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PEACE OPERATIONS IN THE ACTIVITY OF THE ORGANISATION OF AFRICAN UNITY AND THE AFRICAN UNION

ABSTRACT   The evolution of the regional system of cooperation for peace and security in Africa led to the formation of institutionalized methods and forms of cooperation within the framework of regional international organizations (Organization of African Unity, African Union) and the creation of the African Peace and Security Architecture. One of the important forms of activity within it became peacekeeping operations. Maintenance, building and peace enforcement missions have become part of the strategy to shape the international environment in which security is a prerequisite for the smooth implementation of development goals. African international forces heretofore have participated in stabilization operations in countries such as Chad, Rwanda, Burundi, the Comoros, Sudan, Somalia and the Central African Republic.

Keywords: peacekeeping operations, Organisation of African Unity, African Union, African Peace and Security Architecture (APSA), international conflicts

After the end of the Cold War, African countries took steps to give a new impetus to regional mechanisms of cooperation. Economic problems and a widening development gap between Africa and other regions of the world created the risk of an even deeper marginalisation of the continent, especially in the context of the increasingly dynamic processes of globalisation. When external powers limited their engagement in Africa, local contradictions were revealed, leading to exacerbation of crises and open conflicts. All this created more opportunities for the region's countries to act towards solving these conflicts. Aware of their great responsibility for the situation in Africa (especially in the context of the economic crisis in the 1980s and 1990s that could result in the marginalisation of the continent in the global international order), leaders of African countries made efforts to develop a strategy of eliminating negative phenomena and processes and a strategy of restoring Africa's development capabilities, eliminating poverty and social exclusion, launching measures and funding to stabilise the situation in the long-term perspective.

With the escalation of conflict-generating phenomena, one of the priorities for the countries participating in the Organisation of African Unity (OAU), established in 1963, was to act towards developing crisis management mechanisms in matters related to peace and security in Africa. While a mechanism of conflict and dispute settlement was established within OAU at its very onset (the Commission of Mediation, Conciliation, and Arbitration), it remained unused in practice and as such was suspended after a decade (1967–1977). The attempts to develop a new mechanism yielded no results. Only the end of the Cold War and the changed situation in Africa itself as well as in its international neighbourhood brought some relevant decisions. In 1993, the reform efforts resulted in the adoption of the Cairo Declaration, establishing a Mechanism for Conflict Prevention and Resolution in Africa, which introduced a new quality in terms of African countries' responsibility for security in the region.[1] Further reforms, related to the decision to replace the Organisation of African Unity with a new regional institution, resulted in the establishment of the African Union (AU), ultimately launched in July 2002. In the process of forming this new pan-African organisation, African countries decided to introduce another reform of the crisis management mechanism. A document of 2002 regulating these issues established a new body within the African Union: the Peace and Security Council (PSC), which was given broad decision-making competences in this respect.[2] The PSC was launched in May 2004. The efforts to cre-

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[1] *Declaration of the Assembly of Heads of State and Government on the Establishment within the OAU of a Mechanism for Conflict Prevention, Management and Resolution*, AHG/DECL.3 (XXIX), Assembly of Heads of State and Government, Twenty-ninth Ordinary Session, 28-30 June, 1993, Cairo, Egypt, at <http://www.peaceau.org/uploads/ahg-decl-3-xxix-e.pdf>, 1 December 2015. Cf.: J.M. Biswaro, *The Role of Regional Integration in Conflict Prevention, Management, and Resolution in Africa. The Case of African Union*, Brasília 2013, Fundação Alexandre de Gusmão, pp. 123-131, at <http://funag.gov.br/loja/download/1038-Role_of_Regional_Integration_in_Conflict_Prevention_Management_and_Resolution_in_Africa_The.pdf>, 1 December 2015.

