Multilateral Peacekeeping in Africa: The Role of the UN and African Union

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Abstract
The United Nations was created to achieve international peace and security through collective measures. The international body has scored some successes in dealing with interstate conflict, but the institution has suffered significant failures in addressing intra-state conflicts. This problem has become largely evident in the addressing of security problems in developing regions, particularly in Africa. Among other things, the Western Powers’ lack of high level political will, their lack of resource commitment and their doctrine of non-violation of member states sovereignty stand in the way of the UN functioning effectively in addressing the matters of internal conflicts in Africa. Under such circumstances, there seems to be no alternative but for Africans themselves to rise up and meet the challenge of peacekeeping and conflict under the auspices of the newly established African Union Peace and Security Council (AUPSC). Obviously, young and weakly developed, the AUPSC needs to seek more support from the UN, Western powers, African sub-regional organizations and individual states in order to effectively address widespread internal conflicts in Africa.

Biography
Dr. Solomon Hailu teaches International/Community Development at the Oral Roberts University, Tulsa, OK. His teaching and research interest include International Political Economy, human security, conflict analysis and resolution and peace studies in Africa. He has extensively published on African peace and development issues. He is currently working on his forthcoming book on Collective Security in Africa.
The UN Charter Article 1 (1) states that one of the *raisons d’etre* for the birth of the UN was to maintain international peace and security and to this end, to take effective collective measures for the prevention and removal of threats to peace and the suppression of acts of aggression or other breaches of the peace.¹

Within the UN structure, the Security Council has received the mandate of handling international security issues. Article 24 of the UN Charter grants the Security Council the responsibility of utilizing every possible means to restore or maintain international peace. Among these are (1) seeking peaceful resolution of disputes under chapter VI of the UN Charter, which includes activities such as negotiation, mediation, arbitration, and conciliation of the disputing parties.²

During the Cold War, the UN had largely acted as an instrument of persuasion rather than coercion. All but a handful of the nearly 700 UN Security Council resolutions adopted during the Cold War have been under Article 24 of the Charter, which supports the peaceful settlement of interstate disputes.³ Examples are the several wars between Israel and the Arab states, the South African incursions into Angola, the Iran-Iraq war, the Falklands War, Libya-Chad, China-Vietnam, the Turkish invasion of Cyprus, and the Suez Canal Crisis⁴ and (2) the Security council also employed forceful means of restoring peace under the authorization of Chapter VII of the UN Charter, which allows both military and nonmilitary actions, such as economic sanctions against a law breaker or aggressor to be used in order to restore international peace.

Article 41 of the UN Charter reads: *The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.*⁵

Article 42: *Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.*⁶

However, the kind of aggression that the collective security system of the UN was designed to deter or punish has rarely been a feature of the conflicts during and after the Cold War. Instead, conflicts within states have become increasingly prominent. The Security Council has authorized only two peace enforcement actions in the context of interstate conflicts since its existence - the Korean War (1950-53) and the Gulf War (1991) - based on Article 42 of the UN Charter. In both cases, the mandate of the intervention was to restore the sovereignty of the victims of aggression, South Korea and Kuwait respectively.

Despite many of the Cold War intrastate wars having needed UN peace enforce-
ment measures, the UN has failed to authorize military measures according to Article 42 of its Charter. The UN has suffered three fundamental problems in dealing with intrastate conflicts. The first is doctrinal limitation. The UN was formed to create peaceful international relations among states and to settle conflicts between them but it still refrains from dealing with conflict within states no matter how destructive the conflict might be. Article 2 (7) of the UN Charter recognized that “nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state,” except when the Security Council is agreed to implement enforcement measures under Article 42. This means that the UN suffers from constraints of its own doctrine of sovereignty and non-interference in internal affairs of member states. Under such circumstances, the UN lacks proper doctrinal arrangements to address armed conflicts within sovereign states. The existing doctrinal flaw has raised the critical issue of whether the actions of the UN in sovereign states are within legitimate doctrinal limits.

Therefore, it is highly imperative that the UN takes critical steps in undertaking doctrinal revisions on its longstanding principles of non-interference and respect for traditional sovereignty. Instead, the UN should look to establish a doctrinal framework of intervention that authorizes it with the responsibility to protect under circumstances in which civilians are purposely being targeted by internal armed conflicts as was the case in the crises in Kosovo, Somalia (1992), Rwanda (1994), Haiti (1994), the Democratic Republic of Congo (1998-present) and Darfur happened to show.

