

Options for Strengthening the African Union

Testimony by

**Jennifer Cooke
Co-director, Africa Program
Center for Strategic and International Studies
Washington, D.C**

before the

**African Affairs Subcommittee
of the
Senate Foreign Relations Committee**

Hearing on African Organizations and Institutions

**November 17, 2005
Dirksen Senate Office Building
Room 419**

Options for Strengthening the African Union

Introduction

Chairman Martinez, and members of the Subcommittee, I am grateful to you for the opportunity to appear here today to speak on the very important subject of the African Union. I will concentrate my comments on the launch of the African Union and how best the United States can assist it.

In 2001, the transformation of the Organization for African Unity into the African Union signaled a new determination among several key African leaders to take greater responsibility for shaping the continent's future. Most significantly, these leaders consciously committed the AU to play a proactive role in ending Africa's conflicts and in setting credible new norms for economic and political governance. They stirred the AU to come out openly in opposition to military and other forms of egregious misrule, to fight corruption, and to embrace the principle of self-criticism and peer review.

This shift was a conceptual and political watershed. It emerged from the 1990s when a proliferation of African crises—in Somalia, Rwanda, the Democratic Republic of Congo, Sierra Leone, and others—wreaked untold misery on African populations, while the OAU stood on the sidelines, quiescent and utterly ineffectual, shielded by its founding principles of the sanctity of state sovereignty and non-interference. With the formation of the African Union, and a parallel initiative, the New Economic Partnership for African Development (NEPAD), a new consensus began to emerge around the paradigm of human—versus state—security, and the collective responsibility of Africans to protect that security. This has translated into a far greater willingness by African leaders to mediate conflicts among their continental neighbors and to begin to lay down standards of good governance, economic stewardship, and meeting basic needs in health, education, and other social services.

These steps led to the creation in 2003 of the AU Peace and Security Council, plans for the eventual creation of a continent-wide African Standby Force, and the ambitious embrace of a lead role by the AU in both brokering a peace settlement and putting in place a major peace operation in the Darfur region of Sudan. At the same time, the AU has assumed responsibilities for ending internal conflict and misrule in Burundi, Togo, Mauritania, and Côte d'Ivoire. On a parallel track, the AU is moving forward with a newly formed African Peer Review Mechanism to evaluate governance among states that volunteer for review.

This pivotal change is still at an early, fragile stage. The new norms are an aspiration. They are often violated, as the case of Zimbabwe shows only too clearly. Implementation of the change is uneven, and the AU remains heavily dependent on external support. The

institutional architecture envisioned for the AU is ambitious and broad, and yet at the moment these ambitions remain largely a framework, with neither depth nor capacity. Nor has the AU fully sorted out how it will relate to the multiplicity of other African institutions and initiatives, many of which overlap: the regional economic communities, the African Inter-Parliamentarian Union, the African Commission on Human and Peoples' Rights, and others. Action often depends on the inclination of key personalities within the AU, and on occasion, rivalry for influence hampers effectiveness.

We should not be surprised that it takes time for a new regional body such as the African Union to launch itself. It took many years for other comparable regional bodies in Latin America, Asia, and Europe to acquire institutional capacity and build confidence both within and without their respective regions. The AU experience will not be fundamentally different. It is equally important to note that the advent of the AU has generated high expectations within Africa and in the international community and has begun to generate some early promising returns. Indeed, the AU is already being called upon to play a lead role in some of the continent's most formidable crises.

Mr. Chairman, as the AU's new role has unfolded, it has also become increasingly clear that U.S. interests in Africa are in close alignment with—indeed interdependent with—those of the African Union. That intersection is most poignantly seen in Darfur, but also reaches well beyond Sudan. Over the last decade there has been a dramatic rise in U.S. strategic interests in Africa: in combating terrorism, ensuring steady and reliable energy supplies, combating the HIV/AIDS pandemic, preventing mass atrocities and answering the threat of genocide, promoting democratization, and ending Africa's chronic wars that undermine hope for economic growth and development within an expanding global economy. There is increasing bipartisan consensus, in Congress, in successive administrations, and among the American public to help address the challenges that Africa faces and to encourage and support promising trends and initiatives.

