, Peace and Security Council is composed of fifteen states (Art. 5 of the Protocol). Among them, five were elected for three years term and the remaining ten for two years term as to ensure continuity in the functioning of the council (ibid). Regarding regional representation, West Africa is represented by four states whereas, Central, Southern, and Eastern Africa were represented by three states each and two states represent the Northern Africa (AU, 2004, p.2).

Internally, the Peace and Security department of the AU commission comprises five divisions. These are the Conflict Prevention and Early Warning Division (CPEWD), Conflict Management and Post Conflict Reconstruction Division (CMPCRD), the Peace Support Operations Division (PSOD), the Peace and Security Council Secretariat (The Secretariat) and the Defense and Security Division (DSD) (AU, 2012a).

The CPEWD focuses on the operationalization of some of the aspects of the African Peace and Security Architecture such as Continental Early Warning System, Panel of the Wise and AU Border Program; whereas CMPCRD supports management and resolution of conflicts, post-conflict resolution and supervises the work of

AU Liaison offices; while, the PSOD works towards the operationalization of the African Standby Force and supports the AU peace support operations (ibid). The function of the Secretariat is to provide operational and administrative support required by the Council while; the DSD is in charge of issues relating to arms control, disarmament, counter- terrorism and other strategic security issues (ibid).

While performing its activities the Peace and Security Council is, or shall be, supported by the AU commission, Panel of the Wise, Peace Fund, Continental Early Warning System and African Standby Force (Art. 2(2) of the Protocol). Panel of the Wise is an advisory body consisting five highly respected African personalities with an outstanding contributions in area of peace, security and development (Art. 11 of the Protocol). The Peace Fund is a special fund and standing reserve established to provide necessary financial resources for peace support missions and other operational activities of the AU amalgamating contributions of AU member states, private sector, civil society, individuals and international donors (Fisher et.al, 2010, p.59). Continental early warning system is one of the key pillars of AU peace and security architecture designed to anticipate conflicts, through “The Situation Room”, and facilitate timely and informed decision-making. African Standby Force is the proposed teeth of the Council, and the Union in general, assumed to be composed of standby contingents of the AU member states ready for rapid deployment whenever and wherever the need emerges.

6.3 Appraisal of the Peace and Security Council

The peace and Security Council have made number of efforts to enshrine its responsibilities. The major areas include peacekeeping, military intervention, suspending unconstitutional regimes, situational reports and enhanced collaborations with the regional economic communities.

6.3.1 Peacekeeping

Since its establishment in 2002, AU carried out number of peacekeeping operations some of which were taken over by the UN later. These include peacekeeping missions to Liberia, Burundi and DRC (Pan, 2005). In 2004, after the Peace and Security Council became operational, AU peacekeeping contingents were sent to Sudan Darfur (Ibid). In addition, the Council created African Union Mission in Somalia (AMISOM) on early 2007 to stabilize the security situation in that country (PSC, 2007). Though there are limitations like small size of personnel, socio-cultural factors (for example religious difference), limited mandate and shortage of fund, the Council, and AU at large, is successfully building its own capacity to carry out peacekeeping operations in Africa.

6.3.2 Military Intervention

The African Union militarily intervened in Comoros in support of democracy and national unity after electoral crisis of 2007. Following the secessionist attempt by one of the three islands making Comoros, the Peace and Security Council ordered military intervention renouncing its commitment to the unity and territorial integrity of Comoros (Pham, 2008). As result on March 2008, AU ordered “Operation Democracy” to bring back Anjouan Island to the Union from self-declared president Mohammed Bacar. The contingents, sized over 1500, included Tanzanian and Sudanese troops along with Comorian national army (Svensson, 2008, p.21). Libya, Morocco and France participated in the operation by providing logistical support to the contingents (ibid). The operation successfully ended, in few days, with the capture of Anjouan Island and Bacar fleeing to the nearby French territory of Reunion.

