Assessing the Role and Capability of the Peace and Security Council of the African Union in Bringing about Peace in Africa:

A Case Study of Burundi and Sudan

By

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South African former Freedom Fighters should not be jealous of the academic successes of the youngsters, but embrace them for it is the positive fruits of their struggle...and a clear indication of their victory against the Apartheid regime in South Africa.

General .K.C. Mathabe, December 2008

Abstract

This thesis examines the Peace and Security Council (PSC) of the African Union (AU) in light of the continental challenges of peace and security. It explores the prospects for the success of the PSC in its endeavours. The study's central argument is that the PSC's ability to successfully tackle peace and security challenges depends greatly on the cooperation of the fifteen members of the PSC as well as between the fifty-three African Union members and the international community at large, including the United Nations. This hypothesis is backed by the argument that although the PSC may be a practical translation of the theoretical statement that 'African problems need African solutions', the reality is that the PSC cannot achieve such an ambitious objective alone. The PSC's enthusiasm should be bolstered by the requisite assistance from the international arena. The international community, especially the major players or countries in the international political spectrum, are challenged to work together with the PSC in its quest for African peace and security. The members of the international community are called upon to discontinue their parallel peace and security initiatives in Africa in favour of supporting and strengthening the PSC's ongoing initiatives.

Another critical point raised in the study is that the UN's brief to cultivate world peace and security obliges it to buttress the PSC's initiatives, the home-grown regional solutions to Africa's inherent peace and security challenges. This support should include the UN's engagement at all levels with the newly created African Peace and Security Architecture (APSA). Indeed, the moral challenge for the international community is to support Africa's already demonstrated

political will with the necessary assistance. This study advocates political and economic cooperation, resource mobilisation and provision of the relevant expertise.

The validity of the study's hypothesis has been tested and confirmed by means of a deeper inquiry into the PSC's normal business conduct, and a comparative analysis of the case studies relating to the PSC's interventions in Burundi and in Sudan's Darfur region. This study of those interventions has illuminated the PSC's opportunities and challenges: on the one hand, it has revealed that the PSC's authority and legitimacy are not challenged, at least in Africa. On the other hand, however, it has lent support to the thesis that the PSC cannot go it alone - a conclusion that has encouraged the entire AU to find ways of challenging the UN to own up to its obligations. The PSC has made noteworthy strides in assisting to streamline and coordinate the support and engagement it receives from the international community.

The major limitation of the study is that it was conducted before other PSC support structures (the African Standby Force and the Continental Early Warning System) were fully operational. The study thus could not assess the full potential of the PSC. Nonetheless, the study has sought to identify potential or latent challenges which could hamper the PSC's success, whether its support structures are fully operational or not. In the end, the study recommends greater coordination and cooperation between the PSC and major international actors including the UN.

Declaration

I, NTANDAZO SIFOLO, declare that

(i)   The research reported in this thesis, except where otherwise indicated, is my original work.

(ii)   This thesis has not been submitted for any degree or examination at any other university.

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List of Abbreviations

AFRICOM	Africa Command
ACOTA	African Contingency Operations Training and Assistance
ACRI	African Crisis Response Initiative
ACSRT	African Centre for the Study and Research on Terrorism
AMIB	African Mission in Burundi
AMIS	African Mission in Sudan
AMISOM	African Mission in Somalia
AMU	Arab Maghreb Union
APPMs	Armed Political Parties and Movements
APSA	African Peace and Security Architecture
ASF	African Standby Force
AU	African Union
AUPD	African Union Panel on Darfur
AUHIP	African Union High-level Implementation Panel
CADSP	Common African Defence and Security Policy
CEN-SAD	Community of Sahel-Saharan States
CEWS	Continental Early Warning System
CFC	Ceasefire Commission
CISSA	Committee of Intelligence and Security Services of Africa
CNDD-FDD	Conseil National pour la Défense de la Démocratie – Forces pour la Défense de la Démocratie

COMESA	Common Market of East and Southern Africa
CPRD	Centre for Policy Research and Dialogue
CSOs	Civil Society Organisations
DITF	Darfur Integrated Task Force
DPA	Darfur Peace Agreement
EAC	East African Community
ECCAS	Central African States
ECOWAS	Economic Community of West African States
EPAs	Economic Partnership Agreements
EU	European Union
FRODEBU	Front pour la Democratie au Burundi
FOCAC	Forum for China-Africa Cooperation
ICC	International Criminal Court
IDPs	Internally Displaced Persons
IGAD	Inter Governmental Authority on Development
ISC	Intelligence and Security Committee
GoS	Government of Sudan
GPOI	Global Peace Operations Initiative
G8	Group of Eight Developed Countries
HIIK	Hieldelberg Institute for International Conflict Research
IPEP	International Panel of Eminent Personalities
ISC	Intelligence and Security Council
ISS	Institute for Security Studies

JEM	Justice and Equality Movement
JC	Joint Commission
LAS	League of Arab States
MCJ	Military Council for Justice
MCPMR	Mechanism for Conflict Prevention, Management and Resolution
MoU	Memorandum of Understanding
MRU	Mano River Union
NEPAD	New Economic Partnership for Africa's Development
OAU	Organisation of African Unity
OECD	Organisation of Economic Cooperation and Development
OIC	Organisation of Islamic Conference
OIF	Organisation internationale de la Francophone (OIF)
ONUB	United Nations Operation in Burundi
PAP	Pan-African Parliament
PALIPEHUTU-FNL	Parti pour la Libération du Peuple Hutu – Forces Nationales de Libération
PSC	Peace and Security Council
PSD	Peace and Security Department
PSOD	Peace Support Operations Division
P5	Permanent Members of the United Nations Security Council
RECAMP	Reinforcement of African Peacekeeping Capabilities
RECs	Regional Economic Communities
SADC	Southern African Development Community
SADCC	Southern African Development Coordinating Community

SLA/M	Sudan Liberation Army/Movement
SOPs	Standard Operating Procedures
TGoB	Transitional Government of Burundi
UK	United Kingdom
UNAMID	African Union / United Nations Mission in Darfur
UN	United Nations
UNSC	United Nations Security Council
UNSG	United Nations Secretary General
UPRONA	Union for National Progress
US	United States of America

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Chapter 1

Introduction, Background and Methodology of the Study

1.1. Background and outline of the research problem

The decolonisation of Africa in the 1950s ushered in a new phase in the African political spectrum. This meant that African states and peoples had new opportunities to determine and shape the continent's destiny. Indeed, African leaders took advantage of the opportunity and sought to rid the continent of remnant vestiges of colonialism, particularly in Southern Africa, while at the same time working to foster greater continental unity for development and prosperity. An indication of Africa's determination became evident with the creation in 1963 of the Organisation of African Unity (OAU) with the task of continental liberation, unity and development. Although the OAU registered success in achieving the objectives of liberation and unity, the same could not be said for continental development. Scholars often attribute the OAU's inability to advance Africa's development to challenges of peace and security that confronted the organisation from its inception. For instance, the eruption of conflicts between some African states (such as Algeria and Morocco; Mali and Burkina Faso; Somalia and Ethiopia; and Somalia and Kenya) in the 1960s and 1970s due to border disputes as well as within African states (such as civil unrest in the Congo in 1966 and in the 1966-1970 Nigerian civil war) diverted much of the attention of the OAU from development to conflict resolution.

These inter-state and intra-state conflicts presented unprecedented challenges as well as threats to stability and the development of Africa. Such conflicts often forced people to flee their homes to

seek refuge in neighbouring countries. Quite aside from the large numbers of refugees and "internally displaced persons" (by far the largest of any continent), this refugee phenomenon created other complexities. The arrival of refugees in other countries led to competition for resources between refugees and the nationals of such countries; thus, often causing another conflict or degrading the natural environment (Naldi, 1999: 99 and 214-225). According to Adedeji (1999: 10), "competition for resources typically lies at the heart of conflict". The phenomenon of spill-over effects of conflicts is succinctly captured by Deng (1995: 218-219)

> It should always be remembered that even an impending collapse of a state
>
> is an acute manifestation of a generalised crisis that, unless arrested and
>
> resolved at the roots, threatens not only the peace and security of the
>
> country, but often also of the neighbouring country and ultimately
>
> international order itself. For that reason the international community
>
> cannot afford to wait ...in order to act decisively.

The debilitated state of Africa was further exacerbated by deadly diseases such as malaria, AIDS and Ebola. Tesi (2007: 18) argues that diseases, especially the AIDS pandemic have robbed Africa of immense productive and developmental potential. He argues that although AIDS is a health problem, its impacts go beyond health, considering that large sums of monies have to be spent on its prevention and treatment. Moreover, Tesi argues (2007: 18) that the most affected part of the population is often the productive group that ranges from 20 to 40 years of age. Such diseases would normally be better prevented or controlled but for the context and effects of conflicts. In this regard, Africa's developmental agenda has been drastically disturbed by the incidences of conflicts and wars. For instance, Gavshon (1981: 36) writing in the early 1980s

stated aptly: "more than four million black refugees or displaced persons were moving across the continent in wave of misery". According to UNHCR 2009 Global Trends Report (2010: 7), at the end of 2009, Africa still had well over two million refugees and millions more of "internally displaced people" (IDPs). This was despite years of concerted efforts aimed at redressing the outbreak of conflicts and violence throughout the region. Beyond those, Africa's developmental woes have also been worsened by a range of other natural calamities such as famine and drought (1968 to 1974, 1983 to 1985, and 2007 to 2009) that affect the continent from time to time, often killing large numbers of people (Gavshon, 1981: 36; also see Adedeji, 1999, 20).

Moreover, the weakened condition of Africa was further complicated by the Cold War, where African states were pitted against each other by taking sides owing to the ideological differences between the United States of America (US) and the Union of Soviet Socialist Republics (USSR) (Gavshon, 1981: 27). Given these challenges, the OAU had to seek creative ways of dealing with conflicts, including the establishment of dedicated organs within the organisation (such as the Commission on Mediation, Arbitration and Conciliation as well as the Mechanism for Conflict Prevention Management and Resolution). The eventual transformation of the OAU to the African Union (AU) in 2002 did not alter the OAU's strategy of seeking to ensure peace and stability in order to achieve continental development. Instead, the AU augmented the earlier initiatives by establishing the Peace and Security Council (PSC).

The PSC of the (AU) is the organ tasked with preventing, managing and resolving the conflicts that continue to undermine Africa's vision and ambitions of a peaceful environment conducive to development. The activation of this organ, in 2004, has been viewed by scholars and analysts

not only as bringing hope to Africa and its people, but also significantly boosting the capability of Africa to deal with conflicts. Kagwanja (2004: 4) argues that the PSC will enhance the AU's capacity in conflict management and peace-building. Such areas were not focused upon during the OAU era. In the same context, Field (2004: 19) notes that "When, in 2002, African leaders formed the African Union (AU), they put to bed the inability of its forerunner, the Organisation for African Unity (OAU), to deal with conflicts, and adopted a new approach to maintaining peace and security". She further argues that the action taken by African leaders' was motivated due to the realisation and acknowledgement that peace and stability is an essential precondition for social and economic development (Field, 2004: 19). Therefore, the PSC has an instrumental purpose and function given that it was emplaced by African leaders in search of regional peace and stability.

Given the above factors, it could be assumed that lack of cooperation appears to be a critical challenge that eluded members of the OAU and, thus, significantly undermined the endeavours of the organisation in achieving peace and stability in the continent. In this study, it is contended that the PSC will succeed in its quest to prevent, manage and resolve conflicts. The central argument is that effective cooperation among not only AU member states (especially the fifteen members of the PSC) but also between the AU and key international players, will go a long way towards contributing to the success of the PSC in undertaking its mandate. Cooperation in this instance is understood as a process of working jointly to achieve a common goal. In other words, cooperation suggests coordinated policy adjustments by states for mutual benefit. As noted by Gruber (1999: 5-9), cooperation is about reciprocity, and multilateral cooperation helps states to further their common interests.

However, schools of political thought hold different views on the subject of cooperation. For example, the neoliberal institutionalism approach maintains that states are concerned with absolute gains. Advocates of institutionalism maintain that institutions promote cooperation by improving inter-state communication, lessening mutual suspicion and helping states to attain mutually beneficial rewards that might not be had otherwise (Hwang, 2006: 52). In this context, Franke (2009: 16) observes that neoliberal institutionalism assumes that states always seek to maximise their gains through cooperation because it is the most rational thing to do. Despite this, some neorealists believe that given the anarchic character of the international system, hegemony is of great necessity and a prerequisite for the emergence and maintenance of order and cooperation in international affairs (Hwang, 2006: 51). Hegemony requires that one state is powerful enough to maintain the essential rules governing interstate relations. Social constructivism posits that just as the state and its identity are social creations, so is the environment in which the state acts. As such, the context in which self-centred states learn to cooperate is similar to environments where they seek to reconstruct their interests in terms of a shared commitment to specified norms. According to Koblentz (2006: 11-12) cooperation will be impeded firstly if the intentions of the states are uncertain and unpredictable. Secondly, in the absence of a central authority to enforce promises, states will worry that their potential partner will cheat and use a cooperative arrangement to covertly increase its strength. Lastly, states will seek to avoid becoming dependent on other potentially hostile states.

1.2. Contextualising cooperation: PSC perspective

It could be argued that by establishing the PSC within the AU, Africans have created an institution that will act not only as a facilitator of cooperation but also as a watchdog of those who fail to comply. Cooperation is fundamental to the interest of African leaders who wish for the eradication of threats posed by political instability and conflict situations to the security of the continent. Martin (2002: 204) maintains that improved cooperation with regional organisations will also contribute enormously to conflict resolution. Importantly, according to Jupille (2006: 1), the lack of cooperation between the United Nations Security Council's permanent five (P5) exacerbated the humanitarian crisis in Kosovo. According to this claim, the lack of cooperation was caused by Russia and China's determination to block any resolution authorising the use of force through the UN. It is for such reasons that AU leaders sought to develop and introduce region-specific peace and security instruments such as the PSC to address urgently, and with minimal or no hindrance, regional peace and security imperatives. In this way, the ratification of the protocol relating to the establishment of the Peace and Security Council of the African Union (PSC Protocol) in 2002 ushered in a new era in African politics. The challenge now lies in the fulfilment of the commitments made by Africa's leaders. As Golaszinski (2004: 12) attests, a backlog of unfulfilled commitments significantly discredits multilateralism in Africa.

Significantly, the Constitutive Act of the AU gives the Assembly of the AU the power to intervene in member states in the face of grave circumstances such as war crimes, genocide and crimes against humanity (Article 4h of the Constitutive Act, July 2000). This appears to provide a solution to a problem that has long been a stumbling block to Africa's resolution of conflict

situations - the OAU's principle of non-interference in the internal affairs of other states. However, history reveals that it is not new for Africa's leaders to make serious commitments on paper (as they have with the AU's Constitutive Act and the PSC protocol), then fail to translate those commitments into action (Ihonvbere, 2003: 361). Golaszinski (2004: 12) notes that formal mandates of Africa's organisations and decisions taken by their highest bodies are not matched by genuine collective commitment and capacity for monitoring and implementing such resolutions.

Lack of cooperation is but one of many hindrances to the success of African initiatives. Lack of political will among African leaders has been cited as another obstacle (Ihonvbere, 2003: 361). In the case of the OAU's initiatives, the situation has been exacerbated by the tendency of member states to default on their annual OAU payments despite their awareness of the organ's financial needs (Saxena, 2004: 189). The fact that some countries spend as much as half of their budget on defence or arms (Commey, 2004: 14) invalidates the claim that member states cannot honour their financial obligations to the OAU because of Africa's weak economic circumstances. For instance, the SIPRI Yearbook (2009: 199), states that in 2008 military expenditure in Africa increased by 10.2 per cent in real terms to reach 25.8 billion US dollars. This was the biggest increase since 2004 when military expenditure rose by 11 per cent. Clearly then, AU member states would be showing prudence by committing substantial financial support to this fledgling continental initiative. It is suggested that the international community (including the Group of Eight countries (G8), the European Union (EU), and the Organisation of Economic Cooperation and Development (OECD) should also assist in enhancing the resource capacity of the AU (PSC).

Although responsibility for ensuring the continent's peace and stability rests ultimately with Africans, the international community should play an equally fundamental role. Evidence suggests that international role players tend towards insincerity when it comes to their participation in conflict resolution in Africa. The Rwandan genocide is a case in point. According to Mays (2003: 110), major international players turned a blind eye when the Rwandan Hutus embarked on an ethnic cleansing of the Rwandan Tutsis. This action, according to Mays, was due to Rwanda not being in the interests of the major international actors. Thus, the international community's insincerity is typified by the application of double standards; for instance, rather than focusing on humanitarian assistance of those in need, the international role players seem to attach greater importance to countries or areas where their interests are at risk (Mays 2003: 108-111). Noting this bias Van Nieuwkerk (2004:56) states that "Africa's conflicts and human tragedies are irrelevant to globalisation and American hegemony except where they impact on the profit line".

Moreover, the activities of key international players like France and the US do not seem to complement African initiatives aimed at bringing about stability on the continent. Article 7(i) of the PSC protocol commits the PSC to the fight against terrorism. While the US has viewed Africa as a strategic partner in the anti-terrorism fight since September 11, 2001, the US has not taken cognisance of the AU's existing anti-terrorism initiatives. For example, the US has chosen to train the armies of select countries in order to bolster their capacity to fight terrorist threats (Botha, 2004: 21-22). It could be argued that the vulnerability of some African states encourages their cooperation with the US. However, the willingness by the chosen African countries to

cooperate with the US on anti-terrorism initiative could negatively affect the AU's initiatives. While such US assistance is vital, the AU's initiatives could be undermined if coordination between such approaches and the AU's initiatives is not prioritised.

It could be argued that in certain instances France represents another example of a key international player demonstrating lack of cooperation with African leaders and organisations. According to Akarue (2004: 26-27), during the Cote d' Ivoire conflict in 2004, France disregarded the AU's initiative of resolving the conflict through dialogue between the warring factions. Instead, France backed the presidency of the opposition leader, Allassan Outtara -- thus undermining the AU's stance on the matter.

It is critical to underscore that the PSC is empowered by the Protocol (Article 7g) to institute sanctions if an unconstitutional change of government takes place in a member state. In this regard, the full cooperation of AU members and parties outside the continent is called for to uphold crucial PSC protocol principles such as this. Cooperation will also ensure that sanctions have the desired correctional effect and are not thwarted as happens when a sanctioned country survives thanks to the help of other states. In essence, if the PSC decides to impose sanctions on a country, it is imperative that the AU members and key international players honour its decision.

Finally, there appears to be some willingness by both Africans and their international counterparts to combat conflict situations in Africa. The commitment on the part of Africans has been signalled clearly by the ratification and subsequent activation of the PSC protocol. It

should be highlighted that the Protocol is meant to enforce and uphold certain undertakings in the Constitutive Act made by the member states. Therefore, the willingness of African states to surrender a portion of their sovereignty in adherence to the Protocol, for the sake of security and stability (as provided for in Article 4 (h and j) of the Constitutive Act), is a sign of the seriousness that Africans accord to the creation of security and stability on the continent. Evidently, declarations are not enough in themselves. PSC members will need to work very closely (and encourage a similar work ethic amongst other AU member states and international actors), to effect the implementation of AU decisions and declarations. Furthermore, declarations of key international players - be it those of the 2005 G8 Gleneagles summit, the Africa Commission or individual efforts such as those of America under the Global Peace Operations Initiatives (GPOI) -- aimed at enhancing Africa's stabilisation and capacity will need to be coordinated carefully through the PSC to ensure harmonisation. Coordination such as this would discourage the undermining of African initiatives by international players. It would also check and hopefully deter their tendency to lend a hand only when it is in their interest to do so. In this favourable context, the PSC would be in a position to decide when, why, where and how to call upon predictable international support.

1.3. Hypothesis

The Peace and Security Council (PSC) of the African Union (AU) will succeed in its quest to prevent, manage and resolve conflicts that undermined Africa's development for many years if there is effective cooperation among the AU member states (especially the fifteen members of the PSC) as well as between them and some key international actors.

1.4. Significance of the Study

The Protocol establishing the PSC was adopted on 9 July 2002 and entered into force on 26 December 2003. It signalled the replacement of the OAU's Mechanism for Conflict Prevention, Management and Resolution (MCPMR) by the PSC as a standing decision-making organ for the prevention, management and resolution of conflict situations. Article 2 (1) of the PSC protocol states that the PSC is a collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa.

Although there is general consensus and commitment among African leaders with regard to the PSC and its functions, the much-publicised failure of its predecessor (the OAU MCPMR), undoubtedly, raises some concerns about whether the AU PSC will fare any better (see Van Nieuwkerk, 2004: 41-46 and Field, 2004: 19-22).

The inability of the AU's predecessor (the OAU) to intervene effectively in the guaranteeing of human security was held by many to be an obstacle to its success. Some scholars have observed that the principle of non-interference often runs counter to a respect for human rights. Field (2004: 20) argues that the OAU was hamstrung by its original mandate, which stipulated that neither the organisation *nor its members* were permitted to intervene in the internal affairs of the member states.

It should also be noted that the OAU failed to resolve certain interstate conflicts (for example, between Algeria and Morocco in 1963; between Ethiopia and Somalia in 1966; in the Congo during the mid 1960s; and in Nigeria during its civil war of 1967 to 1970 even though it was not

prevented from doing so by the principle of non-interference (van Nieuwkerk 2004: 42-43). Due to the unimpressive record of the OAU member states largely avoided it on security matters in favour of non-regional countries and institutions. According to Ihonvebere (2003: 353), the unfortunate consequence was that Africa became a conflict-resolution testing ground for foreign powers.

Because Africa becomes meaningful to others only when their interests are involved (van Nieuwkerk, 2004: 56), some conflict situations in Africa were not accorded the significance they deserve. Rwanda's genocide of 1994 is a case in point. Even though the maintenance of international peace and security is the primary responsibility of the UN, the fact that the UN is controlled by non-African powers seems to be to Africa's disadvantage. In this connection, one tends to understand Mays' (2003: 108-111) argument that if a conflict in Africa has nothing to do with the interests of the big powers in the UNSC, the conflict does not hold importance and can consequently be ignored.

It is against this backdrop that scholars have called for African solutions to African problems. Given that conflict situations in Africa affect Africans more than the external community, the advocacy for African solutions to African problems is not only critical but relevant. Scholars argue that Africans bring indigenous knowledge of conflict prevention, resolution and management to their interventions. They possess the advantage of shared knowledge, understanding, and frames of references (see Ihonvbere, 2003: 357; Mays, 2004: 106-125; Saxena, 2004: 187). Scholars have also underscored the obstacle created by the OAU's policy of non-interference in the internal affairs of other states. The AU's subsequent attempt to deal

with the problems associated with non-interference (particularly through Article 4(h) of the Constitutive Act and Article 4(j) of the PSC Protocol, which guarantee the Union's right to intervene in a member state's affairs (pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide and crimes against humanity), has therefore caught the attention of numerous scholars (see van Nieuwkerk, 2000: 49; Field, 2004: 21 and Powell, 2005: 1).

The inauguration of the PSC in 2003 has led many hopeful individuals to believe that African insecurity problems would now be dealt with more effectively (Kagwanja, 2004: 4). Field (2004: 19) maintains that the formation of the AU in 2002 paved the way for African leaders to adopt new approaches for dealing with conflicts, and thus did away with the weakness of the AU's forerunner. When Nigeria decided to ratify the PSC Protocol, enabling the PSC to come into force, there was much optimism about the future and many envisaged peaceful settlement of disputes on the continent and the speedy resolution of existing conflict situations. Commenting after depositing the instrument of ratification, the Nigerian Chargé d'Affairs said he expected that the activation of the PSC would reduce the burden of conflicts and give Africans a chance to pay particular attention to issues of socio-economic development.

Most of the literature on the PSC and its launch represents the PSC as an organ that can or should bring greater levels of peace and stability into the continent (see Van Nieuwkerk, 2000: 49; Field, 2000: 21; Powell, 2005: 1 and Kagwanja, 2004: 4). In other words, scholars view the PSC as having brought hope to Africa. Unfortunately, there have been virtually no substantive or systematic attempts to assess the prospects for the organ's success. This study bridges that

gap by placing a particular emphasis on cooperation as a perceived major contributing factor to such success. Deng and Zartman, (2002: 151) stated aptly: "If security, stability, and development form interlocked rings of values, cooperation is the calabash that holds them all." Indeed, Mays (2003: 123) adds that it is in the interest of both the West and African states to cooperate and find a formula that will make what she calls "the Africanisation of peace operations" a success. This study subscribes to the above Deng and Zartman's assertion and its emphasis on the importance of cooperation in bringing about stability in Africa.

In essence then, the PSC is a significant attempt by Africans to wrestle with issues of peace and security within the region. By examining the PSC, this pioneering study provides vital insights into its workings and potential effectiveness. It is hoped that the study will play a role in enhancing the PSC's success in dealing with conflict situations in Africa. As an important contribution to academia, the study adds to our understanding of regional efforts to promote political stability and economic development of the entire continent (hitherto elusive) by cultivating peace and security through conflict prevention, resolution and management, and through peacemaking and peace-building. More importantly, this study serves as a significant pointer to the root of the challenge likely to impede the PSC's effectiveness and success. The study's contention is that most challenges to the PSC could be mitigated through enhanced cooperation and coordination.

1.5. Research objectives

The principal objectives of this research are as follows:

1) To identify and evaluate some of the crucial factors that will determine the PSC's effectiveness as an instrument for managing conflict situations and making peace.

2) To clarify the nature and importance of the cooperation needed between key AU member states and international actors for the success of the PSC.

3) To underscore the importance of buttressing Africa's initiatives aimed at ensuring the peace and security of the continent.

4) To highlight the urgency of finalising the operationalisation of the PSC's supporting structures such as the African Standby Force (ASF), the Continental Early Warning System (CEWS), the Panel of the Wise, and the Special Fund.

1.6 Research questions

Questions[1] that informed the study generally centre on each objective, namely:

1) What are the crucial factors that will determine the PSC's effectiveness as an instrument for managing conflict and establishing peace – and why?

2) What is the nature and significance of the cooperation needed from key AU member states and international actors and how as well as why does it affect the success of the PSC?

3) Why are African initiatives aimed at ensuring the peace and security of the continent important and why should they be supported?

4) How urgent should the PSC's supporting structures (such as the ASF, CEWS, The Panel of the Wise, and the Special Fund) be operationalised in support of AU's peace and security objectives?

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[1] See Appendix C for detailed questions

1.7. Theoretical framework of the research project

African leaders endorsed the transformation of the OAU to the AU (through the adoption of the AU Constitutive Act in July 2000 at Lomé in Togo) because they had hopes that the new organ would ensure greater unity and better development of the African continent. The decision to transform the OAU can be explained using a constructivist approach, the hypothesis behind which is that states are a social construction bound by norms, rules and institutions of their own creation (Kolodziej, 2005: 293). The constructivist approach puts emphasis on the inter-subjective nature of regional bodies: developing a shared sense of belonging or regional identity is regarded as a significant part of institutionalising regional cooperation (Hwang, 2006: 56). In this regard, the constructivist approach goes beyond the liberal institutionalism theory, which claims that institutions serve as important platforms for facilitating cooperation when it (the latter) is in the recognised mutual interest of each state (Walt, 1998: 4).

African states designed the AU to serve and protect their interests (see AU Constitutive Act 2000, Article 3 (a-n)). While this reasoning sits well with neo-liberal institutionalism, it falls short of explaining how states can be forced to behave in a manner that is contrary to their own perceived interests. Social constructivism maintains that shared beliefs, ideas, identity and norms are what encourage states to cooperate. Seen in this light, the AU's formation is an added bonus. The AU Constitutive Act lays down the rules by which all its signatories are bound, while the AU organs (most importantly the PSC) monitor and ensure their implementation (see AU Constitutive Act 2000, Article 5 (1-2)).

In this study, particularly through the utilisation of the constructivist approach, it is required that the AU should be viewed as an example of an evolving security community. According to Adler and Barnett (1998: 6-7) there are two groups of security communities: pluralistic and amalgamated. Pluralistic security communities retain their sovereignty while amalgamated security communities are said to exist when the states formally unify. It could be argued that the AU is an example of a pluralistic security community given the fact that its member states retain a large degree of their sovereignty. Adler and Barnett (1998: 7) purport that states within a pluralistic security community are compatible in terms of core values derived from common institutions and mutual responsiveness. They also maintain that these states have mutual identity and loyalty (a sense of "we-ness") and are integrated to the point that they entertain dependable expectations of peaceful change (1998: 7).

According to Article 3 (b) of the AU Constitutive Act 2000, one of the objectives of the AU is to defend the sovereignty, territorial integrity and independence of its member states. Article 4 (e) enshrines the principle of peaceful conflict resolution among AU member states. It could thus be argued that there is a movement towards a security community, given the AU's commitment to protecting the sovereignty of its member states and its preparedness to resolve conflict situations peacefully.

1. 8. Research methodology and methods

Qualitative research methods were employed in this study. De Vos et al (2005: 269) identify five strategies of inquiry that can be used when this type of research is carried out: biography, phenomenology, grounded theory, ethnography and case study. The last was chosen for this

particular study. According to Cresswell (see De Vos et al 2005: 269), a case study can be regarded as an exploration or in-depth analysis of a bounded system. De Vos et al indicate that the case may represent a process, activity, event programme or individuals.

The case study strategy of enquiry was chosen because it allows for a comparative analysis of cases, which is necessary for the examination of PSC activity since the organ's inception. This method enables one to determine whether the PSC will stand the test of time. According to De Vos et al (2005: 272), a study may be called a collective case study whenever multiple cases are chosen. Therefore, since this study uses more than one case, it falls within the category of collective case study.

This study looks at two cases, Burundi and Sudan. The decision to choose these cases was motivated by several factors. Firstly, both countries have faced protracted internal conflict situations. Secondly, these cases were among the first to top the PSC's agenda after its activation. Thirdly, in both cases the PSC worked with other players (e.g. the UN or other foreign powers) in trying to solve conflict situations. While these reasons may be equally applicable to a choice of other conflict cases in Africa (such as the Democratic Republic of Congo, Uganda, Chad, or Central Africa Republic), it is critical to note that the cases of Burundi and Sudan have been chosen for their distinctive characteristics.

The Burundi case was selected because it is an example of the AU's first full peace support operation. It also illustrates the benefit of cooperation among key role-players. Burundi's conflict prompted substantial cooperation between regional leaders who worked to resolve it.

When the PSC intervened, it oversaw the process without tampering with the mediation efforts of those already involved in the resolution of the conflict. The PSC also oversaw the smooth transition of the African Mission in Burundi (AMIB) to the United Nations Operation in Burundi (ONUB).

Like Burundi's, Sudan's case sheds light on the AU's developing capacity to respond both politically and militarily to internal conflicts, particularly through the African Mission in Sudan (AMIS). Sudan presents a unique case in that it has both the United Nations Mission in Sudan (UNMIS) and AMIS (especially in the Darfur case) operating simultaneously. UNMIS operates in the southern parts of Sudan while AMIS was deployed in the western Darfur region. Moreover, though there has been a call by the PSC for the UN to take over from AMIS due to financial constraints, the Sudanese government was vehemently opposed to that call. Some members of the Arab League, including Libya and Egypt, supported the position of the Sudanese government. The PSC and the UNSC continued to wrestle with the matter until December 2007 when a compromise was reached resulting in the joint venture between the AU and the UN. The low level of cooperation displayed by the government of Sudan regarding the Darfur case, has, arguable, tested the ability of the PSC to tackle critical challenges.

This study uses multiple data-collection methods: interviews, and the review of official documents (statutory or non-statutory), existing literature and archival records. In pursuit of the necessary empirical data, a series of interviews were conducted with relevant individuals and institutions. The major determinant of the sample selection was the subject of peace and security. In this connection, diplomats, as well as experts and researchers who deal with peace

and security-related matters were targeted and identified as subjects for the study. Interviewees[2] were divided into two categories: official and unofficial. For official positions and statements, the following were interviewed: members of the PSC (Algeria, Angola, Benin, Burkina Faso, Burundi, Chad, Ethiopia, Gabon, Nigeria, Rwanda, Swaziland, Tunisia, and Zambia); the UNSC Permanent Five (China, France Russia, the UK, and the USA); members of the AU Commission; the Representative of the Committee of Intelligence and Security Services of Africa (CISSA); the Representative of the EU Delegation; the UN Liaison Office to the AU; a representative of Italy (the 2009 Chair of the G8); and representatives of Sudan and Burundi (to illustrate the selected case studies). In addition, other interviews were conducted with scholars and experts from research institutes and non-governmental organisations (NGOs): the Institute for Security Studies (ISS), OXFAM International, and the Centre for Policy Research and Dialogue (CPRD). All interviews took place in Addis Ababa, Ethiopia from August 2008 to December 2009. Whereas 40 individuals were approached, only 38 individuals complied; thus bringing the number of formal respondents to 38.

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[2] Please see Appendix B for a comprehensive list of the Interviewees

The breakdown of the interviewees is as follows:

Table 1.1: **Interviews per category**

Members of Institutions	Number of individuals	Category
PSC Members	13	Government officials
UNSC Permanent Members	5	Government officials
G8	1	Institutional representative
UN Liaison Office	1	Institutional representative
EU Delegation	1	Institutional representative
AU Commission	11	Experts and Institutional representatives
CISSA	1	Institutional representative
Research Institutes	5	Scholars and experts

It is critical to highlight that thirteen of fifteen PSC members availed themselves and were interviewed for this study. Observed challenges like short-staff and AU's meetings made it impossible to interview representatives of Uganda and Mali. This is not to suggest that the representatives were unwilling to cooperate, but to state that they were seriously constrained. They were only available in early 2010; unfortunately the researcher's interview schedule had expired, and January and February are the months that are reserved for the AU annual summits. Therefore, it became extremely challenging to juggle between the summit and interviews.

All the interviews were recorded except with Russia, China and Angola. Permission before recording was sought prior to the commencement of any interview.

Relevant policy declarations made by the AU leaders were examined. The AU Constitutive Act and the PSC protocol for instance, were scrutinised. The declarations and promises of key international players (beginning with the UN, the G8, the US and the OECD) were also closely studied, specifically in relation to issues around the stability of the continent. Lastly, extensive secondary literature - drawn from the academic world, civil society and AU and UN sources - were analysed.

The cut-off date for the study was March 2010.

1.9. Structure of the dissertation

Chapter 1

Introduction, Background and Methodology of the study

This chapter provides an outline of the study and reveals its purpose. It highlights the study's objectives and explains why a particular methodology was used. The chapter also introduces the study's central argument.

Chapter 2

Theoretical Framework

The focus of this chapter is on the meaning of cooperation in the politics of the world and, particularly, in Africa. The benefits and disadvantages of cooperation are identified. Chapter 2 also provides an examination of theoretical approaches in international relations and an

explanation of why social constructivism is the best choice for understanding the AU in the context of contemporary international relations.

Chapter 3

Literature Review: An Evolution of Africa's Peace and Security Architecture

Chapter three provides a literature review with a particular focus on a historical account of African conflict situations and the institutional efforts (e.g. regional, sub-regional, and non-continental) made to deal with them. It describes the PSC's background, focusing on the transition of the OAU's Mechanism for Conflict Prevention Management and Resolution (MCPMR) to the current PSC.

Chapter 4

The Peace and Security Council and the Realities on the Ground

This chapter focuses on the analytical account of the challenges facing the PSC. It identifies impediments within the continent as well as issues that the international community views as stumbling blocks. The challenges are considered in the context of this study's central argument: the role of cooperation in relation to the PSC's success

Chapter 5

An Assessment of the PSC's Performance: The Case of Burundi

The focus of this chapter is on the assessment of the PSC's performance since its activation. The Burundi case is analysed with reference to the AMIB. An examination of the PSC's handling of

the case provides an understanding of how cooperation among the key role players helped to resolve the conflict in Burundi.

Chapter 6

An Assessment of the PSC's Performance: The Case of Darfur (Sudan)

The situation in Sudan, the PSC's involvement and the role of AMIS are considered in this chapter. Emphasis is placed on how the conflict was approached by AMIS, the Government of Sudan and other role players.

Chapter 7

Dissemination, Interpretation and Analysis of the Findings

Here the field research findings are plotted, interpreted and analysed. This chapter puts to the test the argument that cooperation is a prerequisite for the PSC's success. It provides a comparative analysis of the data while assessing the link between cooperation and success. The chapter also pinpoints the study's limitations and suggests areas for future research in the field.

Chapter 8

Conclusion

This is the last chapter of the study and it also gives a concluding account of the whole study. In the end it identifies the way forward while at the same time providing recommendations.

Chapter 2

Theoretical Framework

2.1. Introduction

The ratification of the PSC Protocol by African leaders has demonstrated the desire felt by Africans to find a lasting solution to Africa's most vexing developmental impediment. Undoubtedly, this decision has brought hope to Africa as well as to the international community, affirming Africa's commitment to taking her destiny in her own hands. The structure and powers of the PSC[3] seem to reveal a careful and well thought-out configuration that will enable the organ to carry out its mandate and move Africa towards the destiny of development. Article 4 (h) and (j) of the Constitutive Act together with Article 4 (j) and (k) of the PSC Protocol clearly distinguish the AU - and in particular the PSC - from previous African initiatives with a similar aim of preventing, managing and resolving conflict in Africa.

The provision that allows the PSC's intervention into African conflict situations under grave circumstances (war crimes, genocide and crimes against humanity) seems to demonstrate a serious commitment on the part of Africa to encourage and preserve a stable environment. This stability would surely facilitate the development of the continent and enable it to counter the international political and economic marginalisation it currently experiences. It could be argued that African states seem to have thrown their weight behind these bold African pronouncements and initiatives. This is evidenced by the activation of an organ (in the form PSC) that has the

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[3] A detailed brief of the establishment of the PSC is the reserve of the next chapter

power to intervene in the internal affairs of sovereign states to ensure the maintenance of peace and stability. The decision to conform to the notion of surrendering part of AU member states' sovereignty, for the sake of peace and development, is a major milestone. Indeed, this is a giant leap towards the eradication of previous impediments to initiatives aimed at fostering Africa's stability. Of course, this sense of optimism is somewhat muffled by the co-existence of wide-ranging scepticisms that African leaders lack the necessary will or vigour to act on their commitment to African initiatives. Discouragingly, the lack of action has sometimes led to the dysfunction of organs created expressly for the betterment of the continent and its people. "Once bitten, twice shy" seems to fuel the cynicism around the PSC's capability.

In the introductory chapter, it was highlighted that lack of political will, deficient financial resources, and poor capacity are major obstacles to the fulfilment of African initiatives designed to bring stability to the continent. Also, the lack of cooperation between African states, the PSC's fifteen members, and the international community was highlighted as another critical impediment to African stability. If the lack of cooperation is a barrier to African stability, then the corollary is that effective cooperation (between African states, the PSC members, and the international community) would lead to the success of the PSC in its pursuance of a peaceful continent. In pursuit of this line of thought, a definition of, and context for, cooperation is sought in this chapter. The focus is on the meaning of cooperation in world politics and, particularly, in Africa. A rationale is provided for the underlying position of the study that social constructivism is the most suitable school of thought for understanding the AU in the context of contemporary international relations. To substantiate this rationale, the advantages and

disadvantages of cooperation are identified and theoretical approaches to international relations are explored.

2.2. Defining and contextualising cooperation in world politics

While the word 'cooperation' is an ordinary part of our core vocabulary, its true meaning (or, indeed, meanings) would cause one to marvel. This section explores the word and provides a context in which to understand its application in this study.

2.2.1 What is cooperation?

Cooperation refers to individuals in a group acting together in pursuance of a common end (Gillinson, 2004: 5). This is cooperation in its simplest form. The *common end* is the outcome desired by those engaged in the act of cooperation. In light of this, it could be argued that cooperation can be good or bad. Individuals could engage in an act of cooperation either to the detriment or betterment of a situation, depending on their desired common end. Significantly too, the above definition does not clarify *who* determines the common end. One could argue that some individuals could work together to achieve what they are told is a common end. If this is the case, one needs to undertake a deeper exploration of the meaning of cooperation in order to establish what actually motivates two or more partners to cooperate. One also needs to investigate whether cooperation is a voluntary or non-voluntary act. In a nutshell, one needs to ask: under what conditions does cooperation come about?

According to Holsti (1988: 433), cooperation can be defined as the commitment of resources, plans and ideas toward a common purpose, according to agreed-upon rules and cost formulae.

This definition emphasises the measures that must be in place for cooperation to exist: some degree of commitment among the parties must be apparent, and agreement upon a set of rules and cost formulae must be established. That the rules are seen to be *agreed upon* suggests mutuality among those engaged in the act of cooperation. Although this view appears to challenge the notion of involuntary or coerced cooperation, it does not do away with the idea that individuals might cooperate against their will because they realise they may be better off cooperating than not. Reciprocity and predictability are also crucial to cooperation. In reference to cooperation among states, Holsti (1988: 433) notes that

> meeting treaty obligations, basing agreements on reciprocity rather than exploitation, acting predictably, and in general, conducting their diplomacy in a manner that does not seriously damage the interests of other states is a more efficient means of meeting the needs and achieving purposes than is threat or use of force.

Wood (2000: 105) states that "cooperation" could refer to consensual joint efforts to accomplish a single job, or to a coercive arrangement. He provides the example of a policeman urging a suspect to cooperate rather than resist arrest: "… do what I want you to do, not what you are trying to do". In this context, and in accordance with Gillinson's (2004: 5) assertion, as much as voluntary cooperation exists, so does what could be called coerced cooperation.

The famous 'Prisoner's Dilemma' takes the matter of cooperation further and introduces the question of choice. Two criminals have been arrested on suspicion of a crime and are thrown into separate cells. The prisoners face a choice: they could cooperate with each other (and deny

everything) or confess to the crime (implicating each other in the process). Things are complicated by the fact that the prisoners cannot be convicted without the confession of one (assuming a deal can be cut with him/her) or both of them (Gillinson, 2004: 8 also see Conway, 2009:191). This situation illustrates the dilemma of the right choice for both prisoners. It highlights that while cooperation is perceived as a joint initiative, it is in fact a rather convoluted arrangement involving factors such as commitment, the understanding of a common end, rules, choice, interests, force, persuasion and will.

The questions of why and when individuals or states engage in acts of cooperation are beyond the scope of this study. What *is* relevant to the study is the fact that cooperation plays a critical role in the facilitation of relations among states, and between them and the international community; and, as such, an understanding of 'cooperation' within the context of international politics (which is dominated by state actors) is essential. The next section is dedicated to finding a theoretical perspective that will aid this understanding.

2.3 Cooperation and international relations: a theoretical perspective

Schools of political thought present divergent views on the subject of cooperation. Nevertheless, the concept of cooperation has been incorporated fully into the study of international relations. International cooperation refers to relations between states and not individual beings. Theorists in the field explain why, when and how states cooperate. This section clarifies the divergent theoretical views on the subject of international cooperation. Particular focus is placed on neo-liberal institutionalism, neo-realism and social constructivism -- theories which, by virtue of their differences, have increased the vibrancy of the debate around international cooperation.

2.3.1 The neo-liberal institutionalism approach

This approach maintains that states are egotistical and are concerned with absolute gains. Proponents of the approach maintain that institutions promote cooperation by improving inter-state communication, lessening mutual suspicion and helping states attain mutually beneficial reward that might not have been had otherwise (Hwang, 2006: 52). This school of thought also argues that institutions and other linkages between states facilitate and promote cooperation, coordination and nonviolent modes of resolving conflicts (Russet et al, 2006: 28). Internationally acclaimed neo-liberal scholar, Robert Keohane, who has contributed tremendously to the international-cooperation debate, believes that international cooperation and the institutions that support it are inherently good (Gruber, 1999: 1). Institutions assist in providing information, reducing transaction costs, lending credibility to commitments and establishing focal points for coordination (Keohane and Martin, 1995: 42).

Champions of neo-liberal institutionalism contend that institutions play the main role in achieving state cooperation: differences are minimised and cooperation is motivated by the fact that states recognise mutual interests. Keohane and Martin (1995: 41-42) maintain that what brings about cooperation is state elites' identification of self-interested benefits: when states realise that mutual benefit arises from cooperation, it seems governments embark on the creation of cooperation-facilitating institutions. Based on this, it could be argued that African states created the AU to serve as a facilitator of cooperation, their common interest being the development of the continent and ultimately their own development. The observation could be made that egoist states are not motivated by altruism but by absolute gain: thus, the AU member

states could be seen to create an institution for cooperation (which will improve interstate collaboration, lessen mutual suspicion, help reduce transfer costs and establish a focal point for policy-coordination) in order to achieve absolute gain. However, the neo-liberal institutionalism falls short of explaining how the AU member states can be forced to behave in a manner that is contrary to their own interests. Thus this school of thought does not clearly establish the reasons behind states' cooperation with the AU as an institution, when it is not in their interest to do so. In other words, this school of thought is severely limited in terms of explaining as to what happens when the institutions are no longer viewed as serving mutual interests.

2.3.2 The neo-realist approach

Neo-realists believe that states cooperate because they are concerned with relative gains, not absolute gains. States are rational, unitary actors cooperating due to intergovernmental bargaining or as a part of an alliance against a common threat (Rieker, 2004: 4). According to neo-realists, the international environment is anarchic, and hegemony is a prerequisite for the emergence and maintenance of order and cooperation in international affairs (Hwang, 2006: 51). Hegemony requires that one state must exercise a dominant influence over the others in the adherence to the essential rules governing inter-state relations. Hegemony allows an overarching authority to identify common rules. According to Koblentz (2006: 11-12), in the absence of a central authority to enforce promises, states will worry that their potential partner will cheat and use a cooperative arrangement to covertly increase its strength (the dilemma of the "shadow of the future"). A lack of supranational authority to enforce rules that encourage cooperation prevents states from trusting each other. The neo-realist would contend that states would opt for relative gains rather than be vulnerable to fellow states' intentions.

