

CHAPTER 7

CONCLUSIONS

The African Union and The Responsibility to Protect

The transition from the OAU to the AU ushered in far-reaching changes to the pan-African peace and security agenda, particularly with respect to the parameters of sovereignty and intervention for human protection purposes. The principles underpinning the AU's emerging peace and security regime resonates with elements of *The Responsibility to Protect* framework. In terms of the norms and rules governing intervention, the AU finds itself closely aligned with *The Responsibility to Protect* principles inasmuch as the AU acknowledges that it has a right to intervene without the consent of the target state to protect populations against egregious human rights violations. However, consistent with the prevention-reaction-rebuilding continuum of protection articulated in *The Responsibility to Protect*, the emerging frameworks and founding documents underscore the importance of conflict prevention and sustainable post-conflict reconstruction through development as a means of achieving inter- and intra-state peace and security, and stresses that sustainable development cannot take place in the context of extreme instability and insecurity.

Early lessons from Burundi and Darfur

The case studies presented in this paper reveal that – at least in these cases – the AU possesses the political will to implement its normative commitments to peace and security, including the protection of vulnerable populations. In Burundi, the AU and regional leaders recognised the importance of peace to avoid further exacerbating conflict in the sub-region. Key African leaders also saw the deployment of AMIB as a critical opportunity to distance the AU from the OAU. Senior AMIB officers also drafted rules of engagement that would allow AMIB troops to protect civilians. In Darfur, key African leaders and the AU Commission were eager to demonstrate the AU's capacity to respond meaningfully to the crisis. AMIS has a mandate to protect civilians in its immediate vicinity, within the limits of its capacity and resources.

The AU is filling critical gaps in Africa's peace and security agenda and architecture. In Burundi, the AU provided a military mission to compensate for the UN's unwillingness to deploy troops in unstable conditions. In Darfur, the AU was one of the few actors capable of taking action. The GoS would not allow any other international player to assume a central role in political negotiations or ceasefire monitoring. At the same time, the GoS was not pushed by the UN to accept more active international engagement because members of the Security Council were not able to come to a consensus on the role of western powers in responding to the crisis.

The AU has had some success in implementing its commitments to peace and security in Burundi and Darfur. In Burundi, AMIB helped stabilise parts of the country and contribute to creating the conditions conducive to UN deployment. In Darfur, AMIS is deterring some ceasefire violations and is providing some security to civilians where it is present. However, the AU faces major obstacles to meeting its peace and security objectives, including its commitment to the protection of civilians. AMIB was tasked with a mandate it could not possibly fulfil and its resources were not aligned with its requirements. The mission lacked the requisite financial resources, operational and institutional capacity as well as training and expertise to fulfil its mandate and to provide meaningful protection to civilians. AMIS does not have the planning capacity to deploy on schedule and faces command and control, and logistical constraints. Some troops may also lack proper training and expertise to carry out their assigned tasks. It also has too few troops on the ground and a weak mandate.

The AU's experience in Burundi and Darfur reveals that the AU requires extensive political and material support from the international community in order to deliver on its commitments to peace and security, including to the protection of civilians. However, slow decision-making on the part of donors delayed AMIB's deployment. In comparison, external support for AMIS has been disbursed comparatively quickly and is fairly well coordinated. However, key members of the international community have not backed the AU with the political pressure required to help resolve the conflict, including through political negotiations and the implementation of the ceasefire and commitments to protect civilians.

The African Union and regional organisations

The AU's emerging security architecture places the continental organisation within a robust security system made up of African regional arrangements

and mechanisms, the UN, and other key members of the international community. The building blocks of this security architecture are Africa's regional economic communities (RECs), allowing the AU to build on the regions' comparative advantage, experience and – in the case of western, eastern and southern Africa – established frameworks and mechanisms for conflict prevention, management and resolution. Yet there are a number of challenges confronting African regional organisations and their efforts to fulfil a peace and security mandate, including questionable legitimacy, resource and capacity constraints and conflicting political agendas within and between regional organizations. In addition, member states may be resistant to grant greater decision-making authority to the AU, in part because regional organisations provide an alternative forum to exercise influence and leverage greater institutional support for specific political agendas than might be possible in organisations with a larger and more diverse membership. Donor initiatives may further exacerbate these broad differences inasmuch as they focus on certain regions over others and support regional organizations with overlapping membership. This may undermine the rationalisation and integration project of the AU.

The African Union and the United Nations

The UN also provides a central building block in the AU's emerging peace and security system. Yet recent practice reveals tensions between the AU and the UN. On the one hand, the AU and African leaders recognise that there is a need to develop African capacities to respond to crises when the UN is unwilling or unable to do so. On the other hand, the UN must be held to account for its responsibilities in Africa. The AU's recent experiences in Burundi elucidates an emerging division of labour between the AU and UN, whereby the AU will provide the security dimension of a broader political process to respond to immediate crises and to create conditions sufficiently stable for the Security Council to authorise a more robust operation.