6.3.3 Unconstitutional Change of Governments

The Constitutive Act of AU clearly spelt out that any government coming to power through unconstitutional means, primarily to mean military coup, shall not be allowed to participate in the activities of the Union (Art. 30 of the Act). Furthermore, AU crystallized its stance against unconstitutional change of government in 2007 with the adoption of ‘Charter on Democracy, Elections and Governance’ which included manipulation of constitutions and legal instruments for prolongation of tenure of office by regime in power. Thus, coups and counter coups, assumption of power without holding elections, suspension of constitutional term limits, and refusal to step-down after electoral deft all result in suspension from AU membership and multitude of sanctions (Sturman, 2011, p.1).

In line with this, AU suspended, upon recommendation of the Peace and Security Council, dozens of states from its membership. These include Togo (2005), Mauritania (2005, 2008), Guinea (2008), Madagascar (2009) and Niger (2010). In all these cases AU set sanctions on the coup leaders forcing them return back to the constitutional order. And AU’s action significantly contributed to return back to civilian and constitutional order (Omorogbe, 2006, p.153). Recently military have come to power in Mali and Guinea-Bissau. The most important fact regarding these two cases is the stance of ECOWAS. ECOWAS decided to send troops to both Mali and Guinea-Bissau to protect civilians and also oversee transition of power back to civilian rule (Baldauf, 2012). It is also expected that the two countries will face sanctions from ECOWAS, AU and international community if transition to civilian rule is either delayed or neglected.

6.3.4 Collaborating with Regional Economic Communities

The protocol stipulates the need for close collaboration between Peace and Security Council and Regional Economic Communities (RECs) in Africa for conflict prevention, management and resolution (Art. 16 of the Protocol). To further this, Memorandum of Understanding (MoU) was signed in 2008 between AU and RECs in Addis Ababa. Generally, the relationship between AU and RECs across the continent is strengthening over security issues. For example, AU established liaison office, in 2011, to IGAD to foster the relationship between two bodies particularly in area of peace and security. In similar vein, AU liaison office to ECOWAS and other RECs were opened subsequently.

6.3.5 Situational Reports

Peace and Security Council is also mandated to provide up-to-date information about security situation across the continent. As result, the Council released number of reports concerning political situations in conflict spots like Somalia, DRC, Sudan, Libya and others. Particularly important in this regard is “*The Situation Room*”, which is an integral part of continental early warning system. This section is designed to monitor information about potential and actual conflicts and also post-conflict activities across the continent (AU, 2012b). It prepares reports on daily and weekly basis using information from open media sources and AU field missions (ibid). Thus, “*The Situation Room*” facilitates anticipation and prevention of conflict and also timely and informed decision making.

6.4 Challenges of Peace and Security Council

Even though the council is making numerous attempts to enshrine its responsibilities, there are challenges affecting its efforts. The challenges can be categorized as political, economic and organizational/institutional. The political challenges of the Council include the myth of state sovereignty, undemarcated state borders, continued civil wars (as in Sudan, South Sudan and Somalia), and the increased small arms proliferation (Fisher et al, 2010; Kobbie, 2008). The major economic challenge of the Council is dependence on external powers for money and necessary equipments (ibid). The Council also suffers from various institutional limitations. These include low institutional capacity (as evidenced by both quantity and quality of manpower, essential equipments such as armed personnel carriers and helicopters) to closely follow up new developments in the continent, weak linkage between and among its internal divisions, lack of organizational experience (given its short history of existence), ambiguity regarding relationship with supportive bodies and very vague and non-standardized criteria for selection of members (Cilliers and Sturman, 2004; Fisher et al, 2010; Kobbie, 2008).

7. Concluding Remarks

AU’s establishment of Peace and Security Council shows commitment of African states to better deal with conflicts which continue to undermine socio-economic and political development of the continent. This organ is based on the principle of collective security. The principle of collective security is all about coming together of states in order to withstand any kind of actual or potential threat targeted against one or all of them. So, it refers to conglomeration of states working together for enhanced sense of security.

In line with this principle, AU member states established the Peace and Security Council as a continental collective security organ specializing on conflict prevention, management and resolution. The Council has been enshrining its responsibilities since its official inauguration in 2004. The efforts made so far were of certain degree of success and a lot of experiences to future activities of the Council. But all the endeavors of the Council were accompanied by number of hurdles which adversely affect its activities to achieve the entrusted objectives.

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