One could argue that states joined the AU because they realised that supporting multilateral cooperation would further their common interests. The neo-realists would contend, however, that the real motivation behind African states' participation in the AU is the notion of relative gain. Rieker (2004: 5) says neo-realists believe that multilateral institutions may emerge if they can work as an alliance towards a common threat. According to the neo-realist view, therefore, the AU is an alliance of convenience made up of individual states seeking the attainment of relative gains. Just like neo-liberal institutionalists, neo-realists do not believe cooperation is driven by altruism. Neo-realists believe states are egoistic players in the international political arena who are only interested in relative gains. However, neo-realism does not provide a convincing argument in relation to why AU member states agree to be bound by rules of the AU (such as the Constitutive Act and the PSC Protocol) which force them to cede part of their sovereignty to the AU. The fact that AU member states have to abide by the rules and lose a portion of their sovereignty suggests that the neo-realist approach cannot credibly explain the behaviour of AU member states.

2.3.3 The social constructivist approach

The social constructivists' point of departure in relation to state interaction is the belief that, like state identity and state interests, the environment in which states act is a social construct. Our knowledge of objects depends on interpretations and reinterpretations which produce a social reality. In the view of social constructivists, states are a social creation bound by norms, rules and institutions of their own making (Hwang, 2006: 55-56; see also Kolodziej, 2005: 293). Russet et al (2006: 32) state that "...constructivists suggest that we need to recognise that

established diplomatic practice, international law, and organisation, even what would appear to be obvious national interests like political independence and secure borders, all are socially constructed".

Developing a shared sense of belonging or regional identity is regarded as a significant part of institutionalising cooperation (Hwang, 2006: 56). In this regard, the social constructivist approach goes beyond the liberal institutionalism theory, which claims that institutions facilitate cooperation when it is in each state's interest to do so (Walt, 1998: 4). Therefore, the context in which self-centred states learn to cooperate is similar to environments where they seek to reconstruct their interests in terms of a shared commitment to specified norms. Adler and Barnett (1998: 11-12) add that social constructivists believe the social world is created and made up of both knowledge and material factors. In this context the view of constructivists is therefore guided by the understanding that the material world shapes, changes and affects human interaction based on its prior and evolving epistemic and normative interpretation.

Adler and Burnett (1998: 15) also observe that, unlike other theories, social constructivism takes the middle ground between the view that identities and international practices cannot change and the view that everything is possible. The theory allows for the blending of power, interests, and pessimism with norms, a dynamic view of international politics and moderate optimism about the possibility of structural change that enhances human interests across borders. This study is closely aligned with this position, hence the preference for social constructivism as a theory that succeeds in providing a comprehensive understanding of African states and their multilateral institution, the AU.

African leaders created the AU as an institution that would serve and protect their interests (see AU Constitutive Act, Article 3 (a-n)). While this reason sits well with theorists of neo-liberal institutionalism, it falls short of explaining how states are forced to behave in a manner that, avowedly, is contrary to their own interests. Social constructivism maintains that shared beliefs, ideas, identity and norms encourage states to cooperate. In other words, state commonalities already exist before institutional cooperation takes place – the AU's formation is therefore just the cherry on top of the cake.

The AU Constitutive Act lays down the rules by which its signatories are bound, while the AU organs (including the PSC) ensure the implementation of these rules (See the AU constitutive Act 2000, Article 5 [1-2]). This arrangement seems to resolve the problem pointed out by neo-realists, that states fear their potential partner will cheat and use a cooperative arrangement to covertly strengthen themselves if no central authority exists to enforce promises. It could be argued that by establishing the PSC within the AU, African leaders have created an institution that will act not only as a facilitator of cooperation in the area of peace and security, but also as a watchdog of those who fail to comply with the instituted rules and regulations. This arrangement could be viewed as a solution to the dilemma of the "shadow of the future".

The adoption of the constructivist approach in this study calls for the AU to be viewed as an example of an evolving security community. The following section is devoted to unpacking the relevance of social constructivism in understanding the AU and the PSC. The section provides a

definition of the security community and explores various types in an effort to deepen understanding.

2.4. The African Union: an evolving security community?

Social constructivism has been carefully selected as the ideal theory for an enhanced understanding of the AU and PSC, lead actors in the African political environment. The theory supports this study's claim that the AU possesses the characteristics of an evolving security community. It is prudent to provide a definition of a security community not only to ensure a better understanding of the term, but to confirm the validity of this study's claim.

2.4.1 What is a security community?

While the notion of a 'security community' was introduced in the 1950s by Richard van Wagen, it was the pioneering work of Karl Deutsch and his associates in 1957 that gave the concept its full theoretical and empirical meaning (Adler and Barnett, 1998: 6). Defining security community, Deutsch et al (1957: 5) stated that:

> A security community is a group of people which has become integrated.
> By integration we mean the attainment, within a territory, of a sense of
> community and of institutions and practices strong enough and widespread
> enough to assure, for a long time, dependable expectations of peaceful
> change among its population.

They further noted that the sense of community results from the belief that common social problems must and can be resolved through a process of peaceful change. Central to the above

definition of security communities is the understanding that common social problems can be resolved by a process of peaceful change. Thus people are so deeply integrated that the settlement of disputes in alternative ways to physically fighting is assured (Ngoma, 2005: 43). The distinguishing feature of a security community is the achievement of integration (a sense of community, according to Deutsch) and the development of diplomatic-political-military practices as guarantors of peaceful co-existence (Holsti, 1988: 435-436). This notion of security community builds on the idea that conditions have been created which contribute in lessening the expectation that conflicts among members of the community will be resolved through violence (Wallensteen, 2007: 206). In this regard and according to Nathan (2010, 107), "states that comprise a security community consider the use of force against each other to be unthinkable and eschew preparations for fighting one another".

A distinction can be made between two examples of security community: the pluralistic and the amalgamated. A pluralistic security community is defined as a transnational region comprising sovereign states whose people maintain dependable expectations of peaceful change (Adler and Burnett 1998: 30). Worthy of emphasis is the understanding that states that comprise a pluralistic security community retain their sovereignty (Nathan, 2010: 107). According to Holsti (1988: 435), the distinguishing feature of a pluralistic security community is that "all the relationships between the units are predictably peaceful, and when conflicts arise, they are normally resolved by compromise, avoidance, and awards rather than by threats, deterrence, or force". The relationship between Canada and the United States of America is believed to be falling within the category of a pluralistic security community (Holsti, 1988: 435).

An amalgamated security community is believed to exist whenever there is a formal merger of two or more previously independent units into a one large unit with some semblance of common government after amalgamation (Adler and Burnett, 1998: 6-7). According to Nathan (2010: 107), this merger of political units can be likened to a scenario when independent provinces or countries join together to become a united state. Holsti (1988: 435) believes that historical examples of the process leading to amalgamated security communities include the creation of Italy out of previously warring city states, papal holdings, and small kingdoms of the peninsula; the establishment of federal authority out of thirteen colonies in North America; the unification, in the early eighteenth century, of the nations of Scotland, Wales, Ireland, and England into the United Kingdom; and the unification of Germany out of semi-sovereign towns and cities, and dynastic states during the nineteenth century.

In their quest to provide more clarity on the subject, Adler and Barnett (1998: 3) make use of Deutsch's notion of security community: they assert that a community exists at the international level and that it profoundly shapes security politics. States within an international community might develop a pacific disposition, they argue. Adler and Barnett's epistemological contribution to the development of security communities is analytically organised around three phases (1998: 50-57). The first (nascent) phase is characterised by precipitating conditions: states take cognisance of existing exogenous and endogenous factors and begin to coordinate their relations by leaning towards each other and becoming conscious of each other's desires. They discover that they have joint interests requiring collective action, and that they can mutually benefit from the light coordination of security policies. The nascent phase is also

characterised by the establishment of structures designed to monitor the honouring of contracts and obligations by participating states (Ngoma, 2005: 47).

The second phase (ascendant) is epitomised by increasingly dense networks, institutions or organisations reflecting tighter military coordination and cooperation, or a decrease in the fear that 'the other' represents a threat within the community - thereby resolving the security dilemma. Also evident in this phase are the cognitive structures that promote seeing and acting together, and that lead to deeper mutual trust and the emergence of collective identities that encourage dependable expectations of peaceful change. Nathan (2010: 108) states that conditions of dependable expectations of peaceful change are defined as neither the expectation of nor the preparation for organised violence as a means to settle inter-state disputes. It could be observed that trust is another crucial factor at the ascendant stage. Jackson and Jackson (2003:133) argue that trust is not only a basis of confidence in political institutions, but an important indicator of political stability. According to Huntington (1997: 131) "military alliances and economic associations require cooperation among member states, cooperation depends on trust, and trust most easily springs from common values and culture". Adler and Barnett (1998: 52-53) believe that the development that takes place at the ascendant stage makes it increasingly difficult for states and their people to imagine settling differences using violence, especially given that the states have reorganised their security and altered their view of threat (also see Ngoma, 2005: 47-48).

The third – or mature – phase marks the birth of the security community: regional actors share an identity and begin to entertain dependable expectations of peaceful change. Adler and Burnett

(1998: 55) note that the more deeply these expectations are institutionalised in both domestic and supranational settings, the more improbable becomes the chance of war in the region. The security community can exist in two forms at the mature stage: it can be loosely coupled or tightly coupled. The loosely coupled security community is typified by mutual respect and the acknowledgement of commonalities in the way states operate. This community has an informal governance system premised on collective identity and shared meanings. The loosely coupled security community is by no means blind to the fact that conflicting interests between states, disagreements and asymmetric bargaining still exist; but there remains hope that states will exercise self-restraint. Moreover, there is an acceptance that critical world challenges such as environmental crises, international drug control, nuclear proliferation and terrorism require coordinated efforts and policies developed collectively by many nations (Adler and Burnet, 1998: 55; see also Ngoma, 2005: 50). Important indicators of a loosely coupled security community include multilateralism, unfortified borders, revised military planning with due cognisance of common challenges, and a common definition of the threat, discourse and language of the community (Adler and Burnett, 1998: 55-56). According to Ngoma, (2005: 227-229), the Southern African Development Community (SADC) depicts, to a certain extent, some characteristics of a loosely coupled security community. For example, he observes that although the borders remain fortified between South Africa, Zimbabwe and Mozambique there are certain elements of SADC that conform to an example of a loosely coupled security community. Such elements include mutual respect between states; acknowledgement of a way of life; preference for consensus in decisions and conflict resolution; practice of multilateralism; and discourse and language of a community.

The tightly coupled security community is distinguished by mutual aid, with little or no emphasis on national identity, but with multilateral association. The institutional context for the exercise of power changes: exertion of force is permitted against a collectivity of sovereign states rather than against individual units. The use of such force is permitted only against external threats or against community members who deviate from the core norms of the community. Important indicators that distinguish a tightly coupled security community from one that is loosely coupled include cooperative and collective security; a high level of military integration; policy coordination against internal threats; free movement of population; internalisation of authority; and a "multiperspectival" polity - where rule is shared at national, transnational and supranational levels (Adler and Burnett., 56-57). The European Union (EU) depicts some characteristics of a tightly coupled security community. According to Russett et al (2006: 415), the EU enjoys policy coordination that has resulted not only in the free movement of people and goods but also the common market as well as economic and monetary union. It also boasts common foreign and security policies. In this connection, its members are called upon to safeguard their common values and independence; to strengthen their individual and collective security; and to uphold democratic governance and respect for human rights. Moreover, the EU coordinates policies in relation to justice and home affairs matters. According to Russett et al (2006: 216) asylum, immigration, antiterrorism, drug interdiction and other policing functions are dealt with under the ambit of justice and home affairs of the EU.

This section has provided a context for the notion of a security community. What has yet to be provided is an answer to the question of whether the AU can be viewed as a security community.

An argument in the affirmative is presented below on why the AU can indeed be seen as an example of an evolving security community.

2.4.2 Can the AU be viewed as an example of a security community?

A distinction between two groups of security communities, pluralistic and amalgamated, has been mentioned above. Pluralistic security communities retain their sovereignty, while amalgamated security communities are said to exist when the states formally unify. It could be argued that the AU is an example of a pluralistic security community, given the fact that its member states retain their sovereignty to a large degree, despite having agreed to closer unity. It is imperative to keep in mind that the formation of the AU was inspired by ideas of unity and greater cooperation among Africa and its people. In the opening statement of the Constitutive Act, the agreement between the Heads of States and Government of the OAU to forge greater unity is seen to have been

> inspired by the noble ideals which guided the founding fathers of our Continental Organization and generations of Pan-Africanists in their determination to promote unity, solidarity, cohesion and cooperation among the peoples of Africa and African States. (Constitutive Act of the African Union, 2000)

The adoption of the Constitutive Act as a fundamental document advancing African unity through the formation of the AU, led to the metamorphosis of the AU into a security community. The organisation has promoted greater unity among its members by identifying their common interests (stability and the continent's economic development) and threats (conflict and human

security challenges). The Solemn Declaration on a Common African Defence and Security Policy (CADSP), which is an avowal by African Heads of States and Government, clearly stipulates that

> the adoption of a Common Defence and Security Policy for Africa is premised on a common African perception of what is required to be done collectively by African States to ensure that Africa's common defence and security interests and goals, especially as set out in Articles 3 and 4 of the Constitutive Act of the African Union, are safeguarded in the face of common threats to the continent as a whole (AU Commission, 2004: 2).

Thus, AU members were encouraged to make every effort to build closer cooperation in order to deal with each of the continent's challenges, be it facilitating socio-economic development or ending the continent's scourge of conflicts (AU Constitutive Act, 2000: 5- 6). The AU's objectives and principles are spelt out in Article 3 and 4 of the Constitutive Act. These Articles assure AU members of a dependable expectation of peaceful change. For instance, Article 4(d) calls for the establishment of a common defence policy for the African continent. The effort made by the AU and its member states illustrates that the AU has gone through the nascent phase common to security communities. African states have taken cognisance of exogenous and endogenous factors and have consequently begun to orient themselves so as to perceive each other's desires and coordinate mutual relations. The adoption of relevant legal provisions (most importantly the Constitutive Act and the PSC Protocol), has provided hope that participating states will be monitored in terms of whether they are honouring their contracts and obligations – more evidence that the AU has reached the nascent phase. It should also be noted that the fourth

ordinary session of the AU Assembly of Heads of State and Government, which was held in January 2005 in Abuja, Nigeria, adopted the AU Non-Aggression and Common Defence Pact. This move further assured all AU member states of dependable expectations of peaceful change. The Pact is obligatory to all AU members:

> State Parties undertake, pursuant to the provisions of the Constitutive Act, to resolve any differences by peaceful means, in order to avoid endangering peace and security; to refrain from the use of force or threat to use force in their relations with each other and in any manner whatsoever, incompatible with the United Nations Charter. Consequently, no consideration whatsoever, be it political, economic, military, religious or racial shall justify aggression. (AU Commission, 2005: 07)

There are indications that the AU is now in the second, or ascendant, phase undergone by security communities. One of these indications is the fact that, despite expectations that it would build cooperation with the UN, the AU has forged cooperative arrangements with other organisations, including the EU. It has also forged partnerships with developed nations like Canada, Belgium, the Netherlands, the UK, US, China and Germany. Such partnerships were negotiated by the AU on behalf of Africa as a community and not as individual states.

The AU also continues to develop its institutions (whose existence is provided for under Article 5 of the Constitutive Act) and to work towards their operationalisation. The ASF (the PSC's support structure), for instance, is due to become operative in 2012. In the meantime, the AU relies on the cooperation of its member states and the international community for the provision

of the necessary resources to buttress its peace and security efforts. It could be observed, therefore, that the AU is characterised by increasingly dense networks, institutions or organisations that reflect tighter coordination and cooperation.

According to Deutsch et al (1957: 36), mutual sympathy and loyalties; the sense of "we-feeling"; trust and mutual consideration; partial identification in terms of self images and interests; and mutual responsiveness in the process of decision making, testifies to the emergence of a community. Adler and Burnett (1998: 7) maintain that states within a pluralistic security community have compatible core values derived from common institutions and mutual responsiveness, and mutual identity and loyalty (a sense of "we-ness"). They are thus integrated to the point where they entertain dependable expectations of peaceful change (1998: 7). It should be noted that one of the objectives of the AU is to defend the sovereignty, territorial integrity and independence of its member states, as enshrined under Article 3 (b) of the Constitutive Act. Article 4(e) of the Constitutive Act ensures peaceful conflict resolution among AU member states. In addition, the important declarations made by the African Heads of State and Government (such as the Constitutive Act and the PSC Protocol) commence with the assertion, "We, Heads of State and Government of the AU". These points considered, it could be argued that the AU's commitment to the protection of member state sovereignty and the peaceful resolution of conflict (even though these commitments currently exist only on paper), as well as its emphasis on "we-ness", qualify the AU as an example of an evolving security community. Moreover, the AU has opened a debate among the Heads of State and Government around continental integration, its ultimate objective being the transformation of the continent into the United States of Africa. The Assembly has given the debate its full attention and has reaffirmed

its commitment to the AU's ultimate goal of full political and economic integration leading to the creation of the United States Africa (Assembly/AU/Dec.99[vi]). Suffice it to say that the debate focuses not on *whether* Africa should form a Union Government, but *how* to go about forming it. In this context, it could be argued that Africa may evolve towards an amalgamated security community. Nevertheless, the real indicator of whether the AU will ultimately become a security community will be through the translation, into action, of all the above stated declarations. Hence, one cannot credibly argue that the AU is already a security community. Indications are that it is evolving towards that direction.

2.5. Conclusion

This chapter has attempted to define and contextualise cooperation. Three theories - neo-liberal institutionalism, neo-realism and social constructivism – have been assessed in an attempt to provide a better understanding of cooperation in international relations. Social constructivism has been chosen as the most suitable theory to define cooperation in international relations and to encourage an understanding of the behaviour of states in the international political sphere. It has been argued that, in contrast to other theories, social constructivism takes the middle ground between the view that identities and international practices cannot change, and the view that everything is possible. Using social constructivism, it is not only possible to blend power, interests and pessimism with norms but also to develop a dynamic view of international politics and a moderate optimism about the possibility of structural change that enhances human interests across borders.

In essence then, the AU can be seen as an example of an evolving security community because it commits itself to assure dependable expectations of peaceful change to individual African states. The next chapters are devoted to illuminating other factors that shape how the AU mechanisms for peace and stability contribute towards assuring its members dependable expectations of peaceful change.

Chapter 3

Literature Review: An evolution of Africa's Peace and Security Architecture

3.1. Introduction

The creation of the Organisation of African Unity (OAU or organisation) in 1963 contributed substantially to the independence of African states. Indeed, its major goal was to liberate and unite all African countries while ridding the continent of every trace of colonialism and foreign interference. It is not surprising that the OAU Charter, which was adopted in 1963, put much emphasis on the territorial integrity and respect of the sovereignty of its member states. As a way of entrenching the freedom of its member states, the Charter made provision for non-interference in member states' internal affairs (OAU Charter, 1963: Article III no.2). Thus, the OAU Charter encouraged the peaceful settlement of disputes among its members (OAU Charter, 1963: Article III no.4). In summary, it could be argued that the OAU was designed to prevent intrusion by former colonial powers, defend the autonomy of its member states, and guard against intimidation amongst its members. Unfortunately, the early years of the OAU soon proved challenging to the optimistic organisation. The eruption of several inter-state and intra-state conflicts on the continent quickly put the new organisation to the test. These conflicts not only challenged the organisation's ability to execute its mandate but also they severely undermined its credibility. Scholars were led to doubt the organisation's capacity and role as a meaningful restorer of order (see Amoo, 1992: 2; Ibok, 2000: 3; Berman and Sams, 2000: 43-46; Mulikita, 2002: 32-33 and Van Nieuwkerk, 2004: 42-43). Amoo (1992: 2), for instance, maintains: "Both academics and policy makers appear to have written off the OAU as an

effective instrument for conflict management and the maintenance of peace and stability in the Africa region."

Scholars may have doubted the OAU's capability to tackle the challenges of peace and stability, but one cannot dismiss the efforts of this organisation to wrestle with such challenges. It is important to acknowledge and appreciate the OAU's endeavour to resolve disputes because such efforts – and, indeed, the creation of the OAU in the first instance - provide evidence that Africans were serious about resolving disputes among themselves and fostering unity. The OAU's establishment was a crucial development because it enabled Africa to have in place an institutional mechanism tasked not only with the responsibility of encouraging African unity but the maintenance of order on the continent. Amoo's (1992: 2) assertion seems to ring true – that the OAU provided for the establishment and maintenance of regional order and stability, especially through the formation of a regional and security community coupled with the accepted norms and principles of inter-state relations.

This chapter provides a review of literature in relation to the African conflict situations and the institutional efforts (regional, sub-regional and non-continental) made to deal with them. The chapter largely provides a thematic review of African conflict situations in juxtaposition with the institutional conflict prevention, management and resolution mechanisms. This broad review draws from both local and international literature. It also provides a background to the transformation of the OAU's Mechanism for Conflict Prevention Management and Resolution (MCPMR) into the PSC.

3.2. Conflicts: definition of concepts

3.2.1 Types of conflicts

Every academic discipline has its own definition of 'conflict'. To eliminate ambiguities, therefore, it is critical that this study offers a definition from the perspective of the political science discipline. It is hoped that contextualising the term in this way will allow the involvement of the OAU (and later AU) in African conflict situations to be better understood.

According to Heinz-Jurgen Axt (2006: 3) the idea that 'conflict' is understood in many different ways is illustrated by the fact that economists focus on game-theory and decision making; psychologists explore interpersonal conflict situations; sociologists take status and class conflicts as their focal points; and political science is centred on intra-national and international conflict situations. However, pointing out the areas of focus chosen by various disciplines in their understanding of the concept cannot be mistaken for a definition of conflict. Amoo (1992: 30) asserts that conflict can be defined as a purposeful struggle between actors in an interactive environment with the aim of controlling, neutralising, deflating or removing opponents in order to gain access to power, scarce resources and other values. In this sense, conflict is a net result of incompatibility of goals and actions between actors. This understanding of notion of conflict is upheld by other scholars (see Holsti, 1988: 432 and Wallensteen, 2007: 14). For instance, Wallensteen (2007: 14) believes that the resultant incompatibility is caused by "a severe disagreement between at least two sides, where their demands cannot be met by the same resource at the same time". He further notes that conflict consists of three distinctive components namely; incompatibility, action and actors. Thus, for Wallensteen (2007: 14-15), conflict can be defined as a social situation in which a minimum of two actors or parties strive to

acquire at the same moment in time an available set of scarce resources. According to the Heildeberg Institute for International Conflict Research (HIIK) (http://en.wikipedea.org/wiki/Heildeberg),

> [state] conflicts are clashes of interests (differences of position) concerning
> national values (territory, secession, decolonization, autonomy,
> system/ideology, national power, regional predominance, international power,
> resources, other). These clashes are of a certain duration and scope, involving
> at least two parties (organized groups, states, group of states, organizations of
> states) determined to pursue their interests and win their cases

From these definitions it can be deduced that conflict erupts because two or more parties or actors cannot attain their goals at the same time. In this sense, conflict erupts as a net result of incompatible goals. In a nutshell, therefore and for the purposes of this study, conflict is defined as a phenomenon that results from the experience of frustration in a relationship situation between two or more parties or actors who cannot attain their goals at the same time due to the incompatibility of their goals or actions. It has also been observed that territory, language, religion, natural resources, ethnicity or race, migration and political power form the core of large-scale conflicts (Tearfund, 2003: 10). Thus, conflicts could be sparked between two or more parties over a territorial dispute, language recognition, religious beliefs, natural resources, migration and political power. Throughout this study conflict should be understood in this context. For instance, inter-state conflicts should be understood as conflicts resulting from (real or perceived) incompatible interests or goals between two or more states while intra-state conflicts are the result of (real or perceived) incompatible interests or goals among parties or

groups of people within a state. Indeed, Holsti (1988: 432) concurs when he argues that international conflicts arise out of irreconcilable objectives between states, when the achievement of one political unit's objectives hinder, limit or ruin another state's interests or values. According to Collier et al (2003: 04), conflicts not only leave legacies of atrocities but also weakened economies for the rival parties. This suggests that a conflict could be a costly exercise that may prove an impediment to development. Murithi (2005: 82) claims that since the 1960s, costs of conflicts to Africa amount to about 10 million lives and more than US250 billion dollars. Moreover, it has been observed that conflicts often contribute to regional security dilemma issues and arms races that serve to divert scarce resources away from development efforts. For instance, Collier et al (2003: 184), state aptly: "in response to the risk of civil war, and more in response to its actual occurrence, the concerned government sharply increases its military expenditure. [Therefore] neighbours tend to copy this increase for various reasons". Thus, an eruption of conflict in one country may not only put the entire region in the state of alert, but also may easily spark conflict considering that countries would be ready for any eventuality.

3.2.2 Conflict management

According to Amoo (1992: 4), conflict management is the creation of a propitious atmosphere for the eventual resolution of conflict or the diffusion of tension. Considering Amoo's definition, it can be deduced that conflict management should be considered as a process of ensuring containment of hostilities so as to avoid escalation. Wallensteen (2007: 4-5) concurs with the notion that conflict management is an essential phenomenon of ensuring that the situation does not get out of hand without necessarily settling the perceived fundamental issues

in dispute. He further notes that "conflict management can help reduce the dangers of crisis, creating some confidence and lessening (potential or actual) suffering" (Wallensteen, 2007: 5). In other words, it is an ongoing course of action that may not necessarily lead to resolution. In this respect, the conflict has already started the issue of what caused it is less important than the fact that the conflict now has to be dealt with by means of effective management.

However, Hamad (2005: 2) cautions against the view that conflict management refers only to the containment or suspension of a conflict – in his opinion this view is deeply flawed and too narrow. According to Hamad (2005: 2) the notion of conflict management should be broadened to embrace initiation of a conflict, its escalation, the ensuing complications, containment, resolution and transformation. Conflict management, argues Hamad (2005: 27), is not confined to solving, suspending and terminating conflicts, but includes an awareness of all the tactics and steps adopted by parties to the conflict or a third party. This approach gives conflict management a broader scope and encourages an increased appreciation of its process. Amoo (1992: 4) believes that conflict management is essentially the role of the third party.

Before the role of the third party is analysed, conflict resolution needs to be distinguished from conflict management. Conflict resolution should be understood as the elimination of the underlying causes of conflict (generally with the agreement of the parties involved) and the establishment of peaceful relations between the conflicting parties (Amoo: 1992: 4). According to Wallensteen (2007: 8), conflict resolution is a situation "where the conflicting parties enter into an agreement that solves their central incompatibilities, accept each other's continued existence as parties and cease all violent action against each other". Conflict resolution therefore

depends upon the willingness and competence of the conflicting parties, who weigh up the stakes and decide on an appropriate way forward.

This study pays particular attention to the management of conflict rather than its resolution. This approach is motivated by the observation that the OAU's role in African conflict has been its management rather than its prevention. Riox (2003: 15) agrees with the above assertion and maintains that the OAU had a *de jure* conflict management role favouring peaceful resolution of conflict. If one argues that conflict management is the reserve of a third party, the OAU could be viewed as this third party in terms of its intervention in African conflicts. According to Riox (2003: 5), some scholars have observed that intervention refers to any action taken by an actor that is not a direct party to the crisis, that is designed to reduce or remove one or more of the problems of the bargaining relationship and therefore to facilitate the termination of the crisis (see also Amoo, 1992: 5). The Canada Research Chair in International Security's Third Party Intervention Project defined a third-party intervention as "concrete action, be it political, economic or military, undertaken by a governmental or intergovernmental actor of the international system, the purpose of which is principally to affect the direction, duration or outcome of an internal/ civil or international conflict" (Riox, 2003: 7).

In line with this definition, it could be argued that apart from trying to mitigate continental challenges the OAU got involved in African conflict situations as a third party. It could also be labelled as an intergovernmental actor in the international system. Against this backdrop, it is

prudent to examine how the OAU handled conflict situations since its inception (rather than how the conflict situations were caused). The next section provides a brief account of conflict situations in Africa since the formation of the OAU and focuses on the OAU's management of such conflict situations.

3.3. The OAU and its approach to African conflict situations

3.3.1 The OAU as a third-party intervener in African conflict

25 May, 1963 marked an important moment in African history: representatives from 32 independent African countries[4] gathered on this day in Addis Ababa, Ethiopia, to formally endorse the creation of the Organisation of African Unity and the adoption of its Charter (Berman and Sams, 2000: 45). The primary goal of this organisation was to create unity and solidarity among African states and to eradicate colonialism on the continent. According to Mwagi (2009: 29)

> The OAU was an important watershed in the history of the pan-African thought and movement, the antecedents of which have deep roots in the struggle of African peoples of Africa and blacks of the Diaspora against racism, foreign domination and cultural, economic, political, and racial emancipation and self determination

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[4] According to Naldi (1999: 38-39), 30 states were present at the conference: Algeria, Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville later Zaire and now DRC), Cote d' Ivoire, Dahomey (now Benin), Ethiopia, Gabon, Ghana, Guinea, Liberia, Libya. Madagascar, Mali, Mauritania, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Tanganyika (now Tanzania), Tunisia, and Burkina Faso. Absent were Morocco in protest against the presence of Mauritania, to which it had a territorial claim, and Togo following a coup d' etat.

Thus, the OAU was also envisioned to provide economic and political liberty. It could be argued that the OAU was formed owing to political and socio-economic challenges facing the continent at the time. Gavshon's (1981: 43) contention is apposite: "contemporary African experience therefore suggests that the only certain thing in a changing continent is uncertainty; and paradoxically, that true progress depends on the degree to which its people face up jointly to adversity". In this context, the OAU was a joint initiative by Africans to face the adversities associated with political emancipation and socio-economic development.

Despite this, the organisation took a strong position (from inception) on upholding the principles of sovereign equality among member states and non-interference in their internal affairs. Another important principle of the OAU was the peaceful settlement of disputes by negotiation, mediation, conciliation or arbitration (OAU Charter, 1963: Article III no.1-4). This was the OAU's announcement to the world of its competence as the primary intervener in African conflicts (Amoo, 1992:1) and its commitment to this obligation. According to the former Secretary General of the OAU, Dr Salim Ahmed Salim,

> The OAU was conceived as a framework for collective security in the wider sense, and in a more specific sense, as a strategic plan for promoting regional cooperation in the political and diplomatic fields thereby providing the necessary institutional dynamism to promote security, stability and development in Africa. (Cited by Ibok, 2000: 3)

The optimism surrounding the OAU's formation was clearly enormous. The organisation had ambitious objectives which brought much hope to the continent. Among such optimistic

objectives was continental stability and development through cooperation. Oyugi (2009: 97) notes that although the OAU was essentially a political organisation, the importance of cooperation and integration among African countries in the economic, social and cultural fields has enjoyed the appreciation of African leadership long before the formation of the OAU. Nevertheless, history reveals that the OAU's early years proved unexpectedly challenging. The organisation found itself faced with the challenge of managing several conflicts that erupted on the continent shortly after the organisation's inception (see Ibok, 2000: 3-4; Berman and Sams, 2000: 45-46, Tesi, 2007:19-21 and Van Nieuwkerk, 2004: 42-43). Left unattended, the challenge of conflict situations in Africa would have proven detrimental to the developmental ambition of the continent. Therefore, the eruption of inter-state and intra-state conflicts in Africa required an immediate response from the OAU, more so because this organisation had sought to provide the necessary institutional dynamism to promote security, stability and development in Africa (Ibok, 200:3).

Dr Salim Ahmed Salim (2002: 4) maintains that "while the OAU had made no provision for dealing with conflicts, it created a body – albeit now defunct - called the OAU Commission on Mediation, Arbitration and Conciliation". According to Salim, the existence of this body proves that African leaders were aware that there might be problems, though they believed the problems would arise between states. Extensive scholarly evidence has been documented on the OAU's attempt to serve as the custodian of peace and stability on the continent following its inception. It is relevant for the purpose of this study to summarise the major conflicts that confronted the OAU without necessarily dwelling on details such as their causes. The aim of this exercise is not

to re-examine the OAU's performance *per se* but to compare its successes and failures with those of the new peace and security initiatives of the AU.

The OAU's experience of promoting regional stability and mitigating the negative impact of conflict in Africa was varied (Ibok, 2000: 3). The organisation's performance was hampered by difficulty as much as it was redeemed by accomplishment. Overall, scholars express pessimism about the OAU's approach to conflict. In claiming that the OAU had little or no success in handling African clashes, scholars reveal the profound doubt they had in the organisation's ability to effectively manage conflicts on the continent (Amoo, 1992: 2; see also Berman and Sams, 2000: 45-46 and Van Nieuwkerk, 2004: 42-43).

The first 30 years of the OAU's existence saw it grappling with the management of inter-state conflicts rising primarily out of disputes over the definition of 'colonially inherited borders' and their implications (Muyangwa and Vogt at http//www.ipacademy.org/publication/reports/Africa see also Tesi, 2007:19-21). Fortunately, the OAU has, according to Muyangwa and Vogt, achieved notable success in dealing with these types of conflicts. For example, in the 1960s and 1970s, the OAU succeeded in resolving border disputes between a number of countries such as: Algeria and Morocco; Mali and Burkina Faso; Somalia and Ethiopia; and Somalia and Kenya) (Muyangwa and Vogt at http//www.ipacademy.org/publication/reports/Africa). According to Oyugi (2009: 97), despite its structural looseness and lack of power and implementation, the OAU succeeded in putting in place an environment that enabled neighbouring African states to recognise inherited colonial boundaries. This, according to Oyugi (2009: 97) went a long way in preventing what would have been a source of inter-state conflicts. These inter-state conflicts

validated the initial assumption by African leaders at the dawn of independence that problems would occur mostly between states.

However, the outbreak of intra-state conflicts in Africa therefore caught the organisation by surprise and severely dented its credibility. For example, the OAU failed to make a meaningful impact on civil unrest in the Congo in 1966 and in the 1966-1970 Nigerian civil war (Van Nieuwkerk, 2004: 42; see also Berman and Sams, 2000: 46-47). Without its intervention and in the absence of any other constructive third party role from beyond the continent those intra-state conflicts went on unabated. The OAU redeemed itself slightly in 1981 and 1982 by means of its management of the Chad civil war: it intervened through its multinational operation, which saw to the deployment of a peace-keeping force. This was by far the OAU's first success in intra-state conflict management (see Franke, 2006: 8-10; Van Nieuwkerk, 2004: 42; and Berman and Sams, 2000: 46-47). According to Franke (2006: 8-10), the deployment, for the first time, of an African force by an African organisation to conduct peacekeeping operations within one of its member states was seen as a first step towards the eventual institutionalisation of continental military cooperation.

Other conflicts that challenged the OAU include the internal crises in Liberia, Sierra Leone, and Somalia. The OAU also faced, with registered success, the liberation struggles in Zimbabwe, Namibia, Angola, and Mozambique as well as the fight to end apartheid in South Africa. These successes are often attributed to the OAU's collaboration with the UN and other international actors (Muyangwa and Vogt at http://www.ipacademy.org/publications/report/africa). It should

come as no surprise that the OAU made important inroads with the liberation struggle: after all, emancipating the continent from colonial bondage was the OAU's priority.

The pacification of certain intra-state conflicts (especially during the third decade of the OAU's existence) was due in great part to the initiatives of regional bodies - notably the Economic Community of West African States (ECOWAS) in West Africa; the Southern African Development and Coordinating Community (SADCC) in Southern Africa; the Inter-Governmental Authority on Development (IGAD) in East Africa; and the UN (Rioux, 2003: 15; see also Ibok, 2000: 4). Nonetheless, a large body of informed opinion maintains that the OAU's initiatives around regional conflicts have been largely ineffective, leaving the organisation's credibility in doubt (see Amoo, 1992: 14; Berman and Sams, 2004: 45-47, Mulikita, 2002: 32-33 and van Nieuwkerk, 2004: 41-42).

It would be useful at this stage to attempt an assessment of why the OAU's conflict-management record was judged unimpressive. The next section examines some of the factors that may have contributed to the OAU's bad conflict-management reputation.

3.4 Assessing the OAU's conflict management capability: what went wrong?

In cases where the OAU's conflict-management attempts have been recorded as successful, the success can be attributed to the nature of the conflict in question. As noted earlier, the conflicts in which the OAU achieved considerable success during its early years were inter-state rather than intra-state, with the notable exception of Chad. Scholars agree that the OAU was prevented from achieving effective intra-state conflict management by its own principles and objectives, as

set out in the OAU Charter. The Charter put extreme emphasis on the principle of non-interference in the internal affairs of the OAU member states. It put an equally forceful stress on the sovereign equality of member states (OAU Charter, 1963: Article III no.1-2). Field (2004: 20) maintains that the OAU was hamstrung by its original mandate, which ensured that neither the organisation nor any of its members could intervene in the internal affairs of member states.

This constraint on the OAU is said to have been exploited by leaders of some member states who committed atrocities against their own citizens. According to Salim (2002: 4), certain African leaders craftily carried out atrocious acts with the belief that the OAU was not permitted to ignore its principles. Thus, the culprits flagrantly took advantage of gaps inherent in their own Charter -- thereby grossly undermining their institution (the OAU). Mwangi (2009: 32) maintains that people perished during the 1994 genocide in Rwanda as well as the civil war in Burundi with little or no attention from the OAU. This was because the institution was too weak to act on major issues without the consent of its members. She further argues that although African leaders knew what was wrong, they were not willing to surrender their sovereignty in order to correct the problem (see also Kotecha and Adams, 1981: 344-346). Instead, they made the OAU weak so as to maintain their sovereignty. Thus, according to Mwangi (2009: 32), African leaders did not really have the interests of their citizens in mind. She argues that their annual meetings in Addis Ababa served largely to showcase their "ill gotten" wealth, and to protect each other under the guise of the principle of sovereignty. Following this line of reasoning, one would argue that instead of cooperating with the OAU and assisting the organisation in its quest for a peaceful and stable continent, African leaders were preoccupied with their obsession for power and wealth. They used the OAU as their platform to protect their

interests as well as their claim to national sovereignties. According to Makinda and Okumu (2008: 12), "the OAU behaved like a mutual preservation club". They further contend that African leaders used the OAU as a platform for "self pacification". Indeed, Leonard and Straus (2003: 85) argue that juridical sovereignty was a matter of passionate concern in Africa and that neither the OAU nor any significant number of African states ever sanctioned interventions that threatened national sovereignty. They further contend that this notion was exemplified by the fact that very few African states supported Biafra's secession attempt from Nigeria. The former Secretary General of the OAU, Salim Ahmed Salim (2002:4), concurs with the above arguments, stating:

> Intervening in intra-state conflicts was somehow obstructed... by the doctrine of non-intervention in the domestic affairs of another state. This provision of the OAU Charter would end up being used and misused...so that it was considered inconceivable for the organisation as such to get involved in what was taken as purely internal conflicts.

According to Muyangwa and Vogt (http://www.ipacademy.org/publications/report/africa), the fault lay in the confining nature of the OAU's mandate which prevented the organisation from dealing with the full range and scope of conflict situations in Africa. A case in point, according to Muyangwa and Vogt, is the OAU's dismal failure in the management of the Nigerian civil war which broke out in 1967. The Republic of Biafra's attempt to pull out from greater Nigeria was a serious cause for concern, but the OAU was held back by its own Charter from intervening. Internal conflicts in Ethiopia and Somalia were equally disadvantaged by the restriction placed on the OAU's involvement (Muyangwa and Vogt

http://www.ipacademy.org/publications/report/africa see also van Nieuwkerk, 2004: 41-42. In Amoo's (1992: 14) words, "the OAU's almost total abdication of mediatory responsibility in internal (domestic) conflicts has condemned it to numerous remonstrations of impotence".

Incapability on the part of the OAU to effectively alleviate intra-state conflict could be attributed to its narrow vision from the time it was conceived. One would argue that the creators of the OAU overlooked the fact that it may need to take responsibility for the management of intra-state and inter-state conflicts. Perhaps, the conditions under which the organisation was formed had a lot to do with its eventual weakness and apparent ineffectiveness in dealing with conflicts, especially intra-state conflicts. Naldi (1999: 38) argues: "the OAU was established in a sea of idealism and expectations of its achievements may have been unrealistically inflated". Since the major goal of the OAU was to foster unity among African states as well as to rid the continent of all traces of colonialism, there was a bit of short-sightedness regarding the postcolonial relations among the new African nations. In effect, the organisation became its own captive. It would have been prudent for the wisdom of Okoth (2004: 89) to have been taken into account "where a sovereign state fails to manage its conflicts effectively and governance breaks down, the responsibility for dealing with the disputes may fall for a limited time on external agents (parties)". In essence then, the OAU should have provided itself with a caveat permitting it to play a role of an external party in the event of an eruption of internal conflict in any member state, especially considering the fact that national conflicts may have an effect well beyond the country's borders.

Nevertheless, there are other factors that are believed to have contributed to the unimpressive record of the OAU in conflict management. The lack of political will on the part of African leaders has been cited by scholars as one of those factors (Field, 2004: 20 see also Deng 1995, 210). This line of argument purports that the OAU member states were unable - or rather, unwilling - to garner the necessary political will to create security mechanisms that would enable the organisation to address conflicts in a more robust manner and through an institutionalised framework. Though the OAU had provided the Commission on Mediation, Arbitration and Conciliation with the mandate to arbitrate during conflict, OAU members simply disregarded this body and often approached other institutions like the International Criminal Court of Justice. Thus, member states appeared to have little faith in, or respect for, the conflict-management machinery that the OAU had established (Van Nieuwkerk, 2004:45-46; see also Muyangwa and Vogt at http://www.ipacademy.org/publications/report/africa).

Another factor that could have contributed to the organisation's failure to effectively manage the conflicts in Africa is its lack of financial resources as well as capacity (Berman and Sams, 2004: 45-56 see also Deng 1995, 210-219). The organisation had suffered from a lack of financial resources since its inception. Although it depended on member state contributions for the effective running of its operations the states were often unable to honour their membership commitments. Despite this observation, some have attributed the OAU's political malaise to Africa's depressed economy. The argument put forward by scholars is that Africa's declining economic state not only exacerbated insecurities within OAU's member states but also served as a major source of conflict on the continent. This line of argument is advanced by scholars who state that the conflicts (whether internal or external) erupted due to a lack of economic

development (Van Nieuwkerk, 2004: 45-46; see also Muyangwa and Vogt at http://www.ipacademy.org/publications/report/africa).

The OAU's wretchedness was further complicated by international politics which impacted on the OAU's conflict management efficacy. The cold war, with the Union of Soviet Socialist Republics (USSR) and the US as protagonists, demonstrated that not even the OAU was immune to the influence exerted by external powers in pursuit of their interests. Africa's post-independence era was characterised by the ideological war between the US and the Soviet Union. As the saying goes, *"when elephants fight it is the grass that suffers"*: Africa became a battle ground in the ideological war between the US and the USSR. The influence exerted by external powers was particularly potent in the Horn of Africa and Southern Africa, where the protagonists exercised extraordinary financial and military might in their quest for strategic and ideological dominance. Such actions did not ameliorate Africa's intra-state conflicts but rather prolonged the situation (Van Nieuwkerk, 2004: 45-46, see also Gavshon, 1981: 27).

The end of the cold war provided the impetus for the OAU to embark on an overhaul of its conflict management machinery. According to Ibok (2000: 5), the rapprochement between Washington and Moscow coupled with the end of the Cold War were not just alarming to Africa: they served as Africa's wakeup call. It became apparent that Africa's woes were no longer going to be blamed on the Cold War phenomenon. Africa had to prepare for dramatic changes in the international and even national political spheres. Ibok, (2000: 5) notes aptly that

> the end of the Cold War brought to the fore and exposed conflicts, which were
>
> formally overshadowed by strong nationalist governments and superpower

rivalries. This re-emergence of age old hatreds effectively challenged both African and the wider international community's ability to devise principled and effective means of response.

According to Nhara (1998: 1) the end of the Cold War saw Africa suffer under the policy of benign neglect pursued by the major world powers, coupled with an increase in arms transfers to the continent. The result was the proliferation of African conflict as well as the resuscitation of long and simmering disputes through exploitation of the permissive environment. According to Andemicael and Nicol (1984: 115), the OAU needed machinery that could act with effectiveness, mobility and promptness to maintain peace and security in order to prevent the escalation of conflicts in Africa. It is against this background that African leaders decided to take a fresh look at the scourge of conflicts that not only undermined the continent's aspiration for a peaceful environment but also threatened to overshadow the successful strides of the OAU towards the liberation of the continent. This new thinking on the part of African leadership was evident during the 29th ordinary session of the OAU Assembly in Cairo, Egypt, from 28-30 June 1993. During that summit African leaders demonstrated their earnestness by signing the much-heralded Cairo Declaration, which saw to the establishment within the OAU of the Mechanism for Conflict Prevention, Management and Resolution of Conflicts in Africa (MCPMR) (Cairo Declaration, 1993 paragraph 13). According to Ibok (2000: 6), it is this declaration that

> set the stage for a review of past OAU approaches to conflict resolution...
> with the ultimate and overriding objective of bringing about a new political
> approach, an enhanced institutional capacity and dynamism into the ways
> Africa dealt with many conflicts that had caused so much human misery.

Nation (1999: 26) argues that the coming into being of the MCPMR was seen as a truly indigenous initiative that endorsed Africa's commitment to be the principal architect of its destiny.   Given the unimpressive record of the OAU in the field of conflict prevention, management and resolution, it could be argued that the MCPMR was yet another attempt not only to improve the organisation's record, but to tackle Africa's persistent impediments to stability and development (Naldi, 1999: 32-33).

The mandate, structure and activities of this new body as per the Cairo Declaration are the subject of the following section. It is hoped that an examination of these three important issues will shed light on how the security architecture of the OAU was evolving.

3.5 The Mechanism for Conflict Prevention, Management and Resolution of conflicts in Africa - MCPMR

3.5.1 The mandate of the MCPMR

This mechanism was mandated to anticipate and prevent the eruption of conflict on the African continent. In circumstances where conflicts had occurred, the MCPMR was expected to shoulder the responsibility of undertaking peace-making and peace-building functions so as to facilitate the resolution of these conflicts. It was envisaged that civilian observer and monitoring missions of limited scope and duration would, from time to time or when necessary, be deployed (Cairo Declaration, 1993 paragraph 15).