Eva Bertram points out that the traditional view of sovereignty has so decayed that all should recognize the appropriateness of the UN measures inside member states to save them from self-destruction.” In his General Assembly speech (1999), former UN Secretary General Kofi Annan strongly asserted that the UN should take responsibility to protect civilian victims of internal armed conflicts. However, part of empowering the UN should involve doctrinal revision of the longstanding principle of non-intervention to allow the UN to intervene in order to rescue civilians amid internal armed conflicts. In response, the UN has adopted a new mandate of greater use of military intervention called “forceful humanitarian intervention,” which is designed to limit the effects of a conflict and assist in creating the conditions for its termination and the delivery of humanitarian aid.

Under this new practice, the UN Security Council has authorized enforcement actions in Somalia (1992), Rwanda (1994) and Haiti (1994) based on Article 42 of its Charter. This takes as its main purpose the protection of civilian victims from the ongoing armed conflict by creating a safety zone against human rights abuse. For example, during the Gulf War, the Kurds were protected by the allied forces from attacks by Iraqi forces. The mission also involved providing them with humanitarian assistance (e.g., food and
medicine). The mission used military means to sustain relief efforts, as did the one in Somalia. Arguably, this constitutes a sweeping revision of the original concept of “security,” which is underpinned in UN Charter Article 2 (7) and which effectively outlaws intervention in the internal affairs of member states.

Secondly, the UN was bound by ideological competition, rivalries, and even proxy wars between the two superpowers—the Soviet Union and United States. Despite its mandate of maintaining international peace and security, the superpowers’ competition for ideological influence denied the Security Council the power to operate at full capacity, irrespective of how seriously internal conflicts posed threats to peace. Throughout the Cold War, the Soviet Union was unwilling to contribute to the cost of the vast majority of UN peacekeeping operations that did not coincide with Soviet interests. The United States had also substantially cut its dues to the United Nations.

Despite the fact that the end of the Cold War brought an end to ideological tensions and confrontations, the dominance of the US and the less certain influence of regional powers is still very real. For example, the US unilateral decision to invade Iraq in 2003 was against the modus operandi of the Security Council.

The third issue is political limitation. The UN order-keeping mandates have been significantly impaired by traditional states’ national interest-driven conduct of international relations. For example, the Western Powers have no political interest to commit the necessary military and financial resources to UN interventions in regions where they have no immediate geo-strategic and economic interest, particularly in Africa. As a region, Africa ranks as the lowest place in the order of Western foreign policy priorities. Africa’s obvious lack of geo-strategic significance in the aftermath of the Cold War and its less than 5% contribution to the global economy have relegated it to the backburner of Western Powers’ foreign policy priorities. This means that the universal acceptance of the indivisibility of peace has not always been matched by the commitment of the necessary resolve and resources to make that belief in the indivisibility of peace a reality - particularly in African situations.

Arguably, the Western commitment to their strategic national interest outweighs their obligation to the UN collective security system. Without doubt, the West’s erroneous security policy towards Africa has significantly hurt the UN-led multilateral security efforts in Africa. Under such conditions, the UN has no other option but to depend on African regional organizations to seek solutions to peace and security problems in their continent.

The UN Charter authorizes regional organizations to take collective security measures in their respective regions in a manner that is consistent with the UN mandate of maintaining international peace and security. Article 53 states that “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.”

However, despite the fact that regional organizations are required to seek prior approval from the UN, they have not always been consistent with the UN standard procedure of regional intervention. For example, the Southern African Development Community (SADC) conducted intervention in Lesotho in 1998 without the authorization of the UN. The North Atlantic Treaty Organization (NATO) was accused of using excessive force during a peacekeeping operation in Kosovo. These problems arise because each regional organization has its own principle and agenda for intervention that may lead to possible tensions with the UN.