[2] *Protocol Relating to the Establishment of the Peace and Security Council of the African Union*, at <http://au.int/en/sites/default/files/treaties/7781-file-protocol_peace_and_security.pdf>, 4 December 2015.

ate an effective mechanism fully addressing the needs led to the emergence of the idea of the African Peace and Security Architecture (APSA), which was intended to contribute to the establishment of a comprehensive system that would ensure the ability to rapidly react to challenges and threats to security as well as to create instruments for an effective response adequate to the scale and extent of the negative phenomena concerned. The concept of APSA comprises five parallel elements: apart from the Peace and Security Council, it includes the Continental Early Warning System, the Panel of the Wise, the Peace Fund, and the African Standby Force (ASF). Together, they form a continental mechanism of joint responsibility for security in Africa.[3] Alongside the activity on the continental level, steps were also taken to establish sub-regional mechanisms, which in cooperation with the African Union could create a comprehensive and multilevel crisis response system. The extent of cooperation and the readiness to cooperate in response to the emerging challenges and threats to security are what determines the forms of activity undertaken within the framework of each of the institutional forms and mechanisms of cooperation, but the African Union is still the main body supervising and monitoring the activity of all the entities involved in peace activities in Africa. The extent of tasks is very broad, from prevention and mediation through various forms of intervention aimed at preserving peace, to possible peace enforcement operations (although the latter only upon the consent of the UN Security Council), including the possibility of deploying peacekeeping missions and operations on the list of possible reactions to crises and conflicts forced African countries to develop suitable strategies of employing personnel from different countries and the material resources necessary for the effective execution of various undertakings.[4]

PEACEKEEPING OPERATIONS IN OAU ACTIVITY – FROM THE EMERGENCE OF THE CONCEPT TO AN EFFECTIVE TOOL

The notion of creating suitable international forces supporting peace objectives in Africa arose relatively early. As early as in 1964, during negotiations conducted under the OAU mandate by President of Mali Modibo Keïta and Emperor of Ethiopia Haile Selassie in the conflict between Morocco and Algeria over the Tindouf Region, the notion of deploying peacekeeping forces into the disputed region emerged. A group of military observers was to monitor the process of implementing the armistice agreement, withdrawing armed forces from the disputed region and establishing a demilitarised zone at the border between the two countries. Despite the adoption of the relevant decisions, no such actions were in fact taken by any international force, but this

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[3]   See: *African Peace and Security Architecture (APSA). 2010 Assessment Study*, at <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/RO%20African%20Peace%20and%20Security%20Architecture.pdf>, 4 December 2015.

[4]   For more on the evolution of the regional security system and the emergence of the APSA see: W. Lizak, *Afrykańskie instytucje bezpieczeństwa* [African security institutions], Warszawa 2012.

still proves that the regional community recognised the usefulness of such solutions already at the onset of the development of pan-African cooperation mechanisms.[5]

Due to the ineffectiveness of the peaceful dispute and conflict resolution system in the first decade after the establishment of the OAU, alternative measures were sought, which opened the door to various forms of peacekeeping operations. While the OAU's statute did not provide for such a form of peacekeeping activity, the positive experience of the UN encouraged steps in this direction. Furthermore, from the point of view of African countries, such activity – using their own funds and forces – had the considerable benefit of possibly eliminating the influence of non-African powers, which tried to influence Africa rather often during the Cold War, thus negatively affecting the ability of the region's countries to effectively regulate disputes and conflicts. At the same time, such undertakings required suitable material, financial and logistical resources and organisation skills. This meant the need to meet certain conditions, which were rather questionable considering the experiences of the past and the level of socio-economic development of these countries. The potential of the regional mechanism to evolve in this direction is also proven by the fact that the United Nations recognised the OAU as a regional organisation operating in line with Chapter VIII of the UN Charter. Although no separate decision that would explicitly confirm this was never issued, the UN Security Council Resolution 199/1964 of 30 December 1964 called upon the OAU to take action – in the context of Article 52 of the UN Charter – towards peaceful resolution of the conflict in Congo, which clearly proves that its competence as a regional organisation responsible for maintaining peace and security in Africa was recognised.[6]

The fact that Africa and the UN accepted the OAU in this role raised the importance of regional mechanisms of cooperation for peace and security. For years, however, the activity in this respect focused primarily on seeking political means to contain disputes and conflicts through mediation; moreover, this was done outside the framework of the Commission of Mediation, Conciliation, and Arbitration. The first attempt by African countries to use international peacekeeping forces in practice took place only at the turn of the 1970s and 1980s. The peace talks conducted at that time by the Nigerian diplomacy, backed by the OAU, with the parties to the conflict in Chad resulted in a political agreement that was to end the civil war in that country (through, for example, the establishment of the Transitional Government of National Unity, comprising representatives of the conflicted political groups). The implementation of these arrangements was to be guaranteed by military units from third countries formed into a contingent of peacekeeping forces operating under the mandate of the Organisation of African Unity. These forces (from the formal and legal point of view, they were in fact two operations), were formed in 1980 and 1981-82.