The Declaration further provided in paragraph 16 that the assistance or appropriate services of the UN would be sought (under the general terms of its Charter) in the event of conflict degenerating to the extent that collective international intervention and policing was required. It can be argued that this paragraph was an admission by African leadership that the OAU could not function without assistance in its endeavour to manage Africa's conflict. They envisaged cooperation with the UN as the possible panacea to the effective management of conflicts in the continent. African countries were expected to discern ways by which they could make practical contributions to UN involvement and participate effectively in the peacekeeping operations on the continent.

3.5.2 The structure of the MCPMR

The Mechanism's decision-making body, known as the Central Organ (AU Commission, 2003: 7; see also paragraph 17 of the Cairo Declaration), was composed of 16 member states elected annually to serve as members of the Bureau of the Assembly of Heads of State and Government. Adherence to the principle of equitable regional representation and rotation was encouraged. The state of both the outgoing and (where known) incoming chairperson was also a member of the Central Organ. This helped to ensure continuity. The MCPMR included an operational arm called the Conflict Management Division, which later became known as the Conflict Management Center. This body was charged with assisting the Secretary General with the implementation of strategies to prevent, manage and resolve conflict.

The activities of the Central Organ were coordinated on three OAU levels: the heads-of-state level, the ministers' level and the ambassadorial level. The overall direction and the mandate of

the Central Organ was the preserve of the sessions of the assembly of Heads of State and Government (AU Commission, 2003: 8). Suffice to state that the Central Organ could not just decide on how to approach a conflict situation without the prior mandate from the assembly of Heads of State and Government. Where necessary, the Central Organ would seek within the continent the necessary military, legal and other expertise required for the performance of its functions.

Under the authority of the Central Organ and in consultation with the parties involved in a particular conflict, the Secretary General was permitted to pursue all appropriate initiatives to prevent, manage and resolve conflicts on the continent. Indeed, in his or her attempt to accomplish the task at hand the Secretary General was expected to explore every avenue at his or her disposal including dispatching fact-finding missions to conflict areas and seeking the wisdom of eminent African personalities in consultation with the authorities of their countries. The financial costs of this exercise were catered for through the establishment of the Peace Fund within the Conflict Management Centre (AU Commission, 2003: 7; see also Ibok, 2000: 7).

Paragraph 24 of the Cairo Declaration permitted the Mechanism to closely coordinate its activities with African regional and sub-regional organisations. The Mechanism was also expected to cooperate with neighbouring countries with respect to conflicts that might arise in the continent's various sub-regions.

Clearly then, the Mechanism was an attempt by Africans to find effective solutions to their own problems of conflicts, especially given the benign neglect by the Soviet Union and US. Ibok

(2000: 7) maintains that the attempt was also informed by the mounting expectations of African people, as well as those of the international community, to see greater involvement by Africa in the pursuit of permanent peace on the continent.

3.5.3 The OAU's performance since the MCPMR

In 1993 (the year the OAU Mechanism was established) there were approximately 5.2 million refugees and about 13 million internally displaced persons on the continent (Muyangwa and Vogt, http://www.ipacademy.org/publications/report/africa). Muyangwa and Vogt further argue that this situation was created as well as aggravated by African conflicts. Understandably, the newly formed OAU Mechanism underwent a baptism of fire. It soon became apparent that the Mechanism should employ every available means to enable Africa to return to normalcy in relation to peace and stability. Ibok (2000: 12) maintains:

> Contrary to ill-motivated distortions and often outright attempts to mislead and therefore create a misguided impression that the OAU has been absent from many conflict situations in Africa, it is true even if less publicised, that the OAU has done a lot within the context of the Mechanism in conflict prevention, management and resolution.

The above claim encourages a positive overview of the OAU's performance since the Mechanism. It is worth noting that there is a vast body of literature on the reviews and assessments of the OAU's performance and involvement in peace initiatives since the establishment of the Mechanism (see Ibok 2000: 9-16; Berman and Sams, 2004: 68-73; Franke, 2006: 10; Martin, 2002: 197 and Nhara, 1998: 2-3). Martin (2002: 197) argues that it was rather

remarkable for an organisation that hitherto had avoided involvement in internal conflicts to embark on the resolution of such conflicts. According to Franke (2006: 10), the establishment of the MCPMR symbolised the wiliness of the continent to overcome many hindrances which had plagued the previous initiatives at continental security cooperation. He further argues that this new initiative was a result of the realisation, by African leaders, of the urgent need for collective action to tackle the continent's manifold security challenges.

The conflicts challenging the Mechanism from the time of its formation were all intra-state (with the exception of the inter-state conflict between Ethiopia and Eritrea and the one between Morocco and Western Sahara). Generally, the intervention of the Mechanism in these conflicts was indirect, and on many occasions it collaborated with either the regional bodies or the UN. An example is the 1994 Rwandan genocide, where the OAU collaborated with the UN in deploying a Neutral Military Observer group. Collaboration was also evident in the internal crises that developed in Burundi, the Democratic Republic of Congo, the Central Africa Republic, Somalia and Sierra Leone; and, in the inter-state conflicts between Ethiopia and Eritrea, and between Western Sahara and Morocco. In some other cases, the OAU engaged regional bodies as viable partners in the management of conflicts. For instance, the OAU collaborated with ECOWAS in West Africa in the management of the Liberian crisis. In Angola and Sudan the OAU worked closely with SADC and IGAD respectively (see Ibok 2000: 9-16; Berman and Sams, 2004: 68-73; Nhara, 1998: 2-3 Martin, 2002: 190-197, Stremlau, 1999: 114-115).

It could be observed that with the establishment of the Mechanism, the OAU's involvement in intra-state conflicts increased. This was largely due to the OAU's utilisation of paragraph 24 of the Cairo Declaration, which provided for cooperation with the regions and international partners, including the UN. In this respect, the OAU slightly bypassed the principle of non-interference in the internal affairs of states. One would argue that this is not just a testimony regarding the benefits associated with cooperation, but also a positive evolution of Africa's peace and security architecture. Nonetheless, it is rather ironical that having tried to be innovative and worked around the principle of non-interference, the OAU was unable to prevent the Rwandan Genocide (one of the tragic catastrophes in Africa). The Rwandan genocide started just a year after the formation of the MCPMR, between April and June 1994 (Martin (2002: 199). According to Martin (2002:198), one of the operational limitations of the MCPMR could be attributed to its lack of an efficient system to monitor incipient conflicts and take proactive action. This assertion is corroborated by the Report of the International Panel of Eminent Personalities (IPEP) tasked with the responsibility of investigating the Rwanda genocide. The Report states that when the OAU jumped into the crisis it soon discovered that it had no expertise and resources to handle the conflict (IPEP, 2000: 81).

According to Williams (2010: 103), the Rwandan genocide had several important ramifications for African security cooperation. Firstly, Williams contends that the incident proved that the UN was deeply unreliable when it came to protecting civilians from mass atrocities. It also highlighted how politics at the UNSC "made that body highly unlikely to ever conduct effective civilian protection operations, especially in a strategically insignificant part of the world like Africa" (Williams, 2010: 103). Loescher (2004: 170) argues that by the mid-1990s, major

powers, especially the United States, perceived that the UN interventions of the early 1990s had overstretched the UN, hence future interventions had to be limited and restricted to the most strategic and important areas of the world. The second ramification, according to Williams, is that the incident provided a wake-up call to African governments, and thereby encouraging them to re-assess their collective approach to conflict. Samkange (2002: 76 -78) contends that challenges like the phenomenon of failing states; risk of conflict spill-over; threats to democratic processes and abject failure to act in the face of humanitarian disaster, encouraged Africa's innovation in search of better ways to address its challenges. In this context, it could be argued that the establishment of a new African Peace and Security Architecture (APSA) was the net outcome of the collective attempts by African leaders' to address their regional security challenges. The next section examines the establishment of this new African peace and security structure.

3.6. The Peace and Security Council of the African Union: A new beginning?

In July 2002 the Heads of State of 53 African countries gathered in Durban, South Africa, to commemorate the transformation of the OAU to the African Union (AU). The AU was guided not by a Charter like the OAU, but by a new Constitutive Act. The Act had critical provisions that marked a clear departure from the Charter. For instance, though the Constitutive Act upholds the principle of sovereignty, it also permits the AU's active involvement in the prevention, management and resolution of both inter-state and intra-state conflicts. This provision is clearly articulated under Article 4 (h) of the Constitutive Act which gives the AU the right to intervene in the affairs of member states in respect to grave circumstances (such as war crimes, genocide, and crimes against humanity). Article 4 (i) of the Constitutive Act is geared

towards the same objective, for it gives member states the right to request intervention from the AU so that peace and security might be restored. These principles are strong indications of the seriousness of the AU's intention to ensure peace and stability on the continent. Though the Constitutive Act seems to have been carved with the benefit of hindsight from the OAU's non-interference clause, the establishment of the Peace and Security Council (PSC) within the AU was an important milestone. It served to further demonstrate the vigour and willingness of the African leaders to deal with the challenges of African peace and security.

The Protocol establishing the Peace and Security Council of the African Union was adopted on 9 July 2002 and entered into force on 26 December 2003. It heralded the replacement of the OAU's MCPMR by the PSC as a standing decision-making organ for the prevention, management and resolution of conflicts. Article 2 (1) of the PSC protocol states that the PSC is a collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa.

The PSC is composed of 15 member states, elected on the basis of equal rights by the Executive Council (a body formed by the Ministers of International Relations or Foreign Affairs of AU member states). Submission is made to the Assembly of Heads of State and Government for the endorsement of the elected states. Ten members are elected for a two-year term while five are elected for a three-year term. The principle of regional representation and rotation is upheld during the election of the PSC members. Each of the five regions of the continent – Central, Eastern, Northern, Southern and Western - is allocated one three-year-term seat in the PSC. The two-year-term seats per region are allocated as follows:

Table 3.1: **Allocation of the PSC two year term seats per region**

Region	Number of Seats
Southern Africa Region	Two
East Africa Region	Two
West Africa Region	Three
Central Africa Region	Two
North Africa Region	One

According to Article 5 (2) of the PSC Protocol, in electing the members of the PSC the Assembly is required to apply the principle of equitable regional representation and rotation, and the following criteria with regard to each prospective member state must be applied:

a) commitment to uphold the principles of the Union;

b) contribution to the promotion and maintenance of peace and security in Africa – in this respect, experience in peace support operations would be an added advantage;

c) capacity and commitment to shoulder the responsibilities entailed in membership;

d) participation in conflict resolution, peace-making and peace-building at regional and continental levels;

e) willingness and ability to take up responsibility for regional and continental conflict resolution initiatives;

f) contribution to the Peace Fund and/or Special Fund created for specific purpose;

g) respect for constitutional governance, in accordance with the Lomé Declaration, as well as the rule of law and human rights;

h) having sufficiently staffed and equipped Permanent Missions at the Headquarters of the Union and the United Nations, to be able to shoulder the responsibilities which go with the membership; and

i) Commitment to honour financial obligations to the Union.

It is important to note that Article 5 (4) of the Protocol provides for a periodic review by the Assembly to assess the extent to which the members of the PSC continue to meet the requirements spelt out in Article 5 (2) and to take appropriate action. Significantly, unlike the UNSC, the PSC has neither permanent members nor the veto power mechanism. Anyone can be a member of the PSC as long as there is consensus that the set criteria are met. Also significant is the fact that there is no limitation to the term of office: a retiring member can seek immediate re-election.

In March 2004 the Executive Council elected the following countries as PSC members:

Table 3.2: List of elected PSC Members in 2004

Country	Region	Term
Algeria	North Africa	Three Years
Libya	North Africa	Two Years
Nigeria	West Africa	Three Years
Senegal	West Africa	Two Years
Togo	West Africa	Two Years
Ghana	West Africa	Two Years
Ethiopia	East Africa	Three Years
Kenya	East Africa	Two Years
Sudan	East Africa	Two Years
Gabon	Central Africa	Three Years
Cameroon	Central Africa	Two Years
Congo	Central Africa	Two Years
South Africa	Southern Africa	Three Years
Lesotho	Southern Africa	Two Years
Mozambique	Southern Africa	Two Years

In January 2006 the Executive Council conducted further elections for the two-year-term PSC members. The outcome of the elections was as follows:

Table 3.3: List of elected two year term PSC Members in 2006

Country	Region	Term
Egypt	North Africa	Two Years
Senegal	West Africa	Two Years
Togo	West Africa	Two Years
Ghana	West Africa	Two Years
Uganda	East Africa	Two Years
Rwanda	East Africa	Two Years
Cameroon	Central Africa	Two Years
Congo	Central Africa	Two Years
Malawi	Southern Africa	Two Years
Botswana	Southern Africa	Two Years

The January 2006 elections were followed by the election in January 2007 of three-year-term PSC members:

Table 3.4: List of elected three year term PSC Members in 2007

Country	Region	Term
Algeria	North Africa	Three Years
Nigeria	West Africa	Three Years
Ethiopia	East Africa	Three Years
Gabon	Central Africa	Three Years
Angola	Southern Africa	Three Years

January 2008 saw the election by the Executive Council of the two-year-term holders. The outcome was as follows:

Table 3.5: List of elected two year term PSC Members in 2008

Country	Region	Term
Tunisia	North Africa	Two Years
Benin	West Africa	Two Years
Burkina Faso	West Africa	Two Years
Mali	West Africa	Two Years
Uganda	East Africa	Two Years
Rwanda	East Africa	Two Years
Burundi	Central Africa	Two Years
Chad	Central Africa	Two Years
Swaziland	Southern Africa	Two Years
Zambia	Southern Africa	Two Years

In January 2010 the Executive Council conducted elections of all 15 PSC members (Two-year term and three-year term). The outcome was as follows:

Table 3.6: List of all elected PSC Members in 2010

Country	Region	Term
Libya	North Africa	Three Years
Mauritania	North Africa	Two Years
Nigeria	West Africa	Three Years
Benin	West Africa	Two Years
Mali	West Africa	Two Years
Cote d' Ivoire	West Africa	Two Years
Kenya	East Africa	Three Years
Djibouti	East Africa	Two Years
Rwanda	East Africa	Two Years
Equatorial Guinea	Central Africa	Three Years
Burundi	Central Africa	Two Years
Chad	Central Africa	Two Years
Zimbabwe	Southern Africa	Three Years
South Africa	Southern Africa	Two Years
Namibia	Southern Africa	Two Years

The support base of the PSC is – at least in principle – the Panel of the Wise, The Continental Early Warning System (CEWS), African Standby Force (ASF), and the Peace Fund or Special Fund (PSC Protocol, Article 2(2)). The coordinating body of the PSC support structures is the AU Commission (which serves as the secretariat of the African Union in general).

3.6.1 PSC support structures and their functions

3.6.1.1 The Continental Early Warning System (CEWS)

The formation of the CEWS is provided for under Article 12 (1) of the PSC Protocol. According to Article 12 (2) of the PSC Protocol, the CEWS shall consist of an observation and monitoring centre, to be known as "the Situation Room", which should be located at the Conflict Management Directorate of the AU, with the responsibility of data collection and analysis on the basis of appropriate early warning indicators. The CEWS should include the observation and monitoring units of the Regional Economic Communities (otherwise known as the RECs) to be linked directly through appropriate means of communications to the Situation Room. These units shall collect and process data at their level and forward the information to the Situation Room.

The CEWS is expected to develop an early warning model based on clearly defined and accepted political, economic, social, military and humanitarian indicators, which shall be used to analyse developments on the continent and to recommend the best course of action (Article 12 (4)) of the PSC Protocol). Furthermore, the Chairperson of the Commission is expected to use the information gathered through the CEWS in a timely manner in order to advise the PSC on potential conflicts and threats to peace and security in Africa and to recommend the best course of action. The Chairperson of the Commission is also expected to use this information for the execution of the responsibilities and functions entrusted to him or her by the Protocol (Article 12 (5)).

On their part, member states are expected to commit to the facilitation of early action by the PSC and/or the Chairperson of the Commission based on early warning information. Moreover, the Chairperson of the Commission is expected, in consultation with Member States, the Regional Mechanisms, the UN and other relevant institutions, to work out the practical details for the establishment of the CEWS and take all the steps required for its effective functioning (Article 12 (6)).

It has been noted that one of the operational limitations of the MCPMR was its inability to monitor incipient conflicts and take proactive actions (Martin, 2002: 198). This idea of a CEWS seems as an appropriate step towards addressing the challenge of conflict prevention. However, African states and the international community need to work together to ensure operationalisation of this significant body. By the time of finalising this study, the CEWS was not yet fully operational. The roadmap for operationalising this structure was adopted in July 2005 (Report of the Audit of the AU, 2007: 100-101). It was anticipated that the CEWS will be operational in 2008. According to the Audit Report (2007: 101), part of the delay was due to the fact that other regions, with the exception of IGAD and ECOWAS, were yet to develop regional early warning systems so as to link them to the CEWS. Nonetheless, significant progress has been achieved, albeit the CEWS not fully operational. For instance in January 2007, the Executive Council approved the framework for operationalising the CEWS (Report of the Chairperson of the Commission, 2008: 37). The Community of Sahel-Saharan States (CEN-SAD), East African Community (EAC), Common Market of East and Southern Africa (COMESA) and SADC are in process of finalising the operationalisation of their early warning systems after which they will be linked to the CEWS.

From 11 to 12 November 2009, the Commission convened a meeting with all AU Field Missions on the development and finalisation of a template on situation and incident reporting. It also held its quarterly technical meeting with RECs from 24 to 25 November 2009, with the view of reviewing progress regarding the full operationalisation of the CEWS (Report of the Chairperson of the Commission, 2010: 13). Although, there is still some work at regional level, the AU situation room is operational and technical issues that were outstanding in 2007 (like acquiring the necessary software) have been resolved, except the human resource aspects (AU Commission Annual Report, 2007: 65). By January 2010, the AU Commission was recruiting analyst so as to augment the analytical capacity of the CEWS (Report of the Chairperson of the Commission, 2010: 13). Given the ground already covered towards operationalising the CEWS and the AU Commission's enthusiasm, the onus is on member states to cooperate and ensure the operationalisation of the CEWS. In view of the fact that some regions are yet to fully establish their centres, it would be prudent to pressurise such regions to expedite full establishment of regional early warning systems so as to finalise the CEWS. Another critical aspect regarding the expected operations of the CEWS could be its link with the Committee for Intelligence and Security Services of Africa (CISSA). This body is made up of the intelligence and security services of each African country. Its priority is to assist the PSC and the AU in the areas of peace and security (Article 5 of the CISSA Memorandum of understanding). Though CISSA is expected to assist the PSC, there seems to be no link between this body and the CEWS. Instead, and according to a senior CISSA representative (S), CISSA provides intelligence to the AU Commission chairperson through a structure called the Intelligence and Security Council (ISC) in the office of the chairperson of the AU Commission. The aim is to help the chairperson with

conflict prevention, management and resolution so as to advance the peace and security agenda of the AU[5]. Given the importance of CISSA and its role, it would be prudent for it to be linked or to work together with the CEWS so as to buttress the capacity of the PSC in the area of conflict prevention, management and resolution.

3.6.1.2 The Panel of the Wise

The second PSC support structure, the Panel of the Wise, was established under Article 11 of the Protocol. According to the Article 11 (1) the objective of the Panel of the Wise is merely to support the efforts of the PSC and those of the Chairperson of the Commission, particularly in the area of conflict prevention. The Panel is composed of five highly respected African personalities from various segments of society who have made an outstanding contribution to the cause of peace, security and development on the continent. The selection of members is on the basis of regional representation and is the responsibility of the Chairperson of the Commission, after consultation with the Member States concerned. Members of the Panel of the Wise are appointed by the Assembly to serve for a period of three years.

The Panel of the Wise is tasked to advise the PSC and the Chairperson of the Commission on all issues pertaining to the promotion and maintenance of peace, security and stability in Africa. It is expected to report to the PSC and, through the PSC, to the Assembly as its mandating authorities.

Article 11(4) of the Protocol further stipulates that

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[5] Personal interviews, 12 July 2009 in Addis Ababa, Ethiopia

at the request of the Peace and Security Council or the Chairperson of the

Commission, or at its own initiative, the Panel of the Wise shall undertake

such action deemed appropriate to support the efforts of the Peace and

Security Council and those of the Chairperson of the Commission for the

prevention of conflicts, and to pronounce itself on issues relating to the

promotion and maintenance of peace, security and stability in Africa.

The Panel of the Wise was inaugurated in December 2007 with five elected members representing each region (Report of the Chairperson of the AU Commission to the Executive Council, 2009: 8). Members of the Panel were Salim Ahmed Salim (former Secretary General of the OAU) for east Africa region; Brigalia Bam (former president of the Independent Electoral Commission (IEC) of South Africa) for southern Africa region; Ahmed Ben Bella (former president of Algeria) for north Africa region; Elisabeth K. Pognon (who was also the president of Constitutional Court of Benin) for west Africa region and Miguel Trovoada (former president of Sao Tome and Principe) representing the central Africa region. The Panel has a mandate of three years. Since the Panel was established in 2007 its mandate was envisaged to expire in December 2010. During the completion of this study, the Panel had undertaken a number of confidence building missions in several countries (e.g. Central Africa Republic and South Africa) most of these missions were conducted prior to the elections. The Panel further held thematic meetings namely; election related conflicts; non-impunity, justice and national reconciliation; and women and children in armed conflicts in Africa. Reports from these meetings were submitted to the AU Assembly for consideration (Report of the Chairperson of the Commission, 2010: 13).

However, the Panel is apparently encountering some challenges[6]. One major challenge is with the financial resources, as the Panel does not receive any funding from the AU budget. All its activities have been funded through the support of the AU partners. This situation raises concerns in terms of sustainability and ownership. Hence it would be critical for AU member states to be reminded of the need to translate commitments, to establish APSA, into action. If AU is committed in eradicating conflicts and foster development, it would have to encourage member states' cooperation to fund its organs. Such move will not only go a long way in discouraging dependency syndrome, but will ensure Africa's genuine ownership of its processes. Nonetheless and according to Anonymous AU officials, the Commission is working on ways of ensuring effectiveness of the Panel. Reporting to the Executive Council of the AU in January 2010, the Chairperson of the African Union, Dr. Jean Ping, made an undertaking to report to the July 2010 Assembly, on the new arrangements to enhance effectiveness of the Panel. This study was completed before the release of such information pertaining to the new arrangements.

3.6.1.3 The African Standby Force (ASF)

Article 13 (1) of the PSC Protocol stipulates that

> in order to enable the Peace and Security Council (to) perform its responsibilities with respect to the deployment of peace support missions and intervention pursuant to Article 4 (h) and (j) of the Constitutive Act, an African Standby Force shall be established. Such Force shall be composed of standby multidisciplinary contingents, with civilian and military

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[6] This was revealed during personal interactions with some senior members of the Commission (in Addis Ababa, on 03 December 2009)

components in their countries of origin and ready for rapid deployment at appropriate notice.

Article 13 (2) states,

Member States shall take steps to establish standby contingents for participation in peace support missions decided on by the Peace and Security Council or intervention authorized by the Assembly.

The Protocol clarifies that the type and strength of contingents, their general location and their degree of readiness shall be determined in accordance with established African Union Peace Support Standard Operating Procedures (SOPs), and shall be subject to periodic review depending on the prevailing crisis and conflict situation (Article 13 (2). The ASF is expected to be made up of five regionally administered standby brigades of about 3,000 troops each. And thus providing the AU with a standby capacity of 15, 000 troops trained in peace operations ranging from observer missions to military interventions (Franke, 2006: 13). Calibrated around five regions, the ASF brigades are as follows; SADC Brigade (for Southern Africa), ECOWAS Brigade (for West Africa), East Africa Brigade (for East Africa), North African Regional Capability (NARC) (for North Africa), and Economic Community of Central African States (ECCAS) Brigade (for Central Africa). Franke (2006: 14) believes that the regional character of the ASF ensures that member states of the RECs own the process of establishing continental security architecture, while at the same time strengthening ties between RECs and the AU. In this context he notes that

this mutual beneficial symbiosis not only reduces the risk of competition between the continental, regional and national levels of inter-African security cooperation, but also increases the stakes (of) all actors in the process, builds up helpful peer group, and thus reduces the chances of failure (Franke, 2006: 14)

An ASF policy framework was adopted by the AU Assembly in 2003. According to the Report of the Chairperson of the AU Commission (2006: 19), the establishment of ASF was envisioned to be in two phases. Phase 1 commenced in 2003 and ended on 30 June 2005. Although Phase 2 was scheduled to run from 30 June 2005 to 30 June 2010, this did not happen as planned. Due to some delays, particularly relating to matters of conceptualisation, the second phase started in 2006 (Report of the Chairperson of the AU Commission, 2006: 19-20). Between January and April 2006, the AU Commission held regional workshops to examine issues of doctrine, SOPs, command and control, communication and information system, logistics and training and evaluation. (Report of the Chairperson of the AU Commission, 2008: 3; see also the African Union Commission Annual Report of 2007, 64.). However, it could be observed that the delays characterising the setting up of the ASF point to significant divergence of views among African states; hence, the conduct of a number of workshops aimed at clarifying key issues such as foundational doctrine and standard operating procedures. Such workshops were deemed critical given the importance of the expected role of the ASF. It was seen as necessary that African states are on the same page regarding the whole concept of the ASF. It was expected that the workshops would go a long way in alleviating circumstances where the force could be expected to perform activities other than those agreed upon by African states. One such circumstance

would be a scenario where some African states would want to use the ASF to engage in a regime change operation to remove an unfriendly but otherwise inappropriate (in terms of policy), African state. Therefore, by engaging the whole continent through a series of workshops, the AU Commission could also be addressing the 'shadow of the future' (where some long serving leaders of African states would be wary that the ASF could be used to oust them). Unfortunately, Africa does not have the luxury of time due to the spate of impediments to development such as political instability, conflict, and violence.

Despite this, the AU Commission has further held a number of workshops and exercises with the regional brigades in conformity with the ASF roadmap (Report of the Chairperson of the Commission, 2010, 14). One such critical exercise is called exercise AMANI[7] Africa, which has been held in various stages. For example, following the initial and mid-term planning conference between March and June 2009, the AMANI Africa Map exercise was held in September 2009. The AMANI Africa Event List and Main Incident List were held in October 2009. These were followed in November 2009 by AMANI Africa Political Strategic Seminar (Report of the Chairperson of the Commission, 2010, 14). By the time of finalising this study, the AU Commission was to conduct a continental Command Post Exercise under the banner of exercise AMANI Africa. The objective of the exercise was to rehearse AU procedures for mandate development and evaluate the capacity of the peace and security department to plan, deploy and manage multidimensional peace support operations. However, according to the Report of the Chairperson of the AU Commission (2010: 14), the SADC Brigade, ECOWAS Brigade and East Africa Brigade have completed all exercises while NARC and ECCAS were yet to conduct their first exercises.

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[7] Peace in Swahili

The major delaying factor for NARC, according to a senior official (N) within the AU Peace Support Operations Division -- PSOD, was the conceptual misunderstanding between NARC and the Commission.[8] The official further noted that ECCAS' delay was mainly due to lack of adequate integration within the region -- a factor, he believes, could be attributed to the overlapping membership of its members to other regional blocs. Based on this explanation it can be deduced that the issue of overlapping membership significantly hampers progress of the ASF. This could be due to the fact that countries may tend to develop apathy against active participation in the activities of the ASF. When pressed to account such apathetic stance, countries would simply claim glory of progress achieved by other regional blocs of which they are members. However, given that the issue of overlapping membership cuts across a number of RECs, the problem of delays in activating the ASF appears to be a bit more complex. A more convincing explanation could be based on divergent views among African governments regarding the actual purpose of the ASF. For instance, the senior AU official in PSOD (N) actually noted that Muammar Gaddafi of Libya and some other leaders in Central and North Africa prefer that the ASF should be organized as a collective defence regime rather than the envisioned collective security mechanism. In other words, they would prefer that it would be used only as an African army that could be deployed against foreign aggressors in defence of the African continent rather than in opposition to an African government. This view, however, does not resonate well with the views of the AU Commission and some other African leaders that the ASF should be a standby force to address Africa's challenges of peace and security in times of need. According to one of the executive members of Exercise AMANI Africa (V), the ASF

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[8] Personal interview, 23 July 2009 in Addis Ababa, Ethiopia

could be fully operational in 2012.[9] In his view, if there could be an incident that warrants the invocation of Article 4 (h), the ECOWAS, IGAD, and SADC, brigades could be utilised. In this context, he believes that the full operationalisation of ASF is just "a matter of complying with the process". Clearly, in the absence of additional and substantive evidence, these views cannot be seen as confirmation that the North and Central Africa regions are delaying the activation of ASF. However, they may serve as illustration of the divergence of views among the membership of the AU on the operationalisation of the ASF, particularly differences between those two regions and ECOWAS, IGAD and SADC.

Moreover, it is crucial to point out that the view expressed by one of the executive members of Exercise AMANI Africa on the readiness of ASF appears to be a bit simplistic. For instance, if the ASF could be ready to deploy at any stage, one would wonder as to why it has not done so in Somalia where it has been needed since 2007. Instead, the AU continues to appeal to its member states and the international community to assist the African Union Mission in Somalia (AMISOM). It is also not clear as to how the ASF would alleviate the inherent challenge of Africa's inability to sustain troops through the provision of the necessary allowances. This point is further elucidated in the following chapters. Clearly, although there appears to be some progress regarding the operationalisation of the ASF, certain challenges remain.

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[9] Personal interview 10 March 2010, in Addis Ababa, Ethiopia.

3.6.1.4 The Peace Fund

The Peace Fund, which is provided for under Article 21 of the PSC Protocol, is expected to facilitate the provision of the necessary financial resources for peace support missions and other operational activities related to peace and security. According to Article 21 (2),

> The Peace Fund shall be made up of financial appropriations from the regular budget of Union, including arrears of contributions, voluntary contributions from Member States and other sources within Africa, including the private sector, civil society and individuals as well as and appropriate fundraising activities.

Moreover, the Chairperson of the Commission is expected to raise and accept voluntary contributions from sources outside Africa, in conformity with the objectives and principles of the Union.

However, the Panel that carried the audit of the AU in 2007 expressed concerns regarding the funding of the peace operations. Importantly, the Report of the Panel pointed out that the Peace Fund remained very small, and that on average only six percent of the regular budget is allocated to the Peace Fund (Report of the Audit of the African Union, 2007: 102). The Report (2007: 102) also noted that member states' voluntary contribution was very limited in comparison with the contributions by other donors. Although it is not clear as to what factors lead to the inadequate contribution to the Peace Fund, one would argue that the issue of raising funds appears to be a daunting challenge for African member states. Perhaps the major cause is the voluntary nature of the contribution. Thus, member states tend to contribute to the Fund at their

own volition. The Report further notes that inadequate and unpredictable funding for peace support operations has contributed to the difficulties encountered by the AU in the Sudan (AMIS) and the AU Mission in Somalia (AMISOM) (Report of the Audit of the African Union, 2007: 106). .

The Report summarises the Peace Fund budget in United States dollars as follows:

Table 3.7 Summary of the Peace Fund in 2007

Summary of the Peace Fund in US $ '000s					
Year	Contributions from Member States	Donors' Contributions	Total income received	Member States' Contributions as a percentage of income received	Actual Expenditure	Expenditure as a percentage of income
2004	1, 794	107, 652	109, 446	1.6	80, 541	73.6
2005	2, 737	125, 629	125, 629	2.2	104, 796	83.4
2006	2, 786	179, 622	182, 408	1.5	169, 888	93.1
2007	2, 940	142, 350	145, 290	2.0	109, 082	75.1

Source: AU Audit Report, 2007: p.106

Looking at the above table an observation can be made that although the actual utilisation of the Fund remains high in percentages, it is not completely exhausted. This, therefore, may discount the notion that lack of adequate funding has been a challenge to the peace-related activities of the PSC. Nevertheless, this may be deceptive. It must be borne in mind that any decision to act in order to facilitate peace -- including support missions and other operational activities related to

peace and security – must anticipate financial viability and constraints. In this way, the failure to achieve funding targets can effectively and seriously serve to deter commitments to peace related activities and weaken the capacity of the PSC to fully take responsibility of discharging its mandate. This is despite the fact that the Audit Report identified the issue of poor fund management as a critical challenge for the AU. It further highlighted that over-ambitious activity planning coupled with over-estimation of expected costs had resulted in "under-expenditure, unnecessary drain of finances to the detriment of more deserving projects" (Report of the Audit of the African Union, 2007: 115). In this context, one would argue that the challenges facing the PSC are by no means restricted to funding only; they certainly appear to include weak administrative and managerial capacity within the institution.

Following the findings of the Audit Panel, the AU Assembly convened a Special Session on the resolution of conflicts in Africa from 30 to 31 August 2009, in Tripoli, Libya. The outcome of the meeting was a declaration called "*Tripoli declaration on the elimination of conflicts in Africa and the promotion of sustainable peace*". Paragraph 10 of the Declaration states

> To this end we recommit ourselves to accelerate the full operationalisation of APSA, including the further refinement of existing provisions, where necessary, to facilitate their implementation. In this respect, we agree to increase our contributions, both financial and technical, in support of APSA.

The above commitment is further stressed under paragraph 18 of the Declaration where African leaders pledge their commitment to substantially increase their contribution to the Peace Fund in

order for Africa to truly own efforts aimed at promoting peace. Against this backdrop, the AU Commission was requested to facilitate an "increase of the statutory transfer from the AU regular budget to the Peace Fund from 6 to 12 %" (Tripoli Declaration, 2009: paragraph 18). By the time of finalising this study, the AU Commission was preparing a report on how best to mobilise the resources from within the continent so as to support peace efforts. Clearly, African governments remain convinced of the need to encourage funding of their institution so as to ensure ownership of their peace and security initiatives. If African fundraising ambition could be matched with the requisite financial management and administration, the AU will move closer to the realisation of the desirable objective of predictable funding for its peace and security agenda. Delivering a statement to the 3rd African Development Forum on 06 March 2002, the then Secretary General of the OAU, Salim Ahmed Salim, stated that "The maintenance of peace and security, particularly the prevention, management and resolution of conflicts is a resource demanding exercise. It requires human and financial resources, logistics and massive outlay of funds to underwrite expenditures". In this respect, it would be prudent for African leaders to contend with the reality that peace can be achieved at a cost. Hence, there is also a need for innovation and cooperation between African states and the larger international community so as to realise the objective of peace and stability.

3.6.2 The PSC's expected operational method

Pursuant to Article 4 (h) and (j) of the Constitutive Act, it is the responsibility of the PSC's fifteen-member body to deliberate on actions taken in response to situations threatening the continent's stability. The responsibility of the ASF is to be ready for deployment on the most serious peace support missions and interventions.

In order to facilitate the anticipation and prevention of conflicts, the PSC is to rely on the Continental Early Warning System (CEWS). The predictability, availability and provision of funds are the duty of the Peace Fund, while the Panel of the Wise is expected to be the PSC's pool of wisdom. It should be noted that the ASF and the CEWS are not yet fully operational. The ASF is expected to be running by 2012, while preparations are underway for the operationalisation of the remaining structure.

The PSC meets at the levels of Permanent Representatives, Ministers, and Heads of State and Government. It convenes as often as is required – but at least twice a month - at the level of Permanent Representatives (the Ambassadorial level). The Ministers, Heads of State and Government are each expected to meet at least once a year. Article 8 of the PSC Protocol provides for three types of PSC meetings: closed meetings, open meetings and informal consultations.

The PSC's functions, as enumerated in Article 6 of the Protocol, are as follows:

- the promotion of peace, security and stability in Africa;
- early warning and preventive diplomacy;
- peace-making, including the use of good offices, mediation, conciliation and enquiry;
- peace-support operations and intervention, pursuant to Article 4 (h) and (j) of the Constitutive Act;
- peace-building and post-conflict reconstruction;

- humanitarian action and disaster management; and

- any other function as may be decided by the Assembly.

There is general consensus and commitment among African leaders in relation to the PSC and its functions, even though - given the much-publicised failure of its predecessor (the OAU MCPMR) - some concerns exist about whether the PSC will fare better (see Van Nieuwkerk, 2004: 41-46 or Field, 2004: 19-22). Kagwanja (2004: 5) argues that the PSC will be the litmus test for the AU and its aim of promoting democratic principles and institutions, popular participation and good governance. A broad examination of literature reveals that scholars feel optimistic about the PSC's creation. This optimism is motivated by the understanding that Africa is finally taking bold steps to meet its challenges. Kagwanja (2004: 4) argues that the PSC will enhance the AU's capacity for conflict management and peace-building while facilitating active partnership between the AU and the regional economic commissions. Field (2004: 19) asserts that the formation of the AU (and particularly the PSC) in 2002 paved the way for African leaders to adopt new approaches in dealing with conflict situations and, thus, effectively put an end to the weaknesses of the OAU. Murithi (2005;87) contends: the legal mandate of the PSC to intervene is a foundation upon which the AU can develop a collective security and defence policy for the continent in order to put an end to the devastating conflicts.

When Nigeria deposited her instrument of ratification of the PSC Protocol, the country's Chargé d' Affaires confirmed Nigeria's commitment to the peaceful settlement of future disputes on the continent and the speedy resolution of existing conflicts. Importantly, he communicated his expectation that the PSC's activation would allow African people and governments to

concentrate on socio-economic development and improve their living standards. In the same context, the former AU Commission Chairperson Alpha Konare said the PSC would provide a pro-active, comprehensive and robust framework for building and consolidating the African security architecture. The architecture would strengthen the continent's institutions, programmes and initiatives for preventive diplomacy, peace-building, and peacemaking. In a nutshell, Konare argues that the PSC would enhance the state of security and stability throughout Africa (http://www.addistribune.com/Archives/2004/02-01-04/Protocol.htm). The above statements illustrate the high expectations around the PSC's activation. At a conceptual level, the PSC appears revolutionary and an African panacea to African peace and security challenges. In this connection, it remains to be seen if Gavshon's (1981:36) conviction that "conflicts would have been easier to resolve if Africans had been left to themselves to seek their own solutions" will hold. Nonetheless, Murithi (2005: 87) believes that the success of the PSC's work "depends essentially on the commitment of the AU member states, sub-regional groupings, civil society and individuals to enable the Council to conduct its work and create the conditions which are necessary to achieve sustainable peace. Adding to Murithi's idea, it could be maintained that such commitment should be driven by cooperation among the PSC members and between them and other stakeholders.

3.7. Africa's Challenge: the long road ahead

Through the ratification of the PSC Protocol, African leaders have committed to peace and stability in Africa. The challenge now lies in the fulfilment of these commitments and the dissipation of the scepticism felt around the subject of African leaders honouring their word. Golaszinski (2004: 12) points out that the existing backlog of unfulfilled commitments discredits

multilateralism in Africa. Indeed, it is not new for African leaders to commit themselves on paper, as they have with the AU's Constitutive Act and the PSC protocol - "Pan African declarations are not new", says Ihonvbere (2003:361). Evidently, however, these commitments are not always translated into action. Golaszinski (2004: 12) points to the challenge of ongoing situations where formal mandates created by the highest bodies of African organisations are not followed by genuine collective commitment and the capacity to monitor and implement resolutions. This formidable challenge for the continent forms the core of this study in relation to the assessment of the PSC's potential for success.

The study contends that the above-mentioned challenge can be overcome only through a collective effort by Africa, the international community, the UN and other international role players. Cooperation is the key to success. However, the study does not ignore that factors other than lack of cooperation have contributed to the failure of African initiatives. It has been pointed out that the lack of political will among African leaders is a major hindrance (Ihonvbere, 2003: 361). Also, the defaulting on annual dues payments to the former OAU also served to weaken cooperation initiatives (Saxena, 2004: 189). The inability of member states to honour their financial obligations to the OAU cannot be attributable only to Africa's weak economic circumstances. Commey (2004: 14) observes that some countries spend about half of their budget on defence or arms. The PSC's effectiveness will thus depend in part upon certain necessary policy adjustments by the AU member states. African leaders owe it to the continent to ensure that PSC initiatives are supported through genuine commitment and timely action. It would be prudent for the AU member states to lend significant financial support to this fledgling continental initiative. AU members would not only be signalling their strong commitment to

cooperation and to honouring of their obligations – they would be in a position to enhance the resource capacity of the AU PSC and, indeed, to pose substantive and moral challenges to the international community (including the G8, the African commission and the EU).

While the responsibility for ensuring the continent's peace and stability rests ultimately with Africans, the international community ought to play an equally pivotal role. Evidence suggests that international role players have not shown much sincerity when participating in conflict resolution in Africa. They have applied double standards, attaching too much importance to countries where their strategic interests are at risk, rather than providing humanitarian assistance to those most in need (Gavshon, 1981: 27). The Rwandan genocide is a case in point. Mays (2003: 108-111) argues that during the genocide, the US, Great Britain and the majority of the UNSC turned a blind eye. It seems their inaction was motivated by the fact that the Rwandan situation did not fall within the Western powers' area of national interest. When Kofi Anan, who was then the head of the Department of Peacekeeping Operations (DPKO), approached Belgium, US and France who had the necessary expertise to assist in the deployment of troops to prevent genocide, his request was turned down (Murphy, 1999: 108). However, subsequent events in the Great Lakes Region have demonstrated, that Africa's security requirements are relevant to members of the international community. Therefore, it is imperative for the international community to cooperate with Africa in ensuring the PSC's success.

3.8. Conclusion

This chapter has looked critically at the evolution of Africa's peace and security architecture. Emphasis has been placed on the OAU and its contribution to conflict management on the

continent. The chapter discussed the transition of the OAU to the AU - in particular the transformation of the MCPMR into the PSC. It has been contended that the PSC's success would be ensured primarily by cooperation among Africans and between Africa and international role players at large. The next chapter explores cooperation challenges and the realities that confront the PSC as it embarks on a journey of providing stability in the continent.

Chapter 4

The Peace and Security Council and the Realities on the Ground

4.1 Introduction

From inception the PSC had already had a dose of real challenges to its daunting task of ensuring peace and stability of the continent. Such problems have varied, ranging from unconstitutional changes of governments to unconstructive involvement by some foreign powers in the internal affairs of many states in Africa. Against this backdrop it is prudent to explore some of those challenges before embarking on the empirical endeavour of the study. This exercise is motivated by the realisation that the PSC and its work could be better assessed with the appreciation and understanding of the challenges that confront the organ. Therefore, this chapter seeks to provide a critical account of the challenges faced by the PSC as well as those that are likely to arise in the near future, especially if the serious problem of cooperation is not resolved. The major argument put forward is that most of the challenges hampering the PSC's progress are related to lack of adequate cooperation among African governments as well as between them and their putative key partners within the international community, including the UN.

It is critical to note that Africa's realisation that it needed to take charge of its destiny by establishing the PSC as a conflict-handling organ did not mean that it assumed the PSC would take over from the UN. Rather, the PSC's establishment was an indication that (after unforgettable lessons like the Rwandan genocide) Africans have become proactive and want to provide African solutions to African problems. The member states of the AU cooperated and forged a continental organ (the PSC) tasked with the prevention, management and resolution of

conflicts as well as post-conflict reconstruction and development in Africa. This was not intended as a signal that the responsibility of the UNSC would be superseded. Rather, the PSC was designed to complement the UNSC by acting swiftly in desperate situations. The responsibility of ensuring peace and stability in the world remains a prerogative of the UN. The activities of the AU (particularly those of the PSC) should be regarded as functions delegated by the UN as stipulated in Chapter VIII of the UN Charter. For instance, according to Chapter VIII Article 52 (3), the Security Council shall encourage the development of pacific settlement of local disputes through regional arrangements. Article 53 (1) of the Chapter emphasises that no enforcement action shall be taken under regional arrangements without the authorisation of the Security Council.

Despite this understanding, the PSC has been constrained primarily by lack of cooperation. African peace and stability initiatives have continued to be undermined at times by the major powers, who have been criticised for introducing parallel initiatives supposedly aimed at achieving continental peace and stability, but more realistically geared towards fulfilling their own interests - France and the US are examples of this (Klingebiel, 2005:36-67). Furthermore, the UN does not seem to have demonstrated the kind of support it was expected to show the PSC, the very organ to which it delegated its function of ensuring African peace and security. This point is further elucidated later in the chapter.

Another grave challenge facing the PSC is the eruption of insecurity problems in parts of Africa during the operationalisation of PSC support structures. The situation has proved extremely demanding in that the PSC has had to take action in certain conflicts before being fully

operational (conflicts in Burundi, Sudan, and Somalia exemplify this challenge).   One senior official of the PSOD (Z), has compared the situation to building a house while living in it[10].   In this regard, this chapter seeks to elaborate on some of the key challenges that will test the PSC's potential in its endeavour to ensure peace and security in Africa.

4.2 The PSC and its formidable challenges

4.2.1 Africa's responsibility: a genuine commitment versus a political statement

The PSC faced a number of challenges from inception.   Most were inherent conflicts that had started during the era of the OAU: the Ethiopia–Eritrea border crisis and the internal crises in the Comoros, Somalia, Sudan, Burundi, Liberia, the Democratic Republic of Congo and the Central African Republic.   The commitment made by African leaders through the Constitutive Act of the African Union (especially in relation to Article 4-h and j) demonstrates the seriousness with which Africans approached the issue of Africa's peace and security.   As mentioned in previous chapters, the gigantic step taken through the Constitutive Act and the PSC Protocol, which required that African states make a slight sacrifice in terms of sovereignty for the sake of stability and development, is testimony to African sincerity around these issues.   Naturally, however, it was expected that a commitment on paper would be followed by its necessary practical implementation.   The assumption was that Africa would respect both the Constitutive Act and the PSC Protocol as important legal documents that seek to ensure the maintenance of order in Africa.   However, as argued by Murithi (2007: 18), having a principle enshrined in the Constitutive Act and making sure that countries act on that principle, are two different things.

