

## **REGIONAL ORGANISATIONS AND CONFLICT RESOLUTION: A CASE OF THE AFRICAN UNION**

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### **ABSTRACT**

*The changing nature and magnitude of conflicts across the world continue to raise concerns as to whether there is sufficient institutional capacity to solve the growing number of conflict crises some of which pose serious threats to human security. Notably, there has been an increased number of non - state actors involved in conflict resolution efforts. This paper seeks to explore the growing narrative of African solutions to African problems by examining the involvement of the African Union as an institution in the various conflicts in the continent. The paper will begin by examining some of the deep-rooted causes of conflicts in Africa, the structure of the African Union. Specifically, those agencies involved in conflict-related issues and the approaches AU adopts in different scenarios. The paper argues that the AU has a special duty and legitimacy to front solutions to conflict situations in the continent. However, this potential is yet to be fully utilized, and there is room for improvement.*

**Keywords:** *Regional Organisations, African Union, Conflict Resolution, Africa*

### **ÖZ**

*Dünya genelinde çatışmaların değişen doğası ve büyüklüğü insan güvenliğine ciddi tehdit oluşturan sayıları artan çatışmaları çözmek için yeterli kurumsal kapasitenin olup olmadığı konusundaki kaygı uyandırmaya devam etmektedir. Özellikle çatışma çözüme faaliyetlerine katılan devlet dışı aktörlerin sayısı yükselmektedir. Bu çalışma, Afrika'nın sorunlarına sayıları artan Afrikalı çözümleri Afrika Birliği'nin bir kurum olarak kıtadaki çeşitli çatışmalara katılımını ele alarak keşfetmeye çalışmaktadır. Çalışma Afrika'daki çatışmaların kökenine inerek ve Afrika Birliği'nin yapısını inceleyerek başlamaktadır. Özellikle çatışma ile alakalı konuların içerisinde yer alan kurumlar ve Afrika Birliği tarafından kabul edilen farklı yaklaşımlar ele alınmıştır. Çalışma Afrika Birliği'nin kıtadaki çatışma durumlarına yönelik çözümlere karşı özel bir görev ve meşruiyete sahip olduğunu savunmaktadır. Bununla birlikte, bu potansiyel henüz tam olarak kullanılamamaktadır.*

**Keywords:** *Bölgesel Örgütler, Afrika Birliği, Çatışma Çözümü, Afrika*

### **1. INTRODUCTION**

Since the beginning of the post-colonial era, Africa as a continent has been faced by a mirage of challenges emerging from issues of states colonial boundaries, rising cases of rebels, insurgents and

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terrorist groups, poor governance, low social, economic and political development. These issues directly impact African people, especially regarding a comprehensive understanding of security. Consequently, competition and the need for survival has often spilled out in the form of physical conflicts that increasingly has become an issue of great concern for the continental leaders as well as the global community at large. This pressing concern has led to actions purposed to provide African solutions to African problems in the sense that measures adopted are modeled in such a way that they can easily integrate with the African social, cultural, political and economic values. Additionally, the measures undertaken are to emphasize that indeed, Africa has the capability and capacity to find solutions to its challenges without interferences from external actors.

Consequently, there was an acknowledgment by all African Heads of States and Governments that an effective platform for the efficient and effective management of conflicts and other related crises in the continent was necessary. This acknowledgment resulted in the establishment of the African Union (AU) to collectively address the socioeconomic and political problems affecting that continent without serious stumblings blocks that were witnessed in its predecessor; the Organization of African Unity (OAU). African Union, therefore, has become the embodiment of the Pan-Africanism dream advanced by the founding father's of independent African states purposely to enhance and encourage strong connections of African solidarity in advancing a new chapter in the social, economic, cultural and political development of the continent.

## **2. ROOT CAUSES OF CONFLICTS IN AFRICA**

After the independence wars were waged across several states in the African continent. Henceforth, several other wars have been experienced especially intra-state wars in the form of civil wars and inter-state. According to a report by the International Colloquium (2012), the end of the Cold War which spanned throughout the continent translated into increased conflicts either as regional conflict, genocides, boundary conflicts civil wars or ethnic conflicts. Collier et al., (2004) documents that by 1992, the continent was host to approximately 46.7% of civil wars across the globe. Additionally, Umozurike (2005: 149) notes that out of the fifteen high-risk emergencies declared in the 20<sup>th</sup> and 21<sup>st</sup> centuries by the United Nations Department of Humanitarian Affairs (UNDHA), might have been within Africa. These wars and civil strifes have been experienced in Rwanda, South Sudan, Zaire, Lesotho, Nigeria, Ivory Coast, Sierra Leone, Sudan, Burundi, Ethiopia and Guinea Bissau amongst many others.

### **2.1. CIVIL WARS**

The diverse ethnic demography cutting across African states has been exploited through a mono-cultural political economy and has been the single most contributor to civil wars in the continent. The general ideology that drives the political agenda in several of the African states is the assumption that controlling the political infrastructure translates to economic benefits over the other ethnic groups. According to Ake (1981), after the wars of independence had been fought in the continent, independent

African governments took affirmative actions to privatize public companies to increase profits.

However, it is during these processes that subsequent political leaders in government exploited such opportunities to accumulate resources for personal interests at the expense of the developmental requirements of the general public. The acquisition of massive wealth has become the channel through political leaders such as Muammar Gaddafi, Omar Bongo, Robert Mugabe and Paul Biya for instance, opted to consolidate political power through voter bribery, electoral malpractices, and oppression of citizens. Despite the visible failures by these leaders and many others to meet the developmental needs of the people such as reducing the rates of poverty, marginalization, minimizing corruption and lack of human rights violations, there is a tendency to hang onto economic and political power. The International Colloquium (2012: 32) reports that the conflicts experienced in the African continent emerge from economic situations, especially regarding questions of natural resources.