To meet these rising U.S. national interests in Africa requires an effective U.S. policy that looks out into the future and that identifies competent and like-minded partners on the continent. The African Union is just such a key emergent partner, not the sole option, and not one without uncertainty and problems, but nonetheless an important and promising partner. It has embraced many of the same values and goals that currently animate U.S. policy, and is showing early progress. Conversely, the African Union's continued future progress rests to a significant degree on its success in building effective external partnerships, most importantly with the United States and the European Union.

For these reasons, it is in U.S. national interests to support the nascent sense of collective African responsibility embodied in the African Union and to work assiduously to build a strong, enduring partnership with the AU. That goal should be a long-term priority of U.S. foreign policy.

For the United States to be successful in this arena, however, it will need to take three steps to build a more systematic, reliable, bi-partisan, and long-term U.S. engagement with the African Union.

1. A critical first step is for the United States to appoint a fully accredited U.S. ambassador to the African Union. The United States has taken this step with several other regional organizations (NATO, OAS, ASEAN, EU) to the considerable benefit of U.S. foreign policy interests. Such an appointment to the AU, with adequate authority and staff support, will help ensure consistency of U.S. approach, signal the seriousness of U.S. purpose, and allow a single focal point for U.S. engagement on both immediate priorities and the longer-term challenges that the AU will face. This is not a costly step, nor is it premature. If anything, it will provide additional valuable oversight of the multiplying streams of U.S. assistance to the AU.
2. A second, critical step is for the United States to define a realistic, dynamic strategy of long-term engagement with the AU, and to tie that strategy systematically to consistent, reliable baseline funding. The United States should be looking out at least a decade in this engagement and begin setting targets for support, either in absolute dollar amounts or as a percentage of support requirements. Currently U.S. support to the AU is ad hoc, crisis-driven, vulnerable to raids from other budget lines, and uneven from year-to-year. If the U.S. is to be credible and reliable in assisting the AU to acquire key new capacities, it needs to break consciously with current practices. Sectoral priorities for financial and technical support should include:
 - i. helping build the AU's capacity to resolve conflicts through targeted training and support of mid-level mediators, expanding the competence of negotiating teams beyond the senior-most echelons; and strengthening regional peacekeeping capacities, notably the planned African Standby Force;
 - ii. helping to standardize and strengthen emerging norms on governance and economic stewardship; and
 - iii. helping strengthen approaches to chronic and infectious diseases (to include HIV/AIDS, TB, and malaria) and the environment. In all of these areas, the U.S. has special expertise to contribute.
3. Third, the United States must respond more effectively to the ongoing emergency in the Darfur region in Sudan. This will require (as outlined below) heightened U.S. leadership to facilitate an expanded UN peacekeeping role in support of the AU in Darfur and greater diplomatic pressure on the parties to the conflict. It will also require special care that the U.S. response to this immediate crisis does not weaken the U.S. resolve to build enduring AU capacities over the long-term. The United States should not mortgage the AU's future to finance its current, urgent emergency requirements. The United States and the EU alike suffer from this malady, and each needs somehow to learn how simultaneously to balance meeting

immediate urgent requirements like those in Darfur while also addressing the AU's long term capacity requirements.

The Immediate Challenge: Crisis in Darfur

The United States should use all its persuasive power to encourage the African Union to partner with the United Nations and request an alignment of AU and UN forces in Sudan, and, together with the international community, to pressure the Government of National Unity in Khartoum to acquiesce.

The most immediate and pressing challenge for the African Union is the crisis in Darfur. Beyond the evident humanitarian costs of the conflict, the current security operation and mediation efforts under way are an early test of AU commitment and capacity. Success of this mission is critical, not only for the people of Darfur, but for the longer-term prospects of AU interventions. And right now that intervention is in crisis.