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[10] Personal interviews, 09 August 2008, in Addis Ababa, Ethiopia

Indeed, it could be argued that since the implementation of these legal documents, not all Africans have shown sincerity in upholding their principles. For instance, the Constitutive Act's Article 30 guards against unconstitutional takeover of government (this is in accordance with the Lomé Declaration on the unconstitutional takeover of governments, as adopted by the Assembly of the Heads of State and Government in Lomé, Togo in July 2000). Article 7 (g) of the PSC protocol strengthens this principle by permitting sanctions on members who disregard it. According to the Lomé Declaration (AHG/Decl.5 (XXXVI)), an unconstitutional takeover of government refers to

> a military coup d'état against a democratically elected government; intervention by mercenaries to replace a democratically elected government; replacement of democratically elected government by armed dissident groups and rebel movements; (and) the refusal by an incumbent government to relinquish power to the winning party after free, fair and regular elections

In Article 23 (2) of the Constitutive Act an outline is given of appropriate sanctions to be imposed on member states that fail to comply with AU decisions and policies. Included are the denial of transport and communication links with fellow member states, as well as measures of a political and economic nature as may be determined by the Assembly of Heads of State and Government. In essence, the protection against unconstitutional change of government is positive and warrants the full cooperation of AU member states and international players -- it is imperative that the sanction-permitting principles of the AU Constitutive Act and the PSC Protocol are acted upon by member states and international partners to ensure that sanctions have

the desired correctional effect. The strict imposition of sanctions will go a long way towards curbing member states from disregarding their own constitutional obligations.

The AU - particularly the PSC - has already had its taste of reality in relation to member states contravening both the Constitutive Act and the PSC Articles on unconstitutional changes of government. The experiences in Togo and Mauritania were tough cases. The death of Togo's President Gnassigbe Eyadema on 5 February 2005 signified the end of the reign of one of the longest-serving Heads of state in Africa (President Gnassigbe Eyadema had ruled since 1967). At once, the army began manoeuvring for his son (Faure Gnassingbe) to take over on 6 February 2005. According to some experts, this move was in contravention of the Togo Constitution (particularly Article 65), which provides for the President of the National Assembly or Speaker of the Parliament to take over in the event of a vacuum created in the Presidency through death, resignation or incapacitation (Albert, 2007: 60; see also Appiagyei–Atua at http://www.pambazuka.org).

The Togo incident prompted an instant reaction from the AU and the international community. The AU - owing to its undertakings enshrined in the Lomé Declaration, the Constitutive Act and the PSC Protocol - interpreted the incident as an unconstitutional change of government. Through the Chairperson of the Commission, the AU condemned the incident and called for an immediate return to constitutional order in the country. The PSC expressed its determination to invoke Article 7 (g) of its Protocol should the *de facto* authorities in Togo fail to ensure the rapid restoration of constitutional legality (PSC/PR/Comm. (XXIV).

It is worth noting that in dealing with the situation in Togo the AU worked closely with the sub-regional body, ECOWAS. Together, they appealed for the cooperation of the international community in ensuring the desired correctional measures against Togo until constitutional order had been restored (PSC/PR/Comm. (XXIV). The international community, notably the EU, US and France, cooperated in support of the AU (Albert, 2007: 61). According to Kesselman (2005: 10), it was the pressure from the AU and ECOWAS combined with international support that led Gnassingbe to resign and paved the way for the return of constitutional order.

Another challenging test case for the AU arose from Mauritania on 3 August 2005 when President Ould Taya (who was absent from the country at the time) was toppled by a group identifying itself as the Military Council for Justice (MCJ), headed by Colonel Ely Ould Mohammad Vall (Kesselman, 2005: 9). According to the results of the fact-finding mission conducted by one of the AU's organs, the Pan-African Parliament (PAP), the characteristics of the coup were as follows: no bloodshed; no gunshot; no arrests amongst the population; no curfews even on 4 August 2005, the day after the coup; no restrictions on the daily activities of the citizens; no struggle for power between the former and the new authorities; and lastly, an assurance of a new democratic direction (Pan-African Parliament, 2005: 5). Nevertheless, the AU's first reaction was to denounce the coup through a communiqué from the Commission, whose then chairperson, Professor Alpha Omar Konare, recalled the AU's commitment to respecting constitutional order. In its 36th meeting, held on 4 August 2005, the PSC roundly condemned the coup and decided to suspend Mauritania's participation in AU activities pending the restoration of constitutional order (Pan-African Parliament, 2005: 8- 9; see also Kesselman, 2005: 9-10). However, the reaction of the international community - notably the League of Arab

States (LAS); the Maghreb Arab Union; the Islamic Conference Organisation (OIC); the Conseil Permanent de la Francophonie; the EU and the UN - appeared to have been less than firm, in that they did not condemn the coup unequivocally. It could be argued that this stance was motivated by the peaceful conditions under which the coup was carried out, as well as a general acceptance of the coup by Mauritanians (Pan-African Parliament, 2005: 8- 9).   Kesselman (2005: 10) contends that in the end the rest of the world favoured the AU's call for a return to constitutional order over an earlier call for the reinstatement of President Taya. The MCJ heeded the AU's call and restored constitutional order by means of the March 2007 elections, during which former cabinet minister, Sidi ould Cheikh Abdalahi, was voted president of Mauritania as from April 2007. After its successful elections, Mauritania's AU membership status was re-established.

Significantly, the AU's response to both the Togo and Mauritania cases is evidence of the AU's genuine commitment to its principles rather than a mere political statement.   The case of Mauritania proved particularly challenging because the coup was welcomed by Mauritanians. Despite this, the AU remained steadfast in its principled position on unconstitutional changes of government. It is also crucial to emphasise the role played by the international community in blocking all avenues towards impunity. In the case of both Togo and Mauritania, cooperation between the AU and the international community led to a desired outcome (restoration of constitutional order).

4.2.2 The phenomenon of unconstitutional changes of government: the PCS's formidable challenge

Though the PSC may have been able to remain steadfast in its discouragement of coups on the continent, the years 2008 and 2009 saw an unprecedented rise in the number of coups in Africa since the transformation of the OAU to the AU. The following table provides an outline of coups that have most recently presented a daunting challenge to the PSC.

Table 4.1: Coups in the Continent 2008 to early 2009

Country	Coup Date	AU's immediate reaction
Mauritania	6 August 2008	Condemnation of the country and suspension of membership
Republic of Guinea	23 December 2008	Condemnation of the country and suspension of membership
Madagascar	17 March 2009	Condemnation of the country and suspension of membership

Mauritania

On 6 August 2008, General Mohamed Ould Abdel Aziz (former Chief of Staff of Defence and Head of Presidential Guard in Mauritania) toppled and arrested President Sidi Mohamed Ould Cheik Abdallahi of Mauritania. His actions were immediately condemned by the PSC, which

demanded the immediate restoration of constitutional order through the unconditional return to power of President Abdallahi. This was followed by the suspension of Mauritania's membership from the AU (www.securitycouncilreport.org). Some have noted that Mauritania's suspension served as a powerful reminder that Africa was not prepared to return to the dark days when military coups, arguably, were the rule rather than the exception (www.pambazuka.org/en/category/aumonitor/50112). The PSC's call was echoed by the UNSC on 19 August 2008 when Mauritanian coup plotters were condemned and a vehement call was made for the restoration of constitutional order. It is critical to highlight that when the military junta released President Abdallahi on 21 December 2008, the PSC merely noted the development, maintaining it was not enough to qualify as restoration of constitutional order. The non-compliance of the coup authors in Mauritania led the PSC to issue targeted sanctions (for example, travel bans and the freezing of assets) against all civilian and military individuals whose activities were seen to be maintaining the unconstitutional status quo (www.securitycouncilreport.org). The PSC's actions against Mauritania compelled a change in the status quo: Abdel Aziz relinquished power, and a path was cleared towards elections under the care-taker government of former President Ould Sid Ahmed Taya. It is important to recognise that, as with previous coups in Mauritania, the international actors reacted in support of the AU. For instance, the AU suspended Mauritania and the UN endorsed sentiments. The international community at large (especially the EU, OIC and the Organisation Internationale de la Francophone (OIF)) refused to recognise the illegitimate military government of Abdel Aziz (Peace and Security Council Report Volume 1, 31 July 2009: 6-8).

The Republic of Guinea

Upon the death of another of Africa's long-serving presidents, Lansana Conte, on 23 December 2008, a takeover was effected by a military junta led by Captain Moussa Dadis Camara. The coup was condemned by the AU through the PSC and on 29 December 2008 the Republic of Guinea's AU membership was suspended. The suspension was supported by ECOWAS on 10 January, pending return to constitutionality (www.securitycouncilreport.org). In a consultative meeting between the AU Commission, UN, ECOWAS, World Bank, OIF and OIC, the situation in the Republic of Guinea was closely examined. The result was the formation of the International Contact Group on Guinea, comprising the Chair of the PSC, the Chair of ECOWAS, the Community of Sahel-Saharan States (CEN-SAD), the EU, the Mano River Union (MRU), the OIC, the OIF, the UNSC P5 members and the African members of the UN Security Council. The Group's aim was to monitor progress on the restoration of constitutional order in Guinea (www.securitycouncilreport.org; see also Peace and Security Council Report, No. 2, September 2009: 15). The US added support by suspending all aid to Guinea, while France and Canada condemned the coup unequivocally and demanded the restoration of constitutional order (Peace and Security Council Report, No. 2, September 2009: 15).

Despite all of this, Captain Camara and his military junta did not heed the PSC's calls. The response from the PSC was the imposition of sanctions on junta members, which included a travel ban and the freezing of assets until constitutional order was restored. The decision on sanctions was taken during the PSC meeting (Heads-of-State level) in Abuja, Nigeria on 29 October 2009. The PSC appealed to the UNSC, all AU partners (including the EU, OIC and

IOF), the LAS and the members of the International Contact Group on Guinea to cooperate with its decision to impose sanctions on Guinea (207th PSC Communiqué, 29 October 2009).

Madagascar

On 17 March 2009 President Mark Ravalomanana of Madagascar was forced to resign following a lingering power struggle with Andry Rajoelina, the opposition leader and Antananarivo mayor. Rajoelina took over the government with the help of the military (www.securitycouncilreport.org. The power transfer was viewed as unconstitutional and was condemned; the PSC suspended Madagascar's AU membership (on 20 March 2009) until constitutional order was restored. Following suit, the SADC suspended Madagascar's SADC membership ten days later (www.securitycouncilreport.org). The International Contact Group on Madagascar was then formed. Comprising all relevant stakeholders, including the SADC, the UN and the OIF, the Group aimed at monitoring progress towards the restoration of order in Madagascar (Peace and Security Council Report Volume 1, 31 July 2009: 4). It is also critical to highlight the steps that were taken by the international community following Rajoelena's ascendancy. The EU not only condemned Madagascar's unconstitutional actions but also froze 600 million Euros in developmental aid to the country until constitutional stability was re-established (Peace and Security Council Report Volume 1, 31 July 2009: 4).

It is worth noting that the wave of coups in Africa prompted the PSC to explore tougher deterrents for AU member-states that engage in unconstitutional changes of government. The PSC went on retreat from 17 to 19 December 2009 (under the Chairpersonship of the Kingdom of Swaziland), to consider how the AU's sanction-implementation process could be enhanced.

The PSC members agreed that, in the context of stronger cooperation and renewed determination to end the scourge of unconstitutional changes of government in Africa, the following principles should be adopted (Conclusions of the Retreat, 17 -19 December 2009: 2-3):

i. coups d'état are illegal and totally unacceptable;

ii. perpetrators shall be liable for prosecution before the African Court of Justice and Human Rights;

iii. perpetrators of a coup d'état shall not stand for elections conducted for the return to constitutional order;

iv. perpetrators of a coup d'état shall not constitute obstacles by negatively influencing the conduct of a transition towards the return to constitutional order;

v. constitutions shall not be manipulated in order to hold on to power against the will of the people;

vi. constitution-making or the constitutional review process shall not be driven by personal interests and efforts aimed at undermining popular aspirations;

vii. military/security forces shall not interfere in the transition towards the return to constitutional order;

viii. fostering of conditions conducive for a return to constitutional order;

ix. Sanctions shall apply in a graduated manner from the moment that an unconstitutional change of government takes place.

4.3 The challenges faced by the PSC

a) Financial commitments

While the PSC may have played a pivotal role as an AU tool to restore stability (as demonstrated in the above cases), challenges continue to confront the AU and the PSC. Scholars have observed that if the AU is serious about tackling the continent's insecurity problems, there needs to be genuine commitment among African leaders to the provision of the kind of financial backing that the organisation needs and deserves. Thus the AU should not only generate enough financial resources to implement its intricate security management system, but improve its financial management and administrative capacity. Albert (2007: 55-56) argues that the AU may not be able to achieve its objectives as long as member states do not meet their financial obligations to the AU. Murithi (2007: 23) points out that the responsibility of ensuring that the AU is not under-resourced lies squarely with African governments and not with donors. He argues that there needs to be greater commitment among African governments to finance the AU so that it is in a position to honour its commitment to maintain stability on the continent.

It would be erroneous to assume that the reason for member states not to effectively contribute to the financing of the AU is because they do not have the necessary financial resources. Oxfam International's 2007 study on the subject of Africa's missing billions revealed that international arms flow and conflicts cost Africa billions of dollars (Oxfam, 2007: 3). Commey (2004: 14), who seems to agree with the Oxfam study results, contends that member states' inability to honour their financial obligation to the AU should not be attributed only to Africa's weak economic circumstances. He points out that some countries spend approximately half their budget on defence or arms purchases. Greater cooperation among member states in ensuring that

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the AU has the financial backing it needs would go a long way towards guaranteeing the PSC's effectiveness in maintaining order on the continent. AU member states would be demonstrating prudence if they provided substantial financial support to this fledgling continental initiative. As previously noted, a demonstration of will and commitment by the AU members would not only signal their strong dedication to cooperate and to honour their obligations but also would place them in a position to challenge the international community morally to participate in enhancing the PSC's resources. Member states' cooperation would also help to eliminate the perception that African leaders commit themselves on paper but fail dismally to genuinely respect their commitments.

b) Lack of trust

Lack of trust among African leaders has been highlighted as another impediment to the success of AU initiatives. As Oyugi (2009: 108) notes "one may recall that one of the major problems that the OAU faced, especially in the formative years, was lack of trust among African leaders". As noted in the previous chapter, trust is of utmost relevance to international relations especially cooperation among states. Huntington (1997: 131) maintains that military alliances and economic associations require cooperation among their members. In his view (1997: 131), cooperation depends on trust, which, in turn, springs from common values and culture. According to Albert (2007: 57), the harbouring of suspicions by African leaders is motivated by the fact that some leaders have played a critical role in deliberately destabilising other countries. Such actions include sponsoring dissident movements. Albert indicates that both Charles Taylor of Liberia and Foday Sankoh of Sierra Leone are believed to have been trained in revolutionary warfare by Libya's Muammar Gaddafi. Taylor and Sankoh were later instrumental in

destabilising the West Africa region. Albert (2007: 57) also points to Burkina Faso President, Blaise Compaore, believed to have been party to the conflict in Cote d' Ivoire; and Sudan, suspected of having had a role in the northern Uganda conflict. Moreover, the presidents of Sudan and Chad have accused each other of supporting dissident movements in each other's country. Sudan accused Chad of supporting the rebels in the Sudan's western region of Darfur, while Chad accused Sudan of supporting the rebels that wished to oust President Idris Deby (Albert, 2007: 57). It could be argued that if African leaders worked sincerely together towards the same goal and genuinely honoured their commitments, there would be no need to harbour suspicion for one another. Instead, the African political environment would be characterised by a spirit of togetherness, leading to a deepening of the level of mutual trust and the emergence of genuine collective identities that encourage dependable expectations of peaceful change.

Sudan's approach to the insecurity situation in the Darfur region represents another case of non-cooperation by an AU member state, and could be interpreted as a failure to honour commitments linked to the AU Constitutive Act and the PSC Protocol. The Sudanese government was vehemently opposed to the PSC's call for the UN to take over from AMIS due to financial constraints. According to Hasbani (2007), some members of the LAS, including Libya, Egypt and Algeria, supported the position of the government of Sudan (http://www.crisisgroup.org/home/index.cfm?id). This particular Sudan case (Darfur) demonstrated a low level of cooperation among the key players (particularly the government of Sudan) and consequently put the PSC to the test. The case will be dealt with extensively in chapter six.

4.4 Africa's growing realisation of the importance of cooperation

The effectiveness of the AU and its instrumental tools is the collective responsibility of everyone, including the international community. In this regard, the commitment displayed by the RECs and the AU in their 2007 signing of the Memorandum of Understanding (MoU) on cooperation around peace and security should be commended. According to Article VI (1) of the MoU, the parties (both AU and the RECs) shall work together towards the full operationalisation and effective functioning of the African Peace and Security Architecture. Moreover, Article VII (1) states that the parties shall intensify their efforts towards the prevention, management and resolution of conflicts in Africa.

Another important and praiseworthy effort is the establishment of the CISSA. CISSA's objectives are stipulated in Article 5 of the MoU on the Establishment of CISSA:

a) Provide leadership with regard to intelligence and security matters in furtherance of peace, security and stability in Africa;

b) Coordinate strategies to facilitate interaction amongst intelligence services and exchange of intelligence on all common security threats;

c) Develop and consolidate confidence building measures among intelligence and security services;

d) Provide the PSC of the AU with the necessary data and intelligence for the adoption of, amongst others, an African policy and strategy for peacekeeping and conflict prevention, management and resolution;

e) Serve as a platform for cooperation with similar organisations to CISSA outside Africa; and

f) Serve as a back channel of communication between Member states during crisis.

Importantly, the principles enshrined in the Constitutive Act and the PSC Protocol are the guiding principles of CISSA, as stipulated in Article 6 of the MoU of CISSA. The meeting of CISSA's objectives means assistance for the PSC in the areas of conflict prevention, management and resolution. However, the undertakings of both CISSA and the RECs necessitate genuine and practical commitment from all concerned parties. The international community is also expected to play a role. The following section looks at the role of the international community in relation to the AU's initiatives to establish stability in Africa through the PSC.

4.5 The international community: change of tactic but same objective

As noted above, while the onus is on Africans to ensure the continent's peace and stability, the international community ought to play an equally pivotal role. The international community is by no means unaware of this expectation. In their 2002 summit in Kananaskis, Canada, G8 leaders made a commitment to enhance Africa's peace and security capabilities by providing technical and financial assistance. This could be interpreted as a sign that the international community is willing to acknowledge a responsibility towards boosting African initiatives (Banda et al, 2003: 3-4). For its part, the EU has signalled its commitment through the creation of the Peace Facility Fund for Africa. Its major aim is to fund AU peacekeeping operations in Africa (Klingebiel, 2005: 39). All these initiatives can be commended as evidence that the

international community wishes to collectively assist Africa and its initiatives. Nonetheless, commitment and willingness to commit do not automatically translate into the desired outcome unless they are followed by action. France has demonstrated its commitment by means of a programme called *Reinforcement of African Peacekeeping Capabilities* (Recamp) while the US has responded with a number of initiatives, including the recent *US Africa Command* (AFRICOM). Although some analysts believe that the principal aim of both programmes is to enhance Africa's peace-keeping capability by assisting with peace-keeping training for Africans (www.recamp.org; see also Lauren Ploch, 2007: 2-12 – on Africom), others have raised concerns about the operational objectives and intentions of the programme. For instance, Isike et al (2008: 34) insist that AFRICOM signals a growing US securitisation of aid development. They argue that AFRICOM has the potential to undermine the aptitude of African institutions (such as the AU and the New Economic Partnership for Africa's Development - NEPAD) to articulate and coordinate African-led initiatives which address regional problems and challenges from within. According to Mesfin (2009: 8), with regard to AFRICOM and the notion of stationing troops in the African soil, two arguments could be raised. Firstly, Mesfin believes that the stationing of the troops in Africa will be regionally disruptive and will undermine, politically, the host state by exposing it to intensified criticism that "it is just a puppet". Secondly, Mesfin argues that the creation of such capabilities would provide an incentive for their use by the US military for other purposes, including "counter-productive interventions" (2009: 8).

In essence then, the international community's commitment to help has been viewed with scepticism. On the one hand, the scepticism is the result of a historical perception of foreign-powers' involvement on the continent; on the other, it is a consequence of lack of clarity on how

the initiatives of foreign powers will buttress, rather than undermine, African initiatives like the ASF (one of the PSC's support structures). The operationalisation of the ASF still tops the priority list in AU's APSA. The AU believes that an operational ASF would better enable the organisation to swiftly respond to peacekeeping deployment needs on the continent and reduce the AU's over-reliance on the voluntary peacekeeping-force contributions of individual countries (mostly western or non-African). The AU Commission is still working to ensure the realisation of this objective.

As noted in the previous chapters, history has taught us that international role players have not been very sincere when participating in conflict resolution and management efforts in Africa. They have attached too much importance to countries where their interests are at risk rather than providing humanitarian assistance to those most in need (Mays (2003: 108-111). Arguing along the same lines, Klingebiel (2005: 40) states "the dilemma of external military intervention and non-intervention, a legacy of the past, will become even more problematic in future especially if such interventions continue to be informed by colonial tendencies and agendas".

It is worth noting that various current activities of key international players like France and the US do not always seem in harmony with African initiatives aimed at bringing about stability on the continent. Since September 11, 2001, the US has looked at Africa as a strategic partner in the fight against terrorism. According to Serafino (2006: 1-4), the US is training the armies of select countries ostensibly to bolster their peacekeeping capacity. Motlagh (2005) argues that in fact the US objective is to counter terrorism within Africa by making use of US-trained African military units of countries such as Algeria, Chad, Mali, Mauritania, Morocco, Niger, Nigeria,

Senegal, and Tunisia. This approach could be seen as undermining initiatives of African bodies like the PSC, given the fact that the PSC has also positioned itself to fight terrorism, as provided for in Article 7(i) of the PSC protocol. While US assistance is vital, it should be coordinated with the AU's existing initiatives. The US should honour the G8 undertaking in Gleneagles (in 2005) where members pledged their support for Africa's conflict-resolution and peacekeeping efforts. Of particular relevance to the US is point 9(d) of the Gleneagles communiqué on Africa, where members undertook to oppose terrorism in Africa in various ways, including through cooperation with the African Centre for the Study and Research on Terrorism (ACSRT) in Algiers (G8 Gleneagles, 2005). It is important that the US supports the Centre by providing the necessary capacity mechanism so that terrorism challenges on the continent can be confronted more effectively. Unless Washington coordinates its efforts with those of existing continental mechanisms, the US will continue to be viewed as falling short of showing a demonstrable willingness to work with the AU to achieve a common end. Suffice to state that the US' tendency towards unilateral actions indicates a propensity for non-cooperation with the AU and its organs.

In some instances it could be argued that France has also demonstrated lack of cooperation with African leaders and organisations that have been identified amongst key international players. According to Akarue (2004: 26-27), France backed the presidency of opposition leader Allassan Outtara during the Cote d' Ivoire conflict in 2004, this, in the face of the AU's attempt to draw the conflict to an end. Against this backdrop one tends to agree with Mbow (http://www.college.interarmees.defense.gouv.fr/IMG/pdf/MBOW) that initiatives launched by countries in response to crises in Africa should not be undertaken independently without proper

coordination. The AU should be seen as the centre of coordination in terms of all necessary assistance aimed at improving Africa's conflict prevention and peacekeeping capabilities. Klingebiel (2005: 40) reasons that external interventions should be coordinated with the AU and should seek to compliment and not replace regional intervention efforts by the AU system, through the instrument of the ASF. This would help alleviate fears and scepticism that the pledged assistance by foreign powers is motivated by the desire to secure their strategic interests.

Lastly, Africans' scepticism around foreign powers' real motivation for continental involvement was fuelled by the situation in Darfur, Sudan, where a conflict between rebel movements and the alleged government-sponsored group, the Janjanweed, resulted in one of the worst humanitarian crisis of the 21st century. The scepticism centres on the unnecessary delay around the making of a decision to deploy a collaborative mission (AU and UN). According to Moni (http://www.pambazuka.org/), Sudan has stood against UN deployment in Darfur confident that its powerful international friends (China and Russia) will support it by vetoing any decision they feel is against Sudan's will. Moni points out that China has secured lucrative oil deals in Sudan while Russia is a major supplier of arms to Khartoum. It could be argued that Russia and China's strategic interests in Sudan have motivated them to vote in support of their strategic partner, rather than for the alleviation of human loss and suffering. Following on from Moni's argument, if China and Russia's votes in the UNSC were prompted by their strategic interests in Sudan, it could be argued that such action follows a pattern, which casts doubt not only on the intentions of the international community's powerful members but also on the sincerity of any moral obligation of some permanent UNSC members to end conflict situations in Africa.

4.6 The United Nations African Operations: a disappointment from above?

Since the end of the Cold War, the UN has undoubtedly continued to discharge its duty of maintaining international peace and security. Nevertheless, the challenges faced by the organisation in its quest for global stability have highlighted a need for closer collaboration with regional organisations. Fortunately, the UN Charter (Chapter VIII) provides for such collaboration. Article 52 (1) states:

> Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

Moreover, Article 53 (1) provides that where appropriate, the UN Security Council (UNSC) may utilise regional arrangements or agencies for enforcement of action under its authority. In light of this, one would argue that the formation of the PSC as an AU organ was aligned with Chapter VIII of the UN Charter. In fact, Article 17 (1) of the PSC Protocol declares:

> In fulfilment of its mandate in the promotion and maintenance of peace, security and stability in Africa, the Peace and Security Council shall cooperate and work closely with the United Nations Security Council, which has the primary responsibility for the maintenance of international peace and security.

Article 17 (2) of the PSC Protocol takes the issue further, expressing anticipation of practical cooperation between the UNSC and the PSC:

> Where necessary, recourse will be made to the United Nations to provide the necessary financial, logistical and military support for the African Union's activities in the promotion and maintenance of peace, security and stability in Africa, in keeping with the provisions of Chapter VIII of the UN Charter on the role of Regional Organizations in the maintenance of international peace and security.

Despite provisions like these, it seems that cooperation, particularly in African situations, has existed only on an *ad hoc* basis. Unfulfilled African expectations of support from the UN in terms of capacity and resources have frustrated Africa's search for peace on the continent.

It is against this backdrop that the 2005 World Summit called for the forging of predictable partnerships and arrangements between the UN and Regional Organisations. The World Summit made a call (particularly through its outcome document) for the development and implementation of a Ten Year Capacity Plan to enhance Africa's peacekeeping capability (A/RES/60/1). The UN Secretary General and the Chairperson of the AU Commission subsequently signed in November 2006 the Declaration on Enhancing UN-AU cooperation in the field of peace and security (A/61/630). Since then, a lot of work has been undertaken around UN-AU collaboration in the field of peace and security.

Unfortunately, threats to Africa's peace have not seen fit to wait until the AU is fully capacitated before rearing their head. The escalation of the Somalia conflict, for example, necessitated the deployment of the African Mission in Somalia (AMISOM) in March 2007. Initially the AU envisaged the deployment of AMISOM for a period of six months before handing over the mission to the UN. The UNSC decided to authorise the deployment through its resolution (S/RES/1744 – 21 February 2007). However, the mission was under-capacitated, with only 1500 Ugandan soldiers and even less from Burundi. In his June 2007 report on the Somalia situation, the UN Secretary General noted the weakness of the mission and urged the strengthening of AMISOM's capabilities on the ground. He further appealed to the international community to assist the AU with the necessary logistical and financial resources for the deployment of AMISOM. However, when the authorised six-month period for AMISOM had lapsed, the UNSC resolved to give the AU member states authorisation to maintain the mission for a further six months (S/RES/1772 – 20 August 2007). The resolution further urged the AU member states to contribute to the mission despite indications that the AU seriously lacked the capacity to do so.

Looking at the Somalia situation, one can argue that due to its proximity to the conflict, the AU decided to act swiftly, with full consciousness of the provisions of Chapter VIII relating to UN-AU collaboration. While the UNSC was equally conscious of the arrangement under which AMISOM was deployed, its reaction to the practical realities on the ground was, and remains, unsatisfactory. It seems the PSC may have been disappointed by the UNSC: having taken bold action and deployed AMISOM, no necessary resources (especially financial) were provided through the UNSC collaboration. Instead, when the Somalia mandate of AMISOM (which was

authorised by the PSC) expired, the UNSC, aware of the practical difficulties facing AMISOM, decided to extend the mandate for another six months without any genuine and practical commitment to enhance the capacity of the AMISOM. The Somalia situation and many others in Africa continue to demonstrate the necessity of more structured UNSC/PSC cooperation. The Secretary General's report on AU/UN cooperation (December 2007: 8) is clear on that point: "When the African Union undertakes peace and security interventions, it perceives its actions as a contribution to the international community and therefore needs support of the external actors".

Both the UN and the AU are aware of the challenges faced during peace-mission deployment and so they continue to work together in dealing with such challenges. In his report on AU-UN cooperation, the Secretary General added that the acute lack of immediate funding during the early stages of AMISOM suggested the need for a mission start-up fund that could be utilised for a period of about 90 days. In the report, the Secretary General also underlined the necessity for UN member states to ensure sustainable, flexible, predictable funding (on a case-by case basis) for the long-term planning, deployment and sustaining of peacekeeping operations undertaken by regional organisations and authorised by the UNSC - this until the relevant mandate is transferred to the UN (December, 2007: 12-13). The above proposal by the Secretary General is at the heart of UNSC/PSC peace and security cooperation. It is worth mentioning that the some African non-permanent UNSC members have prioritised the issue of UN assistance of African peace initiatives, during their presidency. For instance, during her presidency of the UNSC on 28 March 2007, South Africa held a UNSC open debate on the matter (Security Council Report, 2010: 2). The outcome of the debate was a presidential statement that stressed that collaboration between the UN and regional bodies should be based on their complementarity capacities and

comparative advantages. Such moves and others have resulted to the holding of joint meetings between the UNSC and PSC with the first meeting being held in Addis Ababa, Ethiopia, on 16 June 2007 (Security Council Report, 2010: 3).

At their first joint meeting in Addis Ababa, Ethiopia, on 16 June 2007, the UNSC and PSC agreed to examine the possibility of financing peacekeeping operations undertaken by the AU, or under its authority. This arose out of an awareness of the financial hindrances and capacity shortcomings affecting AU peacekeeping missions. Against this backdrop, both the AU and UN continue to seek ways of addressing shortcomings in a collaborative manner. Since the 16 June 2007 meeting, the funding issue has been subjected to consultation and lobbying between the AU and its strategic partners. For example, the subject of AU/UN collaboration in peace operations was discussed during the 9th Africa–EU Ministerial Troika meeting held in Accra, Ghana, on 31 October 2007 (Annual Report of the AU Commission, 2007: 90). During the meeting the EU expressed its commitment to work with the AU towards the establishment of the UN arrangement to provide predictable, flexible and sustainable funding for peacekeeping operations undertaken by the AU with the consent of the UNSC and within the context of Chapter VIII (Annual Report of the AU Commission, 2007: 90). Following consultations between the UN and the AU, a Panel was established to consider the modalities for support to AU-led peace support missions. The Panel, led by the former Prime Minster of Italy, Mr. Romano Prodi, conducted extensive consultations and produced a report in December 2008 (personal observations from June 2007 – December 2009, see also the Report of the Chairperson of the Commission, 2010: 47). This Report, (which proposed the possibility of utilising UN assessed contributions to fund African peace missions) was subsequently submitted by the UN Secretary General to the UNSC

on 18 September 2009 and was discussed by the UNSC on 26 October 2009. Paragraph 37 of the Report states: The use of the United Nations assessed contributions would underline the political support of the Security Council for peacekeeping operations conducted by a regional organisation (Report of the Secretary General, 18 September 2009: 09). However, the meeting produced no concrete outcomes. Instead, it resolved to keep options open, and noted the proposals of the Report for the UNSC to ensure predictability, sustainability and flexibility of financing regional organisations when they undertake peacekeeping missions under UN authorisation (Report of the Chairperson of the Commission, 2010:48). During the finalisation of this study there was no clear indication of the UNSC commitment to endorse the idea of utilising assessed contributions of UN member states to address the resource limitations of the AU so as to bolster the latter's peacekeeping initiatives.

It is therefore important, especially in light of Chapter VIII's arrangements, that the AU and UN are clear about the fact that their relationship is based on such cooperation; this will help to dispel any misconception or misunderstanding around the collaboration. While the work currently underway on the AU/UN collaboration arrangement should be commended, it needs to be expedited. Since Africa has demonstrated its willingness to act swiftly in order to alleviate or eliminate the loss of human life in Africa due to conflict, the UN's inability to bolster Africa's initiatives could easily be interpreted as a disappointment from above.

4.7 Conclusion

This chapter has provided a critical account of the challenges faced by the PSC as well as those that may confront the organ in the future, especially if the grave problem of poor cooperation is

not resolved. It has been argued that most of the challenges hampering the PSC's progress are related not only to a lack of cooperation among African governments but also between them and the international community (including the UN). By means of the examples of Togo and Mauritania, the chapter has demonstrated that if Africans, the international community and the UN could work together, the objectives of the AU – particularly those associated with the mandate of the PSC - would be achieved. Conversely, parallel initiatives by the major foreign powers, especially the US and France, have the potential to undermine Africa's initiatives. It should also be noted that there is a general expectation, at least from Africans, that the UN will assist, financially or otherwise, in buttressing African initiatives.

The current situation suggests that PSC members will need to work very closely to encourage AU member states and international actors to give due attention and urgency to African peace and security initiatives and needs. In addition, it is crucial that the initiatives of key international players aimed at enhancing Africa's stabilisation capacity are coordinated through the AU's PSC to ensure harmonisation and to avert the risk of undercutting African initiatives and interests. This kind of coordination could also help minimise the tendency of foreign players to lend a hand only when it is in their interests to do so. Under such favourable environment the PSC will be in a position to decide when, why, where and how to call upon the already granted support of the international actors. Guaranteed cooperation from the international community would go a long way towards rooting out impunity on the continent and bringing about stability. The AU would be respected and trusted as an institution that not only guarantees but also works to ensure that Africans have dependable expectations of peaceful change.

Chapter 5

An Assessment of the PSC's Performance: the Case of Burundi

5.1. Introduction

The first real test of the AU's conflict-resolution ability began during the Burundian political crisis, which threatened the stability of the Great Lakes Region. The Burundi conflict has a long history of protracted violence, particularly between the majority Hutu and the minority Tutsi communities. The turning point was the 1993 assassination of President Melchior Ndadaye and the spate of violence that followed. President Ndadaye, Burundi's first democratically elected president and a leader of the Hutu *Front Pour la Democratie au Burundi* (Front for Democracy in Burundi – FRODEBU), was killed with his close associates by a group of military officers (Gahama, 2002: 7 see also Uvin, 2007: 39). The assassination was followed by fierce clashes throughout the country between Tutsis and Hutus, resulting in the loss of many lives, as well as a massive forced migration to neighbouring countries, most importantly Tanzania.

According to Agoagye (2004: 9), this was the setting for attempts (at various levels and by means of diverse techniques) to bring about stability in the country. Among these were the efforts (since 1996) of countries in the region to develop stability initiatives under the leadership of the late Mawalimu Julius Nyerere, the former president of Tanzania. After Nyerere's death in October 1999, the mediation efforts were taken over by the former President of South Africa, Nelson Mandela, principal mediator between the warring parties of Burundi. The mediation

efforts by these African stalwarts were endorsed and supported by the former OAU, and later by its successor, the AU.

It was as a result of the concerted efforts and determination by the countries of the region, in concert with the OAU/AU, that the first fully fledged African Union Mission in Burundi (AMIB) was deployed. Since this mission was the first of its kind under the auspices of the AU, it undoubtedly served as a significant test of the AU's (specifically the PSC) capability to maintain stability on the continent, particularly in light of the AU's advantages enshrined in Article 4 (h) and (j) of the Constitutive Act. In this connection, the mission demonstrated the AU's effectiveness in responding to insecurity challenges without being constrained by the principle of non-interference. The AU decided to intervene in Burundi not only because of the gravity of the situation, but also to buttress the mediation efforts of the various African countries. The intervention was expected, and has served, to minimise any spill-over effects and the associated instability in an already volatile region. It is worth noting that the Transitional Government of Burundi (TGoB) invited the AU to assist the country by means of a peacekeeping mission geared towards monitoring the ceasefire.

This chapter focuses on the deployment of the first fully fledged AU peace support mission, AMIB, to Burundi; and the eventual transfer of this mission to the UN operation in Burundi (ONUB). The major focus for analysis is whether cooperation among the key players, including the international community and the UN, had anything to do with the acclaimed success of the mission. The conviction is that, even though the PSC was not fully operational at the time of the

mission, an assessment of how the mission fared could enhance an analysis of the PSC's prospects for success in bringing stability to the continent.

5.2. Background to the African Mission in Burundi (AMIB)

As highlighted above, Burundi was plunged into unprecedented chaos as a result of the assassination of President Ndadaye and the violence that engulfed the country in the immediate aftermath. This study's main focus is the AU's reaction to the crisis. Although there is a plethora of literature on the history and complexities of the Burundi political and ethnic conflict, the causes and effects of the conflict are beyond the scope of this study. Nonetheless, it is worth mentioning that since the assassination, Burundians have tried to solve the conflict themselves (albeit without success) using an interim arrangement. They attempted to fill the political vacuum after President Ndadaye's death by appointing as his successor Cyprien Ntaryamira, also a Hutu. However, this appointment created tension between the predominantly Tutsi *Union pour le Progress National* (Union for National Progress -- UPRONA) and the largely Hutu *Front pour la Démocratie au Burundi* (Front for Democracy in Burundi – FRODEBU). In April 1994, Ntaryamira and the President of Rwanda, Juvenal Habyarimana, were killed in a plane crash, and once again the country was plunged into political turmoil. Silvestre Ntibantunganya (a Hutu) became the next president of Burundi. On 26 July 1996 he was overthrown by Major Pierre Buyoya, who suppressed political activity and banned political parties. This historical overview, post Ndadaye's death, serves to illustrate that since 1993 Burundi has hardly enjoyed stability.

According to Uvin (2007: 39) during the years of the Burundi conflict "around 300 000 people were killed, over 500 00 fled abroad, and another 800 000 were displaced internally, often for

many years". Realising the gravity of the situation and its potential spill-over effects coupled with the massive loss of lives, African leaders could not stand aside and watch. They embarked upon finding ways to return the situation to normalcy. Thus, the Burundi peace process, under the leadership of Mawalimu Nyerere, was kick-started as an attempt to find a solution between UPRONA and FRODEBU, the main protagonists (from which many splinter political parties were to later develop). The road of the peace process was not smooth, but the perseverance of the facilitator in cooperation with the countries of the region (Kenya, Uganda, Zambia, Rwanda and Zaire [now DRC]) contributed greatly in ensuring that the process did not lose momentum.

Needless to say, the details of the peace process are also beyond the scope of this study. What is important, however, is that after Nyerere's death in 1999 the former President of South Africa, Nelson Mandela, took over the process of facilitating peace in Burundi. The replacement of one African stalwart with another undoubtedly reveals African leaders' determination not to allow the Burundi peace process to be sidetracked or to lose continuity. Mandela was later succeeded by former deputy president of South Africa, Jacob Zuma. All these efforts by African leaders and the countries of the region culminated in the 2000 Arusha Agreement for Peace and Reconciliation in Burundi, of which 17 political parties were signatories (Powell, 2005: 33; see also AU Commission, 2003: 1 and Uvin, 2007: 39). One of the critical achievements of this process was a 36-month transition period divided into two phases (18 months each) starting on 1 November 2001. But Pierre Nkurunziza's *Conseil National pour la Défense de la Démocratie – Forces pour la Défense de la Démocratie* (CNDD – FDD) and Agathon Rwasa's *Parti pour la Libération du Peuple Hutu – Forces Nationales de Libération* (PALIPEHUTU – FNL) were not signatories of the Arusha Agreement (Cornwell, 2002: 41 see also Powell, 2005: 33 and AU

Commission, 2003: 1).   These groups (especially the CNDD-FDD) commanded massive influence. As major players against the Burundi political landscape, they could not be ignored.

According to Agoagye (2004: 9) the Burundi process was consolidated by the signing of two ceasefire agreements. The first agreement was signed on 7 October 2002 by the Transitional Government of Burundi (TGoB – led by Buyoya) and some Burundi Armed Political Parties and Movements (APPMs). The second agreement was signed on 2 December of the same year by the CNDD-FDD of Nkurunziza and the TGoB (it should be noted that PALIPEHUTU-FNL did not participate in these processes) (Uvin, 2007: 39 see also AU Commission, 2003: 1). The parties who signed the agreements were now responsible for honouring and implementing them. Fortunately, in response to the fear that nothing but lip-service would be paid to the agreements, there was a caveat within the Agreements which provided for the deployment of an international peace force to monitor the implementation. Such provision was a critical departure from the OAU approach of non-interference in the internal affairs of its member states. The following section focuses on the coming into being of the international peace force.

5.2.1 The deployment of AMIB

The AU committed to, and took on, the responsibility of establishing the envisaged international peace force. However noble the idea was of deploying an international force and establishing the Joint Ceasefire Commission to assist the parties in the implementation of the agreements, it was also exceptionally challenging for an institution with no resources. AMIB's estimated cost was 123 million US Dollars while the AU Commission's entire budget for the year was only around 32 million US Dollars (AU Commission, 2003: 9; see also ACCORD, 2007: 29-30). This

prompted appeals to the international community to assist the Mission. For instance, and in recognition of the magnitude of the challenge, Jacob Zuma went to New York in his capacity as facilitator to seek international support for a Burundi peacekeeping mission fielded by the AU (UN SG Report S/2003/1146, 2003: 5). The call was answered by many in the international community, including the EU and the World Bank (Agoagye, 2004: 13) – most significantly through the international donor conference in January 2004. The result was approximately one billion US Dollars in pledges (Powell, 2005: 39). According to a senior official working with AU peacekeeping missions[11], the money was also to be used to reimburse the troop-contributing countries that initially paid for the deployment of their troops in support of the mission.

This was a critical period in the history of the AU, for it had to translate the bold statements and commitments enshrined in its Constitutive Act – Article 4 (h) and (J) – into meaningful actions. The AU Commission (2003: 4) states:

> Given the encouraging developments in the region and the imperatives of
>
> its own Constitutive Act, as well as the fact that the Security Council
>
> could not mandate a UN Peacekeeping Mission owing to the lack of a
>
> comprehensive and all-inclusive ceasefire in Burundi, the AU was
>
> determined to accept the challenge and deploy AMIB, pending when the
>
> UN Security Council will be in a position to assume its global
>
> responsibility for the maintenance of international peace and security in
>
> Burundi.

In all, the proposal for the creation of AMIB was motivated by the desire to protect and consolidate the gains of the mediation efforts in Burundi as well as to demonstrate Africa's

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[11] Personal interviews, 17 July 2009, in Addis Ababa, Ethiopia

willingness to provide African solutions to African problems. According to Murithi (2007: 18) the AU was effectively mandated to build peace in a fluid and dynamic situation that could have easily led the country to relapse into violent conflict. The deployment of AMIB was approved at the 70th Ordinary Session of the Central Organ of the MCPMR (later replaced by the PSC), meeting at the Heads-of-State and Government level on 3 February 2003 in Addis Ababa, Ethiopia (AU Commission, 2003: 5). This development was given impetus by the Ninety First Ordinary Session of the Central Organ (at Permanent-Representative level) held in Addis Ababa, Ethiopia on 2 April 2003, which mandated AMIB's deployment for an initial period of one year, subject to renewal by the Organ and pending a UN Peacekeeping Mission deployment as envisaged in the agreements (Communiqué of the Central Organ, 2 April 2003: 2). On 26 May 2003 the Status of Force Agreement between the African Mission and the Government of Burundi was signed, authenticating AMIB's deployment in Burundi.

According to the AU Commission (2003: 6), the main objectives of the deployment of AMIB were to:

- supervise the implementation of the Ceasefire Agreements;

- support the disarmament, demobilisation and reintegration of ex-combatants;

- create favourable conditions for the establishment of the UN Peacekeeping Mission; and

- contribute to the political and economic stability of Burundi.

It could be observed that the general goal for AMIB was the creation of sufficient security in Burundi while at the same time laying the groundwork for the UN Peacekeeping Mission. In light of the major objectives behind AMIB's deployment, the AU Commission (2003: 4) appears

correct to take the position that by facilitating the implementation of the Ceasefire Agreements and ensuring that the defence and security situation was stable and well managed by the newly created national defence structure, AMIB would undoubtedly have met the UN's standards for the deployment of its peacekeepers.

Though AMIB deployment began in May 2003 with pioneers South Africa, Ethiopia and Mozambique, full deployment took place only between September and October 2003 when additional troops came in from Burkina Faso, Gabon, Mali, Togo and Tunisia. As noted earlier AMIB's one-year budget was estimated at 123 million US Dollars which the AU did not have at its disposal. According to Boshoff and Francis (2003: 43), in order to address the financial shortcomings of the mission, the AU determined that troop-contributing countries would pay for the first two months of deployment. Additionally, the AU created a special fund where donations for the mission would be deposited. It has already been observed that the UK, US and South Africa played a critical role in bolstering the capacity of the mission through the provision of the necessary financial and other resources to kick-start the mission.[12] Such assistance also contributed to the deployment capacity of Ethiopia and Mozambique (Powell, 2005: 37-38). It could be observed that although there seem to have been political will on the part of Africa, such will was unfortunately discouraged by the lack of necessary financial resources on the part of African governments; hence, the appeal to the international community for funding support. This challenge points to the need for the AU to have predictable and sustainable financial resource capacity in order for it to be able to undertake peace support missions successfully. The

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[12] According to one analyst, South Africa bore the greatest financial burden in sustaining AMIB (Powell, 2005: 37-38).

international community's cooperative assistance in this regard is critical. Despite this, AMIB

performed its task diligently as noted by the UN Secretary General in his report of March 2004:

> The presence of AMIB has served to focus attention on and to stabilise the
>
> situation in Burundi, and given confidence to the armed groups…. Despite
>
> financial constraints that have plagued AMIB from the outset, the force
>
> has performed to the highest standards in implementing its mandate in
>
> Burundi. (S/2004/210: 13-14)

AMIB's deployment thus played a critical role in defusing the tension in Burundi and creating an

environment conducive to sustainable political resolution. The culmination was the signing of

the Pretoria Protocol on 8 October 2003 by the TGoB and the CNDD-FDD (Nkurunziza), which

addressed political, defence and security power-sharing issues; the signing of the second Pretoria

Protocol on 2 November 2003 on outstanding issues; and a Forces Technical Agreement

((S/2004/210: 2). This inspiring environment motivated the facilitator (Jacob Zuma), supported

by the Burundian Government, to engage the UN with the aim of encouraging it to take over the

Mission on the basis that now there was peace to keep in Burundi. The following section

concentrates on the transition from AMIB to the United Nations Operations in Burundi.