Besides the bad economic conditions that have facilitated conflicts and civil wars in Africa, there has also been the question of democracy. Between the periods of 1960 and 1990, there was not a single political party that lost power during elections in Africa. It was until 2002 that the democratic wind spreading across Africa caught up with independent political parties that were voted out in Kenya, Benin, Zambia, Lesotho, Central African Republic, Senegal, and Ghana. Consequently, there was an increase in political space and the emergence of multiparty across the continent. Additionally, targeted violence was applied by ruling parties in certain countries such as Uganda and the Democratic Republic of Congo to curtail opposition parties. In Kenya, Ivory Coast and Zimbabwe, vicious ethnic conflicts occurred in 2007-2008, 2010-2011, and 2008, respectively following bungled elections (Ikejiaku et al., 2011: 76).

Zanger (2000: 225-26), argues that democratization is a significant motivator for previous political elites and armed groups to participate in coup attempts as they seek to reinstate former status quos. Other scholars (Moore 1998; Lichbach 1996) have supported this argument by emphasizing that as regimes transform towards autocracy as they attempt to control the opposition, may resort to techniques of political repressions which are likely to facilitate the outbreak of civil wars. According to Gleditsch (2002a: 106), there is a direct link between the quality of democracy both within a state and in the neighboring countries with a risk of a civil war. As such, democracy is related to various dynamics of civil wars. The degree and stability of democracy influence the capability for the emergence of civil wars. In the past years, Africa has experienced a vicious cycle of civil wars that have erupted due to pursuit for more democratic space. For example the war for secession between the larger Sudan pitting the Arab Northerners and the Southerners; the civil war in Libya after the fall of Gaddafi; and, the civil war in South Sudan between the Nuers and the Dinkas.

Civil wars in Africa have also been a consequence of external actors in the affairs of the country to various social, economic, or political reasons. For instance, the effects of the Cold War have influenced how African states engage with external actors, some of who have at various points perpetuated arm

conflict within the continent through the sale of arms. The United States, in its war against terror, tripled its military sales to Africa between 2002-2006 to an estimated value of US\$222 million in both government and private companies arms sales (LeMelle, 2008). Indeed, external actors have been found culpable of violating United Nations arms embargo that has facilitated civil wars in both Sudan and Liberia (Schroeder et al., 2006: 73). The conflict in Somalia has witnessed the most violations of the United Nations Resolution 733 since its adoptions in 1992, which prohibited weapons from being sold to Somalia (UNDP, 2012).

Competition for natural resources has also contributed to civil wars in Africa. According to Cramer (2006: 203), the availability of natural resources as in the Democratic Republic of Congo, Sierra Leone and Angola have played a central role in advancing civil conflict. Collier et al. (2004: 568) argue that civil war tends to occur when the economic conditions make them viable. These poor economic conditions are found in several African states.

## **2.2. INTER-STATE CONFLICT**

Besides the civil wars that have been witnessed across the continent, there have been instances of inter-state wars that also characterize the continent. However, cognizance is given to the fact that these interstate warfares have been brief and minor. The Horn of Africa region, for instance, has played host to inter-state conflicts from the post-colonial era. Notably, the wars experienced in this region have always tended to be a consequence of border disputes that emerge from the colonial boundaries. The conflicts and war experienced in the region included the Kenya-Somali war in 1963; the Tanzania-Uganda war fought between 1978-1979; the Ethiopia-Somali wars fought 1964, 1977-1978 and 2006-2009; and, the Ethiopia-Eritrea war fought between 1998-2000. According to Wulf et al., (2009) these wars were also fuelled by communal conflicts across the border because of the environmental degradation triggered by agricultural practices such as overgrazing and the presence of porous borders across state boundaries. In terms of the magnitude of the wars, only two wars fought between Uganda and Tanzania during an invasion by the Tanzanian troops during in 1978-79 to oust Idi Amin of Uganda from power and the war of independence between Ethiopia and Eritrea. According to a report by Conflicts Trends in Africa (2004), these two conflicts registered minimum magnitudes of 2 and five, respectively (Habrom et al., 2005: 6). Both the Tanzania-Uganda war and the Ethiopia-Eritrea war are classic examples of the roles of external actors in advancing conflict within the continent. This is the sense that there have been instances of transnational assistance to either government forces or anti-government rebels. Provision of refuge across the borders by states has become a significant factor in sustaining regional rivalries between states.

## **3. THE AFRICAN UNION AS AN INSTITUTION**

On the 8th July 2001, the African Union was established following the collapse of the previous Organization of African Unity (OAU) that had been established in 1963. The OAU was become

operational following the signing of a charter that followed several conferences convened between the 1950s and early 1960s to champion African continental agenda during the struggle for independence. It also sought to guide and unite the new, young nations after the attainment of total independence from European colonialism by all African countries. More specifically, the formation of the African Union was declared through the Sirte Declaration purposely to facilitate continental integration, respond to socio-political and economic problems facing the African states and drive the African agenda at the international level that was increasingly becoming globalized. Previously, several discussions were convened such as the Lomé Summit (2000) which adopted the AU Constitutive Act and the Lusaka Summit (2001), which drew the roadmap for implementation of the African Union (AU) to accommodate a transforming world. Henceforth, the African Union is on the forefront of spearheading Africa's sustainable development agenda and integration through offering valuable technical and monetary assistance to African states, promoting peace, good governance, security, human rights and stability in the continent.