The world's first priority there must be to fix the security situation, which is disintegrating into an increasingly diffuse mix of banditry, retaliation, and breakdown of command and control both within the fragmenting rebel movements and on the government side. There can be no progress on political mediation until there is some restoration of order, some control over cross-border trafficking in arms and support, an effective clamp-down on Eritrean, Libyan and Chadian meddling in the conflict, and heightened pressure on Khartoum. This is clearly beyond the AU's current capacity.

The United States has committed \$167 million to the AU mission in Darfur. And as Deputy Secretary Zoellick stated earlier this month, in areas where they have deployed, security has improved. But the African Union itself, currently with just over 6,000 troops on the ground, has acknowledged that it will be near impossible to get 13,000 troops deployed in any reasonable timeframe. The recent kidnappings and killings of AU troops and continued insecurity in Darfur are proof that the African Union at this stage, despite commitment and commendable performance, does not have the capacity to fulfill this daunting task.

At this point, our best and most realistic option would be for the UN Security Council to enlarge the ambit of its Sudanese peacekeeping operation, to allow support for the AU mission in Darfur. It simply makes no sense to have 10,000 UN troops in Sudan, mandated to monitor and support implementation of the Comprehensive Peace Agreement, parallel to an AU force in Darfur, but forbidden from intervening in that area of the country that most needs security. But for the Security Council to take this step to merge the two missions, the request will need to come—directly and persuasively—from the African Union itself. A merger of this kind need not undermine or detract from the accomplishments, responsibility, or command structure of the AU forces on the ground, but rather will signal a mature acknowledgement of what is required to uphold the responsibility to protect.

The United States and other key players should lend political support to AU mediation efforts in Abuja by assigning senior, empowered advisers and mediators to the talks; by making available quick and flexible financing for training and technical assistance; by exerting diplomatic pressure to minimize the role of potential regional spoilers; and, in consultation with AU mediators, by continuing to build unified, international pressure on both the rebel groups and on Khartoum to make demonstrable progress in fulfilling their promises and negotiating in good faith.

The Darfur negotiations in Abuja will be stalled unless there is a change in the security situation on the ground. That said, since negotiations began last year, the AU mediation team has improved dramatically in competence, organization, operational capacity, and openness to external assistance. The African Union's Special Envoy for the Darfur Talks, former Tanzanian Prime Minister Salim Ahmed Salim, has proven an adept and able leader, and according to those involved in the negotiations has made a real difference. If the AU, with UN assistance, can exert a modicum of control over the security situation in Darfur, the AU talks, with focused multilateral support may be able to make some headway in reaching a negotiated settlement. But here too, they will need substantial support from the international community.

The division between the two factions of the SLM is both a threat to security and an obstacle to peace negotiations. Neither the U.S. nor the AU can dictate who should represent the SLM at the peace negotiations. However, until they resolve their internal differences, our only option is to recognize a de facto situation of two parallel movements. In the light of this, it is essential that the U.S. make clear that hostilities between the two factions are unacceptable. The African Union should not be tasked with sorting out the thorny question of SLM representation when the peace talks begin. Rather, the U.S. and other international partners should adopt a common position and do their utmost to ensure SLM agreement in advance.

Many Crises, Little Capacity, Mixed Results

Darfur is currently the most pressing challenge that the African Union's peace and security architecture faces, and the one that for many reasons has garnered the most international attention. But the organization has interceded in a number of other African crises and today continues to grapple with multiple complex crises. And for the foreseeable future, it will not lack for crises. The situation in the Democratic Republic of Congo, rising tensions between Ethiopia and Eritrea (and within Ethiopia itself), a deteriorating situation in Chad, and the failed state of Somalia, are among the situations where the African Union will likely be expected to play an increasingly active role.

Even in Darfur, notwithstanding the enormity of the catastrophe and the momentous international attention generated, the African Union mediation effort was slow in starting, initially disorganized, and divided on how much external involvement would be

acceptable. Darfur and other interventions that have received much less international attention and support have illustrated the critical need for longer-term capacity building and institutionalization. A number of the most senior envoys in these efforts have been outstanding statesmen, and highly effective. But at more junior and mid-level echelons, there is often a lack of mediation, administrative, or managerial experience and capacity, making it difficult for the organization to prioritize, to manage external assistance, or adequately plan. The majority of AU interventions remain heavily contingent on the inclination of the most powerful AU leaders, most notably President Obasanjo of Nigeria and President Mbeki of South Africa, and the organization has not yet fully sorted out its relationship with regional organizations like SADC and ECOWAS in determining which body should intervene in given situations.

