TWENTY YEARS OF THE AFRICAN UNION (AU)

Chris SAUNDERS*

Abstract: This chapter attempts to offer some balanced reflections on the work of the African Union (AU) over its two decades of existence since its first meeting in 2002. The chapter does this from the perspective of Southern Africa, where the author is based and on which he has the most knowledge. After mentioning the AU's origins, the chapter discusses some of the achievements and failings of the organization since it succeeded the Organization of African Unity (OAU). In particular, relations between the AU and one of its regional economic communities, the Southern African Development Community (SADC), are considered, with the case of the Democratic Republic of Congo, a member of SADC, examined in some detail. The chapter concludes that the AU remains very much a work in progress, that many problems and challenges remain for it to address in the future, and that initial expectations have not been fulfilled.

Keywords: AU, OAU, SADC, Southern Africa, Congo, perspectives.

INTRODUCTION

As he led Ghana to independence from British rule in 1957, Kwame Nkrumah dreamt of a united and independent continent coming into being, the United States of Africa. That Pan African dream came to nothing and what was established instead was the organization that the 31 leaders of independent countries created in May 1963 in Addis Ababa, capital of Ethiopia, the OAU. The OAU soon set up a Liberation Committee to work to achieve the liberation of the rest of the continent from colonial rule. That goal was considered achieved when South Africa achieved black majority rule in 1994 and joined the OAU later that year

_____

* Professor Emeritus, University of Cape Town, South Africa.
  E-mail: Chris.saunders@uct.ac.za

(Saunders 1998). Five years after that, it was a South African President, Thabo Mbeki, who, together with Nigeria's then leader, Olusegan Obasanjo, led the way in transforming the OAU into the AU. After a lengthy gestation period, the AU held its first meeting in the South African city of Durban in 2002, where Mbeki became the first AU Chair. Like the OAU before it, the AU brought together the heads of state and governments of African states in annual or bi-annual meetings, but from its inception, it had more ambitious goals than the OAU, for it aimed to bring about not only continental integration but also good governance and stability. While the OAU had as its founding principle non-interference in the internal affairs of member states, Article 4 of the AU's Constitutive Act of 2000 gave the continental body the right to intervene in individual countries in the interests of peace and order. While the AU has been extremely hesitant to use this right to infringe on state sovereignty under certain circumstances, the AU has begun over the past twenty years to gradually develop a set of continental peace and security institutions (see, e.g., Matlosa et al., 2010). These range from its fifteen-member Peace and Security Council (PSC), born immediately after the AU was created, to the African Peer Review Mechanism (APRM), established in 2003, the Panel of the Wise, launched in 2007, and what was supposed to be a continental armed force, the African Standby Force. The APRM, which had a secretariat based in South Africa, provided a mechanism for the evaluation of individual countries around four aspects: democratic and good political government; economic government and management; corporate governance; and socio-economic development. The Panel of the Wise was made up of five highly respected persons who were supposed to form a channel of communication between the AU and parties involved in conflicts. The AU sent peacekeeping missions to a number of countries — Burundi in 2003-04; Sudan in 2004-07; Somalia from 2007; Mali in 2012-13; and the Central African Republic in 2014-16 — but the creation of an effective continental force has remained elusive.

Ad hoc military operations have taken place in West, East, Central, and North Africa, all of which saw conflicts of one kind or another. They lack the overall coordination that the concept of an African Standby Force implies. In 2022, all African countries were members of the AU except Morocco, which had withdrawn from the OAU in 1985 over the issue of the Western Sahara. Morocco joined the AU in 2017. The AU, therefore, brought together in one organization very diverse states, from those of North Africa, which also had a Middle Eastern identity, to small offshore islands such as Cabo Verde in the Atlantic Ocean and Mauritius and the

Comores in the Indian Ocean. In 2022, only a few of the 55 members were functioning democracies, while others had devolved into failed states embroiled in long-running conflicts of one kind or another. The majority were weak states unwilling to surrender sovereignty to a continental body. Subordinate to the AU, since the time it came into existence, are eight regional economic organizations (RECs). Many African countries are members of more than one of these. Some of these RECS, such as the Intergovernmental Authority for Development in the Horn of Africa and the Economic Community of Sahel-Saharan States, are very weak organizations. The East African Community has seen the most impressive economic integration, and the two most effective RECS in creating regional military forces have been the fifteen-member Economic Commission of West African States (ECOWAS), the origins of which go back as far as 1975 (Sanae, 2020), and the sixteen-member Southern African Development Community (SADC), to which we will return below.