One of the biggest challenges facing Africa has been conflicting, and violence experienced across the continent. As such, the African Union as a priority agenda has been the question of peace. According to Duetsch (1957), all other regional organizations in the continent have no equal peace matrix compared to that of the African Union fundamentally because of the fact that whereas other regional organizations emerged from the possibility of war or after establishing peace, the African Union was established out of the need for peace and security. According to Moolakkattu (2010: 153), Africa ranks low in welfare indices such as the Global Peace Index, Human Development Index, Physical Quality of Life Index, and the Human Poverty Index. Consequently, African states cannot singularly address issues of illegal weapons trade, conflicts, refugee flows, money laundering, and underdevelopment.

### **3.1. AFRICAN UNION CONFLICT RESOLUTION STRATEGIES AND POLICIES**

According to AU Commission's Strategic Plan (2009: 11), the fundamental purpose of the African Union is to establish a sustainable, integrated, peaceful and prosperous African continent governed by the African people who represent a dynamic force at the international system. AU is concerned with the prevention and management of conflict with the ultimate goal of achieving security and stability. A comprehensive vision and objective of the African Union (AU) are comprehensively addressed in the legal documents implemented by specially constituted organs with the organization that provide a framework for addressing the social, political and economic development needs for the continent. The security and peace architecture of the African Union is endorsed by all African member states through the General Assembly of Heads of States and Governments which also doubles-up as the supreme organ of the African Union (AU, 2004). The General Assembly of Heads of States and Government only meet twice annually, as such, the daily management of conflicts across the continent is designated to the

African Union Peace and Security Council (PSC) that makes decisions regarding the strategic and operational dynamics of conflicts all across the continent.

The AU Constitutive Act (2001) provides an outline of the vision of the African Union in conflict prevention and management. Additionally, it provides a basis for a commitment by African member states in speeding up continental economic and political integration. This is through common African security and defense policy to; safeguard territorial integrity, defend African sovereignty, establish and develop common security for the continent, maintain the independence of African member states, promote peace, stability formulate a common defense policy to enhance good governance, human rights and sustainable development (African Union, 2004).

### **3.2. THE AU PEACE AND SECURITY COUNCIL**

The Peace and Security Council is the mainstream African Union platform for the prevention and resolution of conflicts all across the African continent. This instrument is assisted by the office of the African Union Commission chairperson. In July 2002, African Union member states adopted the protocol that facilitated the formation of the Peace and Security Council (PSC) in Durban, South Africa. The Peace and Security Council were established as collective security and early warning entity that enhances efficient, effective, and timely response to conflicts and other security emergencies scenarios all over the continent. The Peace and Security Council (PSC) has a representation of five elected members who serve for three years and an additional ten members who serve on a two-year term. Key among the functions of the Peace and Security Council include promoting and implementing peacebuilding initiatives; post-conflict reconstruction initiatives; anticipating and preventing conflicts; developing a common defense policy for African Union; promoting peace and security, advancing human rights, coordinating and harmonizing continental efforts in addressing regional and international terrorism (AU Constitutive Act).

Within the Peace and Security Council, four essential departments assist the council in its efforts of peace prevention and conflict resolution. These entities include the Special Fund, the panel of the Wise, the African Standby Force (ASF), and the Continental Early Warning System (CEWS) (Woodrow Wilson Centre, 2008).

### **Structure of the African Union Peace and Security Council**



**(Source: European Centre for Development and Policy Management, 2016).**

Additionally, the Peace and Security Council capacity is boosted by Regional Economic Blocks that have individual mechanisms for peace and security to meet the needs of the respective regions. These Regional Economic Blocks and the African Union complement each other through conflict resolution methods such as diplomacy, mediation, and military interventions. For instance, in 2005, Kenya, with the mandate and support from the Inter-Governmental Authority on Development (IGAD) mediated the Comprehensive Peace Agreement in Sudan. Moreover, the South African Development Community (SADC) played a critical role in the signing of the Lusaka Accords between the Democratic Republic of Congo and other five member states in the region. According to a report by the African Union (2019), the African Union Security Council has convened 856 meetings. The Peace and Security Council with a continental mandate over issues regarding continental peace and stability attempt to influence member state and other actors in peace and conflicts through mediation, sanctions and peace operations. States such as Niger, Guinea, Mauritania, and currently Sudan, have been or are suspended by the African Union Peace and Security Council. According to article 4p of the AU Constitutive Act, the council can pile pressure on member states to impose all available sanctions as was witnessed by the 1999 Algiers decision and protocols that facilitate sanctions on individuals or institutions involved in unconstitutional regime changes.

The African Standby Force which is comprised of five regional standby contingents functions alongside the Regional Economic Communities in observer peacekeeping missions or and post-conflict peace initiatives. The African Standby Force has the capability of deployment within 30-90 days to assume operations that support peace such as demobilizing soldiers, peacebuilding, humanitarian operations, preventive deployment, and post-conflict disarmament. The African Standby Force has been involved in peace and security missions in Burundi, Darfur, and Somalia. In certain circumstances, the African Standby Force is replaced by United Nations Forces or integrated as part of the UN peacekeeping forces. According to Aneme (2008: 13), because the African Standby force is not a single army but rather, a network of regional forces, there tends to be a lack of clarity on state commitments.

For instance, the Democratic Republic of Congo and Angola have both made commitments to the South African Development Community (SADC) and the Economic Community of Central African States (ECCAS).