Nonetheless, for a number of reasons, the potential for regional organizations in peacekeeping and conflict resolutions can’t be ignored. First, past experience has proved that the UN has limited resources with which to resolve widespread international conflicts by itself. Africa has particularly been a serious testing ground for UN international peacekeeping missions. Failures in Somalia (1993), Rwanda (1994), Angola (1999), Sierra Leone (2000) and most recently, its ongoing struggle in the Democratic Republic of Congo, Darfur and Sudan, are clear indications of the UN’s inadequacy in addressing peace and conflict issues in Africa.

The aforementioned failures of the UN in Africa seem to confirm that the UN has to seek more support from African regional organizations to help address the complex nature of conflict in the continent. However, under the present circumstances, African contributions to the UN’s multilateral peacekeeping operations in Africa come mostly through the contribution of troops. Africa’s poverty and underdevelopment is the obvious reason for its limited contributions.

Second, regional organizations are far more familiar with local and regional dynamics of conflict and have sound knowledge of indigenous mechanisms of conflict resolution. Therefore, regional organizations should have to share the UN burden of maintaining peace and security in their respective regions. Third, regional organizations have growing aspirations to play an active role in conflict resolution in their respective regions in order to ward off the most immediate “collateral damage” from regional conflicts. Fourth, regional involvement is less costly and intervention more timely due to the easy access to the conflict zone as a result of geographical proximity and, in some cases, common knowledge of language and culture.

However, casting greater peacekeeping and conflict resolution responsibility on regional organizations may bear the following problems:

- Regional organizations are often accused of lacking impartiality for representing the national prejudices of their most powerful member(s). This lack of impartiality arises from covert and overt political objectives of regional powers. In this respect, forces from
distant countries are highly recommended.

- Regional organizations’ roles can be weakened by the lack of a formal mandate and policy framework and by the lack of experience needed to handle security issues in their respective geographical areas.

- Regional states are technically unable to carry out extended peacekeeping missions because of a lack of finances, low levels of skills and professionalism and poorly equipped peacekeeping personnel.

The Role of the African Union Peace and Security Council (AUPSC)

One of the top priorities of the African Union (AU) is addressing the prevalent peace and security problems in Africa. The African Union Peace and Security Council (PSC) was established in 2004 with the primary purpose of maintaining African peace and security in the context of expanded approaches in conflict resolution, which involve early warning systems, mechanisms for conflict prevention, doctrines of peacekeeping operations and peace-building missions, and the establishment of an African standby force for quick deployment.

The PSC consists of fifteen member countries. Ten countries are elected to the position every two years while the other five PSC members are elected to the position every three years. PSC is further supported by the Panel of the Wise and the AU Peace Fund, which coordinates financial support from partners inside and outside of Africa to support PSC activities.

Article 5(2) of the new AU Charter (also known as the Constitutive Act of AU) provides the specific function of the Peace and Security Council of the Union as a standing decision-making organ for the prevention, management, and resolution of conflicts in Africa. The AU Constitutive Act also established a legal, technical and doctrinal framework for PSC intervention within and between member states through military and non-military activities. The African Union is perhaps the only regional organization in the world to put into effect a doctrine of intervention in its member countries to avert crime and atrocities against their civilian population. Article 4 of the Constitutive Act asserts that the “Peace and Security Council may authorize intervention in a member state in respect of grave circumstances, namely war crimes, genocide and crimes against humanity.”

Despite establishing a regional intervention policy framework, including the
mandate to protect civilians from internal conflict, the PSC is less prepared to conduct robust intervention that covers the continent as a whole. The PSC simply doesn’t have the necessary financial and human resources to stage durable peacekeeping operations under current conditions.

In addition to diminished Western interest in supporting the PSC peacekeeping efforts in Africa, the PSC’s activities have been further undermined by Africa’s own lack of high-level political will to commit military and financial resources. For example, the embattled African Union Mission to Somalia (AMISOM) is close to total collapse because of a serious shortage of combat forces. African countries have been turning down the PSC’s requests for peacekeepers. As the case of AMISOM appears to show, only Uganda and Burundi together contributed about 5,000 of the 8,000 African contingents needed to launch the mission. The rest of African states are nowhere near committing themselves to help the PSC’s peace enforcement efforts in Somalia. This can be due to weak national security capacity and pressing socio-economic internal priorities.

Nevertheless, the PSC may still utilize the potential of African states through partnership with African sub-regional organizations. Article 16 of the protocol relating to the establishment of the African Union’s Peace and Security Council establishes appropriate procedures and principles which sub-regional mechanisms should follow in order to stage any intervention in their respective region of administration.