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[5]   E.G. Berman, K.E. Sams, P*eacekeeping in Africa. Capabilities and Culpabilities*, Geneva 1999, p. 46.

[6]   199(1964). Resolution of 30 December 1964, source: URL <http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/199(1964)>. See also: R. Bierzanek, *Bezpieczeństwo regionalne w systemie ONZ* [Regional security in the UN system], Warszawa 1977, p. 30.

The experience drawn from this operation was not positive at all; eventually it turned out to be a failure. Problems with the interpretation of its mandate, lack of coordination between the participants, the fact that some countries who declared their participation in the operation were not ready to do so, lacking a logistical base and funds, as well as the fact that the conflicted parties were not willing to fully implement the peace agreement eventually led to the withdrawal of the peacekeeping forces from Chad in mid-1982. Other factors that significantly contributed to the fiasco of the operation was the lack of organisational experience in preparing and managing such operations by the OAU as well as the influence of external powers, especially France and Libya, on the developments in Chad. Given the decreasing interest of the latter two in cooperation, the regional community's capability of finding a peaceful solution to the conflict was limited. In the end, this sole attempt during the Cold War to solve a conflict in a peaceful way, using international African peacekeeping forces, fully revealed the weakness of the Organisation of African Unity; at the same time, however, we should bear in mind that the organisation had considerable limitations resulting from the structure of and mechanisms governing the international order of the Cold War era.[7] It cannot be denied that the political and military support provided by France and Libya to the competing sides of the conflict considerably limited the OAU's options in promoting a peaceful solution. From the point of view of the regional community of states, the experience drawn from this situation discouraged any attempts to repeat it, especially given that the mechanisms governing the international system in the Cold War era led to the inclusion of local African conflicts in global rivalry, thus reducing their steerability.[8]

Therefore, further attempts to employ African peacekeeping forces took place only in the 1990s. What is interesting is that it was not the OAU that employed its forces and resources in the first peacekeeping operation in Africa in the post-Cold War era; the initiative to take action towards peace and security came from one of the sub-regional organisations that had been emerging since the mid-1970s with the aim to support integration in Africa. The first institution that took the opportunity to act in this form was the Economic Community of West African States (ECOWAS), which sought ways to resolve the bloody civil war in Liberia. The international forces stationed there between 1990 and 1999, the ECOMOG (ECOWAS Monitoring Group) had a significant impact on the course of the conflict and the peace-restoring activity.[9]

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[7]   For more see: S. Decalo, 'Regionalism, Political Decay, and Civil Strife in Chad', *The Journal of Modern African Studies*, Vol. 18, No. 1 (1980), pp. 23-56, at <http://dx.doi.org/10.1017/S0022278X00009435>; R. May, S. Massey, 'The OAU Interventions in Chad: Mission Impossible or Mission Evaded?', International Peacekeeping, Vol. 5, No. 1 (1998), pp. 46-65, at <http://dx.doi.org/10.1080/13533319808413707>; T.M. Mays, *Africa's First Peacekeeping Operation. The OAU in Chad*, 1981-1982, Westport 2002.

[8]   Cf.: E.G. Berman, K.E. Sams, *Peacekeeping in Africa...*, p. 47.

[9]   At the same time, we need to remember that ECOMOG's engagement in Liberia gives rise to controversy as well, especially given that at a certain stage of the conflict these forces took part in the fighting on the government's side, which clearly contradicted the principle of impartiality. See: K.P. Coleman, *International Organisations and Peace Enforcement. The Politics of International Legitimacy*, Cambridge 2007, pp. 73-115.

In the years that followed, ECOWAS launched similar operations several times, in time becoming the institution with greatest experience and organisational capability with regard to such initiatives. Over the years, the international forces of ECOWAS were deployed to regulate conflicts in Sierra Leone (1997–2000), Guinea Bissau (1998–1999), the Ivory Coast (2002–2004), again in Liberia (2003), and in Mali (2013)[10]. Most of these operations were temporary and led to the UN taking over responsibility for the situation in the crisis regions. Still, the experience gathered during these operations and the confirmed readiness of West African countries to take on shared responsibility for peace and security in the region allow us to view the ECOWAS as one of the most experienced and organisationally effective international institutions in Africa.[11]