The Panel of the Wise appropriates the experience of reputable continental leaders to resolve conflict and sustain peace through mediations. During the 2007 post-election violence in Kenya, Kofi Annan played a critical role in mediating the conflict leading to the formation of the grand coalition government (Mapuva, 2010: 257). Other leaders such as Mozambique's former president Joachim Chissano have been engaged in conflict resolution efforts in Northern Uganda; Thabo Mbeki of South Africa has been involved in brokering peace in Zimbabwe in 2009 leading to the establishment of the government of national unity (Mapuva, 2010: 254). According to Oluborode (2008), members of the Panel of the Wise who at one point held very reputable positions in their own countries are selected from each of the five African regions. Nathan (2005: 368) argues that despite the progress made by this panel, there is still need for the panel to be strengthened with more resources and additional support staff to facilitate the efforts in mediation.

The African Union is dependent of the African Peer Review Mechanism (APRM) for socioeconomic developments, political development (democracy, human rights, and political governance) and corporate governance of African states as single entities with their consent Gruzd (2007: 55). This entity of the African Union makes analyses and evaluations from international recognized best practices drawn from across institutions such as the World Trade Organization (WTO), the European Union (EU) or the International Monetary Fund (IMF) amongst other several legitimate international institutions. The African Peer Reviewed Mechanism is a self-monitoring entity constituted by the African member states who have subjected themselves to such a review and is under the stewardship or experienced and eminent individuals from the continent.

This entity is purposed to influence and, or persuade member states to take affirmative actions that facilitate the implementation of proper governance practices under the umbrella body of the New Partnership for Africa's Development (NEPAD). It is imperative to give cognizance that NEPAD is not a funding organ but rather, a consultative platform for identifying the problem, proposing restitutive measures and applying top-level political persuasion techniques to trigger changes in governance systems. According to Hope (2005: 306), the African Peer Review Mechanism is a representation of the change in the thinking of African states about issues of political authoritarianism, corruption, absence of accountability and state failure, all of which it aims to reverse and promote socioeconomic and political development in the country. Consequently, Kuwali et al., (2013: 6) argues that the Africa Peer Review Mechanism is essential in identifying the key factors that drive political transformation, sources of conflict, security stressors, and socio-economic development in the continent.

According to the Desmidt (2016: 6), the African Peace Fund is a critical element of the Peace and Security Council structure as it is the platform through which financial resources meant for supporting

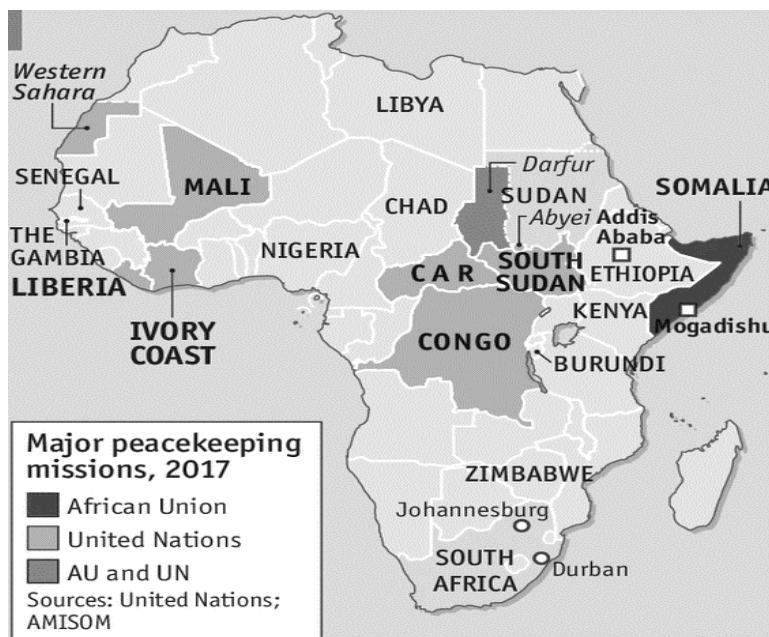


AU's peace missions or operations are channeled. Moreover, the African Peace Fund is regulated by the African Union Financial laws. The fund is serviced through regular budgetary allocations, financial support from the private sector, private individuals and civil societies, voluntary contributions from member states, external partners, and fundraising initiatives.

### **3.3. AU CONFLICT INTERVENTIONS AND INSTRUMENTS IN AFRICA**

The African Union (AU) has adopted several response mechanisms and instruments for conflict prevention and management in the continent. According to Williams, such management instruments include the appropriation of mediation talks, peacekeeping missions, sanctions against rogue regimes, high-level diplomacy, military interventions, consensual interventions, and negotiations. The African Union has also used observer mission groups to monitor electoral processes all over the country as has been witnessed, for instance, in Kenya, Ghana, and Ivory Coast. The African Union, unlike its predecessor the Organization of African Unity (OAU), has taken bold steps in engaging in domestic affairs of states that threaten domestic, regional and continental peace and stability. Since its inception in 2004, African Union (AU) has deployed peace missions in Burundi through the AU Mission in Burundi (AMIB, 2003-4) for peacebuilding, AU Military Observer Mission in the Comoros (MIOC, 2003-4) for observation, AU Mission in Sudan (AMIS) (Darfur Highlands, 2004-2007), Special Task Force in Burundi (2006- 2009) for VIP protection, AU Mission for Support to the Elections in the Comoros (AMISEC, 2006) for election monitoring, AU Mission in Somalia (AMISOM, 2007) for regime support, AU Electoral and Security Assistance Mission to the Comoros (MAES, 2009), AU-UN Hybrid Operation in Darfur (UNAMID, 2008) for peacebuilding and civilian protection, Democratic Republic of Congo and Ivory Coast.