5.3. The transition from AMIB to the United Nations Operations in Burundi (ONUB)

In his March 2004 report, the UN Secretary General recommended that the UNSC should

consider deploying a UN Mission in Burundi. The UNSC subsequently passed Resolution 1545

on 21 May 2004, authorising deployment of the United Nations Operation in Burundi (known by

its French acronym, ONUB). Chapter VII of the UN Charter authorises the Operation for an

initial period of six months, allowing renewal for further periods. That ONUB consisted of AMIB indicates that authority had merely been transferred from the AU to the UN. One of Resolution 1545's critical aspects is paragraph seven: it records the UNSC's decision that ONUB shall cooperate with the Government and authorities of Burundi; and that it shall also cooperate with Burundi's international partners, to ensure coherence in the latter's assistance of Burundi's Government and authorities (S/Res/1545/2004:05). On 1 June 2004 the transference of AMIB to ONUB was signified through the re-hatting of AMIB troops and military observers from Burkina Faso, Ethiopia, Gabon, Mali, Mozambique, South Africa, Togo and Tunisia. Overall, ONUB's mandate was to ensure a stable and a secure environment and to contribute to the successful completion of the electoral process.

This peacekeeping operation contributed tremendously to the improvement of the situation in Burundi. As a result, the country held elections in 2005. The CNDD-FDD emerged the winner of the National Assembly elections with a clear majority, and its leader, Pierre Nkurunziza, became the president of the country. Nkurunziza took over from TGoB President, Domitien Ndayizeye, who had taken over from Buyoya. These activities marked the end of the transitional arrangement. It is noteworthy that at this stage, the PALIPEHUTU–FNL continued to refuse to be part of the positive developments and proceeded with its destabilisation activities in the country, though it was unsuccessful in toppling the government. However, the movement decided in May 2008 to participate in the Burundi process, and it was integrated into administration and security structures of the state[13]).

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[13] Personal interviews with an ISS Researcher, 31 March 2009 in Addis Ababa, Ethiopia

5.4. AMIB: are there any prospects for PSC?

The deployment of AMIB was motivated not only by desire to prevent the conflict from escalating but also to protect significant and positive developments in the Great Lakes Region (in particular DRC and Rwanda) from the potential spill-over effects of the conflict. Murithi (2007: 19) argues that AMIB's role was vital in "creating conditions through which peace, albeit fragile one, could be built in Burundi". In this regard, if the conflict was allowed to escalate it could have spelt instability for the entire Great Lakes region. Fear of spill-over effects from the Burundi conflict haunted various African leaders and triggered an expeditious response - the deployment of a truly African peacekeeping force. Another important motivating factor for AMIB deployment was the African leadership's desire to distinguish clearly for the international community between the AU and its predecessor, the OAU. The African leadership had to demonstrate that, unlike the OAU which emphasised non-interference in the internal affairs of the states, the AU was committed in exercising its right to intervene in a member state's affairs with the view of alleviating the situation and avoiding the loss of human lives. The AU Commission (2003: 4) notes that "the Constitutive Act of the AU (made) it imperative for the Union to assume its responsibility (in Burundi as a contribution to) the resolution of African conflicts". The OAU/AU veteran and a senior official (X) within AU peace support mission division, who is also part of an AU project on "Lessons Learned in the African Mission in Darfur" argued that the African Mission in Burundi was a bold move by the AU and that it marked a significant departure from the historical OAU/AU approach to matters of peace and security on the continent. This historical approach involved the appointment of committees headed by one or two heads of state and government[14]. The idea was to encourage Africa's collective influence. According to this official, a positive climate was developing in the Great

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[14] Personal interviews, 17 July 2009 in Addis Ababa, Ethiopia)

Lakes region and the AU could not afford to allow the situation in Burundi to upset this overall stability. The deployment of AMIB as an observer mission in Burundi was thus considered necessary. The official commended the welcoming behaviour of the parties to the Burundi conflict. He believed that cooperation between the state parties and non-state parties gave the continental leaders the opportunity to vow to resolve the situation in Burundi.

A further motivating factor for AMIB deployment was the AU's expectation of cooperation from the countries of the region, the international community and, importantly, the UN. The AU's confidence in regional cooperation rested on the fact that these countries had already committed themselves to the resolution of the Burundi conflict. The AU's role therefore became more about streamlining an ongoing process than starting afresh. The AU also had high hopes that an initiative focusing on an African solution to African problems would receive overwhelming assistance from the international community. After all, this community could not afford another Rwanda crisis. As such, the AU (working through its Central Organ) made relentless pleas to the international community for financial resources to help cover AMIB deployment costs (Communiqué of the Central Organ, April 2003: 5). One senior representative from Burundi believed that the undertaking of the mission by the AU was a sign of commitment from Africans to solving their problems – it showed that Africans did not want to wait for the UNSC to decide what should be done with the Burundi situation. The Burundi representative praised the collaboration of the EU, Germany, France and Belgium to provide the necessary assistance to Burundi and the mission at large[15]

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[15] Personal interviews, 10 August 2009, in Addis Ababa, Ethiopia.

Lastly, it is clear that from the outset the AU operated on the premise that the deployment of AMIB would take place, pending UN Peacekeeping deployment in Burundi. As noted earlier, AMIB was deployed with the awareness that the UNSC could not mandate a UN Peacekeeping Mission unless there was comprehensive ceasefire in Burundi. Suffice it to state that the AU understood AMIB to be an exercise of paving the way for the UN Peacekeeping Mission (Powell, 2005: 34; Boshoff and Francis, 2003: 41; Agoagye, 2004: 10). AMIB had to bring peace that would later be kept by the UN peacekeepers. It could be argued that the AU's buoyancy was improved by the general expectation that the UN would honour its international peacekeeping obligation. It could also be argued that the AU's AMIB deployment was seen to fall under Chapter VIII's provisions and arrangements. All the PSC members (in Addis Ababa, Ethiopia)[16] concurred that AMIB was a success and that its eventual transformation to a UN operation was necessary – they said this sort of transformation should be encouraged in future AU missions. As the representative of Nigeria put it, "Africa takes part of the responsibility of peace and security.... UN remains the primary body responsible for peace and security.... Transfers should always occur[17]". In the AU official's (X) view, the eventual transfer of AMIB to ONUB was a necessary and natural outcome, for the UN holds ultimate responsibility for world peace and stability. This argument was supported by a senior official of the CISSA (S), , who asserted that although the issue of resources necessitated the transfer of the mission, the UN was in any case expected to take it over as a sign of owning up to its responsibility for world peace and security[18]. Both the AU official (X) and CISSA representative (S) maintained that the UNSC should always respect the PSC's expectation that, whenever it undertakes a peacekeeping

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[16] Mali and Uganda were the only PSC members that were not interviewed. Please see appendix B for a comprehensive list of the interview subjects and Appendix C for questions.
[17] Personal interviews, 18 September 2009 in Addis Ababa, Ethiopia
[18] Personal interviews, 12 July 2009 in Addis Ababa, Ethiopia)

mission, where necessary it will transfer the mission to be UN operation. Concurring with the above assertion the representative of Burundi also believed that cooperation between the stakeholders (the UN, the OAU/AU and the Great Lakes countries) ensured the success of the chosen approach to the Burundi conflict. In her words, the "(AMIB) mission was for peace. When the peace dividends were imminent, development became a priority; (Thus) the stepping in of the UN was to avoid redress" (10 August 2009).

Despite the overwhelming optimism around AMIB's deployment, the Mission was marred by challenges. A major obstacle was lack of capacity in general. As expected, the AU did not have a standby force readily available for deployment - it had to rely on voluntary troop assistance from member states. The challenge was addressed by Ethiopia, Mozambique and South Africa, who quickly responded to the AU's deployment call. As previously noted, AMIB's estimated cost was 123 million US Dollars while the AU Commission's entire budget for the year was only around 32 million US Dollars (AU Commission, 2003: 9; see also ACCORD, 2007: 29-30). This meant that a cash-strapped AMIB would have to rely on external donors for assistance. Although somewhat *ad hoc*, the international community's actions in galvanising resources for the AMIB indicated not only goodwill and understanding but also cooperative behaviour aimed at assisting Africa to achieve a critical regional objective. A more formal and predictable arrangement, which supports Africa's willingness to deploy peace support mission with reliable assistance from the international community, could go a long way in ensuring the success of Africa's peace missions.

Based on the accounts above, it could be observed that AMIB deployment exposed to the AU the nature of the road ahead in relation to peace support and peacekeeping missions in Africa. It also revealed the AU's vulnerabilities, some of which should be pointed out as they highlight the magnitude of the challenges ahead for the AU and its peace and security structures. Firstly, Africa's determination to encourage a stable environment for development is resource-reliant. While African governments have shown willingness and capacity to intervene in countries such as Lesotho, Liberia, Sierra Leone, and Sao Tome and Principe without external assistance, they have sometimes needed external support to intervene.[19] Assistance from the US and UK was necessary before Ethiopia and Mozambique's commitment to AMIB deployment could become meaningful. This situation underscores Africa's need for sustainable, flexible and reliable sources of funding. Secondly, the lack of full operationalisation of AU institutions, particularly those with peace and security responsibilities, continues to hamper the work of the AU. The PSC will keep experiencing problems when deploying peace and security missions as long as the ASF is not fully operational. Unfortunately, and as noted in the previous chapter, Africa will have to wait until 2012 for full operationalisation of the ASF. Until then, the PSC will continue to rely on voluntary troop pledges by member states who expect the AU to incur the costs. This underscores the importance of the Peace Fund prioritisation by both African states and the international community. There is a need to underscore the symbiotic relationship between peace and development (Nhema 2004: 18). Perhaps, an understanding by the African leadership that peace is required for achieving development and that development is equally necessary for peace could induce a culture of cooperation. Thus, given the notion of unpredictable resources, it would be prudent for Africans to embark on finding ways of assuring themselves predictable

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[19] This reliance can have tragic consequences as certainly was the case in 1994 when the futile wait for international community intervention support culminated in the Rwanda genocide.

resources. It would be more sensible for African leaders to encourage continental integration. Such integration would hopefully encourage commitment to one continental body rather than the current bifurcation of loyalties associated with commitments to subregional entities. This point remains despite the expectation that the subregions will metamorphose into the continental grand plan. In that way resources that were initially contributed by countries at regional level could be funnelled to the AU.

However, Holsti (1988: 452) observes:

> Reconciling the divergent interests of ...states is by no means easy, even when collaboration is commonly recognised. And even if new universal treaties and institutions are created to regulate and attack some of (the) global problems, it may be a long time before the norms of cooperation and bargaining ...will develop.

Given this challenge, it could be critical for African states to prioritise the operationalisation of its institutions with the view of addressing common aspirations of peace and development. As Conway (2009: 169) points out: nations can achieve more by working together. According to Tan (1999: 8) the adoption of regional collective concepts requires states to invest resources for the proper functioning of such regional security organisations. In this context, and since the African states expect the PSC to be a mechanism with which to achieve the objective of peace, it would be prudent for the African states to embark on cooperative behaviour of injecting resources into their institution.

Moreover, cooperation between the AU and UN needs to be expeditiously strengthened and streamlined (through the application of Chapter VIII) so that it becomes binding on both institutions. The fact that AMIB was quickly swamped with challenges (financial constraint being one of the most pressing) led to appeals from all corners of Africa for the UN to take over the Mission. This call was heavily supported by the TGoB. The UN Secretary General drew attention to Africa's plea in both his December 2003 and his March 2004 Report (S2003/1146 and S2004/210). In neither report, however, did he mention the expectations that the AU entertained with regard to the deployment of AMIB. The reports stated only that financial constraint and other challenges prompted the AU to ask the UN to take over the Mission. Incoherence is detected throughout the process: the AU undertook the Mission believing that the latter would be transferred to the UN; the UN waited for the AU's appeal, however, before assessing whether it would take over or not. A streamlined, strengthened and binding arrangement between the two institutions would have helped to lessen doubts.

All the same, it could be argued that the manner in which the Burundi crisis was approached affirms Africa's belief in the importance of home-grown solutions to its regional crises. A shared sense of belonging and regional identity between stakeholders could be the reason behind the enhanced cooperation and progress. The AU played a critical role (as a socially constructed institution) by providing direction based on shared norms and agreed rules. Recourse to African stalwarts to facilitate in the Burundi situation, for instance, is evidence of the African normative nature. Furthermore, the deployment of the Mission was undertaken under AU rules acceptable to all AU member states.

The Mission in Burundi contributed tremendously to a building of confidence in the AU and its institutions (including the PSC). Hope arose that, with robust collaboration between the AU, the UN and the international community, Africa's dream of playing a key role in the solution of African problems could be realised. The Mission also unveiled the seriousness with which Africans view their active commitment to peace and security on the continent – leaders of the countries of the region were unrelenting in their efforts during the peace process. The furnishing of troops by Ethiopia, Mozambique, South Africa and other states bolstered these efforts, all of which led to the swift deployment of a fully fledged African peace support mission under the auspices of the AU. The TGoB's successful cooperation with the AU during AMIB deployment, and later with the UN during ONUB deployment, is worthy of mention. According to the ISS researcher (L), the Burundi case illustrated the significance of cooperation in the resolution of conflict[20]. He maintained that in Burundi there had been effective communication, coordination and collaboration between the AU, the UN and all the major players including the protagonists. In his view, it was this cooperative arrangement that had led to success. On the whole, despite the challenges associated with the cooperation arrangements, one tends to agree with the notion that AMIB was a positive test case for the AU. It provided hope for the prospects of the PSC as an organ tasked with peace and security issues on the continent. Although there were challenges, it could be argued that the cooperative behaviour of the Burundi stakeholders encouraged perseverance of the African mediation team. The eventual deployment of AMIB without the opposition of the government of Burundi also displayed a cooperative setup. The international community's actions in response to the challenge of funding for the Mission further indicated benefits of collaboration between Africa and the international community.

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[20] Personal interviews, 10 July 2009, in Addis Ababa, Ethiopia

Gruber (1999: 26-27) maintains that whether cooperation exist or not depends on contextual considerations. He identifies four critical contextual considerations as follows:

- Degree of divergence in the actors' underlying preferences: do actors in the system disagree about the desirability of the good that the cooperative arrangement under consideration is meant to provide?

- Spill-over effects: does provision of the good produce externalities for actors not participating in the cooperative arrangement and, if so, are these externalities negative or positive, large or small?

- Holdup potential: are actors who benefit from the good's provision capable of supplying it by themselves?

- Expansion potential: Are the beneficiaries of the good better off expanding their cooperative arrangement or keeping it exclusive?

Gruber's contextual considerations could be juxtaposed to the case of Burundi in the following manner:

Table 5.1: Analysis of cooperation in Burundi

Contextual Considerations	The Case of Burundi
Degree of divergence in the actors' underlying preferences	The Countries of the region, AU, and the TGoB, all preferred the deployment of AMIB but the CNDD-FDD and PALIPEHUTU-FNL did not. In this case the latter were not cooperative.
Spill-over effects	If the resolution of the Burundi situation through AMIB was a positive good and the AU, the TGoB, the UN and the international community cooperated to achieve it, the externalities were negative to those outside the process. For instance, non-cooperators were going to be sidelined and their objectives would have been frustrated unless they cooperate. Hence, in the end they chose cooperation from defection.
Holdup potential	Obviously, capacity hindrances meant that the AU and the TGoB were not capable (albeit not unwilling) to supply the good themselves; that is why they sought cooperation with the

	international community and the UN.
Expansion potential	The coming in of the PALIPEHUTU-FNL at the late stage indicates that (for maximum utility) the prime movers felt better off expanding their cooperative arrangement.

5.5. Conclusion

This chapter centred on the AU's first fully fledged peacekeeping mission - the deployment of AMIB to Burundi; and the eventual transfer of that Mission to the UN Operation in Burundi. The case of Burundi was used with the particular aim of understanding how the AU reacted to the crisis in that country. It was observed that, by and large, the Mission's success could be attributed to the commitment of Africans, who worked in cooperation with the international community and the UN. The initiatives by regional countries were supported by the AU, while financial resources were initially provided (more or less) by troop-contributing states and, later, the international community (notably the US and UK). The AU-UN transfer of AMIB to ONUB took place within a reasonable, agreed time-period, notwithstanding that arrangements were somewhat *ad hoc*.

Another critical observation in this chapter is the Mission's exposure of the AU's vulnerabilities. This proves helpful in assessing the prospects of the PSC as an organ tasked with handling peace and security issues on the continent. It is asserted that capacity-building, predictable financial resources and the speedy operationalisation of PSC support structures would go a long way towards addressing future challenges similar to those identified in the Burundi case. Moreover,

strengthened and streamlined AU-UN cooperation that is binding will ensure the proper application of Chapter VIII. The attitude towards the current *ad hoc* Chapter VIII setup is non-committal, particularly on the UN side.

This chapter pinpointed the fact that the AU undertakes peacekeeping missions with the expectation that the UN will take over but that the UN only starts takeover preparations when requested to do so by the AU. A streamlined arrangement between the two institutions would ensure that the UN starts exploring Mission transference methods at the time that it approves AU deployment in African crisis situations. It could be put forward that the AU and UN should work at establishing the kind of collaboration of responsibility in the area of peace and security that is automatic and predictable – this especially where the transference of Missions is concerned.

In all, it could be argued that though established under difficult conditions, the Mission operated as a result of a great deal of cooperation between those involved. The next chapter presents another compelling case that tested the AU's capability to bring peace to the continent. It is believed that a comparison between the PSC's response to the situation in the Darfur region of Sudan and its reaction to the situation in Burundi could illuminate the lessons on Africa peacekeeping learnt by the AU. These will be valuable in an assessment of the prospects of the PSC as an AU instrument of peace and security.

Chapter 6

An Assessment of the PSC's Performance: the case of Darfur (Sudan)

6.1. Introduction

It has been submitted in earlier chapters that, along with the Burundi conflict, the Darfur situation presents an opportunity for an assessment of the PSC's capability to respond to conflicts in Africa. It would be prudent, therefore, to examine critically the Darfur conflict, particularly with reference to the AU's response.

Darfur is situated in the western region of Sudan and is home to an estimated seven million people (AU Commission, 2005: 1). The area has a long history of prolonged violence dating back to the 17th century, when (as Murithi (2008: 76) observes) the Arab incursion led to the establishment of a Sultanate among the region's indigenous people (Fur, Masilit and the Zaghawa).

Events that took place in 2003 appear to represent a defining moment and the beginning of a new phase in the Darfur crisis. In February 2003, a group known as the Sudan Liberation Army/Movement, or SLA/M (the group was formerly called the Darfur Liberation Front) launched an attack on government institutions in El Fashir (the capital of North Darfur State) and Mellit (the second largest city in North Darfur). Even though a lot has been said about the real reason for SLA/M's actions, the group has cited lack of socio-economic development and the violent activities of the tribal militias as major contributing factors (AU Commission, 2005: 1).

SLA/M was later joined in its armed activities by another group called the Justice and Equality Movement (JEM). In retaliation, the Sudanese government authorised its forces to launch an offensive which included aerial bombings (AU Commission, 2005: 1.). According to Powell (2005: 31), it also mounted a brutal campaign whereby it armed Arab militias (commonly known as the Janjaweed) so that they could fight a counter-insurgency war on the Government's behalf. The result was an unprecedented humanitarian crisis in the region, characterised by the deaths of more than 70, 000 people, the displacement of more than two million people in and around Darfur, and a spill-over of insecurity into neighbouring Chad. This crisis attracted the attention of the international community and put the AU under enormous pressure to act.

This chapter focuses on the situation in Darfur and the involvement of the AU in the form of the PSC's search for stability in the region. Particular attention is paid to the African Mission in Sudan (AMIS) before and after its transition to the African Union and United Nations Mission in Darfur (UNAMID). Like the previous chapter, the major question is whether cooperation among the key players (which include Government of Sudan, the Rebel movements, the international community, The AU and the UN) had anything to do with the success or the failure of the Mission. The fact that the PSC was not yet fully operational at the time of the Mission is once again taken into account. Assessing how the Mission fared could greatly enhance an analysis of whether the PSC has a chance of success in bringing stability to the continent. Once again it is crucial to emphasise that this chapter is not about the roots of the Darfur conflict, but rather the AU's response to the conflict.

6.2. Background of the African Mission in Sudan (AMIS)

The conflict in Darfur and the massive humanitarian crisis that accompanied it sparked international concern. Mindful of its responsibility and its unflinching commitment to maintain stability on the continent, the AU was strongly compelled to act in alleviation of the crisis. It is against this backdrop that the AU devised a two-pronged strategy (characterised by both political and operational approaches) in a bid to bring the situation in Darfur under control and to curtail further deterioration. The AU worked with Chad (Sudan's neighbour) to find a durable political solution to the Darfur situation and to explore ways of establishing a ceasefire- monitoring mechanism (AU Commission, 2005: 4-5). Chad was the country most affected by the conflict's spill-over effects, and its president, Idriss Déby, was active in the quest to find a lasting resolution. It can be argued that Chad's involvement was a rational response from a concerned neighbour.

Chad's effort to resolve the conflict culminated in the signing of a ceasefire agreement between Sudanese government and the SLM/A on 3 September 2003, under the mediation of President Idriss Déby. Recognising the enormity of the Darfur conflict, particularly the consequent and growing humanitarian crisis, the AU undertook a series of consultations aimed at supporting Chad's negotiation efforts. The hard work of President Déby and the former Chairperson of the AU Commission, Professor Alpha Omar Konare, resulted in the signing on 8 April 2004 (in the presence of international observers and facilitators) a humanitarian ceasefire agreement on the Darfur conflict as well as a protocol on the establishment of humanitarian assistance in Darfur by Sudanese government, the SLM/A and the JEM (AU Commission, 2005: 4-5.; see also Powell, 2005: 32).

It is critical to note that under the ceasefire agreement, the parties all agreed, *inter-alia*, to:

- cease hostilities and proclaim a ceasefire for a period of 45 days, automatically renewable unless opposed by one of the Parties;

- establish a Joint Commission (JC) and a Ceasefire Commission (CFC); and

- facilitate the delivery of humanitarian assistance.

(Humanitarian Ceasefire Agreement on the Conflict in Darfur, N'Djamena, 2 April 2004)

It could be argued that the signing of this agreement signaled the parties' commitment to work together, in cooperation with the AU, to establish stability in Darfur. The AU considered it prudent to involve the international community (particularly the UN, EU and US) in its initiatives. It is important to underscore that as a result of its resolution efforts in Darfur, the AU recognised the importance of finding a neutral mediator to replace Chad. It could be argued that it was Chad's mounting indirect involvement in the Darfur crisis (motivated by the spill-over effects from Darfur) that helped the AU comprehend the need for a neutral facilitator. Nigeria was ultimately identified as a suitable facilitator of the talks between the parties (Powell, 2005: 32). The country accepted the challenge and aided the talks from October 2004. Despite this, the talks occurred only on an intermittent basis and no substantive progress was made.

According to Ateem (2007: 8), the Abuja negotiations, under the tutelage of former Secretary General of the OAU, Dr Salim Ahmed Salim, were concluded in May 2006 with the draft Darfur Peace Agreement (DPA). Ateem states that this agreement was partially signed - by Government of Sudan and one faction of the SLA under the command of Arko Minawi, the

Secretary General of SLM. Murithi (2007: 20) argues that the fact that the agreement was signed by the Minawi faction of the SLA means that the DPA was not a comprehensive peace agreement. Dr Salim Ahmed Salim was later joined in his efforts by Mr. Jan Elliasson, the UN special representative at the Darfur talks, and both individuals intensified efforts to bring together the warring parties in Darfur. Unfortunately, all their efforts were in vain - since the DPA was not signed by all the significant groups, the mediation effort bore no fruit.

Still, the 10th meeting of the PSC, held on 25 May 2004, authorised the Chairperson of the Commission to take all necessary steps to ensure effective monitoring of the Humanitarian Ceasefire Agreement. In particular, it authorised the deployment of an AU Observer Mission and, if necessary, a Protection Force, to support the work of the Ceasefire Commission (CFC). This decision was based on the outcome of the AU-led Reconnaissance Mission that visited the Sudan and Chad from 7 - 16 May, 2004. The decision undoubtedly marked the beginning of the African Mission in Sudan (AMIS). The following section will unpack the deployment of AMIS, giving particular attention to the challenges that faced the Mission.

6.2.1 The deployment of AMIS

The CFC became fully operational on 19 June 2004. According to Kagwanja and Mutahi (2007:06), the total strength of the AU Observer Mission at the time was around 360. It is important to point out that what started as a mere ceasefire monitoring mechanism quickly became a full peacekeeping mission. The Observer Mission, encountered overwhelming challenges (thanks largely to the parties' violation of the ceasefire agreement) and was unable to effectively discharge its mandate. The PSC consequently decided during its 17th meeting to

augment the Mission to 3,320 personnel. Included were 2,341 military personnel, 450 observers, and up to 815 civilian police personnel as well as the appropriate civilian personnel. It was also decided that the enhanced AMIS would be deployed for a period of one year (renewable), to perform the following mandate:

- to monitor and observe compliance with the Humanitarian Ceasefire Agreement and all such agreements in the future;
- to assist in the process of confidence-building between the Parties; and
- to contribute to a secure environment for the delivery of humanitarian relief and, beyond that, the return of IDPs and refugees to their homes.

When compared to the initial, stronger AMIS mandate - which included the protection of civilians - this mandate resembles a compromise. According to Powell (2005: 33), the Government of Sudan rejected the AU mandate extension that included civilian protection. Powell argues that the basis of the rejection was that Sudanese government believed *it* carried the primary responsibility of protecting its citizens. According to Kagwanja and Mutahi (2007: 6), Sudan effectively solicited the backing of sympathetic Arab AU member states such as Egypt and Libya in a bid to block both a larger force and a stronger mandate. The PSC became frustrated by the lack of cooperation from the parties and made repeated calls for their collaboration with AMIS so that the latter could execute its mandate, particularly by ensuring the safety and freedom of movement of AU and associated personnel in Darfur (AU Commission, 2005:46). AU Official (X) argued that the support shown to Sudan by some African countries like Libya and Egypt was a symbol of Arab solidarity for the protection of Sudan's threatened

sovereignty (17 July 2009). This assertion was supported by (S) of CISSA who stated that Sudan's anxiety was a result of what the Sudanese government viewed as foreign intervention and a threat to the sovereignty of the country. He further contended that "even the most liberal countries would have taken steps against what was happening in Sudan (which threatened the sovereignty of the country". However, the PSOD official (Z) argued that the African Arab countries that supported Sudan were not helping the situation, considering that they were not offering alternative solutions.

Throughout the year, including when it met to consider the situation in Darfur, the PSC relentlessly called for the government of Sudan to disarm its Janjaweed militia and for JEM and SLA/M to comply with the ceasefire agreement. Nonetheless, all parties continued to violate the agreement in a clear demonstration of unwillingness to cooperate with the AU. During its 23rd meeting held at Heads-of-State level, the PSC demanded that the parties cooperate unreservedly with AMIS. It urged the government of Sudan to disarm Janjaweed/armed militias and to inform AMIS of concrete steps taken in this regard (AU Commission, 2005: 61). Unfortunately, all those calls went unheeded and the security and humanitarian situation continued to deteriorate. The PSC chose to build AMIS up to a total strength of 6, 171 military personnel, with an appropriate civilian component, including up to 1, 560 civilian police personnel. The full authorised strength of AMIS was a total of 7, 731 individuals.

Though the deployment of AMIS was an African objective, it quickly became clear that the challenges were too overwhelming for the AU to deal with them alone. Cautious about these challenges, the AU worked with the UN to seek ways of strengthening AMIS and converting the

Mission to a purely UN operation. The following section traces the steps taken by the AU and the UN to transform AMIS.

6.3. Transition from AMIS to the United Nations Mission in Darfur (UNAMID)

Alert to the challenges facing AMIS, such as timely acquisition of the required number of troops, poor capacity and the continuous violation by the government of Sudan and rebels of the ceasefire agreement, the AU and the UN embarked on a series of consultations aimed at buttressing AMIS' capacity. The PSC was thereby encouraged to request the UN's assistance through the transition of AMIS into a UN peacekeeping mission. However, in his report to the UNSC, the then UN Secretary General, Kofi Anan (28 July, 2006: 5), informed the UNSC that President Al Bashir of Sudan and the government of Sudan were vehemently opposed to the transition. AU Official (X) believed the government of Sudan's refusal to the transition of AMIS was due to political complications. He noted: politically, the mission was complicated by the international state actors in Darfur. He highlighted the indirect role played by the US under the administration of former president George Bush in 2004:

> [W]hen the Bush Administration made noise about genocide having been committed in Darfur, complications started.... Even though the UN fact-finding mission came back saying the situation was grave but not tantamount to genocide...the Bush Administration advocated for intervention in Sudan under Chapter VII [of the UN charter].

AU official (X) felt the insinuations of the Bush administration agitated Sudan, causing the government of Sudan to question the international players' real intentions. He claims that AMIS

was seriously affected by these political machinations: when the AU started appealing for the transfer of the mission to the UN, the government of Sudan was suspicious about the intentions of some UNSC Permanent five members (P5) such as France, the US and the UK and, as such, opposed vehemently the transfer. In essence, he argued, the government of Sudan suspected certain P5 members of utilising AMIS to further their own objectives. The government of Sudan consequently imposed certain restrictions on AMIS, particularly in the area of equipment delivery. The PSC members[21] had similar views on Sudan's objection to the transfer of AMIS to a UN Operation. They argued that Sudan's objection was motivated by its distrust of the UN (particularly those UNSC members who control it). According to the Ethiopian representative the government of Sudan was suspicious of the Western powers, hence it objected to the transfer of the Mission[22]. The PSC members further concurred that some African countries, especially those who were Arab-speaking, supported Sudan's objection as a sign of Arab solidarity.

Nonetheless, despite Sudan's position on the matter, the egregious security situation in Darfur compelled the UNSC to pass resolution 1706 on 31 August 2006, which authorised the already deployed United Nations Mission in Sudan (UNMIS), based in South Sudan, to be strengthened so as to cover Darfur. The resolution contained a request to the UN Secretary General to strengthen AMIS with existing and additional UN resources, with the aim of transforming the mission to a UN operation in Darfur. Wary of Sudan's opposition to a UN mission in Darfur, the Council sought the Government's consent for this deployment (UNSC, 2006: 3). The resolution further authorised UNMIS under Chapter VII of the UN Charter to use all necessary means, in the areas of deployment of its forces, to carry out the mandate of ensuring the security of the

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[21] See Appendix B for a comprehensive list of the interview subjects and Appendix for the questions that were asked.
[22] Personal interviews, 16 September 2009, in Addis Ababa, Ethiopia

Mission personnel and human security in general (UNSC, 2006: 6). By means of this bold resolution the UN gave UNMIS authorisation to use force when necessary. Of course, the implementation of the resolution was subject to the consent of the government of Sudan, of which was not forthcoming.

It is important to note that though the resolution was adopted, China and Russia (two permanent UNSC members and allies of government of Sudan) abstained from voting (Kreps, 2007: 67). It could be argued in line with Kreps' analysis that evidence of voting abstinence from critical permanent members of the UNSC bred either divergence of views or multiple interests of some members of the international community in relation to the Darfur situation. One could also argue that in the case of Darfur China and Russia's decision was motivated by the realization that the UNSC did not serve their respective national interests; hence, they opted not to cooperate with the rest of the UNSC members. Nonetheless, the government of Sudan exploited the clause that required its consent to block the implementation of the resolution, by refusing to allow any UN operation in Sudan (Kreps, 2007 70). Powell (2005: 33) argues that the government of Sudan was not pushed by the UN to accept a robust international engagement because members of the UNSC were not able to come to a consensus on the role of western powers in responding to the crisis.

The situation encouraged the UNSC and PSC to consider an alternative way of effectively addressing the Darfur issue and alleviating the fears of Sudan and her allies, especially the permanent members of the UNSC. A number of consultative meetings between the UN and the AU were consequently undertaken with the intention of resolving the impasse over the

implementation of resolution 1706 or of alternative measures. What resulted was the famous *High-Level Consultation on the situation in Darfur.* This meeting was held on 16 November 2006 in Addis Ababa. It was chaired jointly by the Chairperson of the AU Commission, Professor Alpha Omar Konare, and the UN Secretary General, Kofi Annan. Significantly, the meeting was attended by the representatives of the Five Permanent members of the UNSC, as well as Sudan, Egypt, Gabon, Nigeria, Rwanda, Senegal, South Africa, the EU and the LAS. The high level of representation and the excellent attendance at the meeting by such a large group of stakeholders indicated the degree of interest in the Darfur situation shown not only by Africans but also by the international community at large. The attitude towards the high-level meeting symbolised the will of the international community to make an obvious effort to facilitate the resolution of the Darfur crisis. The end-product of the meeting was the establishment of a three-pronged approach to the situation in Darfur: a re-energised political process; a strengthened ceasefire; and the determination of a way forward in terms of peacekeeping. During the meeting it was agreed that the three-pronged approach was to be jointly coordinated by the AU and the UN, with due appreciation for the role of regional players and other parties involved in the Darfur peace process (Report of the Chairperson of the AU Commission, 29 November 2006: 18-23; and personal observations in November 2009[23]).

Another key outcome of the 16 November 2009 meeting was a commitment from participants to enhance AMIS strength and capacity by means of UN support. The support was segmented into three phases: phase one was light support package; phase two was heavy support package; and phase three was a hybrid operation Report of the Chairperson of the AU Commission, 29

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[23] During my diplomatic posting in Ethiopia I also had an opportunity to observe and interact with a number of diplomats in Ethiopia on the Darfur subject.

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November 2006: 22). Phase implementation was the sole responsibility of the AU and UN in cooperation with Sudan. The participants of the high-level panel meeting also undertook to increase the strength of the peacekeeping force to 17,000 and to include 3 000 police, bringing the total number of personnel to 20,000 (Report of the Chairperson of the AU Commission, 29 November 2006: 23). The meeting created a precedent in working relations between the UN and the AU, in that the two institutions formed a joint venture to alleviate a deteriorating situation in Darfur. What seems to have caught the attention of the international community was the AU and UN's sudden determination to embark on a hybrid operation (as the operation was later called), seeing it as a possible solution for the Darfur situation. This sudden determination brought fresh hope as well as questions and scepticism to scholars.

In unpacking the hybrid concept, Aboagye (2007: 3) cautions against viewing *co-deployment* as interchangeable with *hybrid operation*. In his analysis, Aboagye asserts that co-deployment has thus far been limited to the UN and the regional organisations, whereas hybrid operations concern the involvement of lead nation states and coalitions, which often result in more complex command and control arrangements (Aboagye, 2007: 2). However, for the purpose of understanding the concept of hybrid operation in the context of this study, the Darfur Integrated Task Force (DITF) definition will be used. According to Aboagye (, 2007: 2.), the DITF defined the concept as

> a combined (joint) operation in a particular area of responsibility conducted by
> forces from different organizations under a common command and control
> arrangement, for the purpose of achieving a common objective or end state, with
> each force retaining its organisation's identity throughout the operation.

Interaction with a number of diplomats and scholars on this matter led one to the realisation that the DITF definition is preferable in the context of the joint AU-UN initiative in Darfur. To other scholars the definition of the concept was not much of an issue, but their focus was on what the AU-UN hybrid operation entailed. Murithi (2008: 79) skeptically poses the question of whether the hybrid partnership is a form of paternalism: AU troops and personnel undertake the basic and dangerous work on the ground, under the guidance of the all-wise - and what Murithi calls fatherly - coterie of UN advisors. An AU political analyst (B) and an expert on the Darfur issues, believed that, considering the government of Sudan's objections to a UN peacekeeping operation in Darfur, the hybrid mission was a political consideration[24]. He stated that had it not been for the AU Commission's unrelenting call for the establishment of a tripartite cooperative arrangement (AU, UN, and the government of Sudan) for the situation in Darfur, the hybrid operation would have remained a dream. AU official (X) maintained that the hybrid mission served to appease Sudan by alleviating fears that a UN operation in Darfur could be a disguise used by some P5 members to effect a regime change in Sudan. According to a senior official (D) in the office of the chairperson of the AU Commission, the hybrid arrangement is a good example of the cooperation that is necessary between the AU and the UN[25]. He stated that 'it opened the door for future collaborations'. According to (S) of CISSA, the eventual partnership between the AU and the UN in the form of a hybrid mission was the result of intense negotiations between the AU, UN and government of Sudan.

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[24] Personal interviews, 13 July 2009 in Addis Ababa, Ethiopia
[25] Personal interviews, 16 July 2009, in Addis Ababa, Ethiopia

Nonetheless, at face value the Addis Ababa meeting was a major milestone in terms of encouraging peace in Darfur. The greatest encumbrances, however, were yet to come. The most challenging aspect in the implementation of the commitments made during the Addis Ababa meeting was Sudan's unwillingness to cooperate with the UN and AU in their activities in Darfur. The government of Sudan continued to harass and detain certain AMIS military personnel and civilian staff-members and to impound their equipment, including helicopters. Reporting to the UN Security Council on 27 July 2007, the UN Secretary General expressed his disappointment in the creation of obstacles by the Sudanese government's security forces and in certain bureaucratic and administrative impediments which made the work of AMIS extremely difficult (UNSC, 2007: 2). According to the Amnesty International Report (2007: 2), despite assertions to the contrary, the Sudanese government continued attacks against Darfur civilians using its armed forces and allied Janjaweed militias. It was also reported that the government of Sudan painted white the military aircraft it was using in the area - a colour reserved for use by AU and UN peacekeepers (Amnesty International Report, 2007: 17). The situation in Darfur was complicated further by the unrelenting flow of arms to Sudan. Amnesty International (2007: 7-11) reported that China and Russia disregarded the 2005 UNSC resolution 1591 which placed an embargo on the supply of arms to all parties to the Darfur conflict. According to the report, these permanent UNSC members transferred the bulk of weapons to the Sudanese government. Other countries reported to have disregarded the arms embargo are Libya, Chad and Eritrea. As Amnesty International (2007: 10) observed, these countries supplied arms to JEM and SLA respectively. It seems the government of Sudan was not alone in failing to cooperate: other international players and rebel movements failed as well.

Nevertheless, after a series of consultations between the government of Sudan, AU and UN, a number of agreements were reached. One was concurrence on deployment of the AU-UN hybrid operation in Darfur. The UN Secretary General considered the agreement a major achievement in the Darfur situation. According to the UN Secretary General (27 July 2007: 12), Sudan's buy-in on hybrid operation deployment was a clear demonstration of cooperation, on which the success of the deployment greatly depended. The UN Secretary General's report encouraged the UN Security Council to pass the applauded resolution 1769 in July 2007, which authorised the deployment of the African Union and United Nations Mission in Darfur (known by its acronym, UNAMID). This decision allowed for deployment and operation jointly by the UN and the AU in Darfur without transference of the mission to the UN. UNAMID officially replaced AMIS in December 2007. The Mission, deployment of which was permitted by the Chapter VII mandate, was responsible for carrying out the same duties with which AMIS was tasked. The Mission was also charged with promoting the reestablishment of confidence between the conflicting parties; deterring violence; and providing security (The Darfur Consortium, 2008: 2-3).

As part of honouring the commitments made during the high-level meeting, the AU and UN sought to re-energise the political process by means of a joint AU-UN mediation effort led by UN Secretary General Special Envoy for Darfur, Jan Elliasson, and the AU Special Envoy, Salim Ahmed Salim. Both envoys initiated consultations with all the relevant stakeholders in Darfur as well as key regional players like Chad, Egypt, Eritrea and Libya. After the passing of UN Resolution 1769, and in the spirit of retaining the momentum of the political process, the AU and UN appointed former Congo Brazzaville Foreign Affairs Minister, Rudolphe Adada, to be a Joint Special Representative in Darfur. He was later replaced by Professor Ibrahimi Gambari of

Nigeria. Furthermore, they appointed the former Foreign Affairs Minister of Burkina Faso, Djibril Yipene Bassole, Joint Chief Mediator in Darfur. The latter's appointment was critical: the goal was to bring the Darfur movements and the government of Sudan to the negotiating table, while at the same time resuscitating the DPA. The initiative was geared towards buttressing the operational activities of the AU and the UN with the political engagement of the major stakeholders. Bassole's efforts were encouraged by the international community and received tremendous support from the LAS under the auspices of Qatar (later referred to as the Qatari initiative). The international community's support of Bassole's political initiative could be viewed as another example of the type of cooperation needed for AU peace initiatives to have meaningful results. During the completion of this study Bassole's work was still ongoing.

6.3.1 The role of the International Criminal Court in the Darfur Crisis

In March 2005 the UNSC examined the situation in Darfur and deemed it judicious to refer the matter to the International Criminal Court (ICC) through the passing of Resolution 1593 of the UNSC. According to the Chief Prosecutor of the ICC, Luis Moreno-Ocampo (14 July 2008: 20), Resolution 1593 of the UNSC was an outcome of the conviction that justice and accountability are critical to the achievement of lasting peace in Darfur. By means of investigation the, ICC strove to honour the mandate entrusted to it by the UNSC. Kagwanja and Mutahi (2007: 6) argue that the UNSC's referral of the Darfur matter to the ICC did not deter the Sudanese government from perpetrating atrocities.

According to the Seventh Report of the Prosecutor of the ICC to the UNSC (2008: 1), the first findings of the ICC revealed that Ahmad Harun, a Sudanese Minister of State for Interior in 2003

and 2004, who was also the head of the Darfur desk, coordinated the activities of the government of Sudan's army and the Janjaweed Militias in terms of their attacks on civilians in Darfur villages. Another critical finding stated in the Report was that Ali Kushayb, a Janjaweed Militia leader, led most of the attacks against civilians in Darfur. The main targets of the reported attacks were believed to be Darfur's Fur, Masalit and Zaghawa ethnic groups. Following ICC's discoveries, a decision was taken to issue warrants of arrests against Harun and Kushayb for crimes against humanity. However, according to the ICC Report (2008: 1), government of Sudan neither officially responded to the warrants nor surrendered the individuals to the ICC. The government of Sudan was also reported by the ICC to have taken no steps to arrest the suspects or put a stop to the crimes; instead, Harun became Minister of State for Humanitarian Affairs while Kushayb continued with his military unit in Darfur (2008: 1.). According to Moreno-Ocampo (14 July 2008: 5), President Al Bashir vowed never to hand over the two suspects. The inaction of government of Sudan was interpreted by the ICC as non-cooperation.

Frustrated by the Sudanese Government's refusal to hand over the suspects, the Prosecutor requested the Court to issue a warrant of arrest against President Al Bashir of Sudan (International Crisis Group July 2008). In his statement on the application for a warrant of arrest the Prosecutor cited genocide, crimes against humanity and war crimes as the charges against Al Bashir (Ocampo, July 2008: 2-3). Ocampo based his argument on the fact that Al Bashir ordered the killings - as president of the country, he was the commander in chief. Ocampo (July 2008: 4) insists:

> Al Bashir (was) the President of the Republic of the Sudan, exercising both *de jure* and *de facto* sovereign authority, Head of the National Congress Party and

Commander in Chief of the Armed Forces. He appointed the Governors of all 26 states of the Sudan and they reported to him directly. He sat at the apex of the state's hierarchical structure. He had absolute control.

Viewing Ocampo's argument, one could agree with the International Crisis Group that the Prosecutor was frustrated by Sudan's unwillingness to cooperate and so sought to indict Al Bashir. In essence, by not acceding to the demand to surrender the wanted individuals to the court, Al Bashir indirectly accepted responsibility for their actions.

Ocampo's request for a warrant against Al Bashir shook Sudan. The country started lobbying the AU and UN for support against the Prosecutor's request. Consequently, the PSC convened a special ministerial meeting on 21 July 2008 to consider the ICC-Sudan issue. Through its 142nd communiqué, the PSC requested the UNSC to ask the ICC to defer the issue of Al Bashir's arrest warrant for a year. At the same time the PSC urged Sudan to take immediate, concrete steps to investigate human rights violations in Darfur, bring to justice all perpetrators, and continuously report to the AU on progress (142nd PSC Communiqué 2008: 2-3). The PSC was motivated by its fear that certain ongoing processes like the Darfur-Darfur Dialogue and UNAMID deployment would be derailed. The PSC opted to give peace a chance and decided to consider alternative options in dealing with the issue of justice. Against this backdrop an AU Panel on Darfur (AUPD) was established. This Panel was chaired by Thabo Mbeki, former president of South Africa, with the membership of former presidents Pierre Buyoya of Burundi and Abdulsalami Abubakar of Nigeria. They were given the mandate of finding ways of addressing issues of peace and justice in Darfur (142nd PSC Communiqué 2008: 2-3 and Personal interviews

with the PSC members in March 2009, in Addis Ababa, Ethiopia). This matter is further elaborated in the next section.