Finally, the African Union should not be expected to shoulder the responsibility for Africa's most intractable conflicts alone. In many of these conflicts, only a strong concerted multilateral effort will be able to generate the pressures and incentives necessary, with the AU as a key—or ideally a leading—negotiating presence.

Some examples from previous AU interventions point to the potential and actual gains from AU initiatives along with the need for greater international support to them.

Burundi – African Union engagement in Burundi was considered an important first test of the organization's commitment and capacity to promote peace and security in Africa, and by most accounts the AU's role was crucial in consolidating the Burundian peace process, as well as bolstering the organizations confidence in carrying out its new mandate. However, a number of considerations should be kept in mind.

First, the AU intervention in Burundi was driven largely by the personal leadership of then AU chair Thabo Mbeki, who saw the deployment as an opportunity to demonstrate the new AU commitment to the responsibility to protect. South Africa provided the majority of the AU troops

Second, the African Union was not alone in the process. The Arusha Accord of 2000, a first major breakthrough in Burundi's peace process, called for a UN peacekeeping operation, but absent a comprehensive cease-fire agreement the UN would not authorize the mission. The AU peacekeeping operation therefore, deployed in April 2003, was conceived and implemented as an interim, bridging force. The 3000-plus AU troops were absorbed into a larger UN force of 5,650 little over a year later in June 2004, in direct response to a request from the AU. The transition from an AU to UN force was smooth, with the AU command structure left largely intact, and troops on the ground re-hatted as UN forces.¹

Third, while the African Union mission paved the way for the UN deployment by bringing a modicum of security while cease-fire negotiations were underway, it by no means had the capacity—in numbers, equipment, or financial capacity—to implement the

¹ See Kristiana Powell, *The African Union's Emerging Peace and Security Regime*, Institute for Strategic Studies, Pretoria, 2005

robust mandate required—including protection of civilians, disarmament, demobilization, and reintegration. The process might have floundered badly had not the UN come in with the manpower, equipment, resources, and experience to get the job done. The African Union mission was blessed with the excellent negotiation skills and staying power of AU envoy Mamadou Bah, backed by senior South African leadership, but crucial to the mission's success was the close collaboration with, and generous support from, the United States, the UK, and the UN, all of which invested significant diplomatic and financial resources in the effort.

Togo – Among the most striking shifts since the establishment of the AU has been that coups within member states, once a fairly regular and unremarkable occurrence in the African context, are now deemed unacceptable and generally provoke a strong condemnatory reaction from the AU membership. When President Gnassingbe Eyadema of Togo, died in office after ruling the country for 38 years, the military appointed his son Faure Gnassingbe as president and pushed the national assembly to amend the constitution retroactively to make the move technically legal. The African Union acted quickly, labeling the move a coup and, with unanimous endorsement of the AU Peace and Security Council, imposed diplomatic, travel and arms sanctions on the Togolese state. Bowing to pressure by the African Union and regional leadership, Gnassingbe announced that presidential elections would be held, and lifted, albeit partially, a ban on political activity.

The Togo example is not an unqualified success. Although the AU forced an electoral process, the elections were deeply flawed and political participation in Togo remains severely constrained. The African Union has yet to come to terms with the limits of national sovereignty, and so far has been loath to offer frank assessments of even the most blatantly shoddy election processes. Nor does the AU have the capacity or staying power to exert high-level, long-term follow-up pressure and attention in these instances.