#### **Major Peace Keeping Missions in Africa**



*(Source: United Nations, 2017).*

Cognizance is given to the fact that some of the conflicts in Africa have been ongoing for several years. Additionally, it is noted that African Union peacekeeping missions do not receive equal support from member states for its peacekeeping missions. According to Williams (2009a: 617), a majority of the AU troops are obtained from very few member states such as South Africa, Egypt, Ghana, Nigeria, Rwanda, Benin, and Senegal. Bergholm (2010) documents that during the 2003-2004 conflict in Burundi and Comoros in 2006, 2008, South Africa was the single most contributor of troops to the respective African Union missions. Moreover, in 2008, Uganda was the sole contributor of peace mission troops to Somalia (2007-2012) while South Africa, Senegal, Rwanda, and Nigeria were the major contributors of troops for the AU mission in Sudan (2004-2007). These trends demonstrate that in the absence of their troop contributions to the African Union, the fundamental functions of the organization may not be operationalized effectively.

African Union has played a vital role in curtailing military coups and unconstitutional changes of government regimes by ensuring that in such circumstances, there is a reversion to democratic rule to enhance and accelerate better political governance in Africa. This was witnessed in Mauritania in 2008, Madagascar in 2009, Guinea in 2008, and Burkina Faso in 2015 (Joshua et al., 2017: 458). The African Union took a measure that included suspending the respective states and instituting timelines for the respective states to revert to democratic practices that conform with their respective state constitutions. Whenever such states failed to conform to demands instituted by the organization, the Peace and Security Council (PSC) has often resorted to the appropriation of coercive measures to ensure compliance. For instance, the African Union suspended Eritrea in 2009 and 2011 for supporting rebels in Somalia. Additionally, a hybrid mission between the African Union and the United Nations in 2011

coerced the illegitimate incumbent regime in Ivory Coast that had lost in elections to step down and ensure that a de jure government assumed office (Williams, 2011). Other countries that have been subjected to AU coercive sanctions include Niger, Togo, Comoros, and Guinea (Omorogbe, 2008: 137).

The African Union has adopted a variety of peace-making approaches in the post-Cold War era that demonstrate a preference for consensual decision-making by member states out of the glaring public eyes between different warring factions and the Peace and Security Council. According to Oguonu et al., (2014: 326) African Union has adopted measures such as power-sharing agreements as witnessed in Comoros in 2006. According to Mehler (2008), other cases where the African Union has successfully been involved in negotiating power-sharing deals include Ivory Coast (2002-2007), Zimbabwe (2008-2009), Libya (1994-2003) and the Central African Republic (1996-2007). However, Lisk (2012), argues that the significant decrease in the number of coups and an increasing number in successful elections during the last two decades is indicative of the success of the African Union in balancing the behavior of states, political activities, and values.

The instruments used by the African Union in management and prevention of conflicts are provided for under Article 4(h) of the Constitutive Act (Makinda et al., 2008). These instruments are implemented through the African Peace and Security Architecture (APSA), the two regional mechanisms including the Eastern Africa Standby Force (EASF) and the North African Regional Capability (NARC) and, the Regional Economic Blocks. Generally, issues that relate to peace and security fall under the jurisdiction of the Peace and Security Council (PSC) that has the decision-making mandate. However, Murithi et al. (2013: 164) documents that this mandate is extensively influenced by the capacity and information of the African Union Commission which is obtained from special envoys, field offices, media platforms gathered through African Union Situation Room. This influence wielded over the Peace and Security Country (PSC) by the African Union Commission is due to its capability to collect information, expertise, and institutional memory (Hardt, 2016: 182).

### **3.4. INTERVENTION AS A RESPONSE INSTRUMENT OF AFRICAN UNION**

African Union adopted a completely different approach away from non-intervention policy as was previously observed by its predecessor Organization of African Unity (OAU) to a policy of interventionism in deciding the limits of the responsibilities of sovereign states, the prerogatives of non-interference and the nature of non-interference. According to Sturman et al. (2010), this policy is reflected in AU's unofficial slogan of non-indifference to the continental challenges to peace and security. Article 4 (h) of the African Union Constitutive Act as a right, permits the members of Heads of States and Government to be involved in military interventions in other states in during conditions or circumstances that may be considered as dire such as in cases of war crimes, forceful transfer of masses,

crimes against humanity and genocide (Kuwali et al., 2014). Notably, a military intervention to any given state requires legal support of a minimum two-thirds majority vote of member states in the General Assembly. However, this provision has been criticized for instance by Kuwali et al. (2014) who argues that it is against international legal grounds on the use of force as stipulated under the United Nations Charter Article 53. Hurd (2014: 369), opines that this policy is a legal claim that to some extent, the sovereignty of African states is secondary to the authority of the African Union. Additionally, this provision has created a lot of debate following the experiences of Darfur (2004) and Libya (2011) whereby the African Union failed to invoke Article 4 (h) of the Constitutive Act despite the perpetration of grave crimes against the masses.

### **3.4.1. SANCTIONS**

In the AU Constitutive Act, Article 23 grants the African Union with the powers to impose sanctions on members states that have been found in contradiction of provisions of the African Union or failure to submit annual subscription payments to the organization. According to Engel (2010: 11-12) and Derrso (2017: 652), sanctions have been used by the African Union to respond to unconstitutional changes in government through coups or rigged elections. African Union has suspended member states that have been considered to be illegitimate regimes from engaging in the formal activities. Moreover, individuals who have been found to have perpetrated unconstitutional crimes against the masses have also been subjected to targeted sanctions. Sanctions were widely used between 2004 and 2014. According to Nathan (2017), the African Union imposed sanctions on 91% of cases reported relating to unconstitutional government changes through coup while sanctions were imposed to 71% of all cases taken up by the African Union relating to unconstitutional activities of member states. Among countries subjected to these sanctions include Burkina Faso, Central African Republic, Egypt, Guinea-Bissau, Mali, Sao Tome and Principe, Egypt, Burundi, Niger, and Sudan.