It could be argued that the ICC matter provided the PSC with leverage in soliciting Sudan's cooperation: the PSC offered to assist Sudan in dealing with the ICC affair in exchange for Sudan's cooperation with the processes in Darfur. For example, through its 142nd communiqué the PSC pressed Sudan to cooperate unreservedly with UNAMID and take all necessary steps to ensure the safety of its personnel. It is important to stress that the ICC matter was key to getting Sudan's cooperation with both the AU and the UN on the Darfur issue. According to the PSC's 151st PSC communiqué (2008: 2), the Sudanese government has cooperated with the AU on Darfur issues ever since the ICC matter.

The ICC case is used in this study simply to illustrate the peculiar impact it had on the Darfur situation. A detailed analysis of the case is beyond the scope of this study.

6.3.2 The role of the AUPD

The AU Panel on Darfur (AUPD) started its work on 19 March 2009. It conducted a series of extensive consultations with a number of stakeholders in Sudan, especially in Darfur, including the government of Sudan, JEM, SLA, IDPs, humanitarian agencies, UNAMID (Report of the Chairperson of the Commission, 2010: 29-31). Consultations were also conducted with the neighbours of Sudan (namely, Chad, Democratic Republic of the Congo, Egypt, Eritrea; Ethiopia, Kenya, and Libya,). The Panel further consulted members of the international community (including Canada, Denmark, Germany, Italy, Japan, Norway, Qatar and Sweden) as

well as the P5 (namely, China, France, Russia, United Kingdom and the United States of America). Moreover, consultations were held with relevant international organisations: the IGAD, the LAS, the OIC and the EU (personal observations and Report of the Chairperson of the Commission, 2010:28-32). Having finalised the consultations, the Panel presented its recommendations to the PSC meeting (at the heads of state level) on 29 October 2009, in Abuja, Nigeria. In its recommendations, the Panel stressed the need to resolve the Darfur problem through a political settlement. It also proposed for negotiations among the Darfur stakeholders and the government, with the view of addressing all issues of peace, justice and reconciliation. In this context, the Panel recommended for the establishment of a hybrid court with the mandate of trying those responsible for crimes in Darfur. Moreover, the Panel proposed the establishment of a Truth, Justice and Reconciliation Commission, so as to promote national healing (Report of the Chairperson of the Commission, 2010: 29-31).

The PSC endorsed the recommendations of the Panel and further requested the chairperson of the Commission to establish an AU High Level Implementation Panel (commonly known as AUHIP), comprising Abubakar, Buyoya and Mbeki, to assist with the implementation of all aspects of the AUPD recommendations. Indeed, the chairperson of the Commission established the Panel and it was chaired by former president Thabo Mbeki. The Panel held its inaugural meeting from 2 to 3 December 2009. By the time of compiling this study, the Panel was continuing with its mandate in Darfur. In all, one would argue that by establishing the Panel, the PSC displayed its determination to resort to home grown solutions in dealing with impunity.

6.4. AMIS: are there any prospects for PSC?

The AU's response to the Darfur situation was a profound gesture and a clear demonstration of the PSC's commitment to implementing Article 4(J) of the PSC protocol, which permits the AU to intervene in grave circumstances. The PSOD official (Z) claimed that the AU was not in a position to ignore the conflict in Darfur. It was compelled to take note of the situation by virtue of its adherence to the AU Constitutive Act and the PSC Protocol. The challenge for the AU was to test the notion of African solutions to African problems. According to the AU official (X), AMIS was by far one of the PSC's greatest challenges since its activation: the challenge stemmed from the fact that the Darfur territory is too vast to be adequately covered only by about seven-thousand five-hundred troops.

Unfortunately, the realities on the ground severely hampered activities around this promising AU agenda. The PSC - the AU organ entrusted with the responsibility of implementing the AU peace agenda - was constrained by a number of challenges which undoubtedly impeded AMIS' activities in Darfur. Scholars have highlighted weak capacity and mandate as major hindrances to AMIS' success in Darfur. For instance, Kagwanja and Mutahi (2007: 6) maintain that AMIS was handicapped by an overwhelming lack of capacity. In the opinion of Murithi (2007: 68), the lack of resources coupled with constant underfunding contributed to AMIS' woes. The International Crisis Group (July 2005: 6) pointed out that AMIS' operations were hamstrung by insufficient troop numbers: the initial 7,731-strong troop contingent was overpowered by the sheer weight of Darfur's security and humanitarian problems.

PSC members also felt that although challenging, it was good for the continent to undertake such a mission. Issues that were held to be particularly difficult were capacity shortcomings as well as Sudan's objection to a UN Mission. All PSC members concurred that the mission was hampered by the lack of necessary resources. A senior representative of the government of Sudan commented:

> [L]ack of resources... and I think we might call it the Achilles Heel of African Operations where we have the manpower we might even have good ideas but when it comes to implementing it one of the crucial issues, usually, it is the resources, meaning the finances [for] doing the missions that we would like to do[26].

AU official (X) admitted that AMIS was the first ambitious mission ever to be deployed by Africans and that it fulfilled its mandate, notwithstanding the difficulties encountered. He believed these difficulties could be tracked to resource-related and politics-related matters. Poor financial resources hampered the operational activities of the mission. The official (X) was convinced that if the international partners had not come to the rescue, the mission would have been in tatters. A realisation of the magnitude of the challenges and of AMIS' inability to cope are arguably the reasons behind the call by the then Chairperson of the AU Commission, Professor Alhpa Omar Konare, for an increase in AMIS' total strength.

Another identified hindrance to AMIS activity in Darfur was a weak mandate. As noted earlier, the mandate under which AMIS was deployed did not allow the organ to bear responsibility for protecting civilians. According to the International Crisis Group (July 2005: 9), the AMIS

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[26] Personal interviews, 18 September 2009, in Addis Ababa, Ethiopia

mandate focused on monitoring and verification while the basic responsibility of protecting civilian and humanitarian workers was left to the Sudanese government. AMIS was therefore unable to provide the necessary protection of civilians that is expected of a peacekeeping mission.

The outright lack of cooperation demonstrated by the Sudanese government and rebel movements further represented a major obstruction to AMIS. In fact, the government was unremitting in its refusal to respond positively to the call from the PSC and UNSC to disarm the Janjaweed Militia, who continued to attack AMIS as well as civilians (Kagwanja and Mutahi, 2007: 7). Moreover, it constantly frustrated AMIS with its bureaucratic restrictions, which delayed the swift discharge of AMIS' peacekeeping responsibility. It was relentless in its opposition to a larger force and stronger mandate -- a stance that impeded seriously the efforts of both the AU and the UN (Kagwanja and Mutahi, 2007: 7). Finally, the lack of respect for ceasefire agreements as well as non-compliance with the UN arms embargo Resolution 1556 of 30 July 2004 also constituted important examples of the lack of cooperation by the Sudanese government and the rebel movements.

Though the international community played a critical role in the response to the Darfur conflict, it cannot be completely exonerated. China and Russia's initial attitudes towards the transfer of AMIS to UNAMID revealed a reluctance to cooperate with the AU and the UN in their search for peace in Darfur. As noted above, Russia and China not only aligned their position with the Sudanese government's policy preferences but also were the country's major arms suppliers. Chad, Eritrea and Libya's support of the rebel movements through their supply of arms was

equally against the spirit of cooperation. Some PSC members felt that multiple approaches to the situation created an even bigger challenge. The representative of Gabon said the PSC was being pushed by external powers to treat the situation in Sudan as genocide, while the PSC did not want to treat the matter as such[27]. The Nigerian representative argued that the Darfur state of affairs required a holistic approach while the representative of

Swaziland agreed with the point on multiple approaches in Darfur, saying a conflict of interests by various stakeholders undermined the AU's Darfur efforts. The Swaziland representative further emphasised competitiveness between the US and China as well as "alleged support of rebels by Libya" as major complicating factors in Darfur[28]. He concluded that harmonisation of interests through cooperation was a better way of addressing the challenges in Darfur.

In addition, the demonstration of support that Egypt and Libya showed the Sudanese government by standing against the deployment of an increased AMIS force and the strengthening of the mandate, counters the spirit of cooperation that sought to contain the humanitarian crises in Darfur. In a nutshell, the lack of cooperation from the Sudanese government, the rebel movements and some members of the international community hamstrung AMIS' Darfur efforts tremendously. UNAMID appeared to be the only meaningful solution. The PSC members viewed the eventual transfer of AMIS to UNAMID (under the hybrid partnership) as a necessary compromise struck between Sudanese government, the UN and the AU. The PSC members saw the arrangement as a critical step in clarifying the relationship that was expected to exist between the UN and the AU. In view of the above-stated hindrances to AMIS, it could be argued that buttressing the capacity of AU peace support missions and encouraging cooperation among

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[27] Personal interviews, 7 October 2009, in Addis Ababa, Ethiopia
[28] Personal interviews, 12 August 2009

international community players could go a long way towards improving future peacekeeping operations.

Using Gruber's (1999: 26-27) contextual considerations in the Sudan case, the situation could be explained as follows:

Table 6.1: Analysis of cooperation in Sudan

Contextual Considerations	The Case of Sudan
Degree of divergence in the actors' underlying preferences	The Sudanese government, JEM, SLA, the countries of the region, the AU, all preferred the deployment of AMIS. However, the transition of AMIS to a UN mission was vehemently opposed by the Sudanese government supported by some Arab speaking African countries. (e.g Egypt and, Libya) as well as some P5 members (e.g., China and Russia). This scenario presents the government and her allies as defectors from the cooperative arrangement.
Spill-over effects	In the case of Darfur, the positive good was the resolution of conflict and AMIS was one of the tools used. The AU, the UN, some UNSC members, and the international community cooperated to achieve the positive good.

	However, externalities had no impact to those outside the cooperative arrangement. For example, the government was supported by its allies -- China and Russia -- while the rebels were supported by Chad, Eritrea and Libya. The ICC factor tilted the scale in favour of the co-operators and saw the government joining the cooperative arrangement.
Holdup potential	Capacity constraints hampered the AU's capability to supply the good themselves; they sought cooperation with the international community and the UN.
Expansion potential	The prime movers felt better off not only expanding their cooperative arrangement but enforcing it (through the ICC); for the good depended on expanding the scope of cooperation.

Notwithstanding all of this, as noted in the previous chapter, the African approach to the crisis in Darfur demonstrates a common understanding of how a conflict is generally resolved in Africa. For instance, the understanding by Africans that a facilitator or mediator is essential in conflict situations is illustrated by the political leg's provision of a mediator in the form of Chad's president (later replaced by Nigeria's president). An impetus to this notion was added by the

establishment of the AUPD which was later replaced by the AUHIP. The calibre of the Panel (in the form of African former presidents) serves as another indication of Africa's traditional understanding of relying to the elders for conflict resolution. This understanding lies at the crux of the notion of African solutions to African problems: Africans have a socially constructed view of how conflict should be resolved. The operational leg which operated under the auspices of AMIS typified the willingness of Africans to pool their resources to achieve a common end or good (such as peace, in Darfur). The Mission was unsustainable; however, its very birth was the result of a shared idea. Africans did not question the formation of AMIS, for it was based on their undertakings through the Constitutive Act. It could therefore be argued that they respected their rules and relied on dependable peaceful expectations in every endeavour.

6.5. Conclusion

This chapter focused on the PSC's reaction to the outbreak of conflict in the Darfur region of Sudan. Particular attention was paid to the deployment of AMIS and the challenges encountered, which led to a joint mission between the AU and the UN. The Darfur case was introduced so that a deeper understanding could be developed of how the AU reacted to the crisis situation in honour of its obligations (which are circumscribed in the AU Constitutive Act and echoed in the PSC Protocol). It has been observed that AMIS did not fare as well as initially anticipated. A weak mandate and serious capacity constraints were cited as major hindrances to the Mission's success.

Another critical observation is that major players in the international community (China, Russia, the EU, US, UN and some African member states like Libya, Egypt and the LAS) did not work

together to achieve a common goal in Darfur. The chapter demonstrated that while the UN, EU and the supported AU activities in Darfur (including the eventual transformation of AMIS to UNAMID), China, Russia, Libya, Egypt and the LAS generally aligned themselves closely with the Sudanese government to the detriment of AMIS. It has been argued throughout the chapter that the lack of cooperation from major stakeholders in the Darfur process not only dealt a severe blow to AMIS but also hampered the credibility of the PSC. The Sudanese government and rebel movements did not display cooperative behaviour: they violated ceasefire agreements as well as the UN arms embargo resolution.

The AU's vulnerabilities were exposed in both the African Mission in Burundi and the AU Mission in Sudan. An analysis of these Missions has proved helpful in assessing the prospects of the PSC as an organ tasked with peace and security issues on the continent. The Darfur case tested the AU's capacity for bringing peace to the continent and illuminated the lessons learnt by the AU in the area of peacekeeping in Africa. The following chapter focuses on these findings in an attempt to provide empirical analysis around whether cooperation has any critical role to play in the success of the PSC in its peace and security endeavours.

Chapter 7

Dissemination, Interpretation and Analysis of the Findings

7.1 Introduction

It should be recalled that this study has four principal research objectives:

    a. to identify and evaluate some of the crucial factors that will determine the PSC's effectiveness as an instrument for managing conflict and establishing peace;

    b. to ascertain the nature and significance of the cooperation needed from key AU member states and international actors for the success of the PSC;

    c. to underscore the importance of buttressing African initiatives aimed at ensuring the peace and security of the continent; and

    d. to highlight the urgency of operationalising the PSC's supporting structures (such as the ASF, CEWS, The Panel of the Wise, and the Special Fund).

As noted in the first chapter, the quest for empirical data was achieved by interviewing of individuals from key institutions and governments, including: the PSC, AU Commission, CISSA, P5, EU, G8, Burundi, Sudan and Research institutes and NGOs (e.g. ISS, CPRD and OXFAM International). The interview questions centred on the four research objectives[29]. Findings are imparted in the following sections. At the end of the objective, main ideas are outlined in a table and graph formats.

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[29] Please see Appendix B for an overview of the questions that were asked.

7.2. An evaluation of crucial factors needed to make PSC effective

Questions on this objective were directed to 13 PSC members and the members of the AU Commission.

7.2.1 PSC Members

During the interviews, PSC members revealed their belief that what is crucial to the PSC' success is its working methods. It was felt that the organ's consensual approach to conflict situations in Africa remains the key to PSC achievement. The general feeling of the 13 PSC members was that they represent 53 AU members - in other words, they have been mandated by the continent to consider and decide on peace and security issues on the continent's behalf. In cases where AU members have divergent views, the PSC members are tasked by their respective regions (the five regions of the AU) to find ways of resolving the differences in a consensual manner. For instance, the Zambia representative expressed the point as follows: "The PSC's consensual solutions to conflict situations are a direct result of the mandate from all five AU regions" (22 July 2009). This emphasis on the consensual and regional approach could be due to the desire to make the PSC as representative and collegial as possible. Thus, since the 15 African states are expected to decide the fate of the continent, the AU saw wisdom, from inception, in designing the PSC to be as representative and collegial as possible.

PSC members also identified cooperation among themselves as a critical factor in the determination of the PSC's effectiveness as a peacemaking and conflict-managing instrument. A

collective approach and team work in pursuit of the continental vision were upheld as the preferred way of successfully conducting PSC business. To emphasize this point the Nigeria representative argued that cooperation is the key: "conflicts are dynamic; hence the need to work with the collective is critical. We also need to collaborate with neighbouring countries to conflict (whether they are or are not PSC members). While it is crucial to uphold the principle of subsidiarity[30], we should understand that collective decision-making encourages ownership" (18 September 2009). The emphasis on cooperation and collaboration signals the PSC's desire to uphold the principles and objectives of the Constitutive Act, especially those that call for a spirit of togetherness and unity.

Another factor believed to influence the PSC's success is compliance with the rules of the Constitutive Act and the PSC Protocol. The representative of Tunisia elucidated this point by highlighting that becoming a member of the PSC should not be motivated by a desire for prestige but by a genuine commitment to implement the principles and objectives of the AU and the PSC (10 November 2009). He argued: "it is clear that once you have adhered to the objectives and accepted the concept of Pan-African ideals, it is only fair that you demonstrate your commitment to the organisation".

Enhancing the capacity of the AU (particularly the Peace and Security Department, or PSD) with the help of the UN and the general international community was also identified as a further way of boosting the PSC's effectiveness. All PSC members concurred that the UN bears the ultimate responsibility for peace and security in the world. They believed that what is critical is enhanced

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[30] The principle of Subsidiarity is a term generally used within the diplomatic community. It is understood to mean addressing issues from national, to regional and up to continental (in that order). For example, under this principle, regions are expected to play a critical role before the continent gets involved.

cooperation between the UN and the AU as envisioned and provided for by Chapter VIII of the UN Charter. Such cooperation would ensure that the AU complements the work of the UN in the area of peace and security. This understanding serves to show that although Africans are willing to work for peace and stability in the continent, they generally feel that the African role is necessarily one of interested support or partial responsibility (given that formally the UN remains solely responsible for peace and security in the world).

Main ideas

The PSC member's views regarding the crucial factors that will determine the PSC's effectiveness as an instrument for managing conflict and making peace are summarised in the following table:

Table 7.1: PSC's ideas on determinants of its effectiveness

Preconditions for PSC's success
▪ PSC working methods: consensual approach
▪ Cooperation: from a regional to a continental perspective
▪ Collaboration with the UN to enhance the AU capacity.
▪ Common understanding and adherence to rules

7.2.2 The AU Commission

With regard to the factors that could determine the PSC's effectiveness and success, members of the commission believed that the inadequacy of PSD staffing could hamper the organ's effectiveness. This, as well as PSC-member capacity, are issues which grievously hamper the

work of the PSC in general and need to be addressed by its members. The Commission is of the conviction that it is incumbent upon embassies of PSC members in Addis Ababa, Ethiopia to ensure adequate staffing so that they can contribute effectively to the PSC's work.

Like the PSC, the Commission members maintained that the PSC (and Africa) cannot go it alone: it needs effective partnership with international role players, particularly those dealing with peace and security matters (for example, the UN and the EU). A senior AU official (A) within the PSC secretariat attributed the PSC's ongoing peace-mission difficulties to lack of funding. In his opinion, the sooner the international community starts working in partnership with African countries to address the AU's (and by extension, the PSC's) funding and technical capacity constraints, the more effective the PSC will become[31]. In this context, commission members recommended that the AU should continue to monitor attempts to strengthen cooperation between the AU and the UN as required by Chapter VIII of the UN Charter. They also felt that it is critical that the UNSC is convinced to fund African peacekeeping missions by means of assessed contributions from UN member states.

Moreover, the Commission was of the view that greater cooperation between the decision-making body (PSC) and the implementation or operational authorities (PSD) would ensure greater synergy and activity coordination. This cooperation, according to some members of the commission should be extended to include RECs, using them effectively in dealing with conflict situations in respective regions. In the main, the Commission is of the view that the operationalisation of APSA by PSC members would be a critical determinant of the PSC's success.

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[31] Personal interviews, 14 July 2009, in Addis Ababa, Ethiopia

However, some members of the Commission had divergent views on the determinants of PSC's success. For instance, a senior AU official (D) in the office of the chairperson of the Commission insinuated that the PSC could be its own enemy[32]. Elucidating this point, he stated: "some PSC members are judges and parties to conflicts at the same time". He pointed out that Chad was a PSC member and in conflict with its neighbour, Sudan. Likewise, Ethiopia - a member of the PSC since its activation - was embroiled in a conflict with Eritrea. According to him, this state of affairs leads to questions about the PSC's impartiality and could dealt a severe blow to its credibility.

Another critical point raised was that the PSC's administrative capacity should be strengthened. In this regard, although the PSC is the most active organ of the AU, it does not have a permanent meeting room and dedicated interpreters. Members of the commission believe, therefore, that it is difficult for the organ to deliberate as, and when, it deems necessary. While the issue of a venue may seem trivial the reality is that, regardless of the urgency of a matter, the PSC cannot convene a meeting at the AU headquarters without making prior arrangements for a meeting venue and interpreter.

Another crucial matter highlighted by the AU Commission, a CISSA (S) representative in particular, is the methodological approach of the PSC. The representative remarked that the PSC cannot afford to adopt a "fire brigade" mechanism, waiting for conflicts to erupt before it can act. Elaborating on this point, the representative stated that the methodological approach is precisely the reason for CISSA's (a subsidiary body of the AU) collaboration with the AU. CISSA's role

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[32] Personal interviews, 16 July 2009, in Addis Ababa, Ethiopia

in the provision of intelligence through the Intelligence and Security Council (ISC) in the office of the Chairperson of the AU Commission help Chairperson with conflict prevention, management and resolution so as to advance the peace and security agenda of the AU. In this context, the PSC should appreciate that prevention, management and resolution of conflict requires a constant supply of intelligence. This issue points clearly to an urgent need to fully activate the CEWS.

Main Ideas

Commission's views regarding the crucial factors that will determine the PSC's effectiveness as an instrument for managing conflict and making peace are summarised in the following table:

Table 7.2: Commission's ideas on determinants of PSC's success

Commission's Ideas on determinants for PSC's success
▪ Capacity Enhancements: Need to resolve the PSD's capacity constraints and the PSC's administrative capacity
▪ Deepened Cooperation: Need for greater cooperation between the PSC on the one hand and the PSD, AU, UN, and the International Community on the other hand. At the heart of this is the imperative of operationalising Chapter VIII arrangement
▪ Political will: need for African governments to muster the political will to truly empower the PSC to undertake its envisaged responsibilities of ensuring regional peace and security by acting in line with its obligations.
▪ Funding: need for African governments to demonstrate their commitments to regional peace and security by providing necessary financial and logistical support to ensure the PSC's undertaking of its full mandate, including its capacity to prevent the eruption of conflicts.

The overall understanding of the PSC and the AU Commission (based on the main ideas) on the determinants of the first objective is illuminated in the following graph:

Figure 7.1: PSC and Commission's understanding on determinants of PSC's success
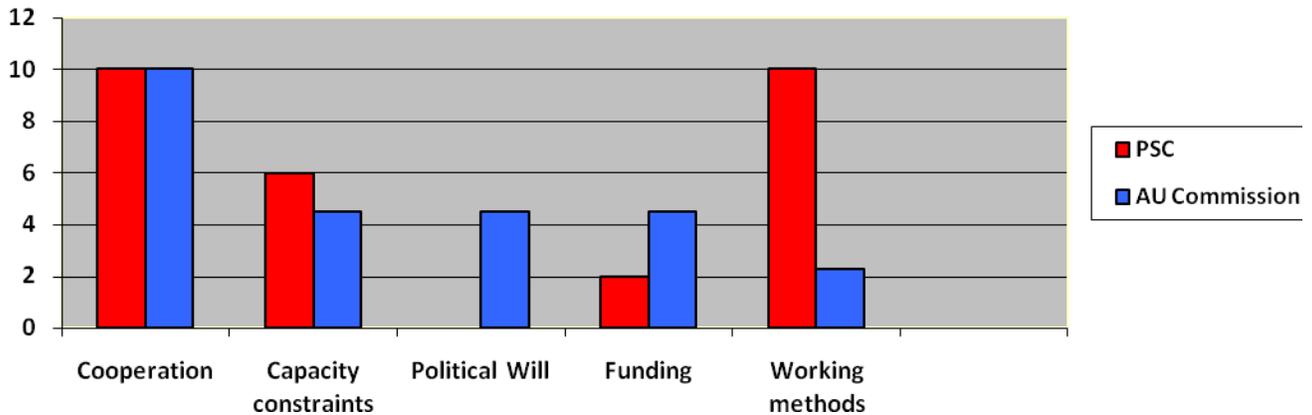
7.3. Determining the importance and nature of cooperation needed between key AU member states and international actors for the success of the PSC

Questions on this objective were directed to thirteen PSC members (that were interviewed) as well as the members of the AU Commission; P5 members; the representative of the UN Liaison Office; the representative of the EU Delegation; the representative of Italy (the Chair of the G8 in 2009); and research institutes.

7.3.1 The PSC members

During the conducting of research it was established that PSC members attach great significance to cooperation and that they have expectations of how cooperation with each other and between them and international actors (including the UN) could be achieved. Generally, PSC members believe that cooperation among themselves is essential. Their view is that they are not representing individual countries, but the continent. They believe that their cooperation arrangement is drawn from national to regional and up to continental levels, in a subsidiary manner.

However, where cooperation with the international community (including the UN) is concerned, the PSC members felt strongly that the UN has the primary responsibility of maintaining peace and security in the world. They believed that cooperation between the AU and the UN is already provided for under Chapter VIII of the UN Charter. They also felt that cooperation between the two institutions should be strengthened. As the representative of Rwanda articulated, "in order to buttress the capacity shortcomings of the AU, the UN should work with the AU bearing in mind that it has the primary responsibility of peace and security" (9 July 2009). In a nutshell, PSC members believe that cooperation with the UN could address Africa's challenge in the area of financial resource mobilisation. Moreover, they felt that since primary responsibility for peace and security lies with the UN, that body should expect PSC peacekeeping missions to be transferred to it when the need arises. Such transference should not take the UN by surprise but should be predictable.

The members of the PSC also had a common view on how the international actors (including the P5 members of the UNSC, the EU and the G8) should cooperate with the AU (and by extension, with the PSC). International actors should provide the necessary assistance to AU programmes and projects without imposing conditions on the AU relating to this cooperation. Indeed, the international actors should assist the AU with identified programmes rather than choose which programme they would prefer to support or fund. Arguing along the same vein, the representative of Gabon stated, "the EU spend[s] a lot of money on peace and security [in

Africa] but with conditionalities. They should stop conditionalities or preconditions that limit the operational capability of the Peace and Security Department" (7 October 2009) [33].

However, the representative of Burkina Faso expressed disappointment at the circumspection characterising the international community's assistance. Though the community demonstrated the will to support the PSC's initiatives, the fact that it was disinclined to assist the PSC in its Mission in Somalia raises questions about the international actors' sincerity when it comes to their pledge of assistance[34] (19 November 2009).

Some members of the PSC felt that the scope of cooperation between the AU and the international partners should be extended to include not only financial assistance, but also the implementation of AU decisions. As noted by the representative of Nigeria, "the international community should respect the decisions of the PSC or the AU in general and cooperate accordingly when it comes to implementation of those decisions - for example, sanctions" (18 September 2009).

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[33] Personal interviews, 07 October 2009, in Addis Ababa, Ethiopia
[34] Personal interviews, 19 November 2009, in Addis Ababa, Ethiopia

Main Ideas

PSC's views regarding the objective of determining the importance and nature of cooperation needed between key AU member states and international actors for the success of the PSC are summarised in the following table:

Table 7.3: PSC's ideas on the nature of cooperation

PSC's Ideas regarding the nature of cooperation needed
▪ Cooperation among themselves is critical
▪ Cooperation must take place between the AU and the UN under Chapter VIII arrangement (where the AU's resource capacity is buttressed through collaboration)
▪ Cooperative support should be extended by the international community (including UNSC, G8, and the EU) to the AU and its programmes
▪ International community's assistance should be unconditional
▪ International community's cooperative assistance should be extended to the PSC without double standards
▪ International community's should extend its full cooperation in support of efforts made to implement AU decisions

7.3.2 The AU Commission

Like the PSC, respondents from the Commission accentuated the importance of AU-UN symbiosis. They argued that the AU operates under the premise that it will expeditiously intervene in any conflict situation and later hand the mission to the UN, and that the latter will cooperate, as provided for under Chapter VIII of the UN Charter. According a top official in the PSC secretariat, the PSC and the UNSC cooperative arrangement is hampered by the PSC's tendency to intervene first and request UNSC authorisation later - a practice that displeases the UNSC (14 July 2009). The commission was also of the view that while the AU member states ought to respect their principles, objectives and galvanise the necessary resources the international community should respect its pledges – financial and otherwise - to assist the AU with its peace and security agenda.

However, another senior official of the AU (N.) at the PSOD stated that focus on the national interests of countries (especially in the case of the P5 states) could be the reason for poor cooperation. It was his view that attention to African concerns is driven largely by the nature of other countries' perceived national interests with regard to particular African issues. When such interests are deemed minimal or inadequate AU needs and issues go unattended.

Moreover, AU Commission respondents emphasised the importance of a cooperative arrangement that does not undermine Africa's ownership of her destiny. As with the PSC, they believed that any cooperative arrangement should be detached from pre-conditions.

It was also noted that cooperation between the AU and the RECs should be strengthened. In this respect, an AU Commission official (K) revealed that there is growing commitment from six out of eight regional bodies, namely COMESA, CEN-SAD, ECCAS, ECOWAS, IGAD and SADC (with the exception of AMU and EAC)[35]. Importantly, these six RECs have not only signed a Memorandum of Understanding with the AU – they have allowed the AU to establish liaison offices in their regions and, in turn, have sent liaison officers to the AU Headquarters in Addis Ababa, Ethiopia. Indeed, one senior AU official (K) underscored the point by arguing that cooperation with the RECs is crucial considering that they have oversight authority with respect to conflict situations in their regional spheres of influence owing to proximity.

Another view from the Commission, regarding cooperation between the AU and international partners is that the international community needs to emulate the Organisation for Economic Cooperation and Development (OECD) arrangement of establishing a common approach to AU-international partner relationships. Thus, according to a senior AU official within the economic department (E), cooperation between the two organisations has resulted in the famous Paris Declaration (of 02 March 2005) on aid effectiveness. [36] This Declaration highlighted five partnership priorities: ownership; alignment; harmonisation; managing for results; and mutual accountability. In his comments, (E) commended the AU's development of a Framework for Cooperation which takes into account the Paris Declaration and its five priorities. He argued that this approach has gone a long way towards not only curbing haphazardness in the cooperative arrangement between the AU and its international partners but also has brought harmony to the way international partners assist the AU.

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[35] Personal interviews, 15 July 2009, in Addis Ababa, Ethiopia
[36] Personal interviews, 8 July 2009, in Addis Ababa, Ethiopia

In this context, E also revealed that although the cooperative arrangement between the AU and international partners dictates that all assistance offered to the AU should be channelled towards the AU Strategic Department via the International Cooperation and Resource Mobilisation Unit, this did not always happen. Instead of utilising the authorised channel, partners have transferred a lot of money to the PSD, which has resulted in unaccountability challenges such as haphazardness. The AU Commission has since addressed the matter by asking partners to utilise a single channel in the hope that the AU will then be in a position to hold accountable partners who do not honour their pledge.

Main Ideas

Commission's views regarding the objective of determining the importance and nature of cooperation needed between key AU member states and international actors for the success of the PSC are summarised in the following table:

Table 7.4: Commissions Ideas on the nature of cooperation

Commission's Ideas on the nature of cooperation required
▪ Cooperation is needed between the AU and the UN under Chapter VIII arrangement (where the AU's resource capacity is also buttressed through collaboration)
▪ The International community's assistance of AU-led programmes should be strengthened
▪ Cooperative support of the international community is necessary with respect to the operationalisation of APSA

▪ Cooperation is needed between the AU and the RECs for purposes of synergy and coordination
▪ Synergy is needed between the International community and the AU on proper channels to be utilised in the provision of cooperative assistance to the PSD
▪ The International community's assistance should not be guided by parochial interests

7.3.3 The Permanent Five Member of the UN Security Council

It should be noted that the P5 countries were asked different questions[37] based on their involvement in Africa, their partnership with the AU, and their status as permanent members of the United Nations Security Council (UNSC). During the interviews, the US, UK and France seemingly held a common understanding on how cooperation between the AU and the international community should be structured and nurtured. They were of the view that national interests normally determine the cooperative arrangements. However, the representative of the US asserted that cooperation between the major international players and the AU should be based on three fundamental principles that are in the interests of both Africa and the international community: security and stability; sustainable economic growth; democracy and good governance [38](10 July 2009). He said aligning the international actors' initiatives with those of the AU may also be vital. To illustrate this, he highlighted the way the US Africa Command has worked at streamlining its activities so as to reduce the multiplicity of US programmes and interventions in Africa such as African Contingency Operations Training and Assistance

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[37] Please see Appendix B
[38] Personal interviews10 July 2009, in Addis Ababa, Ethiopia

(ACOTA), the African Crisis Response initiative (ACRI) and the Global Peace Operations Initiative (GPOI). The US representative believed that while his country is trying to align its work with that of the AU, the latter should establish a framework to guide cooperation. It should be noted that the Commission confirmed that the framework for cooperation is in place and that all the partners are aware of its existence. Hence, it was astonishing to hear the representative calling for an establishment of a framework for cooperation.

Russia and China's views were slightly divergent to those of other P5 members. For instance, the representatives of the two countries were of the view that cooperation between the AU and the international community should be based on equal footing and reciprocity. According to China's representative, cooperative arrangements with Africa or the AU should be based on mutual benefit and reciprocity – 'win-win cooperation', as the China representative put it[39].

Despite this, the UK and France also held a view that the international community should coordinate its initiatives when dealing with the AU. For instance the UK representative believed the partners' provision of financial assistance to the AU should be coordinated so as to avoid ambiguity and the duplication of initiatives[40]. She mentioned by way of example that the international partners especially the EU (in collaboration with the AU) signed a Joint Financing Arrangement intended to strengthen the AU's force in the prevention and management of conflicts. According to the UK representative, the initiative is characteristic of how the AU and the international players should cooperate. This view was supported by the representative of France stating that rather than engaging haphazardly with individual EU member states, the EU's

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[39] Personal interviews, 21September 2009, in Addis Ababa, Ethiopia
[40] Personal interviews, 10 July 2009, in Addis Ababa, Ethiopia

mandate requires it to work with the AU on behalf of all EU member states[41]. He used the example of the peacekeeping assistance by France which was initially called Recamp, and which was subsequently known as EuroRecamp when it was handed over to the EU. The representative from France emphasised how EuroRecamp was put in charge of the European peacekeeping assistance to the AU. He admitted that individual countries may have different interests when it comes to Africa, but that the EU's coordinated approach aims to manage EU members' interests and their engagement with the AU or African states.

China and Russia believed that the UNSC should cooperation with the AU in support of the latter's decisions. According to the Russian representative, cooperation with the AU or Africa in general should be based on an equal footing or genuine partnership[42]. Contrary to this view the UK and the US emphasized the point that cooperation in the decision making is mostly driven by countries' national interests. According to the UK representative, it is critical to underscore that though the UK attaches value to cooperation between the two institutions, there are fundamental principles that should be respected by both. She highlighted the PSC's decision to request the UNSC to defer the indictment of President Al Bashir of Sudan by invoking Article 16 of the Rome Statue[43]. In this context she stated that the UK understood the PSC's request but required evidence of serious commitment and cooperation from President Al Bashir before it could support the PSC's decision on the matter. In her view, while the UNSC members had no intention of undermining decisions of the PSC, certain national interests did take precedence over multilateral interests. Echoing the same sentiments the US representative stated: "it is true that they (P5 members) are not always supportive of the AU decisions, but I do not know if the

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[41] Personal interviews, 09 September 2009, in Addis Ababa
[42] Personal interviews, 27 November 2009, in Addis A
[43] Please refer to the previous chapter on the role of the ICC

reason is to frustrate the AU, the reason is (due to) national (interests)". He argued that the AU should be wary of the fact that individual states could prioritise their own interests to enhance their well-being without necessarily intending to sabotage AU interests.

Main Ideas

P5's views regarding the objective of determining the importance and nature of cooperation needed between key AU member states and international actors for the success of the PSC are summarised in the following table:

Table 7.5: Views of the P5 on cooperation

Views of UNSC P5 on key factors that should underpin external cooperation with the AU
▪ Cooperation between the AU and the international community should be based on security and stability, sustainable economic growth and democracy and good governance
▪ The international community's interest-based assistance to the AU is not in appropriate
▪ Streamlined coordination between the international community and the AU is critical
▪ International community's cooperative support to the implementation of the AU decisions should be encouraged
▪ Cooperation between the international community and the AU should be based on equal partnership
▪ Cooperation between the AU and the international community should be guided by mutual interests and reciprocity

7.3.4 Other members of the international community (The European Union, Chairperson of the G8 Countries and United Nations)

Cooperation between the AU and the international community was upheld by the representatives of the EU, G8 and the UN. During the interviews, it became apparent that these institutions were already involved in certain cooperative arrangements with the AU in various respects. For instance, and according to the EU representative, the AU and the EU continue to share experiences on critical programmes[44]. The fruit of this cooperation has been the formation of a joint strategy that guides collaboration. The EU representative confirmed that each institution has an organ that is tasked with managing peace and security matters – the EU Political and Security Committee (EUPSC) and the AU's PSC. In this context, the EU representative maintained that while the EU gives the PSC much support, cooperation between the entities is not based on dictatorship but on equality: "the EU does not dictate the AU's agenda but supports it". Moreover, the EU representative maintained that cooperation between the AU and EU is governed by a general framework for AU-EU cooperation and by an action plan with three critical areas: enhancement of dialogue between the two institutions; assurance of available and predictable funding for the AU's peacekeeping agenda; and the full operationalisation of APSA. He underscored the importance of recognition by the international community of the AU's role on the continent.

Sentiments of the EU representative were shared by the Representative of Italy in his capacity as the 2009 G8 chair. Increasing cooperation between the international community and the AU is a

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[44] Personal interviews, 17 July 2009, in Addis Ababa

growing trend – this according to the representative of Italy[45]. He stated that although the G8 is a political entity, it takes very seriously its cooperation with the AU on peace and security matters. The Italy representative referred to the pledges and promises to assist the AU made by the G8 countries (particularly in Kananaskis, Canada in 2002) as the base of cooperation between the G8 and the AU. He averred that a stock-take had begun (under the authority of the G8 2009 Chair) of the G8 countries' 2002 promises to the AU. He claimed that the area of peace and security warrants serious attention and that Italy had ensured during its chairpersonship of the G8 that the commitments made by G8 members to reinforce the AU's peace and security capacity were honoured.

The representative of Italy drew attention to the positive development and maturity of the AU, saying, "the AU as an institution is growing... and that is an encouragement to the G8 countries to continue to assist the AU's (peace and security) agenda". An understanding that it is the AU's prerogative to direct the agenda and the destiny of the continent is a critical facet of G8-AU cooperation. According to the Italy representative, increased information-sharing and mutual understanding between these entities would ensure that they operate on the same wavelength. The role of the G8 countries is to unconditionally support the AU's championing of stability and development. The representative of Italy said the G8 remains committed to cooperating with and assisting the AU. He pointed out how the last session of the 2009 G8 Summit (led by Italy) was devoted to Africa's issues and how the G8 pledged to assist Africa's peace and security initiative by providing financial and technical support.

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[45] Personal interviews, 8 September 2009, in Addis Ababa

Recognising the importance of cooperation between the AU and the UN, a senior official (B) in UN Liaison Office to the AU (UNLO-AU) pointed out that the importance of teamwork between the AU and UN has received increased attention and has resulted in a series of consultations on how to strengthen cooperation[46]. He claimed that in the area of peace and security these consultations take place with due acknowledgement of the UN Charter's Chapter VIII. He granted that the AU and UN still need to firm up their cooperative arrangement so that issues pertaining to roles and mandates are clarified but felt that, despite the relatively *ad hoc* nature of current cooperation (particularly in the area of peace and security), results have been positive nevertheless. He mentioned, as an example, the unencumbered manner in which AMIB had been transferred to ONUB. He also alluded to the success of the cooperative arrangement in Darfur which had given rise to the hybrid setup. According to Mr. B, acknowledgement that a structured cooperative arrangement between the UNSC and the PSC is necessary has resulted in annual meetings between the two bodies where peace and security issues in Africa are discussed.

Importantly, He pointed out that although the UN bears ultimate responsibility for the world's peace and security, the UN gives the AU flexibility to conduct its mandate. He claimed the purpose of this flexibility is to ensure African ownership of African peace and security issues. Mr B felt the PSC is justified in its expectation that 'where necessary, recourse will be made to the United Nations to provide the necessary financial, logistical and military support for the African Union's activities in the promotion and maintenance of peace, security and stability in Africa, in keeping with the provisions of Chapter VIII of the UN Charter on the role of regional organizations in the maintenance of international peace and security.

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[46] Personal interviews, 27 July 2009, in Addis Ababa

Main Ideas

Views of the UN, EU and 2009 G8 Chair regarding the objective of determining the importance and nature of cooperation needed between key AU member states and international actors for the success of the PSC are summarised in the following table:

Table 7.6: Ideas of other Members of international community on cooperation

UN, EU and G8 Chair's Ideas on key factors that should underpin external cooperation with the AU
▪ Cooperation under Chapter VIII should be firmed up with the view of clarifying roles and mandates
▪ Cooperative resource assistance by the UN, EU and G8 to the AU is critical.
▪ There is a need to encourage AU ownership and leadership in the continental agenda
▪ Assistance to ensure predictable and sustainable financial resources should be prioritised
▪ International community's fulfilment of pledges to assist the AU is crucial
▪ Cooperative assistance towards the full operationalisation of APSA is urgent

7.3.5 Research institutes and think tanks

Respondents from the Research institutes emphasized cooperation in the area of peace and security in particular. They all upheld the notion that international cooperation should be geared towards reducing the AU's capacity shortcomings so that it can intervene in conflict situations. They all concurred that the UN bears the ultimate responsibility for peace and security in the world. In this context, the respondents believed that Chapter VIII of the UN Charter should

guide cooperation with the AU. However, they discouraged international community's double standards (especially the UN) when it comes to cooperating with Africa. One senior researcher from ISS (L) referred to this as a 'schizophrenic engagement' with Africa[47]. He contended that although "about sixty percent of the conflict issues dealt with by the UNSC are African, ... very few resources are made available". He argued that African peacekeeping operations are not accorded the same attention as those in other areas of the world (Bosnia and Kosovo, for example). This argument was further articulated by a respondent from Oxfam International (Y). Using Somalia as an example, he stated that although the PSC established an African Mission in Somalia (AMISOM), the international players (for example the G8, the EU and members of the North Atlantic Treaty Organisation, or NATO) displayed apathy[48]. In contrast, when piracy off the coast of Somalia became rampant, the very same international players were quick to provide resources in the fight against piracy. Moreover, some respondents believed that political assistance is equally important – the UN's political backing of Africa's position in certain situations could limit the ability of outside players to manoeuvre in favour of their own interests.

Despite this, one senior representative of CPRD, (V) expressed concern about what he called the contradictory approach of the US through AFRICOM[49] (3.August 2009). He stated that "it is critical to link AFRICOM to the AU's ongoing work on ASF". .

Main Ideas

Views of the Research Institutes and Think Tanks (i.e. CPRD, ISS and a independent respondent from Oxfam) regarding the objective of determining the importance and nature of cooperation

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[47] Personal interviews, 10 July 2009, in Addis Ababa
[48] Personal interviews, 20 July 2009, in Addis Ababa
[49] Personal interviews, 3 August 2009, in Addis Ababa

needed between key AU member states and international actors for the success of the PSC are summarised in the following table:

Table 7.7: Views of Think Tanks on cooperation

Views of the Research institutes and Think Tanks on cooperation on key factors that should underpin external cooperation with the AU
▪ Cooperation is necessary under Chapter VIII which gives the UN responsibility for global maintenance of peace and security
▪ Cooperative resource assistance to the AU should be increased by the international community (including UN, EU, NATO and G8).
▪ Encourage AU ownership and leadership in the continental agenda
▪ The international community's selective approach towards assistance to Africa is not acceptable
▪ A need exist to better articulate assistance initiatives in support of the AU programmes

The overall understanding of the PSC, the AU Commission, P5, UN, the G8 2009 Chair, EU and Research institutes (based on the main ideas presented) on the determinants of the second objective could be illuminated in the following graph:

Figure 7.2: Overall understanding of determinants of the second objective
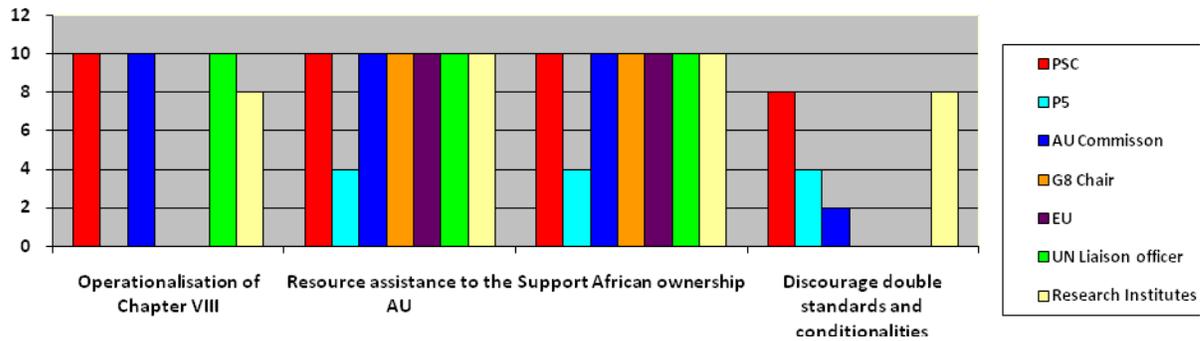
7.4. Underscoring the importance of buttressing Africa's initiatives aimed at ensuring the peace and security of the continent

Questions on this objective were directed to thirteen PSC members (that were interviewed), the members of the AU Commission, P5 members and the representative of the EU Delegation.

7.4.1 PSC members

All the PCS members were of the view that the continent's peace and security initiatives should be buttressed, but at the same time they emphasised the importance of ownership of African initiatives by Africans. The PSC members were also opposed to the attachment by the international community of conditions to their offers of assistance to the AU.

Main Ideas

Views of the PSC regarding the objective of underscoring the importance of buttressing Africa's initiatives aimed at ensuring the peace and security of the continent are summarised in the following table:

Table 7.8: PSC's ideas on supporting the AU initiatives

PSC Ideas on buttressing AU initiatives
▪ Continental peace and security initiatives should be buttressed by the international community
▪ The international community should support and encourage ownership of African initiatives by Africans.
▪ Discourage international community's conditionalities when offering assistance to Africa

7.4.2 AU Commission

Commission members emphasized the idea of supporting AU's initiatives. A senior official in the office of the AU Commission chairperson (D) was particularly concerned by what he viewed as insincerity on the part of the some P5 members. Using the Darfur situation as an example, he stated that the P5 members did not display a spirit of cooperation with the AU – rather, their own interests played a critical role in determining how they approached the Darfur predicament. The upshot was that France, the UK and the US backed Darfur's rebel movements, while Russia and China championed the government. "The decisive factor was the oil resources of Sudan for which the P5 members competed: instead of supporting the AU's impartial initiative in Darfur, the P5 prolonged the situation. As long as P5 members display this kind of behaviour in conflict situations in Africa, AU initiatives (through the PSC) will be undermined"[50].