The lessons from "re-hatting" in Burundi suggest that successful transitions from AU to UN command may require a more formalised relationship between these two organizations that draws on comparative advantages and common understandings of the nature of the conflict, clarifies respective roles in conflict management and resolution, and minimises troop reductions and demotions. It is not clear how the AU and the UN might cooperate in Darfur given that the two organisations have charted out very distinct courses for action. In addition, the AU's missions in Burundi and Darfur may also reveal the emergence of a two-tiered system of international security where African

regional organisations are deployed to contexts of extreme insecurity with fewer resources and stronger mandates than a UN mission. These dynamics may be generating a tension between the AU and the UN that will need to be addressed if the two organisations are to share responsibility for peace and security in Africa. On the one hand, AMIB and AMIS officials recognised that they were/are acting on part of UN. On the other hand, officials expressed what might best be described as resentment at the fact that African soldiers put their lives at risk in difficult circumstances only to hand over – as one AU official put it – “a clean baby” to the UN.

Supporting the African Union's integrated approach

To implement its peace and security agenda the AU has created or supports a number of institutions and arrangements that will contribute to structural conflict prevention and sustainable development on the continent. The AU has developed various commissions with corresponding departments to deliver on a broad peace, security and development agenda, and the AU Commission has taken initial steps to develop a strategy for post-conflict reconstruction. The African Peer Review Mechanism is intended to promote structural conflict prevention through good governance. In addition, NEPAD sets out a series of peace and security priorities to respond to different stages of conflict.

The AU is also developing tools for operational conflict prevention, including the Continental Early Warning System, a Panel of the Wise and the Peace and Security Council. The AU is building its capacity to respond rapidly to a various types and phases of conflict through the development an African Standby Force (ASF). Once fully developed the ASF should be able to adopt standard operating procedures for protecting civilians and to respond rapidly to crisis situations where the international community does not act promptly.

Key external actors have helped shape Africa's evolving peace and security regime. The EU's African Peace Facility is providing critical support to the AU. However, funds for the Peace Facility are drawn from envelopes already earmarked for development thereby begging profound questions about how best to negotiate trade-offs between spending for stability and security with the allocation of resources to operational and structural conflict prevention and longer-term development assistance designed to address the root causes of instability and insecurity. The G8's joint initiatives in Africa may also make an important contribution to peace and security through regional

organisations and the AU. However, the G8's increasingly narrow focus on developing military capability over conflict prevention and resolution capacities on Africa risks contributing to the construction of a security architecture that is only capable mounting military responses to crises. There is a need for the G8 and other donors to also focus on helping the AU to develop a range of operational and structural conflict prevention capacities.

Canada has been a central player in placing and keeping Africa on the G8's agenda and in developing a set of initiatives that respond to NEPAD's broad peace, security and development priorities. Canada is one of the first donors to provide genuinely flexible funding to the AU. However, Canadian contributions to peace and security capacity-building for the AU and regional organisations are minimal in comparison to resources provided to NATO and the UN over the past five years. These spending patterns raise important questions about how Canada should balance its contributions to international peace and security, particularly as Africa leaders, the UN and donors assign greater responsibility for peace and security in Africa to the AU and regional organisations. In addition, existing Canadian support for Africa's peace and security regime tends to favour developing West African capacities over funding for the AU. While contributing to peace and security in West Africa is important, Canada needs to ensure that its regionally oriented support reinforces rather than undermines the continental security architecture envisioned by the AU Commission and member states. Furthermore, as the Canada Fund for Africa sunsets, Canada – like other G8 nations – faces critical questions about how to reconcile the urgent need to build PSO capacity and support crisis response in Africa with the equally pressing need to develop a range of conflict prevention, management and resolution capacities in Africa.

Shared responsibilities in fragile states

Ultimately, the AU and the rest of the international community will need to use a range of tools to deliver its new peace and security agenda in Africa. This has become particularly clear in Darfur, where sustained pressure is required for all sides to fulfil ceasefire agreement and commitments to protect civilians and find a political resolution to the conflict. At the same time, these political initiatives need to be matched with strategies on part of national and international actors to address the social and political vulnerabilities at the root of conflict. Yet an examination of donor commitments to development in Burundi and donor contributions to Sudan also raises important questions of how to appropriately sequence immediate

relief and recovery activities, and longer-term strategies to reduce poverty and build a sustainable peace. It highlights the importance of devising more comprehensive strategies of addressing multiple conflicts in a single state. It also underscores the need for donors to devise strategies for effective engagement in conflict contexts or where the state is unwilling or unable to devise a viable development strategy.