ACHIEVEMENTS AND FAILURES OF THE AU

How to summarize the achievements and failures of the AU over its first two decades? Let us note, to begin with, that the AU has spent much time creating new institutions, ranging from a Pan African Parliament, based in South Africa, to the African Peer Review Mechanism and, say, a Continental Early Warning System. Many of these new institutions turned out to be rather ineffective, frequently because they lacked the skills or resources necessary to complete the tasks assigned to them. The Pan African Parliament, for example, remained a mere talking shop, with no power to influence member states. Another AU organ, the Africa Centre for Disease Control and Prevention, did effective work to address the Ebola and COVID-19 health crises, but, despite strenuous efforts, the AU had by 2022 not succeeded in its efforts to secure sufficient COVID-19 vaccines. Future historians will probably record that among the AU's greatest achievements in its first two decades was putting in place an ambitious African Continental Free Trade Area (AfCFTA) to deepen African economic and trade integration. This had the potential to increase intra-African trade greatly, but though that agreement entered into force in May 2019, by 2022 it had yet to begin to yield results. While the AU forces that were stationed in Somalia and elsewhere, sometimes combined with those of the UN in joint missions, did sometimes help keep the peace, the AU's proclaimed goal of "Silencing the guns by 2020" (Al Jazeera, 2017) was not achieved. The AU had to extend that goal by another

decade. In 2021, a major conflict in Ethiopia seemed for a time, when the Tigrayan forces advanced towards the Ethiopian capital, to threaten the large new headquarters that had been built for the AU by the Chinese in Addis Ababa to house its bureaucracy and provide a venue for meetings of heads of states and governments. A series of military coups across the Sahel region in 2020 showed the AU's inability to prevent unconstitutional changes of government. Though the AU routinely suspended the membership of those countries that were subjected to coups, this had little effect. The AU's PSC proved unable to end ongoing conflicts in Sudan, South Sudan, the Central African Republic, and elsewhere. Though the AU's Constitutive Act of 2000 spoke of the need for coordination between the AU and the RECs, the relationship between the AU and the RECs has remained contested, with little effective coordination and harmonization between them, especially in relation to peace and security (e.g., Van Nieuwkerk, 2011; Gottschalk, 2012; Nagar & Nganye, 2018). In general, the AU and the RECs have both suffered from too much talk and too little action. Numerous protocols have been issued, but few have been effectively applied in practice.

The African Charter on Democracy, Elections and Governance of 2007, which the AU hailed as a major development and came into force in 2012, is a case in point, for there has not been better governance on the continent since then; instead, there have been significant democratic reversals.

The SADC has been the most stable part of the continent in recent years, but the constituent states' governance record has been mixed. In Zambia, after some years of democratic backsliding under President Edgar Lungu, there was a revival of democratic practice under his successor in 2021. In Malawi, the judiciary showed its independence in the events leading to the replacement of the incumbent by a new government. But while SADC established a number of mechanisms aimed to prevent intra-state conflict, such as mediation reference groups and support units, issued Electoral Guidelines and set up an Electoral Support Unit, which worked alongside AU electoral observer missions, these bodies failed to prevent grossly rigged elections, such as that in the DRC in 2019, and the violence that often accompanied elections and their outcomes, such as in Zimbabwe in 2018. Aware of its institutional failures, the AU tasked President Kagame of Rwanda with drawing up an institutional reform agenda. His report, entitled *The Imperative to Strengthen Our Union: Report on the Proposed Recommendations for the Institutional Reform of the African Union"*, in 2017, included some bold ideas,

like the need for transitional justice mechanisms, but few of the report's recommendations have been carried out (South African Institute of International Affairs, 2019). One of the AU's ongoing problems, and a major focus of the Kagame report, was how to meet its budgetary requirements without relying unduly on the support of external donors. The Commission's budget for 2022 of just over US$650 million sets aside US$176 million for operations, US$195 million for programs, and US$279 million for peace support. Though the AU's goal was that its regular budget should be self-financed, many states did not pay their dues, and the European Union and other international partners were called upon to fund 66% of the total AU budget. To try to boost payments by member states, the AU Commission and the other AU organs were told to eradicate corruption and irregular expenditure, but while some steps were taken in that direction, the AU continued to spend lavishly on meetings and consultants.