### **3.4.2. PEACE OPERATIONS**

The African Union has endorsed, commanded, and oversight several peace operations since 2003 (Williams 2013; Badimus 2015; Berhe & de Waal 2016; De Coning et al. 2016). The scale of these operations has ranged from small observer missions to large operations involving approximately more than 20000 active military personnel as witnessed in Somalia. For effective and efficient operations in these missions, the African Union continues to work closely with Regional Economic Communities, and ad hoc coalitions both within and from outside the continent to execute different operational functions such as monitoring declared ceasefires, counter-terrorism initiatives, peacebuilding, participating in election observations and stabilization missions. According to Okeke et al. (2017), these operations fundamentally emphasized the protection of civilian populations. External assistance has been very pivotal in peace operations of the African Union as it provides the very much needed logistical

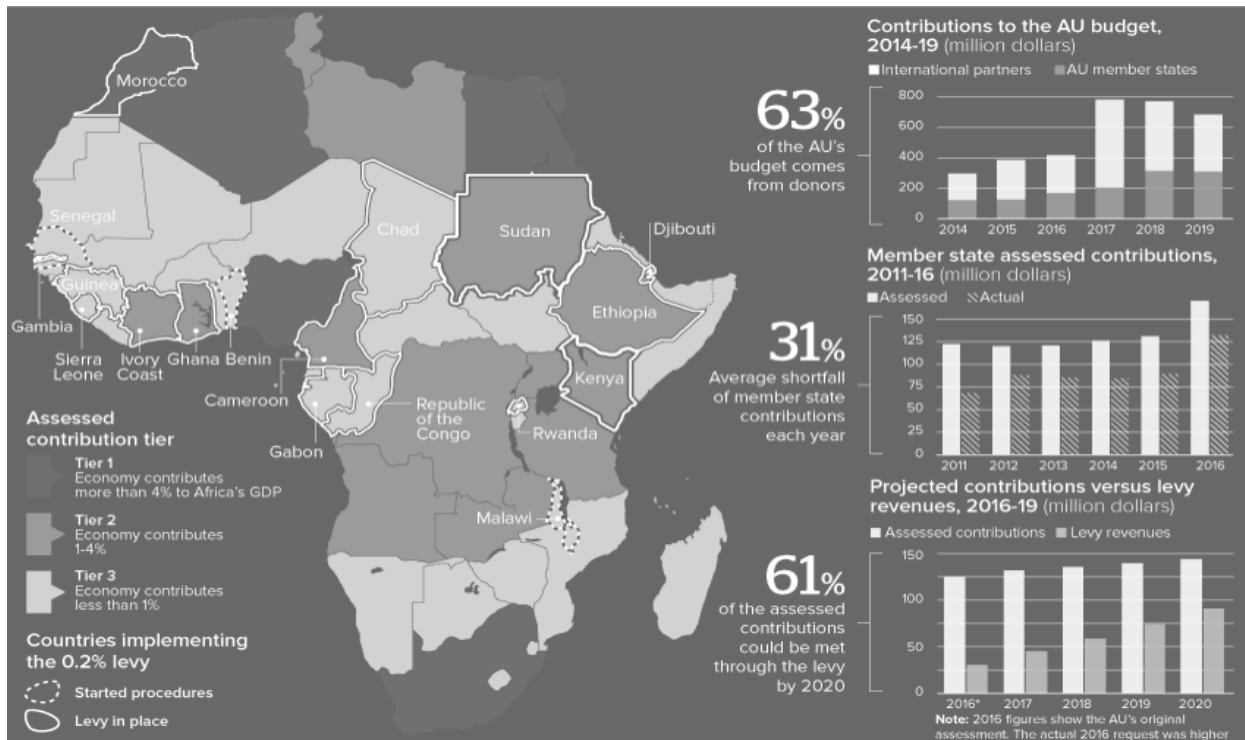
support, training, appropriate technology, financial support, planning of missions, deployment of military and civilian personnel in conflict-stricken areas and equipment. According to Coleman et al. (2017) and Gelot et al. (2012), some of the key partners of African Union in these peace operations include the United Nations, United Kingdom, United States, France, and the European Union.

### **3.5. AU CHALLENGES IN CONFLICT RESOLUTION**

#### **3.5.1. FINANCIAL RESOURCE CHALLENGES**

According to the African Union (2019), 63 percent of the funding for African Union operations comes from external partners such as the European Union, the United Nations, China, and the United States. Williams et al. (2015) point out that the United States is the biggest bilateral donor for African Union peace operations as well as the United Nations. The European Union is the comprehensive mainstream partner in the various dimensions of the Africa Peace and Security Architecture (APSA) through the African Peace Facility (APF) that was established in 2004 at the backdrop of the 2003 Maputo summit that resolved to establish an EU-Africa Partnership on Peace and Security framework. This framework supports early response mechanisms, capacity development, and support for peace operations funded by the European Development Fund (EDF).

## **International Partners and Domestic Funding Capacities to the African Union**



(Source: *African Union, 2019*).

