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THE ORGANISATION OF AFRICAN UNITY (OAU) AND PEACEMAKING IN THE 1990s

Over the last two decades or more, there have been numerous studies of the Organisation of African Unity (OAU) as a continental peacemaker and very many lamentations about its inability to advance the cause of peace in Africa. The inability of the OAU to effectively engage itself in peace-keeping and peacemaking has been particularly marked in the 1970s and 1980s, a time when Africa has been plagued by a series of fractures - civil wars, military coups, political repression and border conflicts.

Many explanations of the OAU's incapacity in these areas have been advanced, ranging from lack of resources to the argument - true of other regional organisations - that it merely represents and reflects the vitiating political divisions of its members.

CONFLICT SETTLEMENT

Since its inception in Addis Ababa in May 1963, the OAU has widely proclaimed its commitment and competence as the *primary* agency to intervene in African conflicts. Indeed, a central element of the Charter of the OAU is member-states' commitment to the principle of "peaceful settlement" (Charter of the OAU, Article 111/4). Moreover, African governments have always maintained that conditions of peace and security do constitute the basis upon which African solidarity and cooperation can be constructed. Consequently, the founding fathers established the Commission of Mediation, Conciliation and Arbitration as one of the four principal pillars of the OAU to underscore regional and organisational commitment to peaceful settlement of regional conflicts. Justice Elias, a leading member of the drafting committee of the OAU Charter, has expressed the view that this Commission in large part provides the *raison d'être* of the organisation itself.

Both academics and policy makers appear to have written off the OAU as an effective instrument of peace-keeping and peace-making. The OAU's resilience, however, could be ascribed to the fact that Africans continue to find reason to keep the OAU, tenuous though this may be, as one of the last lifelines to peace and stability. In a continent beset by fractures and conflict, the OAU provides a centre of political gravity, the absence of which could turn Africa into the proverbial 'black hole'. Notwithstanding its many limitations, it has been the continental body for the establishment and maintenance of regional order and a modicum of stability by providing norms and principles that govern interstate relations.

The OAU's performance in the area of conflict management is to a considerable extent a function of institutional principles and provisions. In this respect, the OAU was essentially a product of its time in reflecting these aspirations, concerns and ideals of the founding fathers, which in turn reflected the international and regional sentiments then prevailing.

The OAU evolved as a compromise to contain the ideological cleavages and divisions which characterised Africa at the initial stages of the continent's interaction with world society. From 1959 to 1963, independent Africa was divided into two distinct ideological schools. There were the Pan-Africanists who advocated immediate political union of African states, and the "statists" or Monrovia group who denounced any precipitate union, preferring instead, a loose form of association of independent African states, based upon the principles of national sovereignty, independence and functional cooperation.

These conflicting political ideas and interests crystallised in an organisation whose principles and ethic amounted to a compromise between unity and independence. The weight of this compromise however, was on the side of independence and national interest, as argued by the Monrovia grouping. After three decades of sovereign existence and interstate relations there is little hard evidence that the majority of states in Africa have reversed their preference for independence in favour of Pan-African unity and interests.

Evidence of African states' insistence on the primacy of independence over unity is provided by the principles of the OAU Charter itself. The first five of the seven principles are devoted to the sanctity and the preservation of state sovereignty and independence. Thus, with regard to security concerns, the principles enunciated in the OAU Charter are almost exclusively nation-specific.

The OAU is an association of states whose rules and operational practices exist to prevent undesirable interactions occurring among members. Essentially a collective security system, the OAU does not exist primarily to act - it exists

to limit designs and actions by its member-states that would undermine regional peace and order. It is, therefore, endowed with modest authority and capacity for conflict management - it has no coercive powers whatever. Although the Charter imposes on member states the requirement "to observe scrupulously the principles" of the organisation, there is no provision for sanctions against deviant states. The OAU is even denied the ultimate sanction of dismissing a recalcitrant member.

The limited capacity of the OAU as a peace-maker is further underlined by the circumscribed authority for conflict management contained in the protocols of mediation. Although member states are obliged by the Charter to submit all disputes to the process of peaceful settlement, submission to the jurisdiction of the Commission of Mediation, Conciliation and Arbitration is optional and not compulsory. Organisational intervention is restricted to disputes between member states, a provision which accords with the principles of non-interference in the internal affairs of member states.

THE OAU AND INTERNAL FRACTURES

Non-interference in the internal affairs of states is a sacrosanct principle of the OAU. African leadership, however, appears to have awakened to the threat to regional security posed by internal fractures of the magnitude of Somalia, Chad, Ethiopia and the Sudan.

This sentiment, which has gained momentum in Africa, especially since the Liberian crisis, was articulated at the Kampala 1991 meeting of the African Leadership Forum, which considered a Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA).

This new mood reflects the emerging international consensus that in domestic fractures, where there is a collapse of governance, or massive abuse of human rights, or mindless violence resulting in major social dislocations, the international community has a moral duty to intervene. This nascent consensus has culminated in UN Security Council Resolution 688 of 5 April 1991, which broke new ground in international law, by approving "the right to interfere on humanitarian grounds" in the hitherto sacrosanct internal affairs of member states.

In the case of the OAU, however, this laudable sentiment is not enough. The weight of human misery in Africa as a result of internal conflicts, drought, famine and marginalisation demands intervention within a broader multilateral framework - that of the United Nations and the Commonwealth.

The gravity of conflicts in Somali, Ethiopia, Sudan, Chad and Mozambique demands resources and political leverage which the OAU does not have. The future of the OAU in peace-keeping and peacemaking increasingly seems to be complementary to the multilateral framework of the United Nations and the Commonwealth.

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