THE AU AND THE SADC

The SADC was founded ten years before the AU, in 1992, and had emerged out of earlier regional groupings. It was much enlarged in 1997 when the Democratic Republic of Congo (DRC) became a member. A number of SADC member states came to independence or black majority rule after armed liberation struggles during which they had received support from the Soviet Union and other countries in the Global East. Because of this history, they were inclined to adopt anti-Western positions in international affairs. This chimed with the AU itself, the members of which, besides Ethiopia and Liberia, having had a colonial past, continued to be, to different degrees, suspicious of Western intentions. The AU often asserted its non-aligned status and made clear that it was prepared to embrace assistance, not only from elsewhere in the Global South but also from the People's Republic of China and the Russian Federation. At the core of the AU's slowly evolving Peace and Security Architecture was the idea of subsidiarity — that the RECs should, wherever possible, act in the first instance (Nathan, 2016; Ndlovu, 2015, March 26). For that reason, the AU's PSC often failed to take up security issues relating to Southern Africa states. The SADC's member states preferred to see the regional organization act rather than the continental one, because the SADC was controlled by the incumbent leaders of the states of the region (Abey, 2019). In that context, the SADC was criticized at the time of the disputed election held in Zimbabwe in 2018 for being biased towards the

incumbent government of President Emmerson Mnangagwa and for not pointing out the flaws in the election process. In Madagascar, in the run-up to elections in 2013 and again at the end of 2018, the SADC played an important mediatory role, in that case, in conjunction with an AU special envoy sent to the island to ensure pre-election protests did not spiral out of control (Gavigan, 2010; Nathan, 2013; Witt, 2020). The crisis in Zimbabwe never appeared on the PSC's agenda, despite the contested elections, political repression, and economic collapse in that country from the early 2000s. The AU left the matter to the SADC, which appointed former South African president Thabo Mbeki as its mediator in Zimbabwe. He oversaw a transition to a government of national unity that lasted from 2008 to 2013, but that enabled Robert Mugabe to consolidate his grip on power (Beardsworth, Cheeseman & Tinhu, 2019).

In August 2018, the PSC approved a SADC mission to the small landlocked country of Lesotho, which has long suffered from ongoing political instability. Though the PSC recommended that the SADC maintain its protection force beyond a year, the SADC decided that the mission should end in November 2018, and the SADC returned to hesitant attempts to restore political stability by sending South African envoys there on behalf of the regional organization. An exception to the rule of subsidiarity between the SADC and the AU has been the island territory of the Comoros, the problems of which the SADC has largely left to the AU to try to sort out (see e.g., Svensson, 2008). Cooperation between the AU and the SADC in military matters has been sluggish at best. A SADC brigade, later renamed the SADC Standby Force, was formally launched in August 2008 in Lusaka, Zambia, but by 2022 had still not been formally operationalized as part of the envisaged African Standby Force. In the past decade, the SADC military forces have been used in a variety of peacekeeping roles in the region: in the DRC, in Lesotho, and, from 2021, in the Cabo Delgado province of Mozambique, to try to stamp out terrorism there. The results have been mixed: we will return to the DRC case below, but instability continues in Lesotho, and it is too soon to say that the SADC military mission in Cabo Delgado, in which soldiers from South Africa, Angola, Botswana, the DRC, Lesotho, Malawi, Tanzania, and Zambia all serve, has achieved its objectives. It might have been expected that South Africa, as the most industrialized country on the continent and one that in the aftermath of its transition from apartheid was acclaimed as a beacon of liberal democracy, would have played a leading role in the AU, not least because of Mbeki's leading role in the creation of the continental organization. That has not been the case,

however. The South African campaign to elect Dr Nkosazana Dlamini Zuma as Chair of the AU Commission, the organization's secretariat, in 2012 proved divisive, and once elected, she did little to advance the AU's goals, aside from promoting gender equality and advocating a new visionary plan for the AU called Agenda 63 — The Africa We Want. That plan, named after the date of the founding of the OAU, diverted the AU's attention from meeting the challenges that faced the continent in the present. When Cyril Ramaphosa, the South African President, served as AU Chair during the COVID-19 pandemic, he was very taken up with the pandemic, as well as with domestic challenges, and did not take the AU in major new directions. South Africa tended to play a hesitant role in both the SADC and the AU, not wanting to appear to be in a dominant position for fear of being perceived as "big brother". However, as a member of the Brazil, Russia, India, and China (BRIC) group, South Africa attempted to link the AU to its BRICS role (Anuoluwapo, 2018).