However, the Peace Fund continues to be underfunded rendering it difficult to effectively and efficiently execute its mandate as envisioned during its establishment. Several African states have underperformed in remittances as well as adequately funding peacekeeping operations. For instance, despite the continent hosting 55 countries, 75 percent of the African Union budget has been contributed by five countries including Egypt, South Africa, Algeria, Libya and Nigeria (Williams 2009b, p. 619 cited in Bergholm, 2010). According to AU Financial Report (2019), in 2018, more than 40% of member states failed to pay annual contributions consequently translating to allocations of US\$115,467,925 and US\$14,313,095 to the regular and Peace Fund budgets representing only 69% and 42% of the expected budgets respectively. Thus, the contemporary financing mechanisms for the African Union are unpredictable, not equitable, not sustainable, and cannot be properly accounted for. According to Nathan et al. (2016: 77-78 cited in Albuquerque 2016), the annual costs for peace operations within the continent range between US\$134 and US\$900 million. Consequently, the over-reliance on external donors to meet the financial gaps for AU activities continues to undermine the unofficial slogan of the union that African problems need African solutions in conflict management as these actors also pursue their own national or institutional interests that may overshadow in the long-run, the interests and needs of the continent.

### **3.5.2. UNCONSTITUTIONAL CHANGES OF GOVERNMENT**

Several conflicts within the continent have escalated or triggered by unconstitutional changes of government and thereby putting immense pressure on the implementation of the African Union Charter on Democracy, Elections, and Governance. Recent events relating to the Arab springs in the North African states such as Tunisia, Algeria, Libya, Egypt as well as other politically motivated conflicts in Sudan and South Sudan have exposed the inadequate capacity of the African Union is conflict management. There have also been issues relating to forceful attempts to stay longer in power through unconstitutional changes in state constitutions as witnessed in Uganda, Rwanda, Burundi and the Democratic Republic of Congo. The failure of the African Union to take actions against such heads of states and governments has been criticized as an attempt by the AU to protect these Heads of States and Governments. However, cognizance is given that low rates of ratification of the AU Charter on Democracy, Elections, and Governance, extensively limits the mandate and capacity of the African Union. According to a report by Institute of Strategic Studies (2016), whereas all 55 African member states have signed the African Union Constitutive Act, the African Union Charter on Democracy, Elections, and Governance has been signed by 46 member states and only ratified by 23 states.

#### **3.5.2.1. COMPLEX BUREAUCRACY**

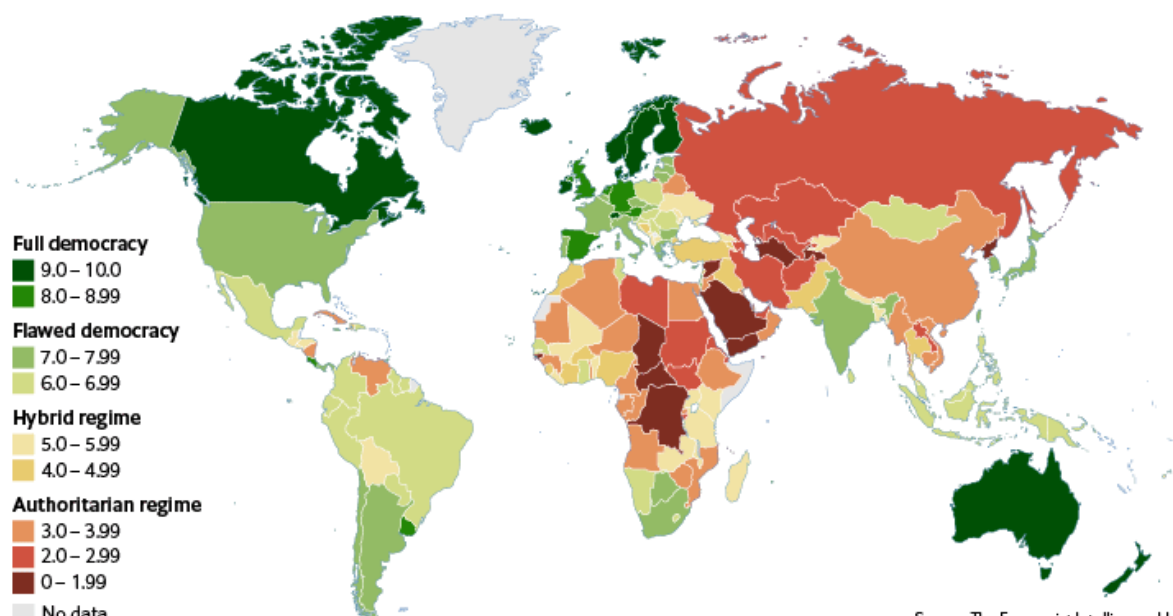
According to AU Commission Strategic Report (2009-2012: 17), the Union is facing the challenge of weak bureaucratic processes and systems of management; weak reputation, reach and presence; absence of adequate physical infrastructure; outdated information gathering technologies; lack of adequately motivated professional personnel; and, underfunding. Indeed, for effective and efficient management of conflicts, there ought to be strong bureaucratic system both at the AU headquarters in Addis Ababa and all the other offices across the continent with adequate support and proper coordination of activities and operations. According to Tonga (2016), decisions made the Peace and Security Council take a long time usually after a crisis has achieved the status of critical. Adebajo et al. (2012: 1) attributes this to lack of political will amongst some African leaders and the absence of critical interest on AU related matters. Baker (2007: 121) argue that these conditions have weakened the response rates of AU rendering them ineffective as witnessed by the failure of AU to sanction Egypt and Tunisia despite clear violations on human rights during peaceful protests. The African Union declined to condemn the actions of Hosni Mubarak and Gbagbo until they stepped down from power (Guesh, 2013: 69).