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[50] Personal interviews, 16 July 2009, in Addis Ababa

Moreover, the Commission respondents expressed their belief on the need for the international partners to respect its initiatives and provide the necessary financial and political support. Against this backdrop, an AU official (E) revealed that at least an agreement is already in place according to which international partners will not move in on a conflict situation in Africa without first consulting with and learning the position of the AU.

Main Ideas

Views of the AU Commission regarding the objective of underscoring the importance of buttressing Africa's initiatives aimed at ensuring the peace and security of the continent are summarised in the following table:

Table 7.9: Commission's ideas on supporting the AU initiatives

Commission's Idea on the need to buttress Africa's initiatives
▪ Continental peace and security initiatives should be respected and supported
▪ P5 unilateralism (which is often motivated by self interest) on conflict situations in Africa should be discouraged.
▪ International partners should align themselves in a way that supports continental initiatives.

7.4.3 The Permanent Five Members of the UN Security Council

The interviews revealed that all P5 respondents held a principle that Africa's initiatives should be supported. They all listed the areas where their countries have offered assistance to Africa's initiatives. It should be noted that only China believed in unconditional support, while the US

was the only member that supported parallel initiatives. However, each individual P5 member had different views regarding how to support Africa's initiatives.

The US

Despite the fact that the US representative expressed belief in the importance of buttressing the AU's peace and security initiatives, it seems that the USA continues to run parallel initiatives (10 July 2009). Its representative admitted that the US's AFRICOM engages AU member states at bilateral level and not, as would be expected, through the AU. He mentioned, for instance, that the USA's assistance to the ASF is at a bilateral level. Maintaining that AU-USA cooperation is based on mutual interests, the US representative nevertheless acknowledged that the USA and the AU have not streamlined their efforts through the utilisation of the Algiers Centre for Counter-Terrorism. However, he pointed to an AFRICOM liaison office which was established at the AU in anticipation of reinforcing the AU's initiatives and strengthening AU-USA cooperation. The US representative confirmed that the USA would continue to provide necessary assistance to AU missions as it did in Sudan (by undertaking airlifting and training, providing equipment and sustenance, and facilitating medical evacuation) and Burundi (where it provided equipment under the auspices of AMIB).

The UK

The UK representative highlighted that the EU currently coordinates all EU members' efforts to buttress AU initiatives. She stated that the UK has been heavily engaged in helping the AU activate the ASF (particularly through its Africa Conflict Prevention Programme, or ACPP) by training regional brigades from Southern and East Africa and providing West Africa with

peacekeeping education through the Kofi Anan Centre for peacekeeping. She stressed the importance of assistance for AU initiatives to ensure their success. Referring to the 2007-2008 ACPP Annual Report, the UK representative highlighted that her country has assisted in activating APSA (note, for example, CEWS, ASF and the Panel of the Wise) particularly in terms of the drafting of concepts. The UK representative asserted that these activities are evidence of the UK's attempt to support Africa's peace and security initiatives.

France

According to the representative of France, his country's realisation of the importance of buttressing Africa's peace and security initiatives resulted in France's Recamp strategy, geared towards reinforcing Africa's peacekeeping capacity (9 September 2009). He said France relinquished the Recamp programme to the EU in the interests of preventing duplication and avoiding a situation of parallel initiatives. Handing over the programme meant that Recamp joined other EU endeavours aimed at assisting the AU by virtue of the cooperative arrangement between the EU Political and Security Committee and the AU Peace and Security Council.

The Representative of France refuted claims that his country has undermined AU initiatives within France's traditional sphere of influence (for example, Côte d' Ivoire). He stated that while France respects African mediation initiatives, and has special links with some countries in Africa. Moreover, he stated that France's involvement in Côte d' Ivoire was not aimed at undermining an ongoing AU process (under the auspices and leadership of South Africa).

China

It is sensible and imperative to support African initiatives, according to the China representative (21 September 2009). The representative maintained that China's policy is to encourage Africa's initiative and ownership of issues, and to proscribe foreign imposition. The representative of China confirmed that China brings AU peacekeeping efforts political backing as well as tangible resource-oriented support. As an example, he mentioned China's annual provision of three hundred thousand US Dollars in support of what was then known as AMIS (now UNAMID). He said China continuously supported AMIS by providing the engineering expertise necessary in the field of construction. He also highlighted the fact that by 2008 China had provided about seven hundred thousand US Dollars to the African Mission in Somalia (AMISOM), and had helped to build schools as part of the AU's post-conflict reconstruction initiative in South Sudan.

China's representative denied claims that his country turned a blind eye on human rights violations in Darfur for fear of jeopardising its relations with Sudan (a factor that has a potential to undermine the AU's Darfur initiatives). The representative elucidated further: 'the Chinese government pays attention to human rights issues, but each country has its definition'. He went on to elaborate that 'China respects the sovereignty of the countries. The Darfur matter is an internal matter that had to be resolved internally' (21 September 2009).

Russia

With regard to tangible assistance for AU initiatives, the Russia representative admitted that Russia does not normally assist the AU directly, though it provided much-needed aid in the joint AU-UN counter-piracy initiative off the coast of Somalia. Further support (albeit not strictly

directed at the AU) is provided to UNAMID: Russia supplied aircraft and pilots for airlifting operations.

He confirmed that Russia is exploring ways of training the civil component of the ASF. Furthermore, he expressed Russia's willingness to share its experience with the PSC in the field of emergency response (especially to natural disasters). However, he found regrettable the AU's irresponsibility in being unable to account for money it had requested. He believed that unless Africa proves it can be responsible, Russia will remain reluctant to assist it.

The Russia representative countered claims that his country's role in Darfur has the potential to undermine the AU's stability initiatives. He argued that Russia respects the sovereignty of individual countries and would thus not contradict the Sudan government's reasoning in relation to the Darfur issue. Russia's view was that Sudan has its rules and laws that should be respected by everyone in Sudan, as they reflect the will of the country. Moreover, the representative explained that Russia voted in favour of Sudan's position in the UNSC purely out of pragmatism: a decision had to be taken on what is best for Sudan and the region – "allowing the imposition of a western approach to Sudan would not have yielded positive results", he said.

Main Ideas

Views of the P5 Members regarding the objective of underscoring the importance of buttressing Africa's initiatives aimed at ensuring the peace and security of the continent are summarised in the following table:

Table 7.10: Ideas of the P5 on supporting the AU

P5 Ideas on the importance of buttressing Africa's initiatives
▪ Support rendered should be based on mutual interests
▪ African ownership of its initiatives should be supported and encouraged
▪ APSA operationalisation should be supported
▪ Align continental initiatives and policy arrangements with the interests and policy preferences of international partners in order to strengthen cooperation.
▪ Encourage better coordination between the AU and international partners

7.4.4 Responses of the European Union

According to the EU representative the AU-EU cooperation is guided wholly by an understanding of the need to support AU initiatives. The EU's Peace Facility was an example of a critical AU support structure. The EU representative explained that this facility has a 'dual-design': one of its legs is operational (about 300 million Euros is provided to support AU peace missions such as AMIS), while the other leg is capacity-oriented (its aim is to address the AU's capacity insufficiency). According to the representative, the EU provides the AU with about six million Euros for CEWS and Peace and Security Department staffing needs.

The EU representative reiterated that the EU allows itself to be guided by the AU's needs and requests. He mentioned that within the ambit of the Euro-Recamp exercise, the EU backs the work of the AU (through the ASF) to ensure predictability in terms of rapid deployment of peacekeeping troops. He confirmed that Euro-Recamp was initially a French initiative to train African peacekeepers and maintained that the programme continues to assist the ASF in its quest

for 2010 activation. The EU representative underscored the importance of assisting the AU in the area of financial administration. He pointed out that the financial support provided to the PSD has not been properly accounted for. He believed that in order to overcome the issue of lack of accountability, the AU should be properly assisted so as to enable it to deal with identified shortcomings.

Main Ideas

Views of the EU representative regarding the objective of underscoring the importance of buttressing Africa's initiatives aimed at ensuring the peace and security of the continent are summarised in the following table:

Table 7.11: EU's ideas on supporting the AU

EU's Ideas regarding its support for Africa's initiatives
▪ Unconditional support of continental initiatives
▪ Support rendered should be based on mutual respect
▪ The EU supports and encourages African ownership of its initiatives
▪ Support for APSA operationalisation
▪ The EU discourages parallel initiatives.
▪ Prefers that continental initiatives aligned with the international partners in order to strengthen cooperation.
▪ Supports AU's capacity building (especially on financial administration)

The overall understanding of the PSC, the AU Commission, P5, and EU (based on the main ideas presented) on the determinants of the third objective could be illuminated in the following graph:

Figure 7.3: Overall understanding on the third objective
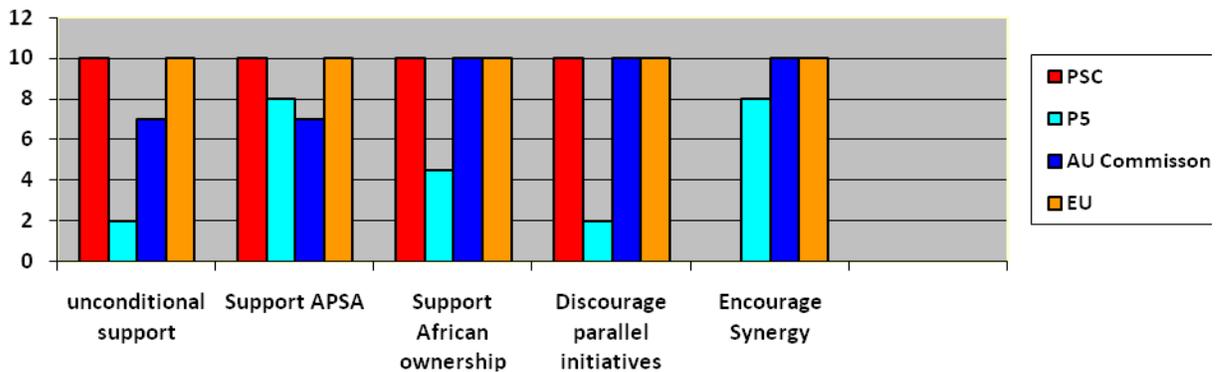
7.5. Highlighting the urgency of activating the PSC's support structures

Questions on this objective were directed to fifteen PSC members and the members of the AU Commission.

7.5.1 PSC members

The PSC members made it clear that they all fully support the work of regional mechanisms regarding the ASF and were convinced that there is an urgent need to bring the African Peace and Security Architecture into operation. They confirmed that their countries were actively participating (at regional level) in all exercises aimed at activating the ASF. The PSC members believed that an assessment of the work of the ASF would be realistic once it is fully operational. There is a great deal of optimism and anticipation around the notion of the ASF. The general

belief is that once operational ASF will increase the chance of predictability as regards the troop contribution).

In contrast, where the activation of CEWS is concerned there seemed to be confusion around members' responsibilities. The general view was that CEWS should function at a regional level before it begins operating at a continental level. According to the representative of Nigeria, there should be synergy between the Regional Mechanisms and CEWS. The PSC members agreed that bringing CEWS into operation was the responsibility of the AU Commission. Nevertheless, the PSC members continue to revive the debate on how best to activate CEWS and APSA.

On the subject of the Panel of the Wise, the PSC members felt that though the Panel began functioning in December 2007, it remains weak and needs strengthening in order to meet both its conflict-resolution and conflict-prevention obligations. According to the representative of Nigeria, "the most significant thing is for each member of the PSC to assist in strengthening the structures of APSA. Nigeria has taken the initiative to assist APSA. We want to energise the Panel of the Wise to enable it to prevent conflicts".

Regarding the activation of the Peace Fund, during the interviews it was discovered that all the PSC members acknowledge the importance of providing the necessary funding to assist the PSC as well as the PSD to shoulder continental peace and security responsibilities. However, none of the PSC members were contributing to the established Peace Fund, which was created specifically to ensure funding for peace and security matters. All the PSC members stated that their contribution to the Peace Fund was through AU regular budget. In other words, they

seemed to suggest that their assessed contributions should double up as their contribution to the Peace Fund.

Main Ideas

Views of the PSC members regarding the objective of highlighting the urgency of activating the PSC's support structures underscoring the importance of buttressing Africa's initiatives aimed at ensuring the peace and security of the continent are summarised in the following table:

Table 7.12: PSC's ideas on APSA

PSC's idea on APSA
▪ Recognition of the need for the urgent operationalisation of ASF, CEWS, Peace Fund and Panel of the Wise
▪ Support for the ongoing discussion on the CEWS operationalisation and its relationship with the regions
▪ Panel of the Wise should be strengthened
▪ Need to strengthen Peace Fund through assessed contributions as opposed to the set criteria

7.5.2 AU Commission

Respondents from the Commission confirmed that the PSC and regional bodies are working determinedly together to bring APSA into operation. It was discovered that most RECs (for example, ECCAS, ECOWAS, and IGAD) have established Early Warning mechanisms. However, these mechanisms have yet to be linked to the AU's Situation Room as anticipated by

the PSC Protocol. With regard to the ASF, respondents confirmed that the five regions[51] of the AU (Central, Eastern, Northern, Southern, and Western) continue to run joint training programmes aimed at activating the ASF. According to an AU official K, capacity constraints remain a major hindrance to the work of the REC and the PSC in relation to full operationalisation of APSA.

Main Ideas

Views of the AU Commission regarding the objective of highlighting the urgency of activating the PSC's support structures are summarised in the following table:

Table 7.13: Commission's ideas on APSA

Commission's Ideas on APSA
▪ Work is ongoing towards the full operationalisation of APSA
▪ Collaboration is ongoing with the RECs regarding the CEWS operationalisation
▪ Capacity constraints hamper progress in relation to the operationalisation of APSA

7.6 Prospects for the PSC

When asked to share their views on the PSC's prospects, the overwhelming response from interviewees was that the PSC would succeed despite its challenges.

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[51] Please note the distinction between the AU Regions which refer to the AU's categorization of the continent into five Regions and Regional Economic Communities which are eight recognised Regional initiatives aimed at harmonizing economic policies and integration in general.

All PSC members believed that the PSC was a giant leap ahead of its predecessor (the Central Organ under the auspices of the OAU). They maintained that the PSC is already succeeding. A pointer to this success is the robust manner in which the organ demonstrates willingness to resolve any conflict in Africa. The members declared that the PSC has strengthened itself by adopting the AU Constitutive Act (with its bold provisions on intervention such as Articles 4 (h) and 4 (J) and the PSC Protocol. The members agreed that real success for the PSC rests on a commitment from Africa and the international community to work together towards development, by eradicating threats to the continent's peace and security. They argued that the PSC's journey would be smoother if the UN and the major international political players (such as the AU partners) collaborated with the AU and rendered the necessary assistance - be it financial, technical expertise or the sharing of experience.

The P5 members (including the EU, G8 and UN representatives) were also of the opinion that the PSC will succeed. Their main argument was based on the commitment shown by Africans to deal with Africa's problems. All P5 members recognised that cooperation among Africans and between them and the members of the international community in the area of peace and security would not only contribute to the success of the PSC but also eliminate Africans' suspicion of the real interests of the international players in Africa. The sentiments of the P5 and PSC members were echoed by the AU Commission and the research institutes. Suffice it to say that on the question of the PSC's prospects for success there was no divergence of views at all.

All interviewees nevertheless acknowledged that there are many trials ahead which would make the PSC's journey a rather difficult and thorny adventure. These trials include administrative

and accounting challenges, in which area the interviewees felt the AU should receive assistance. Another potential stumbling block is the PSC's general capacity to handle its peacekeeping missions on the continent. The interviewees believed that this challenge could be adequately approached if all PSC support structures were operational and the international community and African Union member states collaborated in meeting Africa's security needs.

7.7. Analysis of the findings

The findings of the field research conducted from August 2008 to December 2009 can be analysed and interpreted with focus on the following considerations:

- the PSC's efforts to discharge its mandate as a political entity

- the AU Commission's activities in discharging its mandate as the secretariat of the PSC

- the role of external actors in Africa

- proving or disproving the hypothesis of the study.

7.7.1 The PSC discharging its mandate as a political entity

Full mandate to ensure regional peace and security

The study depicts the fifteen members of the PSC as having a clear understanding of their responsibility of ensuring the peace and security of the continent. The consensual manner in which the members discharge their political mandate reveals their determination to use the best possible diplomatic approach to address conflict situations on the continent. However, the study has proved that matters of peace and stability do not only require an understanding of the

mandate. Commitments of necessary resources constitute a major factor in the endeavour to achieve peace and security.

Regional responsibility due to AU political mandate

It is also revealed that the PSC recognises that its political mandate is drawn from the AU, a community of fifty-three African states; hence, consultation and cooperation by the PSC on behalf of the continent is critical. This extensive consultation goes a long way in confidence building among the conflicting players with respect to those attempting to bring a resolution. It also encourages African ownership of the processes. Again, consultations need to be matched by practical and adequate commitments of resources.

Emerging regional political will

Another important observation in the findings is the political will to eradicate conflicts in Africa that is characteristic of PSC and AU members. Evidence of this political will is identified in the PSC's determination to discourage unconstitutional changes of government and its drive to form peacekeeping missions. To check AU members' engagement in unconstitutional changes of government, the PSC made effective use of the AU's declarations and decisions. Immediate suspension of AU membership followed by targeted sanctions against those responsible for unconstitutionally altering the status quo, are a clear demonstration that Africans have gone beyond paying lip-service to their declarations and decisions. Moreover, the continuous review of ways to ensure the effectiveness of sanctions shows that the PSC is bent on dealing effectively with matters of unconstitutional changes of government.

With regard to the PSC's authorisation of the peacekeeping missions in Burundi (AMIB), the Darfur region of Sudan (AMIS) and Somalia (AMISOM), it could be argued that the PSC effectively translated into action the bold principles enshrined in the PSC Protocol, namely:

- Article 4 (j) which provides for the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide and crimes against humanity, in accordance with Article 4(h) of the Constitutive Act; and
- Article 4 (k) which provides for the right of Member States to request intervention from the Union in order to restore peace and security, in accordance with Article 4(j) of the Constitutive Act.

What is more, the PSC has ensured that it leaves no stone unturned in its quest for a stable and secure environment. Its determination is obvious in the commitment it has shown in considering and deliberating upon peace-threatening situations in Africa ever since its activation. However, the study has proved that the will behind the deployment of the AU missions (AMIB, AMIS, and AMISOM) was often diluted by the lack of requisite resources. Hence, one would contend that the will may not always be enough.

Absence of regional financial will

A weakness revealed in the findings is the PSC members' lack of will to contribute to the Peace Fund, even though this is a PSC-membership criterion articulated in Article 5(2(f)) of the PSC Protocol. As revealed by the findings, none of the PSC members contributed to the Peace Fund.

Although efforts to get updated statistics (on how many countries owe the AU) from the Commission were unsuccessful[52], it could be deduced that the issue of financing the AU institutions remains a challenge. As noted in chapter 3, meaningful contributions to the Peace Fund were made by donors and partners. The PSC members' argument (made during the interviews) is that they argued that their contribution to the regular budget of the AU would be utilised for the Peace Fund. However, the Protocol does not stipulate that the PSC members should contribute through the regular budget to the Peace Fund – it is very clear in Article 5 (2) that contribution to the 'Peace Fund and/or Special Fund created for specific purpose is one of the criteria for PSC membership.

It could be argued that disregard of the criterion could not only damage the credibility and the efficacy of the PSC, but encourage over-reliance on international AU partners. It should be noted that financial dependence on the PSC's international partners could give these partners leeway to financially serve their own interests. Referring to the Sudan case, Guicherd, (2007: 13) highlights the importance of understanding that partners have political agendas and domestic and financial constraints that cannot but influence their support of the mission. It is important for the PSC to be constantly reminded that 'he who pays the piper calls the tune'. The PSC is by no means unaware of the disadvantages of its financial dependence. During the interviews, all PSC members were in agreement that foreign assistance (be it in the form of finance, technical expertise or experiential learning), should be informed by the PSC's needs and not by the needs of the donors. The PSC members added that international assistance should always be brought into alignment with the PSC's work.

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[52] A request was made to the Commission to avail detailed information on budgetary matters; unfortunately the Commission's response was that such information is available at member states requests not individuals.

However, the findings revealed that all the PSC members, the AU Commission, Research Institutes as well as the EU emphasize the importance of ownership of African initiatives and programmes. In order to achieve this goal it would be prudent for the PSC to embark on innovative ways of ensuring predictable sources of funding, without necessarily appealing to the international community.

One would argue that the PSC members are deliberately ignoring a responsibility to fund its initiatives. According to Russett et al (2006: 393) if there are multiple plays in the game or in collective situations, players can know what will happen to them if they defect, or if they free ride. In this context and following the argument that the PSC is ignoring its responsibilities, it could be argued that the PSC members are exploiting the fact that the EU and donors or the AU partners cooperate in augmenting the financial capacity of the AU. Moreover, they are aware that nothing will happen to them if they do not cooperate in the funding of the institution. Against this backdrop, they jump in the cooperative bandwagon and receive recognition for being African countries at the forefront of dealing with peace and security matters on behalf of Africa. This seeming free-ride behaviour of the PSC member states fails to take into cognisance that if everyone wants to be a free-rider the collective good (peace and security in Africa's case) may never be achieved (Russett et al, 2006: 388). This problem could be resolved by the application of the reciprocity (tit for tat) arrangement. For instance, if the EU and the AU partners could decide to fund the AU initiatives (especially the PSC supporting structures) on condition that the PSC members contribute a certain percentage, there would be no free riders. According to Russett et al (2006:392):

having defected from collective action to deal with global warming (Kyoto

Protocol) and crimes against humanity (the International Criminal Court), the

George W. Bush administration found that defection was reciprocated when it

tried to fashion a collective action to deal with Saddam Hussein's regime in

Iraq

However, the problem with the argument stems from the fact that it fails to acknowledge that the issue is not that the AU does not fund its activities but that it is unable to contribute optimally. Therefore, the will is there. Moreover, it should be noted that the AU's work through the PSC is not a benefit to Africa only but the entire globe. For instance, and given the fact that the international community mostly rely on Africa for raw materials (e.g. gold, diamond, cocoa etc) that are crucial to the global economy and welfare, it is in the interest of members of the broader community to assist the AU and its PSC to provide a stable environment so as to facilitate trade. Another important factor that is ignored by the earlier argument is the fact that most economies of Africa are at a developmental stage and that national development projects take centre stage than international institutions. More importantly, the AU should be commended for taking the initiative of relieving the UN of a part of its responsibility by undertaking to implement and manage its own peace and security operations while asking only for some financial and logistical support. Thus, the AU member states continue to assist in the funding of the AU institutions that perform the work of the UN. Lest we forget, and as noted in chapter 3, the PSC receives funding from the AU's regular budget. In this context, the very same members who are partially funding the responsibility of the UN are also expected to contribute to the UN (through assessed

contribution). Therefore, the issue of funding PSC activities is complex and needs a holistic approach between the AU, the UN and the international community at large.

<u>Financial dependency on external actors</u>

As mentioned earlier, the PSC members expressed understanding that their organ's peace and security mandate originates from the UN. The members view their activities on the continent as acts of buttressing and complementing the work of the UNSC as stipulated under Chapter VIII of the UN Charter. In light of this, they expect the UN to show the AU full cooperation by providing necessary capacity enhancements. The PSC's expectation is not unfounded, considering Chapter VIII of the UN Charter claims it is the UN's business to authorise and guide regional bodies when they deal with peace and security matters[53]. However, one would argue that the reliance of Africa on external parties (including the UN) will severely affect ownership. Through this argument it could even be asked as to how Africa can truly speak of dealing effectively with African problems (through African solutions) when they are not willing to address the kinds of serious problems they are facing by at least footing the bills themselves. Perhaps, one can even argue that until we see the political will by Africans to take on such financial responsibilities that it would be difficult to make a case for the region's readiness to take its place among the rest of humanity who are insisting on mutual respect and effective equality. However, such argument would be falling short of recognising that Africans do not want to own the responsibility of the UN. Instead, they are merely proposing for the UN's responsibility to be approached through home-grown solutions rather than imported ones. In other words, Africans are availing themselves at the disposal of the UN so as to assist the organisation with its responsibility of peace and stability in Africa.

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[53] Please see Appendix A for UN Chapter VIII on cooperation with Regional Bodies

Importantly, the PSC members felt the UN should be conscious of the fact that it has delegated its responsibility to the regional bodies - hence the need for tangible support when it comes to efforts made by these bodies. The AU's understanding of its cooperative arrangement with the UN (as provided for in Chapter VIII) is that the UN should provide assistance in capacitating its regional bodies so that they can fully discharge their UN-delegated mandate[54]. One would tend to agree with the PSC members' view, considering every peace and security endeavour for the continent depends upon, and is guided by, the UN authority as required by Chapter VIII of the UN Charter

7.7.2 The AU Commission weak effort in discharging its mandate as the secretariat of the PSC

Relationship between the PSC and the Commission

Like the PSC, the AU Commission understands its responsibility: it provides secretariat services to the PSC. The PSD's particular task is to assist the PSC with its work. However, the findings have uncovered some serious matters that could deal a severe blow to the PSC's day-to-day activities. The problem of staffing was underscored by the AU Commission interviewees as a grave issue that undermines the smooth workings of the PSD and has a trickle-down effect on the PSC. Interestingly, no PSC member pointed out this issue as an impediment to the PSC's work. Indeed, it became apparent during the interviews that the PSC's capacity constraints are viewed in a different light by its members compared to the view taken by the Commission interviewees. Whereas the Commission (through the PSD) talks of capacity constraints in the context of the

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[54] Details on the ongoing debate between the UN and the AU regarding operationalisation of Chapter VIII of the UN Charter were provided in Chapter 3 of this study.

AU Commission, the PSC talks of capacity constraints in terms of the member states' inability to perform certain functions and obligations within the PSC, including financing the Peace Fund. This disparity of views points to a significant lack of synergy between the PSC and the Commission. From an observation point of view, it appears that the PSC expects to be serviced by the PSD without consideration of the capacity or resources the latter has.

Another critical divergence of views between the PSC and the Commission (through its PSD) relates to the issue of the meeting venue and PSC dedicated interpreters. As noted in the previous chapter, while the matter may seem trivial, it represents a real problem for the PSD, which is expected to provide the PSC with secretariat services. Even from an observer's point of view the PSC has not demonstrated the necessary will to assist the PSD to secure a permanent meeting venue as well as permanent PSC interpreters to service the PSC meetings. The trend has been such that the PSC expects the PSD to provide secretariat services without any PSC assistance (in the form of capacity enhancement or political leverage). Thus the PSC could impress upon the Assembly to pass a decision that permanently reserves one of the Committee rooms (in the conference centre) for PSC activities. It could also endeavour to ensure that the PSC has dedicated permanent interpreters. The status quo is such that the PSC is often compelled to end its sessions early due to other engagements of interpreters or due to the meeting venue being booked for other AU meetings (personal observations, in Addis Ababa, 2006-2010). The situation has resulted in the parties exchanging blame (where the PSC blames the PSD for incompetency while the PSD blames the PSC for lack of planning). This is another crucial area where coordination and collaboration should be strengthened.

<u>Financial accountability</u>

A further PSD problem has to do with accounting for funding from international partners: the Commission has failed to show the necessary transparency in the utilisation of funds. During the interviews it became plain that the PSC members were uneasy about the fact that the Commission (through its PSD) had not proven its capability to the PSC and the international partners in terms of financial accountability. It is against this backdrop that the PSC called for the PSD to be assisted with accounting capacity. The observer's point of view is that the PSD did not seem to think it had any obligation to be transparent to the PSC or international partners. The impression created is that the PSC's political decisions on conflict situations are not backed by any cost-benefit analysis, which leaves the PSD with the challenge of looking for sources of funding for the implementation of PSC decisions. As a researcher and diplomatic official in Addis Ababa, Ethiopia, one was often in a position to recognise clearly a divergence of views between the Commission and the PSC. There appeared to be a cold war between the PSC and the PSD, the former apparently determined not to support the PSD when the EU or international partners applied pressure around financial accountability. This seemed to be the case in 2009 when the EU sent a number of recovery orders to the Commission[55] (personal interactions with the EU and the AU Commission members in August 2009).

<u>Collective resolution of challenges</u>

Despite all of this, the PSC and the Commission (through the PSD) have continued to identify challenges and to find solutions in an amicable manner. A testimony to the successes of the PSC and the support it has received from the PSD is the missions (AMIB, AMIS and AMISOM)

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[55] Recovery orders refer to the request to the Commission by the EU for the former to return or account for the money that has not been accounted for before the release of the next funds.

decided upon by the PSC and implemented with the PSD's assistance. Moreover, the year 2009 saw the PSD rigorously engaged with the finance department of the Commission in measures aimed at alleviating capacity shortcomings in various areas (including financial accountability and technical expertise). The PSC has also engaged the international community (the UN and EU in particular) to cooperate with the continent and provide the assistance required to achieve the objectives of peace and stability. In this context, exchange programmes between the UN staff and the AU staff as well as the EU staff and AU staff were identified for prioritisation (personal observation November 2008 -2009 December, in Addis Ababa, Ethiopia).

As noted by one senior AU official (E), it is important to point out that the PSD and the international partners are aware that they made a mistake in ignoring their cooperative norm which dictates that all assistance to the AU should be channelled to the AU Strategic Department through the International Cooperation and Resource Mobilisation Unit. As the findings have shown, instead of utilising the authorised channel, the partners channelled a lot of money directly to the PSD. This gave rise to challenges around haphazard unaccountability. To alleviate the problem, the AU Commission has asked the partners to utilise a single channel. The hope is that partners who do not honour their pledge will then be able to be held accountable.

It is worth mentioning other areas of improvement brought to light by the interviews: the work that has been undertaken towards the activation of the ASF and CEWS; and the AU's relations with the RECs (through the PSC). The PSC has consistently cooperated with and encouraged the PSD to reach its goal of ASF and CEWS activation, so that the full potential of the PSC may be reached.

7.7.3 The involvement of some external players in Africa

It should be recalled that the international bodies that were targeted during the assessment of the PSC's work are the P5, EU, G8 and UN. The interpretation and analysis of the findings relating to the role of the international community will thus take into account the part played by these groups.

Relationship between the P5 and the PSC:

With regard to the UNSC and its veto-wielding powers (the P5), it can be argued that there is no uniform engagement with the PSC in terms of its activities on the continent. Although the P5 members had agreed on the importance of working with the PSC towards a common end, the reality suggests a different picture. Two particular challenges can be identified (namely; firstly, lack of coordination of initiatives between the P5 and the PSC as well as parallel programmes, and secondly, double standards). Out of the members of the P5, the US appears to be the greatest culprit with regard to lack of coordination as well as parallel initiatives. China and Russia could be accused of double standards. A brief assessment on the above claims is as follows:

Lack of coordination of initiatives and parallel programmes

It is apparent that the **US** has chosen to be unilateral rather than collaborative actor in its approach to engagement with the continent. US engagement is not governed solely by what the PSC wants. Ostensibly, it is based on three fundamental principles: security and stability; sustainable economic growth; and democracy and good governance (US representative,

interviewed on 10 July 2009). As noted in the previous chapter, the US believes these principles are of mutual interest to Africa and the international community. While there is nothing essentially wrong with the US' understanding of how business between the PSC and the international community should be conducted, its approach could be interpreted as an imposition: while the issues raised by the US are fundamental, they do not relate to what appear to be the PSC's immediate needs: capacity and assistance (monetary or technical expertise). It could be argued that the US' approach to Africa depicts the notion of realist interpretation of cooperation: where states are said to cooperate only when they anticipate relative gains (Keohane and Martin, 1995: 45). They further contend that disagreement about the specific form of cooperation is the principal barrier to cooperation (1995: 45).

Moreover, the US claims to have streamlined its military initiatives in Africa by introducing AFRICOM, the aim of which is to streamline the multiple US programmes and interventions in Africa (for example, ACOTA, ACRI and GPOI). However, the current programme under the banner of AFRICOM does not provide clarification on how the PSC's ASF initiative will be buttressed; neither does the programme reveal how it intends to respect and uphold the PSC's principles. One would therefore argue that the US AFRICOM programme is not only a parallel initiative but also has a potential to undermine continental initiatives. Keohane and Martin (1995: 45) maintain: unless some coordinating mechanism exists, states may fail to capture the potential gains from cooperation. In this regard the US and the PSC should coordinate their activities in order to fully capitalise on the benefits of cooperation.

The **UK**'s approach to the continent (and the PSC in particular) is slightly different from that of the US. The UK takes literally the notion of coordination of donor and AU-partner engagement. The signing of the Joint Financing Arrangement (to strengthen the AU in conflict prevention and management) by the UK and other international partners (in collaboration with the AU) is testimony to a collaborative arrangement. It could be argued that, instead of coming up with parallel initiatives, the UK sees wisdom in pooling the resources of the international community so that a single purpose – the prevention and management of conflicts in Africa (a PSC-driven programme) - is served.

It could be said that in certain instances, **France** has been a good example of how the international community should respect and support the initiatives of the PSC. France has moved away from a haphazard individual engagement with Africa and its programmes. Indeed, the findings of the study show that, rather than continue to pursue Recamp, a parallel peacekeeping initiative, France considered it prudent to hand the programme over to the EU (after which is was referred to as EuroRecamp). The findings of the study also reveal that the programme plays a critical role in assisting the PSC with its ASF project. Action such as this by France and the EU could potentially eliminate ambiguities and strengthen cooperation between the EU and the PSC.

Interestingly, when interviewed, the representative of France denied that France undermined the AU's initiatives in Côte d'Ivoire. Nevertheless, the issue remains that France should have buttressed the AU's initiative rather than introduce a parallel operation based on strong ties. France's claim that it played an important role in Côte d'Ivoire while in fact its endeavours were

not aligned to those of the PSC seems to reveal a contradiction in purpose. It could be asserted that even if France's role was positive it should have been streamlined with the initiatives of the PSC and ECOWAS to ensure better coordination rather than run in parallel.

Double standards

With respect to the fourth P5 member, China, the findings have indicated that its policy is focused not strictly on supporting the PSC but on supporting the AU and Africa in general. FOCAC is a launch pad for Chinese policy. Based on the findings, it could be argued that China is motivated by the kind of cooperative arrangement with Africa or the AU that results in mutual benefit and reciprocity – 'win-win cooperation'. Compared to the three P5 members already discussed, China appears to have proven itself a more valuable supporter in terms of the PSC's position in the UNSC and international forums in general. A case could be made that this kind of support symbolises respect for the PSC and Africa's initiatives in the area of peace and security. As noted during the dissemination of findings, China claims to be against dictating its own policies to the AU and prescribing how the AU should run its programmes. The PSC members and the PSD could be seen to believe in China's approach and principles – in other words, to believe that the international community's engagement with the PSC should be based on the needs of the PSC rather than the aspirations of the international community. This is by no means to suggest that China may not have her interests in Africa, but to say - that whatever her interests are- they seem to be served well under the China-Africa cooperation. It should be recalled that in chapter two of this study it was emphasized that cooperation is by no means altruistic; hence it would be myopic and narrow to argue that China's cooperation with Africa is purely based at benefitting Africa and not the former.

Having said this, China's unwavering support of the Sudanese government (especially during the UNSC meetings) could be interpreted as an undermining of the PSC's initiatives in Darfur. Although the China representative claimed his country's motive was respect for sovereignty, it could equally be argued that the views and decisions of the PSC should have been shown priority by China. Such respect would have been proof that China indeed supported the initiatives of the AU and its PSC. Moreover, China and Russia supported Sudan when it disagreed with the PSC's resolution to transfer AMIS to the UN. By failing to give the PSC the necessary political backing at UNSC level, China demonstrated lack of full cooperation with the PSC. Thus, while in some instances China claims to cooperate with the PSC on the basis of the needs of the latter, she sometimes contradicts the PSC. In this respect, China's support of Sudan (against the decision of the PSC) depicts a notion of double standards by China.

Like China, **Russia** claims to believe that PSC decisions should enjoy support at UNSC level. However, the findings reveal that Russia is concerned specifically about the degree of responsibility wanting in the PSC (and the AU in general) in relation to the financial assistance it obtains from international partners. The findings indicate that Russia would prefer an AU that works harder to an AU that is dependent on assistance. While Russia's argument seems valid, one would argue that being able to work hard without requisite capacity may prove to be a 'pie in the sky' goal. One would therefore put forward that there is a need to buttress the PSC's capacity shortcomings before criticising it.

In the manner of China, Russia gave the Sudanese government political backing, rendering unsuccessful the PSC's request for AMIS to be converted to a UN operation. It could be argued that by siding with the Sudanese government, albeit conscious of the PSC's position, Russia acted in an uncooperative manner which had a potential to undermine the PSC's initiative in Darfur. If Russia was serious about assisting the PSC, she should have demonstrated, at least, her will by using her political leverage within the UNSC in favour of the PSC. Instead Russia opted to support Sudan (against PSC's judgement).

Relationship with the UN

The findings apropos the UN's experience with the PSC reveal a theoretical understanding between the two institutions, but also practical shortcomings. Two issues were identified as first: theoretical understanding of the relationship versus practical implementation and second: *Ad hoc* arrangements between the PSC and the UN).

Theoretical understanding of the relationship versus practical implementation

While the UN recognises the importance of cooperation with the AU/PSC and other world regional bodies, it does not follow through with the necessary practical assistance. In an effort to alleviate this challenge the UNSC and AUPSC have held consultations (starting at their joint meeting in Addis Ababa, Ethiopia, on 16 June 2007) where they agreed to examine the possibility of financing peacekeeping operations undertaken by the AU, or under its authority. However, since then the issue has been subjected to consultation and lobbying between the AU and its strategic partners. As noted in chapter 3, the subject of AU/UN collaboration in peace operations was discussed at various levels culminating to the establishment of the Prodi Panel.

One of the critical recommendations of the Report was to consider the possibility of utilising UN assessed contributions to fund African peace missions. However, the UNSC's meeting of 26 October 2009 resolved to keep options opened, and noted the proposals of the Report. The observation has been that the delay on the endorsement of the Prodi Panel recommendations suggests that the UNSC main drivers (P5) do not see prudence in the recommendations. Moreover, another observation on the African side, is that Africans are of the view that the recommendations should be endorsed considering that they also contribute to the UN. In the main they complain that since the majority of peace missions are in Africa and that Africa is one of the major blocs in the UN, it would be in their best interest if the UN endorses the recommendations (personal interactions with various diplomats in Addis Ababa, from 2008 to 2010)

As previously noted, the PSC operates on the premise that it is working on behalf of the UN – thus the UN should provide the requisite assistance. The PSC also expects the UN to be a predictable source of funding for PSC peacekeeping missions. The UN's reluctance to fulfil the PSC's expectations has caused a frustrated PSC to confront the organisation and challenge it not to neglect its global peacekeeping responsibility.

Ad hoc arrangements between the UN and the PSC

The findings in the previous chapter proved that although there is as yet no tangible commitment from the UN, its increasingly public recognition of the importance of collaboration has resulted in a series of consultations to find ways of strengthening cooperation. In ongoing consultations an eye is kept on Chapter VIII of the UN Charter so that issues pertaining to roles and mandates can be clarified. It appears that the consulting trend will minimise the *ad hoc* element in the

cooperative arrangements that have governed UN-PSC cooperation up to now (take, for example, the *ad hoc* characteristic of the AMIB to ONUB conversion; and that of AMIS to UNAMID). This *ad hoc* phenomenon results from frustrations in the relationship between the PSC and the UNSC. For instance the findings revealed that the PSC regards itself as a quick reaction force; hence it deploys missions (under the authorisation of UNSC of course) with the understanding that the UNSC will later take over. However, the UNSC does not always come through for the PSC, as it has been indicated by the case in Somalia. The end result (as indicated by the findings) is a stalemate between the two institutions where the PSC accuses the UNSC for neglecting its responsibilities, while the UNSC accuses the PSC of acting before consulting. Realising the unsustainable factor of the *ad hoc* arrangements, the Prodi Panle had recommended the use of the UN assessed contribution to support the AU peacekeeping operations for no longer than six months after which the mission should be transferred to a UN mission (Report of the Secretary General, 18 September 2009: 6). Thus, there should be a standing arrangement that AU peacekeeping operations would be transferred to the UN within a period of six months. This arrangement, if finally endorsed, will tremendously contribute to the resolution of the ad hoc arrangements between the two institutions. It can be expected that the UNSC and the PSC will eventually build up a better cooperative arrangement where peace and security matters on the continent are concerned. Already, acknowledgement of the need to have a structured cooperative arrangement between the UNSC and the PSC has resulted in the holding of joint annual meetings between the two bodies to discuss peace and security issues in Africa.

Relationship with the European Union

The EU seems to have grasped how the AU (particularly its PSC) expects the international community to conduct itself in dealings with the AU. Evidence of this can be found in the number of programmes that are aimed at strengthening cooperation between the two institutions: experience-sharing efforts; capacity-building programmes; dialogue-enhancement; efforts to ensure available and predictable funding for the AU's peacekeeping agenda; and work towards the full activation of APSA.

Strengthened cooperation between the AU and EU

The ongoing collaboration between the AU-PSC and the EU-PSC (as depicted by the findings) also points towards strengthened cooperation between the EU and the AU in the area of peace and security. Cooperation between the two institutions is guided by a joint AU-EU strategy which is essential in ensuring equal partnership. One could open the debate, however, as to how equal the donor and recipient really are. In response it could be argued that, instead of a situation where the donor dictates the terms and conditions of the recipient's donation-usage, consultation takes place and the donation is utilised in terms that have been proposed by the recipient with the consent of the donor.

EUPSC and AUPSC partnership

The findings indicate a high level of commitment from the EU and the AU in the area of peace and security. For instance, the EU-PSC is said to be committed to the provision of support (based on experience) to the AU-PSC. Cooperation between the entities goes a long way towards eliminating some of the PSC's shortcomings (for example, where peace and security

experience is concerned). According to Interim Compliance Report of (22 March 2010: 227-228) On 12 October 2009, the EUPSC the AUPSC met at Addis Ababa, Ethiopia to review progress in the operationalisation of the APSA as part of a long-term agreement between the AU and the EU. In this context, the Report further reveals that on January 2010, the EU released a plan for the continued implementation of the APSA within the ambit a 2nd Africa Peace Facility and the implementation of an Instrument for Stability (a long-term funding mechanism that lays out a schedule of flexible contributions of over EUR2 billion up to 2013). This EU assistance does not only indicate the level of understanding between the two institutions, but a real cooperative arrangement where expectations are met with compliance in fulfilment. This arrangement could serve a useful lesson for other cooperative arrangements between the AU and the UN or its partners.

Relationship with the G8 countries

Although the G8 is a political entity comprising developed countries, its 2009 chair claimed that it takes its cooperation with the AU on peace and security matters very serious. Critically, it monitors the fulfilment of pledges and promises that the G8 countries have made (particularly in Kananaskis, Canada in 2002) to assist the AU in its peace and security endeavours. However, monitoring and compliance are two different things. Perhaps, the G8 should go beyond monitoring by establishing a deterrent against the defectors in the G8 cooperative arrangement. One such action could be the naming and shaming of members that make empty promises. Despite this, findings show that the G8 could ideally play a vital role in ensuring smooth engagement between its members and the AU. Instead of engaging with the AU on a bilateral basis, the G8 countries are encouraged to see the G8 as the nodal point for cooperation with the

AU and its organs (the PSC included). Although the G8 has made certain undertakings and commitments to the AU in the area of peace and security, there remains partial fulfilment of commitments by most of its members. According to the Interim Compliance Report of (22 March 2010: 215-228) the compliance rate of the G8 members is as follows:

Table 7.14: G8 Compliance matrix

G8 Member	Awarded Score	Reason for the Score awarded
Canada	0	Canada has partially complied with its commitment to aid African-led peace support during the current G8 compliance cycle. While it has continued to contribute to peace support operations in Africa, it has not participated in the creation of a predictable, long-term funding mechanism
France	0	France has partially complied with its commitment on African-led peace support initiatives. It has maintained steady contributions, but has not yet worked towards predictable funding.
Germany	0	Germany has complied with its commitment to support the African-led peace support by allocating funds to aid in both specific and general African conflict resolution. Germany has provided financial assistance to regional peace support initiatives in Africa. On 18 November 2009, German Deputy Director General of the Federal Ministry for Economic Cooperation and Development, Thomas

		Albert, met with leaders from the African Union (AU) at Addis Ababa. Deputy Director General Albert announced Germany's allocation of EUR30 million to various AU projects, including the implementation of an AU African Peace and Security Architecture. In a statement issued on 19 November 2009, the Federal Ministry for Economic Cooperation and Development emphasized that these funds are meant to facilitate "African solutions" in "politically sensitive fields such as peace and security."
Italy	0	Italy has partially complied with its commitment to African-led peace support. It has provided technical and financial assistance to various African-led initiatives designed to foster regional peace on the continent.
Japan	0	Japan has partially complied with its commitment to provide assistance to African-led peace support operations. Japan has continued to aid various African-led peacekeeping operations in the form of financial, political, and human-resource support.
Russia	-1	Russia has failed to comply with its commitment to provide assistance to African-led peace support, as its military aid has been strictly Russian-led.

United Kingdom	0	The United Kingdom has partially complied with its commitment to provide assistance and predictable funding to African-led peace support operations. It has provided both technical and financial assistance to the peacekeeping operations of the African Union.
United States	0	The United States has partially complied with its commitment to back African-led peace initiatives. It has provided new technical and financial assistance, but has not taken any steps towards a predictable funding mechanism.