THE DEMOCRATIC REPUBLIC OF CONGO (DRC) CASE

Let us consider in a bit more detail the case of the DRC. In dealing with the conflict in the eastern part of that country, the AU's relations with both the SADC and the UN have been far from harmonious. For a time, the AU's PSC considered another regional organization, the International Conference on the Great Lakes Region, the appropriate forum to try to deal with the conflict (Dersso, 2017), but it had no effective means of doing so besides diplomacy, which achieved little. As the conflict in the east continued, the UN Security Council authorized the deployment of a Force Intervention Brigade in 2013 to deal with issues beyond the mandate of the large UN Peacekeeping Mission — named MONUSCO – which the UN had sent to the DRC many years before. Three SADC countries, Malawi, Tanzania, and South Africa, contributed troops to the FIB, but in 2022 the conflict there was still dragging on, with no resolution in sight. Then, at the end of 2018 and the beginning of 2019, the SADC and the AU were sharply divided over another crisis in the DRC, one that followed disputed elections in the large country on December 30. The SADC and the AU were the only organizations permitted by the government of the DRC to send observer missions to monitor the highly contested election, which had been postponed for two years. The SADC observer team left the country directly after the vote at the end of 2018 and before the announcement of the results, stating that the elections were "relatively well managed". After initial dissent within its own ranks, the SADC

chairperson, Namibia's President Hage Geingob, announced that the SADC strongly supported the DRC government and accepted the results on behalf of the organization (Saunders, 2021). The discord between the SADC and the AU came to a head when the AU Chair, Paul Kagame of Rwanda, asked the DRC government to suspend the declaration of election results and sent a high-level AU delegation to the DRC to reach a consensus on the way out of the electoral crisis (The Guardian, 2019). The SADC, on the other hand, argued that the DRC should be left to act according to its own laws as a sovereign state and prevailed upon the Congolese authorities to publish the results (Southern African Development Community, 2019). Contrary to expectations and estimates by other observers, the results gave the victory to President Felix Tshisekedi. At the February 2019 AU summit, the SADC held its own pre-summit of heads of state in Addis Ababa and affirmed its support for the newly elected Tshisekedi. In the end, the AU had to accept this and the principle of "subsidiarity", realizing that without the support of the SADC, any further attempt to intervene in the post-electoral crisis would be unsuccessful.

CONCLUSIONS

In early 2022, the most accessible account of the AU was a collection of essays published after the AU turned fifteen (Karbo & Murithi, 2018). That book concluded that the AU had "all the necessary policy institutions to function as an effective international actor on behalf of the continent" and it expressed the hope that African leaders would "exert peer pressure on fellow leaders to ensure that they uphold the principles and norms that they have signed up to, as well as maintain their unified positions in global forums" (*Ibid.,* p. 309). The African Peer Review Mechanism was held up as a way to hold individual states accountable, and it was claimed that under the influence of the AU, "most African countries have embraced a culture of constitutionalism, rule of law and human rights" (*Ibid.,* p. 79). Five years after such sentiments were expressed in the Karbo and Murithi book, any assessment of the AU is likely to be more critical. While there is no doubt that the AU has admirable goals – the unity of the continent, securing peace and security, and promoting health and trade – and that it has been more effective than the OAU, the AU has often either ignored crises or responded to them in ineffective ways. Nor has it yet become a significant international actor on the world stage. How divided the countries of the continent are was shown in early March 2022 in the

vote at the United Nations General Assembly on a resolution condemning the Russian invasion of Ukraine: half the African countries supported the resolution and the other half abstained or, in the case of Eritrea, voted against. The reality is that most African countries remain among the poorest and least developed in the world, and continental integration remains more of an aspiration than a reality. Perhaps expectations of the AU were too high in its early years. Taking a long view, it can be argued, as the Cape Town-based political scientist Keith Gottschalk has done, that the AU has achieved more in twenty years than similar organizations elsewhere, such as the Organization of American States or the Association of Southeast Asian Nations (Gottschalk, 2012, p. 9; Edozie & Gottschalk, 2014). But in 2022, it appears that much of the initial drive of the AU has faded, and that prospects for any dramatic improvement in its ability to achieve its lofty goals in the near future are slim.

REFERENCES

Abey, M. (2019). *SADC – The Southern Arrested Development Community? Enduring Challenges to Peace and Security in Southern Africa.* Uppsala, Nordic Africa Institute.

Al Jazeera. (2017). Africa's Bid to Silence the Guns. Retrieved from: https://www.aljazeera.com/news/2017/11/zimbabwe-1711150742 Reality check: Africa's bid to silence the guns. Accessed 12.12.2017.