Some of the prominent African sub-regional organizations include the Intergovernmental Development Authority (IGAD) in the east; the Economic Community of West African States (ECOWAS) in the west; the Arab Maghreb Union (AMU) in the north; the Southern African Development Community (SADC) in the south; and the Economic Community of Central African States (ECCAS) in Central Africa.

None of these sub-regional organizations were originally mandated to handle security problems within their respective regions. Indeed, at their inception, they were established as African Economic Communities (AECs) to promote economic integration and regional trade among their member states. However, the pressing insecurity issues in their respective sub-regions have forced them to expand their mandate in order to deal with conflict resolution and peacekeeping before they were able to build competent mechanisms for regional security. For example, ECOWAS conducted peacekeeping operations in Liberia in 1995 and Sierra Leone in 1997 on an ad hoc basis—without a well-established regional intervention structure to coordinate and lead forces drawn from different countries. The ECOWAS forces had neither previous joint military training nor sound logistical readiness prior to the intervention.

Clearly, the ECOWAS experience suggests that African sub-regional organizations need more time to construct a broader and more sustainable regional...
intervention capacity that involves building early warning systems, preventive actions, the establishment of a standby force and peacekeeping activities. To this end, African sub-regions have begun to develop capacities for regional intervention through joint trainings, seminars, and workshops. As part of developing their security capacities, the PSC mandated each sub-region to build a brigade size African Standby Force (ASF) to be deployed under the command of the PSC. Each sub-region is currently in the process of building civilian and military components of this ASF. Among other things, the ASF has the following tasks:\textsuperscript{20}

- observing and monitoring missions;
- preventive deployment;
- peace-building missions; and
- humanitarian assistance

However, building such capacity takes a long time and extensive resources, while African security problems need urgent solutions. In the face of such urgent crises, the UN must assume immediate responsibility to address African security problems. As set out in Article 1 of its Charter, the UN has been mandated to maintain international peace and security. Therefore, as part of its international obligation, the UN Security Council must continue to search for multilateral solutions to African peace and security problems. African motivations to do more in peacekeeping however should not be used as an excuse to scale down the extent of UN involvement in peace and security on the continent.\textsuperscript{21}

In the meantime, the United Nations should simultaneously build African security capacity while undertaking peacekeeping operations in Africa. Most importantly, the UN Security Council and African Union Peace and Security Council should establish a strong partnership to promote peace and security in Africa based on the prescriptions of Articles 53 of the UN Charter and Article 7 (K) of the Protocol on the African Peace and Security Council which reads, “to promote and develop a strong ‘partnership for peace and security’ between the Union and the United Nations and its agencies, as well as with other relevant international organizations.”\textsuperscript{22} The ongoing UN/AU hybrid peacekeeping force in Darfur is an example of a joint peacekeeping model used by the UN and the AU that needs to be adopted in Somalia and other African trouble spots.

Furthermore, the UN must use its international leverage and legitimacy to mobilize support from the international community in order to enhance the conflict resolution and management capacity of the PSC. In this light, part of the UN strategy should include mobilizing member states (in particular the Western Powers) and persuading stronger African states such as South Africa, Nigeria, Ethiopia, Ghana, and Egypt to support the efforts of the PSC in order to establish collective security in Africa. This demands that irrespective of their economic and military strength, every member country should be willing to participate on a consensus basis that peace is indivisible. The duties of the world’s bodies should include encouraging non-African regional economic and security alliances and international philanthropic organiza-
tions to help the PSC to effectively deliver on its obligation to maintain peace and security in Africa.
Endnotes:

1. The UN Charter Article 1(1)
2. The UN Charter Article 24
5. The UN Charter Article 41
6. The UN Charter Article 42
7. The UN Charter Article 2(7)
13. The UN Charter Article 53
15. Ibid.
16. African Union Constitutive Act Article 5(2)
17. African Union Constitutive Act Article 4
19. Protocol relating to the establishment of the Peace and Security Council of the African Union Article 16
20. Protocol relating to the establishment of the Peace and Security Council of the African Union Article 13
22. Article 7 (K) of the Protocol on the African Peace and Security Council