Source: Interim compliance report, 22 March 2010)

According to the Compliance Report, a 0 score means partial compliance and a 1 score means full compliance while -1 score means non-compliance. The criteria for setting up scores are based on the commitments and pledges made by the G8 members in Gleneagles and subsequent G8 Summits. In the main, G8 members are appraised based on their undertakings regarding assistance to Africa in the area of peace and security.

Looking at the above compliance record, it is evident that the G8 members, with the exception of Germany, have been unable to provide predictable funding to the AU led peace keeping initiatives. As noted earlier, one of the critical needs of the AU is the predictable source of funding of its peacekeeping missions. Therefore, unless the G8 countries fully comply in assisting the AU towards the objective of predicable finance, G8's commitment to the AU will remain unsatisfactory. Hence there is a need for enhanced cooperation between the AU and the G8, with a particular emphasis on G8's commitment in fulfilment of the AU's expectations.

7.7.4 Proving or disproving the hypothesis of the study

This study was conducted on the basis of the hypothesis that the PSC will succeed in its quest to prevent, manage and resolve conflicts that have undermined Africa's development for many years. The study's argument is that the PSC's success depends on effective cooperation between the AU member states (especially the fifteen members of the PSC) as well as between them and some key international actors. The principal theory adopted by the study is social constructivism, which posits that shared beliefs, ideas, identity and norms encourage states to cooperate. In this connection, the assumption was made that the AU members endorsed the creation of the PSC because they shared a belief that peace and security problems greatly impede Africa's quest for development. In addition, ideas shared by the AU member states on how African conflicts could best be resolved led to the publishing of important clauses in the Constitutive Act and the PSC Protocol, which called for AU member states to surrender a degree of their sovereignty for the sake of the common good.

It could be argued that the AU member states' willingness to give up a degree of their sovereignty was motivated by dependable expectations of peaceful change. One could also argue that the idea of diminished sovereignty was a response to the failures of the AU's predecessor, which could not completely resolve Africa's conflicts owing to the non-interference clause. However, the uncooperative behaviour of Sudan (established in chapter 6) to AMIS indicated that Africa has a long way to go.

Despite this, it seems that the 'common African identity' has not only encouraged AU member states to accept the idea of the PSC but also has brought about greater African solidarity around

the notion of home-grown solutions to African problems. In a nutshell, the African identity has promoted a pan-Africanist approach to ending Africa's political malaise. Africa's shared norms in terms of how conflict situations should be approached have also led to an understanding that the PSC should show sensitivity and conform to the African way of doing things. It is no surprise that during debates on the way in which the PSC tackles conflict situations (for example, by deploying peacekeeping missions without first having built up the necessary capacity), African leaders have argued that 'it is not African culture to fold your arms when you see your neighbour's house on fire' (personal interactions with diplomats, from 2006-2009). However, the study has also uncovered an anomaly in the proclaimed African culture of good will. For instance, it appears that the enthusiasm to assist is not matched by tangible actions. Instead, the trend has been that when Africans show up at the burning house they tend to fold their arms waiting for non-neighbours to show up with the buckets, water and other things needed to extinguish the fire**.**

One of the claims that influenced the study was that the AU resembles an evolving security community. As noted in chapter 2, the AU displays all the characteristics of the pluralistic security community defined by Adler and Burnett and other scholars. It should be remembered that the basis for the claim is that although AU member states have agreed to a deeper unity, they retain their sovereignty. The AU's cooperative behaviour (through its PSC) is thus viewed in the context of an evolving security community.

With regard to the fifteen PSC members and their business conduct, one would argue that the study's hypothesis (that the PSC will succeed in preventing, managing and resolving African

conflict) has been proven correct. The findings make plain that the PSC members base their business engagements on the exercise of a great deal of cooperation. It has been shown that the PSC holds consultations prior to the sessions in which conflict situations in Africa are dealt with. It has also been indicated that the PSC's decisions are based on consensus rather than voting: the PSC prefers its members to reach general agreement before a decision is made.

Of equal importance is the weight given to the regions' positions. The findings reveal that the PSC considers regional points of view before it decides on any matter. During the dissemination of findings it was recognised that RECs play a critical role in the peace and security domain - their feelings on how best conflict situations in their regions could be addressed are communicated to the PSC for endorsement. There is thus cooperation between the PSC and the AU RECs – see, for instance, the role of SADC in Zimbabwe, the role of IGAD in Somalia and the role of ECOWAS in Côte D' Ivoire. The positions of these RECs were endorsed by the PSC on several occasions. However, this arrangement could be challenged, in that the PSC is just a rubber stamp of regional initiatives. Such assumption would be rather lackadaisical, for it fails to take into consideration the African collective approach to matters of peace and security. As indicated earlier, Article VII (1) of the MoU between RECS and the AU states that the parties shall intensify their efforts towards the prevention, management and resolution of conflicts in Africa. Thus, a collective approach towards the goal of peace and stability is not precluded but encouraged.

Concerning cooperation between the AU member states, it could be asserted that the study uncovered another anomaly -- not all members support and respect the PSC's decisions. The

support given to the Sudanese belligerents by certain African states (as indicated in chapter 5) runs parallel to the expected cooperative norm. Although it may be natural that concerned states (that is, states on whose situation the PSC may deliberate) would not necessarily agree with the PSC, the onus remains on all African states to give the necessary backing to the PSC so as to boost its credibility. The mere fact that the AU member states mandated the PSC to deliberate on peace and security matters is testimony not only to the existence of a cooperative arrangement between the PSC and the AU member states, but also to a growing trust and respect that the member states accord the PSC.

The findings also brought to light a growing consciousness on the part of the PSC and the international community of the need to work together towards a common end. Though the PSC needs international assistance, the programmes for which the international community has been enlisted to cooperate and assist are those that have been earmarked by the PSC (through its PSD) and not those identified by the international community. The latter seems to be heeding the PSC's call. France's unilateral peacekeeping training programme of the Recamp cycle has been transferred (and renamed EuroRecamp) for better coordination and assistance to the ASF. Moreover, some of the international partners have collaborated with the AU and agreed to utilise a single channel within the AU where they will combine their resources to assist with the continent's peace and security agenda. However, the US' AFRICOM initiative seems to run parallel to the PSC's ASF programme, and has a potential to undermine Africa's initiatives. Hence, it is critical for the international community role players to respect African initiatives and desist from undermining the loyalties of African states.

The EU's cooperative arrangement with respect to African peace and security concerns seems to represent a model of how international cooperation can be utilised to the PSC's best advantage. For instance, instead of the AU being approached by EU members as individual entities, the EU as an institution represents all its members. While the EU supplies predictable financial resources, it expects the AU to account properly for these funds. This scenario has resulted in both institutions working together with the aim of meeting each other's expectations in the bargain. However, the commendation of EU's cooperative approach with Africa on peace and security matters runs a risk of being cancelled by the EU's economic approach to Africa. One case in hand has to do with the persistent efforts by the EU to prevent AU members from dealing with the Europe Partnership Programmes (EPAs) as a block. Africans are by no means unaware of this phenomenon. For instance, during the Africa-EU Summit, held from 8 to 9 December 2007 in Lisbon, Portugal African leaders impressed that:

> The division of Africa into clusters in a manner that suited the EU without considering the regional configuration of Africa's integration efforts was inappropriate. EPAs must therefore support Africa's integration into the global economy. The development dimension should be thoroughly considered, including the need to address issues such as better terms of trade, capacity, supply side constraints, and diversification of economies (Report of the Chairperson of the Commission, 2008: 171).

By the time of this study's completion, the AU Commission engaged on the task of coordinating and harmonising positions of regions on EPAs (Report of the Chairperson of the Commission, 2010: 114).

Despite the above considerations on EU, it could be argued that the UN's ongoing consultations with the AU, which are aimed at applying Chapter VIII of the UN Charter, show an understanding of how cooperation is advantageous to the PSC. Therefore, it could be contended that if cooperation were not at the heart of the PSC's success, there would be no need for all the cooperation initiatives enumerated above.

While the PSC Protocol highlights that cooperation is indispensible to collaboration between the PSC and the Civil Society Organisations (CSOs), some degree of flexibility exists in this area. Article 20 of the Protocol compels the PSC to cooperate with the CSOs in peace and security matters, but the parties have found the article's implementation particularly challenging. Nevertheless, at least there seem to be a growing will towards implementation of Article 20 by the parties. This will was affirmed in December 2008 when the PSC led a retreat in Livingstone, Zambia to explore ways of implementing Article 20 so as to allow the PSC to actively cooperate with the CSOs. Suffice it to say that work in this field is ongoing, but evidence of the PSC's realisation that Article 20 of the Protocol requires implementation, indicates that the PSC understands the importance to its success of cooperation with the CSOs. However, given that civil society groups are often at the forefront in alleviating peace and security challenges, it is rather puzzling that it has taken the PSC four years to seriously consider cooperation with the CSOs. One critical factor that emerged in one's general interactions with some diplomats and civil society organisations has been that the PSC seemed to believe that peace and security matters were a reserve of member states (personal observations 2006 – 2010, in Addis Ababa, Ethiopia). Nevertheless, the Livingstone retreat has established a formula of cooperation

between the CSOs and the PSC, where it was concluded that: Civil Society Organisations may provide technical support to the African Union by undertaking early warning reporting and situation analysis which feeds information into the decision-making process of the PSC (Peace and Security Council Report, July 2009: 1). By the time of compiling this study the issue of cooperation between the PSC and CSOs was not yet fully implemented.

7.7.4.1 AMIB and AMIS lessons

The findings (and chapter 5 of the study) show that the Burundi case (AMIB) was not particularly challenging to the PSC for it was a continuation of the work of the Central Organ. Arguably, that mission's only challenge was capacity-oriented rather than characterised by political implications and complications. As noted in chapter 5 and in the findings, the mission's capacity constraints necessitated its transfer to the UN (whereupon it was known as ONUB). The transfer was very smooth, thanks to greater levels of cooperation between the AU and the UN.

In contrast, Sudan's case (AMIS - detailed in chapter 6 and depicted in the findings) was decidedly challenging to the PSC and the international community at large, including the UN. It undoubtedly proved a test case to the PSC. The PSC lent on Article 4 (J) of the PSC Protocol when deciding to deploy an AU peacekeeping mission. The Protocol's Article 4 (J) is derived from Article 4 (h) of the Constitutive Act, which gives the Union the right to intervene in the affairs of a member state pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide and crimes against humanity. Sudan respected the PSC decision and allowed for the deployment of a peacekeeping mission in Darfur. However (as noted in chapter 6), the challenges - especially those relating to capacity constraints - forced the

PSC to decide to convert the mission to a UN operation. Sudan immediately objected and refused to cooperate with the PSC or the UN. Although various reasons were given for Sudan's opposition to the decision of a body expressly mandated to deliberate on the continent's peace and security issues, the bare fact is that Sudan objected to the PSC's decision. Sudan's action showed lack of cooperation and threatened the credibility of the PSC and its chance of success.

Nevertheless, the resilient and diligent manner in which the PSC worked with the UN and GoS in finding a suitable approach to the challenge it faced is a clear indication of the PSC's prospects for success. The result of the PSC's hard work is seen in the eventual translation of the mission into an AU-UN hybrid arrangement (UNAMID) which was accepted by Sudan. The hybrid arrangement was effected through cooperation between the AU, UN and Sudan, with the assistance of the international partners. In view of this, it could be averred that the case of Sudan proved the hypothesis of this study correct. Clearly, the PSC alone could not have managed the situation in Darfur (considering AMIS' capacity constraints), a factor that pointed out the urgent need of operationalising the ASF. At least there seem to be a growing buoyancy of establishing African peace missions. Unfortunately and as indicated in the study, such act is not always matched with the ability to sustain the mission. Hence, in the case of Sudan it became apparent that cooperation with the UN and GoS meant that the mission would rather fare well if it was converted into a joint venture between the AU and the UN, with the cooperation of Sudan. As a result of such cooperative arrangement, the challenges originally facing AMIS were alleviated, by and large. Therefore, cooperation in all its facets was proven to be a key factor for the success of future PSC peace and security endeavours.

7.8. Research limitations

The first, and most obvious, limitation to the study was the fact that it was conducted when not all of the PSC organs were fully operational (ASF and CEWS were not yet running). In light of this, the study was arguably a bit premature. One could contend that the results of a premature study could show bias against the PSC. However, it should be noted that the PSC entered into force in December 2003 and has been at work ever since. The organ has deliberated on a number of conflict situations on the continent. As noted in earlier chapters, proponents of the PSC acknowledge that peace and security issues cannot wait until all PSC support structures are functional. The supporters put forward that the PSC has been plunged into the situation of 'building a house while living in it'. This study has chosen to go about detecting cracks and leaks in the house that is being built, without waiting until construction has been completed. It is thereby hoped that the study will play a critical role in alerting the PSC to challenges that may affect its work even when all of its structures are fully operational. For example, without greater cooperation on the part of the PSC and RECs, activation of CEWS will be difficult, if not impossible - a factor that would negatively affect the PSC's potential in the area of conflict prevention. Moreover, without cooperation between the PSC and the international community when it comes to capacity building, activation of the ASF and CEWS may be delayed.

A second limitation to the study relates to a lack of coverage of the role played by the PSC and CSOs. This limitation is circumstantial rather than created by the researcher. As noted above, the PSC and the CSOs are currently working on ways to implement Article 20 of the PSC Protocol. It would have been extremely difficult to scrutinise an idea that is not yet implemented even at the nascent stage.

The study's third limitation could be perceived as a lack of coverage in the area of post-conflict reconstruction and development. Two explanations are offered for this. First, when the study commenced, the PSC was still grappling with the idea of post-conflict reconstruction and development. Second, the focus of the study is an assessment of the PSC's aptitude for bringing about peace on the continent in the new era announced by the replacement of the principle of non-interference with the principle of non-indifference. A particular focal point was Article 4 (h and i) of the Constitutive Act as well as Article 4 (j and k) of the PSC Protocol.

It is worth noting that although these limitations are valid overcoming them would have rendered the study unnecessarily broad and clumsy. Moreover, institutional challenges would have made exploration of some of the research limitations counterproductive. For instance, how would one meaningfully weigh up the ASF and PSC's activities when the former is yet to be activated? Furthermore, it would have been difficult to assess the work of the PSC with the CSOs when moves are still being made to apply Article 20 of the PSC Protocol. These reasons are put forth to suggest that the above-mentioned limitations could be viewed not primarily as weaknesses of the study but as opportunities for future research in assessing and analysing the PSC and its activities on the continent.

Chapter 8

Conclusion

The period that was ushered in by the transformation of the OAU to AU in 2002 has fascinated a number of scholars. They all praised the period as the new beginning for Africa, especially in the area of peace and security. Of particular interest to a number of scholars was the drastic departure from when the principle of non-interference was replaced by that of non-indifference. The Constitutive Act and the PSC Protocol gave the new principle legal backing. Article 4 (h and i) of the Constitutive Act as well as Article 4 (j and k) of the PSC Protocol, clearly stipulate instances where the AU is authorised to intervene in the internal affairs of an independent state. Such robust strides by the AU raised expectations among scholars that Africa's peace and stability matters will be effectively dealt with and that development of the continent will finally be given a chance. However, the legacy of the OAU was the conviction that African leaders pay lip-service to pan-African declarations and decisions. Unsurprisingly, one could therefore argue that the AU may suffer the same fate as its predecessor. This study serves to caution against such pessimistic arguments and to suggest that an assessment of the PSC's capacity to bring about peace and security on the continent be conducted before meaningful criticism can be made against the AU's new peace and security organ.

Motivation for this study also came from an interest in Africa's dedication to the continent's peace and security, a factor characteristic of the new era. The study was geared towards providing an assessment of the capability of the PSC to bring about peace on the continent.

Taking cognisance of the myriad expectations that were raised when the PSC was established, a realistic and practical approach was chosen for the study, in which the possibility of the PSC's success was to be assessed.

It was argued that the PSC will succeed in its peace and security quest if there is cooperation within the PSC, between members of the AU and between the AU and the international community at large, including the UN. The cases of Burundi and Sudan were carefully selected with a view to assessing this claim. These specific cases were chosen because they provide examples of the PSC's implementation of the intervention clauses stipulated in the Constitutive Act and the PSC Protocol.

Interpretation and analysis of the field research proved correct the assertion that the PSC's success depends upon the greater cooperation of players from both the continent and the international community. Although the study's claim was proved correct it does not mean that cooperation will singularly bring about the PSC's success; hence issues of political will as well as of trust were also highlighted as contributing factors to the PSC's success.

The study journeyed through seven chapters. The first chapter served as an introduction and methodological approach of the study. It also highlighted the principal argument that had initiated the study. Moreover, this chapter outlined the research problem and the principal theories according to which the study was undertaken. The second chapter focussed on a theoretical framework of the concept of cooperation in international relations and highlighted social constructivism as the preferred theory. It also reviewed existing literature in the field of

cooperation and peace and security. Chapter three focussed on literature review. It defined relevant concepts and provided a brief background to the work of the OAU in the area of peace and security. This chapter further explored the normative political transformation of the OAU to the AU, with emphasis on the OAU's Central Organ and the AU's PSC. Chapter four made an observation of the status quo under which the PSC is expected to operate. This chapter furnished an account of challenges that have already tested the PSC and described the PSC's approach to them. Also provided in chapter four was a description of the role of the international community and other stakeholders in relation to the PSC's challenges. The importance of cooperation to the PSC's success was reiterated in this chapter. Chapter five introduced the case of Burundi to illustrate how the PSC translated into action its decision to deploy a mission. Though the Burundi case featured a continuation of the work of the Central Organ, it helped provide a view of the road ahead for the PSC. The Burundi case examination was followed in chapter six by an analysis of the case from the Darfur region of Sudan, a case which the study claimed was particularly challenging to the PSC. Chapter six provided clarity on how the mission was conceived and the challenges it faced. It also sketched the political dynamics surrounding the proposed conversion of the mission to a UN operation. Moreover, this chapter also described the road to the AU-UN hybrid operation in Darfur (UNAMID).

In the main, the study critically revealed that the PSC needs to be innovative and dynamic in its endeavours. For instance, the study has uncovered that the fact that the PSC is operational and guided by the constitutive act and its protocol does not mean that African states will automatically desist from engaging in destabilising activities. This scenario has been clearly shown by the coup phenomenon in 2008 and 2009. Therefore, the PSC will have to be resilient

and on constant guard against certain culprit states that seem to disregard the AU's principles and norms. This will go a long way in ensuring other African states dependable expectation of peaceful change.

Moreover, and given the challenge of financial management and administration, it would be prudent for the AU Commission as well as the AU member states to embark on ways of addressing the problem, including exchange programmes with the EU and the UN. Regarding the issue of financing AU peace support missions, on top of the ongoing consultations with the UN, the PSC should press upon the AU member states to fulfil their commitments to increase the Peace Fund contribution from 6% to 12 % as per the Tripoli Declaration.

Regarding the international community, it would be crucial for the AU to persistently call against parallel initiatives of the international community members in Africa. A strong message should be sent particularly to the US to coordinate its initiatives with the ASF rather than engaging on unilateral approach on matters of peace and security. Furthermore, African states should continue to impress upon the UN to own up to its responsibility for world order.

The PSC appears to be on the right path towards success. The growing understanding of the importance of cooperation between the PSC and the RECs as well as the international community points to an emerging positive trend towards Africa's development. The success of the PSC in its endeavours to bring stability in the continent will not only result in vastly reduced spending on military equipment but also accord the region an opportunity to focus on its developmental agenda. Moreover, the emerging democratic trend in Africa will be buttressed by

a more stable social and political environment. In this way, the effectiveness of the PSC's activities is critical for regional stability, economic growth, development and prosperity. The prevalence of stability will result in resources diversification and a greater focus on human security and developmental issues such as infrastructure development, provision of basic needs, and continental economic and political integration. This will accord Africa the opportunity to join states in other regions as true equals in search of dignity and full standing in the international political arena.

Given the aforementioned intrinsic relationship between peace and development, it remains prudent that a deeper discussion on the effective management of Africa's conflict situations is for medium and long-term political stability, economic growth and prosperity. Against this backdrop, future research in this field should be conducted with the aim of monitoring the PSC's progress in bringing about stability and development to the continent. Such research should also proffer recommendations on crucial aspects of maintaining peace and fast-tracking Africa's developmental agenda.

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Chapter VIII of the UN Charter

Article 52

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on

request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

List of the Interviewees

1. **AU Commission**

   Peace and Security Council Secretariat (*Three persons referred to as A, B, and K in the study)*

   International Cooperation and Resource Mobilization Unit *(Referred to as E in the study)*

   Office of the Chairperson of the Commission (*Referred to as D in the study*)

   CISSA (*Referred to as S in the study*)

   Peace Support Operations Division (3 officials r*eferred to as N, X and Z in the study*)

2. **UN Representative**

3. **International Players**

   EU Representative

   G8 Representative

   US Representative

   UK Representative

   France Representative

   China Representative

   Russia Representative

4. **AU Experts Sudan and Burundi**

5. **Current PSC Members**

   Algeria

   Gabon

   Ethiopia

   Angola

   Nigeria

   Tunisia

   Zambia

   Swaziland

   Chad

   Burkina Faso

   Burundi

   Benin

   Rwanda

6. **Research Institutes**

   ISS (Three persons referred to as L

   OXFAM International

   CPRD   (*Referred   to   as   V   in   the   Study*)

Study Questionnaire

Questions that were asked to the representative of France

1) Do you think the international community is providing the AU programmes of peacekeeping the necessary support? (**Please substantiate your answer.**)

2) In 2002 the G8 leaders, in their summit held in Kananaskis, Canada, pledged to enhance Africa's peace and security capabilities (through the provision of technical and financial assistance). In your view, has this commitment been followed by genuine practical actions or it was mere rhetoric to pacify the AU? (**Please substantiate your answer.**)

3) France claims that its commitment to African peacekeeping initiatives has been through a programme called Reinforcement of African Peacekeeping Capabilities (Recamp). Is this programme not undermining work (already ongoing) with the African Standby force which is due to be operational in 2010? (**Please substantiate your answer.**)

4) Is there any other commitment that France has to African Peacekeeping initiatives? (**Please elaborate.**)

5) How does France assist the PSC with the activation of its structures (i.e. peace fund and African Standby Force)?

6) Some analysts have labelled French's involvement in Africa as purely based on advancing France's interest rather than on a genuine and dedicated support to the AU initiatives. What is your take on this claim (**Please substantiate your answer.**)

7) Is the support given by France not purely motivated by her competition with the US and China in Africa and particularly in the Francophone region (France's traditional sphere of influence)? **(Please substantiate your answer.)**

8) France has often been blamed for not according African mediation attempts the necessary support they deserve (the Côte d' Ivoire is a case in point where France is alleged to have frustrated a South African led AU initiative) - are these allegations well-founded? **(Please substantiate your answer.)**

9) One of the first missions of the PSC was in Burundi. Did France render any kind of assistance to such AU Mission? **(If yes, how? If no, why)?**

10) Another critical PSC mission was in Darfur, Sudan (AMIS). Has France ever rendered any assistance to the African Mission in Sudan prior to its transition to a hybrid operation (UNAMID)? **(If yes, how? If no, why?)**

11) It has been argued that the UNSC Permanent Five Members utilise their UNSC permanent membership to frustrate AU decisions that are deemed contrary to their interests. Is this true? If not, how has France supported AU's decisions and request to the UNSC? (**Please also give specific examples.)**

12) Do you think there is tangible cooperation or cooperative arrangement between the AU and France and other international players? **(Please substantiate your answer.)**

13) In your view, what would help alleviate fears and scepticism that the pledged assistance by foreign powers is purely motivated by the urge to secure their strategic interests?

14) In your view, how should the international community collaborate with the AU on matters of peace and security?

15) Do you think the PSC will ever succeed in terms of its peace and security agenda **(Please substantiate your answer.)**

Questions that were asked to the United States of America representative

1) Do you think the international community is providing the AU programmes of peacekeeping the necessary support?

2) In 2002 the G8 leaders, in their summit held in Kananaskis, Canada, pledged to enhance Africa's peace and security capabilities (through the provision of technical and financial assistance). In your view, has this commitment been followed by genuine practical actions or it was mere rhetoric to pacify the AU? **(Please substantiate your answer.)**

3) Has the US' embarking on peacekeeping training programmes in Africa (i.e. African Contingency Operations Training and Assistance – ACOTA; African Crisis Response Initiative – ACRI; Global Peace Operations Initiative- GPOI) been aimed at buttressing the AU's initiative or was it just to safeguard the US' interests?

4) How would you respond to the assertion that the US has got no interest in the AU initiatives but her counterterrorism war and the US thirst for oil?

5) Is the US interested in security in Africa for Africa or it is purely interested in imposing her agenda on the African continent?

6) Could you please clarify the idea behind the recent formation of AFRICOM and its agenda?

7) How has AFRICOM been received by the African states and why?

8) Does the US consider AFRICOM as a panacea to Africa's peace and security problems?

9) What motivated the US to move the headquarters of AFRICOM from Stuttgart to Africa despite some African states registering their discomfort with the idea?

10) Does the US believe in cooperation with Africa or the AU in peacekeeping initiatives or does it prefers to dictate or to pursue parallel approaches?

11) Is there any cooperation between the US and the African Union in the area of peacekeeping and war against terrorism?

12) Does AFRICOM assist the AU in the operationalisation of the African Standby Force?

13) Does the US ever consider African initiatives (including the PSC and its programmes) as sensible and worth supporting or does it view them as mere public diplomacy with no genuine ambitions for a solution to the Continent's peace and security problems?

14) If the US' principal aim with its programmes is to assist Africa with the training of the Africans, (and supporting them) in peacekeeping and thereby contributing to the continent's peace keeping capability, would it not be prudent to streamline the US programmes with the existing African initiatives (**including the African Standby Force and Counterterrorism Centre in Algiers**)?

15) Would you say the US is honouring the undertakings of the G8 in Gleneagles (in 2005) where members pledged to support Africa's capacity to resolve conflicts and keep peace, thereby pledging to counter terrorism in Africa, including through cooperation with the AU anti–Terrorism Centre in Algiers? **(If yes, what is the US' modus operandi? If no, why?)**

16) How does the US assist the ASF?

17) Did the US support the AU Mission in Burundi (**If yes, how? If no, why**)?

18) Did the US support the African Mission in Sudan (**if yes how and if no why**)?

19) It has been argued that the UNSC Permanent Five Members utilise their UNSC permanent membership to frustrate AU decisions that are deemed contrary to their interests. Is this true? If not, how has the US supported the AU's decisions and request to the UNSC? **(Please also give specific examples.)**

20) Has the US ever demonstrated commitment to the operationalisation of the AU peace and Security Architecture (**If yes, how? If no, why?**)

21) Do you think there is tangible cooperation or cooperative arrangement between the AU and the US?

22) In your view, what would help alleviate fears and scepticism that the pledged assistance by foreign powers is purely motivated by the urge to secure their strategic interests?

23) In your view, how should the international community collaborate with the AU on matters of peace and security?

24) Do you think the PSC will ever succeed its peace and security agenda? (**Please substantiate your answer.**)

Questions that were asked to the European Union representative

1) Do you think the international community is providing the AU programmes of peacekeeping the necessary support?

2) In 2002 the G8 leaders, in their summit held in Kananaskis, Canada, pledged to enhance Africa's peace and security capabilities (through the provision of technical and financial assistance). In your view, has this commitment been followed by genuine practical actions, or was it mere rhetoric to pacify the AU? (**Please substantiate your answer.**)

3) In the AU/EU partnership how is the AU benefiting in the area of peace and security?

4) Has the EU ever demonstrated commitment to the operationalisation of the AU peace and security architecture? (**If yes, how? If no, why?**)

5) The EU Peace Facility Fund for Africa is often praised as the critical support to the AU's peace and security initiatives, can you elaborate on how is the fund assisting the AU (**which areas receive priority**)?

6) Does the EU have any policy on how its individual member countries can cooperate with the AU so as to avoid ambiguities? (**Please elaborate.**)

7) The AU believes that an operational ASF would better enable the organisation to swiftly respond to any peace keeping deployment needs on the continent, and thereby abating the over-reliance of the AU on voluntary peace keeping force contribution by individual countries, do you subscribe to this notion (**If yes, what is the EU doing to support it? If no, why?)**

8) Scholars often argue that the international role players have not been very sincere when participating in conflict resolution in Africa. They tend to attach too much importance to countries where their interests are at risk, rather than providing humanitarian assistance to the needy. What is your take on the above assertion and does the EU prioritise its assistance based on its interests or the humanitarian needs?

9) In your view, what would help alleviate fears and scepticism that the pledged assistance by foreign powers is purely motivated by the urge to secure their strategic interests?

10) In your view, how should the international community collaborate with the AU on matters of peace and security?

11) Do you think the PSC will ever succeed with its peace and security agenda? (**Please substantiate your answer.**)

Questions that were asked to the representative of China

1) What is China's policy in relation to Africa and the AU in particular?

2) How is China buttressing the initiatives of the African Union's peacekeeping agenda?

3) Is China involved in any way in assisting the AU in the operationalisation of Peace and Security Architecture (APSA)?

4) How is China assisting the AU peacekeeping missions in the continent (Burundi and Sudan in particular)?

5) Critics have blamed China for turning a blind eye to human rights abuses in certain African countries but concentrating on economic gains. Do you agree with this assertion? (**If yes, why? If no, why?**)

6) It has been noted that one of the reasons why the UNSC could not come up with a decisive decision on Sudan was that China used her permanent seat leverage to veto any decision deemed to be unpalatable to the Sudanese government (China's strategic partner). What are your views on the matter?

7) Has China's UNSC vote on the Sudan issue been motivated purely by her strategic oil interests than a moral obligation? (**Please substantiate your answer.**)

8) In your view, what would help alleviate fears and scepticism that the pledged assistance by foreign powers is motivated purely by the urge to secure their strategic interests?

9) In your view, how should the international community collaborate with the AU on matters of peace and security?

10) Do you think the PSC will ever succeed with its peace and security agenda? (**Please substantiate your answer.**)

Questions that were asked to the representative of the United Nations

1) How has the UN implemented the provision under Chapter VIII of the UN Charter in order to allow collaboration with the regional bodies, especially the AU, in the area of peace and security?

2) Article 17 (1) of the PSC Protocol states that 'In fulfilment of its mandate in the promotion and maintenance of peace, security and stability in Africa, the Peace and Security Council shall cooperate and work closely with the United Nations Security Council, which has the primary responsibility for the maintenance of international peace and security'. Would you say the UN has fulfilled this expectation? (**Please use Burundi and Darfur as your points of reference.**)

3) The PSC also operates under the premise that 'Where necessary, recourse will be made to the United Nations to provide the necessary financial, logistical and military support for the African Union's activities in the promotion and maintenance of peace, security and stability in Africa, in keeping with the provisions of Chapter VIII of the UN Charter on the role of Regional Organizations in the maintenance of international peace and security.' Do you think the PSC's expectation is justified? (**Please substantiate your answer.**)

4) It has been observed that while there are provisions in terms of the expected cooperation between the UN and the Regional Organisations, it seems that such cooperation (especially regarding situations in Africa) have been on ad hoc basis. Do you agree with the above observation? **(If yes, why? If no, why?)**

5) Diplomats in Addis Ababa, Ethiopia, have often stated that Africa's active participation in search of peace on the continent is frustrated due to Africa's unfulfilled expectations of the UN's capacity and resource support base. Do you think such statement is justified? (**Please substantiate your answer.**)

6) The AU and its PSC often argue that their intervention to Burundi, Darfur and Somalia was due to its proximity to the conflict with full consciousness of the provisions of Chapter VIII in relation UN and AU collaboration. Do you think the AU's actions and expectations thereof are justified? (**Please substantiate your answer.**)

7) Do you think there is an urgent necessity for a more structured UNSC/AUPSC cooperation so as to effectively deal with conflicts in Africa? (**Please substantiate your answer.**)

8) In your view, how should the international community collaborate with the AU on matters of peace and security?

9) Do you think the PSC will ever succeed with its peace and security agenda? (**Please substantiate your answer.**)

Questions that were asked to the representative of the United Kingdom

1) What is UK's policy in relation to Africa and the AU in particular?

2) How is the UK buttressing the initiatives of the African Union's peacekeeping agenda?

3) Is the UK involved in any way in assisting the AU in the operationalisation of Peace and Security Architecture (APSA)?

4) How is the UK assisting the AU peacekeeping missions on the continent (Burundi and Sudan in particular)?

5) Scholars often argue that the international role players have not been very sincere when participating in conflict resolution in Africa. They tend to attach too much importance to countries where their interests are at risk, rather than providing humanitarian assistance to the needy. What is your take on the above assertion and does the UK prioritise its assistance based on its interests or humanitarian needs? (**Please substantiate your answer.**)

6) It has been argued that the UNSC Permanent Five Members utilise their UNSC permanent membership to frustrate AU decisions that are deemed contrary to their interests. Is this true? If not, how has the UK supported the AU's decisions and request to the UNSC? (**Please also give specific examples.**)

7) In your view, what would help alleviate fears and scepticism that the pledged assistance by foreign powers is motivated purely by the urge to secure their strategic interests?

8) In your view, how should the international community collaborate with the AU on matters of peace and security?

9) Do you think the PSC will ever succeed with its peace and security agenda (**Please substantiate your answer.**)

Questions that were asked to the representative of Russia

1) What is Russia's policy in relation to Africa and the AU in particular?

2) How is Russia buttressing the initiatives of the African Union, peacekeeping agenda?

3) Is Russia involved in any way in assisting the AU in the operationalisation of Peace and Security Architecture (APSA)?

4) How is Russia assisting the AU peacekeeping missions on the continent (Burundi and Sudan in particular)?

5) Critics have blamed Russia for turning a blind eye to human rights abuses in certain African countries but concentrating on economic gains. Sudan has often been cited as an example. Do you agree with this assertion? **If yes, why? If no, why**?

6) It has been noted that one of the reasons why the UNSC could not come up with a decisive decision on Sudan was that Russia and China used their permanent seat leverage to veto any decision deemed to be unpalatable to the Sudanese government (Russia and China's strategic partner). What are your views on the matter?

7) Has Russia's UNSC vote on the Sudan issue been motivated purely by her strategic oil and other interests rather than by a moral obligation? (**Please substantiate your answer**.)

8) In your view, what would help alleviate fears and scepticism that the pledged assistance by foreign powers is motivated purely by the urge to secure their strategic interests?

9) In your view, how should the international community collaborate with the AU on matters of peace and security?

10) Do you think the PSC will ever succeed with its peace and security agenda? (**Please substantiate your answer.**)

Questions that were asked to experts on Sudan - African Mission in Sudan (AMIS)

1) The African Mission in Sudan was one of the PSC's first peacekeeping missions since the operationalisation of the PSC. Do you think the mission was a success? (Please substantiate your answer.)

2) The AU PSC together with UN Security Council agreed on the African Mission in Sudan (AMIS) being transferred and falling under the hybrid AU and UN operation (UNAMID) despite Sudan's initial rejection. What is your take on and your view of that decision?

3) Do you believe that the Government of Sudan's (GoS) initial objection to transfer of AMIS to the UN operation was justifiable? (**Please substantiate your answer.**)

4) Do you think GoS displayed meaningful cooperation with both the AU and the UN as regards the transfer of AMIS to UNAMID?

5) In your view, how could the Darfur situation be best resolved?

6) Do you think that cooperation (between the GoS and all the parties involved including the UN) could assist in the resolution of the Darfur situation? (**Please substantiate your answer.**)

7) Some African countries - especially those belonging to the Arab League - supported GoS in objecting to the transfer of the AMIS to a UN operation. What are your views on this matter? (**Please substantiate your answer.**)

8) In your view, what do you think constituted major hindrances to AMIS and how can they be alleviated in future AU missions?

9) Do you agree with the argument that lack of cooperation by GoS and rebel movements was another major hindrance to the activities of AMIS? (**Please substantiate your answer.**)

10) Do you think the major foreign players' (e.g. China and Russia) approach to the situation in Sudan displayed a cooperative spirit in line with AU and UN wishes?

11) Do you think there are any prospects for the AU PSC's success and why?

Questions that were asked to experts on Burundi - African Mission in Burundi (AMIB)

1) How well do you understand the Burundi peace process? (**Please elaborate.**)

2) The African mission in Burundi constitutes one of the first missions of the AU after its transition from the OAU. Would you say the Burundi conflict has been successfully approached? **If yes, why? And to what would you attribute such success? If no, why? And where are the shortcomings**?

3) AMIB was transferred to the United Nations Operation in Burundi (UNOB); was that a good or a bad move and why?

4) In future conflict resolution approaches would you encourage such an approach especially by the AU PSC? (**Please substantiate.**)

5) Cooperation by all the relevant players (**including rebels, the TGoB, the AU and the UN**) is often praised as having played a crucial role in the success of AMIB. Do you agree with this argument? (**Please substantiate your answer.**)

6) What else would you propose regarding the Burundi conflict and the PSC's approach to future peacekeeping missions?

7) Do you think there are any prospects for the AU PSC's success and why?

Questions that were asked to the AU PSC member state representatives

1) How many terms is your country given in the PSC?

2) As a PSC member what is your country's strategy with regard to conflicts that currently plague the continent?

3) To what extent does your country work with fellow PSC members in the resolution of conflicts and why?

4) What prompted your country to vie for PSC membership? (**Was it prestige or a genuine commitment to peace and security of the continent?**)

5) Does your country contribute to the Peace Fund of the PSC?

6) How is your country assisting the AU to operationalize African Peace and Security Architecture (**APSA**)?

7) The Darfur conflict has posed a formidable challenge to the PSC; in your view, to what would you attribute to such challenge?

8) Some African countries - especially those belonging to the Arab League - have supported Sudan in objecting to the transfer of the AMIS to the UN operation; what are your views on this matter? (**Please substantiate your answer.**)

9) The African Mission in Burundi (AMIB) was successfully transferred to the United Nations Operation in Burundi (UNOB); do you think that such transfer was necessary? (**Please substantiate your answer.**)

10) What would you propose the PSC does in similar instances vis-a-vis the AMIB and AMIS transition?

11) Do you think the international community is providing the AU programmes of peacekeeping the necessary support? (**Please substantiate your answer.**)

12) In your view, how should the international community collaborate with the AU on matters of peace and security?

13) Scholars often argue that the international role players have not been very sincere when participating in conflict resolution in Africa. They tend to attach too much importance to countries where their interests are at risk, rather than providing humanitarian assistance to the needy. What is your take on the above assertion and on what do you think international assistance should be based?

14) Do you think there are any prospects for the AU PSC's success and why?

Questions that were asked to the AU PSC Secretariat, PSOD and CISSA

1) What are the challenges facing the PSC in its day-to-day business of conflict prevention, management and resolution?

2) What are the conflict situations that have put the PSC to the test since it activation?

3) I am interested in the transition of AMIB to UNOB as well as of AMIS to UNAMID. What experiences would you share on these critical AU missions?

4) Do you believe that the Government of Sudan's (GoS) initial objection to the UN operation in Darfur was justifiable? (**Please substantiate your answer.**)

5) Some African countries - especially those belonging to the Arab League - supported Sudan in her initial objection to the transfer of the AMIS to the UN operation; what are your views on this matter? (**Please substantiate your answer.**)

6) Do you think that cooperation (between the GoS and all the parties involved, including the UN) has got anything to do with the resolution of the Darfur situation or its lack of resolution? **(Please substantiate your answer.)**

7) The African Mission in Burundi (AMIB) was transferred to the United Nations Operation in Burundi (UNOB). What were the motivating factors behind such a decision?

8) What would you propose the PSC does in similar instances vis-a-vis the AMIB and AMIS transition?

9) Do you think there is tangible cooperation between the international community including the UN and the PSC in the area of peace and security?

10) Do you think the fifteen member states of the PSC are genuinely working together to achieve a common goal of peace security in the continent? (**Please substantiate your answer.**)

11) Do you think the international community is providing the AU programmes of peacekeeping the necessary support? (**Please substantiate your answer.**)

12) In your view, how should the international community collaborate with the AU on matters of peace and security?

13) Scholars often argue that the international role players have not been very sincere when participating in conflict resolution in Africa. They tend to attach too much importance to countries where their interests are at risk, rather than providing humanitarian assistance to the needy. **What is your take on the above assertion, and on what do you think international assistance should be based**?

14) The PSC has set itself timeframes for the full operationalisation of African Peace and Security Architecture. Do you think such targets will be met? (**Please substantiate your answer by way of tangible examples**)?

15) What are the lessons learned in conflict prevention, resolution and management (**if any**), by the PSC since its activation to the present?

16) Do you think there are any prospects for the AU PSC's success and why?

Questions that were asked to the Head of the AU International Cooperation and Resource Mobilization

1) Who are the AU's international partners?

2) What is the nature of partnership between the AU and its partners?

3) How is the area of peace and security being approached in the AU's cooperation with its partners?

4) Is there a single channel through which the international partners' support to the PSC is funneled?

5) Who determines what support should to be given by international partners to the PSC?

6) Is there any support by the international partners to the PSC peace fund?

7) Is there any support by the international partners aimed at the operationalisation of Peace and Security Architecture?

8) Are you able to tell how the PSC utilises the international assistance (**particularly funding**)?

9) Do you think international partners' assistance is motivated by their interests rather than genuine commitment to AU programmes? (**Please substantiate your answer.**)

Questions that were asked to the AU Expert on Regional Mechanisms

1) To what extent (as a regional Bloc) do you cooperate with the PSC in the area of peace and security? **(Please substantiate your answer.)**

2) What contribution has your REC made towards the operationalisation of the African Peace and Security Architecture?

3) Do you have a mechanism of monitoring whether your peace and security related work in the region is aligned with the PSC's general work on the continent?

4) Do you have specific programmes aimed at buttressing the initiatives of the PSC at the continental level? (If any, please elaborate. If none, please give reasons.)

5) How do the RECs assist the PSC with capacity challenges?

6) Do the RECs have a special contribution to the Peace Fund? (Please elaborate.)

7) What are the challenges facing the PSC and the RECs in their day-to-day business of conflict prevention, management and resolution?

8) What are the conflict situations that have put the cooperative arrangement between the PSC and the RECs to the test since PSC's activation?

9) In 2008 the RECs signed a Memorandum of Understanding with the AU where the parties pledged to institutionalise and strengthen their cooperation and closely coordinate their activities towards their shared goal of ridding the continent of the scourge of conflicts and laying the foundation for sustainable peace, security and stability. How far has this commitment been fulfilled?

10) I am interested in the transition of AMIB to UNOB as well as of AMIS to UNAMID. What experiences would you share on the work of the RECs and the AU on these critical missions?

11) Do you think there is tangible cooperation between the international community including the UN and the PSC in the area of peace and security?

12) Do you think the international community is providing the AU programmes of peacekeeping the necessary support? (**Please substantiate your answer.**)

13) In your view, how should the international community collaborate with the AU on matters of peace and security?

14) The PSC has set itself timeframes for the full operationalisation of African Peace and Security Architecture. Do you think such targets will be met? (**Please substantiate your answer by way of tangible examples.**)

15) What are the lessons learned in conflict prevention, resolution and management (**if any**), by the RECs in collaboration with the PSC since the latter's activation to the present?

16) Do you think there are any prospects for the AU PSC's success and why?

Questions that were asked to the research institutes

1) What do you understand about international cooperation and its significance to conflict prevention, management and resolution?

2) In your view, do you think cooperation is important in the area of peace and security in Africa? (**Please substantiate your answer.**)

3) Do you know of any African situation where cooperation has played a role in the resolution of conflicts? (**Please substantiate your answer.**)

4) Do you think the international community accords African peacekeeping initiatives the necessary attention?

5) Do you think there is genuine commitment from the international community to work with Africa in peacekeeping areas?

6) Scholars often argue that the international role players have not been very sincere when participating in conflict resolution in Africa. They tend to attach too much importance to countries where their interests are at risk, rather than providing humanitarian assistance to the needy. **What is your take on the above assertion, and on what do you think international assistance should be based?**

7) In your view, how should the international community collaborate with the AU on matters of peace and security in Africa? (**Please substantiate your answer.**)

8) What is your view on the current AU PSC's approach to conflicts in Africa? (**Could you please relate your answer specifically to the AMIB in Burundi and AMIS in Sudan?**)

9) Is it necessary for the AU PSC to work together with the international players including the UN in its day-to-day business of conflict prevention management and resolution? (**Please substantiate your answer.**)

10) Do you think there are any prospects for the AU PSC's success and why?

Questions that were asked to the G8 Chair in 2009 (Italy)

1) Do you think the international community is providing the AU programmes of peacekeeping the necessary support?

2) In 2002 the G8 leaders, in their summit held in Kananaskis, Canada, pledged to enhance Africa's peace and security capabilities (through the provision of technical and financial assistance). In your view, has this commitment been followed by genuine practical actions, or it was mere rhetoric to pacify the AU? **(Please substantiate your answer.)**

3) Has the G8 ever demonstrated commitment to the operationalisation of the AU peace and Security Architecture? **(If yes, how? If no, why?)**

4) Does the G8 have any policy on how its individual member countries can cooperate with the AU so as to avoid ambiguities? **(Please elaborate.)**

5) The AU believes that an operational ASF would better enable the organisation to swiftly respond to any peacekeeping deployment needs on the continent, thereby minimising the over-reliance of the AU on voluntary peace keeping force contributions by individual countries. Do you subscribe to this notion? **(If yes, what is the G8 doing to support it? If no, why?)**

6) Scholars often argue that the international role players have not been very sincere when participating in conflict resolution in Africa. They tend to attach too much importance to countries where their interests are at risk, rather than providing humanitarian assistance to the needy. **What is your take on the above assertion, and does the G8 prioritise its assistance based on its interests or the humanitarian needs?**

7) In your view, what would help alleviate fears and scepticism that the pledged assistance by foreign powers is motivated purely by the urge to secure their strategic interests?

8) In your view, how should the international community collaborate with the AU on matters of peace and security?

9) Do you think the PSC will ever succeed its peace and security agenda? (**Please substantiate your answer.**)