Mauritania – When a coup in Mauritania in August 2005 unseated President Ould Taya, an unpopular autocrat, the African Union quickly condemned the move and suspended the country's membership from the organization. Although the AU did not push to have Taya re-installed, it has insisted on a timetable for elections and a transfer to civilian rule. The Mauritania coup illustrates a broader concern of how the United States can support the goals and the norms that the African Union is attempting to set. There is some conjecture that the United States' fairly uncritical embrace of Taya on counter-terrorism operations fueled popular discontent, since Taya used that engagement to legitimate his rule and sideline dissenters. This illustrated the broader point of how U.S. engagement with African leaders needs to be carefully calibrated to reinforce the governance norms that the African Union is seeking to promulgate. In coming years, the U.S. will need to grapple with how to integrate short-term security concerns with the longer-term challenges of democratization and popular participation.

Zimbabwe – Finally, Zimbabwe reveals most clearly the African Union's limitations. The AU—as well as much of the rest of the world—has relied almost exclusively on South African President Mbeki for a political solution to Zimbabwe's crisis, and Mbeki,

for political and philosophical reasons, has been so far unwilling to take meaningful action. The AU is paralyzed; although some individual states—Senegal, Kenya, Ghana—have voiced cautious disapproval of Zimbabwean leader Robert Mugabe, many are loath to criticize an elder statesman and former front-line leader. Further, Mugabe has fairly skillfully appealed to populist sentiments in South Africa and elsewhere in Africa by portraying the opposition as merely a front for Western neo-colonial interests. UN Secretary General Kofi Anan's naming of Special Envoy Anna Tubaijuka to report on the mass housing demolitions in spring 2005 nudged Mbeki to name former Mozambican President Joaquim Chissano to mediate between Mugabe's ruling ZANU-PF and the opposition MDC. But President Chissano was rebuffed by Mugabe, and ZANU-PF has only intensified its efforts to silence the opposition.

Public opinion may be shifting in South Africa—the housing demolitions, which were broadcast on South African television, were starkly reminiscent of apartheid-era tactics—but the international community cannot rely on quick AU action. The United States and others will need to continue to seek common ground with the African Union, both in perception of the problem and in looking toward solution. But this should not stymie consideration of other options, for example, broadening bilateral and UN pressures through additional investigations and rapporteurs. The United States will need to prepare for the worst case scenario in Zimbabwe, a possible collapse of the Zimbabwean state, which would demand close cooperation between African states and international partners to address.

Beyond Conflict: Establishing Standards for Governance

Perhaps the greatest role the African Union can play over the long-term is addressing the root causes of conflict, most importantly in setting norms for good governance, economic management, environmental stewardship, and investment in health and education. This will be a long and gradual process, but one that is well-worth supporting. A number of promising initiatives are today in their infancy.

The innovative African Peer Review Mechanism, for example, measures participating states' performance against political, economic, and corporate governance standards. To date, 23 countries have signed up for peer review; two of these reviews have been completed and several more are under way-. Countries initially undergo a self administered internal review, followed by an outside assessment. A final report, including plans for corrective measures is discussed among AU heads of state, and countries volunteering for review.

The Abuja Declaration on HIV/AIDS, Tuberculosis, and other Related Infectious Diseases of 2001, was an important symbolic achievement. African leaders collectively acknowledged the exceptional threat HIV/AIDS poses to development, political stability, food security, and social cohesion, and pledged to set a target of allocating 15 percent of annual budgets to their countries health sector.

Other proposed measures include a continent-wide early warning system, intended to link regional early warning reporting with the AU Peace and Security Council; an African Productive Capacity Initiative intended to strengthen African industrial capacities and regional integration; and a post-conflict reconstruction commission. Today, it is difficult to guess which of these initiatives will eventually flourish, but the United States and international community can work with the AU leadership as the organization sets priorities and crafts longer-term strategies.

U.S. support will be critical to the African Union's future. And the African Union's success will be important in advancing rising U.S. stakes in Africa. The administration is to be commended for its current support to the AU and to the negotiations in Darfur. However, to help build a long-term, reliable partner, the United States can do more, and should build an approach that is coherent, predictable, institutionalized, and well-led at a senior level. Supporting the trend toward African ownership and responsibility warrants such an approach.

Mr. Chairman, I want to thank you again for bringing attention to these important issues and for the opportunity to speak with you today. Thank you.