The activity of ECOWAS initiated the emergence of a certain special attribute of the African crisis management system: a hierarchic mechanism where sub-regional, regional (Africa) and global (the UN) institutions work together and complement each other, where, as a rule, measures are taken at the lowest possible level (sub-regions). Other characteristics of this system include flexibility determined by the readiness of the given institution and its members to act, supervision of sub-regional organisations by a pan-African institution, as well as clear recognition of the competences of the UN Security Council as the entity responsible for peace and security on the global scale (and retaining the Security Council's monopoly on decisions to use force). Within the framework of this system, which was forming in the 1990s, seven other institutions apart from ECOWAS managed to achieve the status of sub-regional institutions working towards the realisation of long-term objectives aimed at creating a peaceful international environment in Africa; these were: the Economic Community of Central African States (ECCAS), the Southern African Development Community (SADC), the Common Market for Eastern and Southern Africa (COMESA), the East African Community (EAC), the Intergovernmental Authority on Development (IGAD), the Community of Sahel-Saharan States (CEN-SAD), and the Arab Maghreb Union (AMU). The scope of their activities and degree of readiness to undertake peacekeeping operations, however, are not equal and depend on the advancement of internal cooperation mechanisms, the existence of effective institutions coordinating this type of activity, the political will to do so, as well as the existence of political, economic and military capability to conduct operations in difficult areas. Effective operations in this field were conducted by the Economic Community of Central African States (in the Central African Republic, 2008–2013) and the SADC (in Lesotho, 1998–1999; and in the Democratic Republic of the Congo, 1998).[12] A brief stabilisation operation was

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[10]   See: M. Malan, 'Africa: Building Institutions on the Run' in D.C.F. Daniel, P. Taft, S. Wiharta (eds.), *Peace Operations. Trends, Progress, and Prospects*, Washington 2008, pp. 91-95; T. Kodjo, *Mali Conflict of 2012-2013. A Critical Assessment Patterns of Local, Regional and Global Conflict and Resolution Dynamics in Post-colonial and Post-cold war Africa*, Saarbrücken 2015, pp. 94-99.

[11]   See: R. Tavares, 'The Participation of SADC and ECOWAS in Military Operations: The Weight of National Interests in Decision-Making', *African Studies Review*, Vol. 54, No. 2 (2011), pp. 145-176, at <http://dx.doi.org/10.1353/arw.2011.0037>.

[12]   Angola, Namibia and Zimbabwe, which in 1998 deployed their forces to the Democratic Republic of

conducted by the Community of Sahel-Saharan States (in the CAR, 2002), and the IGAD made organisational and conceptual preparations for a peacekeeping mission to be deployed in Somalia, but eventually it was decided to transfer the legitimacy to the proposed operation to the pan-African level (the African Union).[13]

Alongside the efforts to establish African sub-regional institutions and make them operational, there were also attempts to create a crisis management mechanism on the continental scale, leading to the adoption of the Cairo Declaration of 1993. With the work on the adoption of the Mechanism for Conflict Prevention and Resolution in Africa under this Declaration there emerged an idea that the framework of the proposed solutions should include a possibility of using peacekeeping operations in response to challenges to regional security. Prevention was considered one of the most important forms of activity under the mechanism, as it entailed the lowest cost for societies torn apart by divisions and conflicts, but also because of the international efforts to stabilise the situation on the continent. At the same time, for conflicts that break out despite prevention, the Mechanism provided for the possibility of deploying international forces to both preserve and foster peace. The decision-making and supervisory competences in this regard were given to political bodies (the Assembly of the Heads of State and Government, Council of Ministers), the Central Organ being the main decision--making body within the framework of the Mechanism, and the competences of the Secretariat and the Secretary General were increased, allowing him to take measures to monitor the course of events and initiate undertakings aimed at eliminating threats to peace and security in the region.[14]

Aware of their limited capabilities and lack of experience in conducting peacekeeping operations, from the very beginning African countries stressed the need for close cooperation with the United Nations and other external entities in the execution of the above goals. As regards the nature and content of the modifications to the functioning of the African system of regional cooperation, it seems that the UN and its experiences were the source of inspiration for African countries whose representatives sought new solutions. Another example of reforms taking place in the post-Cold-War era that were probably closely observed in Africa is the process of transformations in Europe between 1990 and 1994, when the Conference on Security and Co-operation in Europe evolved into the Organization for Security and Co-operation in Europe, with similar broad powers. The fact that the transformation in Europe and Africa was taking place at the same time does not seem to be a coincidence, and African leaders keenly observed European ideas and experiences in the process of seeking solutions aimed at the development of an effective crisis management mechanism. After the adoption of the Cai-

the Congo to support the government of President Laurent-Désiré Kabila, claimed to operate under SADC mandate. In formal and legal terms this activity was dubious, and not all the members of the organisation accepted it. Similar doubts also arose with regard to Operation Boleas, executed by South Africa and Botswana in Lesotho. Cf.: ibidem.