Anuoluwapo, D. (2018). South Africa's Inclusion in BRICS: Challenges and Prospects for Development in Africa, *International Journal of African Renaissance Studies*, 13(2), pp. 27-41

Beardsworth, N., Cheeseman, N., Tinhu, S. (2019). Zimbabwe: the Coup that Never Was, and the Election that Could Have Been. *African Affairs*.

Dersso, S. (2017). The African Union's Role in Maintaining Peace and Security in the Great Lakes Region, in: Gilbert Khadiagala (Ed.)., *War and Peace in Africa's Great Lakes Region*. London, Palgrave Macmillan.

Edozie, R., Gottschalk, K. (2014). *The African Union's Africa: New Pan-African Initiatives in Global Governance,* East Lansing, Michigan State University Press.

Gavigan, P. (2010). The 2009 Madagascar Crisis and International Mediation. Conflict Prevention and Peace Forum, New York, Social Science Research Council.

Gottschalk, K. (2012). The African Union and its sub-regional Structures, *Journal of African Union Studies*, 1 (1), pp. 9-39.

Karbo, T., Murithi, T. (2018). *The African Union. Autocracy, Diplomacy and Peacebuilding in Africa* London, I.B. Taurus.

Matlosa, K., Khadiagala, G., Shale, V. (eds). (2010). *When Elephants Fight. Preventing and Resolving Election-Related conflicts in Africa*. Johannesburg, Electoral Institute of Southern Africa.

Nagar, D., Nganje, F. (2018). The African Union and its Relations with Sub-Regional Economic Communities, in: Karbo, Tony. and Murithi, Tim (eds) *The African Union-Autocracy, Diplomacy and Peacebuilding in Africa*. London, I.B.Taurus.

Nathan, L. (2013). A Clash of Norms and Strategies in Madagascar: Mediation and the AU Policy on Unconstitutional Change of Government, *Mediation Arguments* (4), Centre for Mediation in Africa, University of Pretoria.

Nathan, L. (2016, March 16-19). *Will the Lowest be First: Subsidiarity in Peace-making in Africa?* Atlanta, International Studies Association Convention,

Ndlovu, J.M.L. (2015, March 26). *The AU–SADC interface on peace and security: challenges and opportunities.* (pp. 50-74) Retrieved from: https://www.academia.edu/en/11671507/The_AU_SADC_interface_on_peace_and_security_challenges_and_opportunities. Accessed 1.2.2022.

Saunders, C. (2021). The Non-Aligned Movement, Namibia and South Africa over Sixty Years, in: Duško Dimitrijević, Jovan Čavočki (eds), *The 60th Anniversary of the Non-Aligned Movement, Belgrade,* Institute of International Politics and Economics, pp. 333-344.

Saunders, C. (1998). *The Making of the South African Past.* Lanham, Rowman & Littlefield Publishers, Incorporated.

Suzuki, S. (2020). Exploring the roles of the AU and ECOWAS in West African conflicts, *South African Journal of International Affairs*, DOI: 10.1080/10220461.2020.1767193.

South African Institute for International Affairs. (2019). The 'Kagame Reforms' of the AU: Will they stick? *SAIIA Occasional Paper* 299, Retreived from: https://saiia.org.za/research/the-kagame-reforms-of-the-au-will-they-stick/ Accessed 1.2.2022.

Southern African Development Community. (2019, January 11). *Statement on the Results of the 30 December 2018 Presidential, Legislative and Provincial Elections in the Democratic Republic of Congo by the SADC Organ Chairperson, His Excellency Edgar Chagwa Lungu, President of the Republic of Zambia.* Retreived from: https://www.sadc.int/news-events/news/statement-results-30-december-2018-presidential-legislative-and-provincial-elections-democratic-republic-congo-sadc-organ-chairp/. Accessed 12.12.2020.

Svensson, E. (2008). *The African Union's Operations in the Comores.* Stockholm, Swedish Defence Research Agency.

The Guardian. (2019). African Union calls on DRC to delay election announcement. Retreived from: https://www.theguardian.com/world/2019/jan/17/african-union-democratic-republic-congo-dc-delay-election-announcement. Accessed 12.12.2020.

Van Nieuwkerk, A. (2011). The regional roots of the African peace and security architecture: exploring centre–periphery relations, *South African Journal of International Affairs*, 18 (2), pp. 169-189.

Witt, A. (2020). *Undoing Coups: The African Union and Post-coup Intervention in Madagascar.* London, Zed Books.