The Peace and Security Council (PSC) is extensively understaffed and under-resourced. There is a need to increase the number of professional posts, legal personnel, and language translators. An assessment by the AU Commission Strategic Report (2012) documents that there has been a conspicuous reluctance by member-states to establish new professional positions for the secretariat despite a glaring need for such a demand. This consequently questions the commitment levels of the member states to ensure full operationalization of the African Peace and Security Architecture (APSC).

### **3.5.2.2. WEAK DEMOCRATIC GOVERNANCE IN AFRICA**

According to Maru (2013: 36), the proliferation of conflicts and civil wars is a consequence of weak democratic governance systems across the continent. The uprisings experienced in the North African countries such as in Egypt, Tunisia, Algeria, and Libya as well in other states such as Sudan and Burundi highlight the massive challenges facing African states relative to the handling of revolutions and the response to unconstitutional changes to government. Poor governance has led to extreme cases of poverty in several African states leading to the emergence of radical groups, insurgents, secessionists and terrorist groups such as Boko Haram that exploit the dire economic conditions of the masses to strike terror targets against the state. According to a report published by The Economist (2018), the majority of African countries continue to rank way below the average Global Average Democracy Index as shown in the map below;

**Map showing the Global Democracy Index for 2018**



(Source: *The Economist*, 2018).

### **3.5.2.3. MILITARY CHALLENGES**

The African Union lacks a permanent standby force to respond to urgent and complex crises that need military attention. During the African Union intervention in Somalia, the Burundian military contingents under the African Union mandate were ill-equipped as they lacked basic military equipment and had to rely on provisions from the United States to conduct basic military operations. There was an evident lack of military equipment such as communication gadgets, unmanned aerial vehicles, armored tanks, armored personnel carriers, mortar and radar systems, night vision equipment and both utility and attack helicopters. There is also inadequate military experts in sectors such as medicine, a gathering of intelligence and engineering which are very critical in managing and preventing conflicts.



#### **3.5.2.4. INFRASTRUCTURAL GAPS**

There are inadequate infrastructural facilities such as safe and secure accommodation facilities which are very crucial in the fields. Additionally, in responding to the medical needs of civilian victims and military personnel, there are very few Level II or Level III hospitals that specialize in handling serious surgical procedures in areas that have been stricken by conflict to reduce the number of lives claimed (UN Secretary-General Report, 2012). The African Union continues to conduct several of its operations in the absence of UN's equivalent of Department of Field Support thus significantly hampering the capacity of the Peace Support Operations of the African Union in managing operational plans that deal with logistics, management of stores, provision of fuel, movement controls and rotation of military personnel.

#### **4. CONCLUSION**

Indeed, the African Union has relatively performed better in comparison to the former Organization of African Unity. There is the existence of evidence regarding successful conflict resolutions in states such as Kenya, Burundi, Zimbabwe, and Comoros. The increasing capacity of the African Union on African affairs is also evidenced by the extensive reduction in the number of autocratic regimes, unlike what was previously witnessed in the early decades after independence of African states. It is therefore practical that African Union can be developed and facilitated to open up a new chapter for the continent relative to peace, security, and development. Even more importantly, through the various initiatives and programs in infrastructural development, peace and security, governance, and continental integration, the African Union can put the continent on a path of stability and industrial development. This will go a long way in empowering African masses, consequently transforming into improved quality of life through opportunities in accessing quality education, health, investments as well as protection from the threat of conflicts and instability. However, these can only be possible through rigorous reforms in the structure of the organization to improve capacity and efficiency in the different departments within the organization. The following recommendations can be considered along the way;

Based on the recent spate of conflicts experienced and those that are ongoing either as a result of the war against terrorism, political revolutions, civil wars or due to the unconstitutional changes in government in the continent, it is imperative that the African Union develops new strategies. The aim will be to address the root causes of conflict as well as the duration of such conflicts in the continent. Key, for instance, is the need to address the infrastructural demands of African states to create more employment opportunities and enhance capacity. African Union should emphasize on continental initiatives such as the developments of the African Transnational Highway Network and work towards the full operationalization of the African Continental Free Trade Area (AFCTA). Prioritizing the success of these initiatives is fundamental in addressing economic causes of conflict within the continent as they provide increased opportunities for trade and integration.

In addressing the financial challenges that face the organization, African Union needs to develop international financial resource structures to fund its operations and move away from overreliance on external sources of funding that are unreliable, inadequate, unpredictable, unsustainable and not equitable. There is a need to follow-up on the implementation of the 0.2% import levy that is envisioned to contribute towards the financing of the organization's peace and security operations.

The African Union also needs to increase the intensity of its coercive mechanisms in responding to conflict situations. There needs to be a more rigorous implementation strategy of Article 4 (h) that provides for forceful interventions in conflicts whenever other peaceful measures of conflict resolutions have failed or have been deemed inadequate to be a speedy halt to intense conflicts that lead to huge losses in human lives. Other conflict mechanisms such as the Continental Early Warning System (CEWS) should be integrated with long-term responses by establishing further engagements on structural prevention of conflicts by bridging interdepartmental gaps. It is important for the AU to address its capacity to coordinate the activities in the organization and the responsibilities of different departments and divisions. Cognizance is given to the critical roles played by the Department of Political Affairs (DPA) and the Peace and Security Department (PSD) in the resolution of conflicts. However, these departments need additional support in terms of funding, staffing, capacity building, and clear clarification of roles to become more effective in executing their mandates.

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