[13] For more on the objectives, competences and significance of the individual sub-regional organisations see: W. Lizak, *Afrykańskie instytucje...*, pp. 375-434, 445-451.

[14] Declaration of the Assembly of Heads of State and Government...

ro Declaration the OAU became an entirely changed institution, with a series of new competences that potentially turned it into the main decision-making centre in matters of African security, albeit the limitations that had hampered its activity before (the lack of funds and insufficient experience) still remained a considerable obstacle on the path to the effective implementation of the new mechanism.[15]

The first attempt to initiate a peacekeeping operation in the name of the Organisation of African Unity took place already in 1991, before the adoption of the Cairo Declaration, which can be interpreted as heralding the changes in the African countries' approach to the issue of peace and security and reflecting the growing changes in this regard and the ever more obvious lack of willingness of external entities to undertake stabilisation activities in the region. The mission – the Neutral Military Observer Group (NMOG) – was established for Rwanda, where peace talks were conducted under pressure from extra-regional powers (Belgium, France, the United States) and African countries (primarily from the African Great Lakes region). The division of power in the country – as a result of the peace negotiations – between the two conflicted ethnic groups: Hutu and Tutsi, as well as the truce that was to end the conflict between the Rwandan Patriotic Front (representing the Tutsi) and government forces (dominated by the Hutu) required the establishment of a control mechanism. African countries agreed within the OAU to organise an observer mission, which when deployed to Rwanda would allow international personnel independent of the parties to the conflict to monitor the implementation of the agreements. The mission (in fact, two subsequent missions: NMOG I and II, differing mainly in the number of people involved) was operating for more than a year, but due to its small scale and lack of experience in conducting similar operations and insufficient funds to cover the costs of such an operation, African countries, unable to fully meet the challenge, proposed that the UN take over the mandate. Eventually, the UN Security Council agreed to this, and in November 1993 NMOG observers were included in the United Nations Assistance Mission for Rwanda (UNAMIR).[16] In 1994, when the conflict in Rwanda escalated, leading even to mass genocide (according to estimates, there were approximately 800,000 dead, mainly among the Tutsis), the OAU was in fact not present, and the UN mission was unable to implement effective preventive measures. Its idleness during the genocide in Rwanda is one of the most dishonourable chapters in the history of the UN, and having passed the responsibility for the situation in Rwanda to the UN, the community of African countries did not take any action to prevent the dramatic event either.

Nonetheless, it is already through the very fact of its existence that the observer mission in Rwanda brought about significant changes in thinking about the future of the continent. The fact that it had been organised even despite insufficient means and funds

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[15]   Cf.: J.D. Rechner, 'From the OAU to the AU: A Normative Shift with Implications for Peacekeeping and Conflict Management, or Just a Name Change?', *Vanderbilt Journal of Transnational Law*, Vol. 39, No. 2 (2006), pp. 543-576.

[16]   For more see: B.D. Jones, *Peacemaking in Rwanda. The Dynamics of Failure, Boulder 2001*, pp. 69--102 (*Project of the International Peace Academy*); E.G. Berman, K.E. Sams, *Peacekeeping in Africa...*, pp. 58–61.

showed that Africa's approach to security was changing, that when pooling their resources together African countries are capable of deploying a complex stabilisation mission. Initially, before the peace process in Rwanda collapsed, the opinions about the mission were very positive, which created favourable conditions for the organisation of similar undertakings in the future. These positive assessments were at the source of the decision to launch another operation of this kind; the second observer mission was sent to Burundi. With its history and ethnic structure similar to Rwanda (although here it were the Tutsi who controlled the governing elites and the Hutu who strived after political emancipation) the country became the subject of an externally inspired peace process. Observers from the OAU stayed in Burundi between December 1993 and July 1996.

Just as it had been the case with the operation in Rwanda, the tasks of the Observer Mission in Burundi (OMIB) were limited to monitoring the implementation of the peace process. Although operating in an unfavourable atmosphere (fearing they might lose their political influence, Burundi's military leaders showed aversion to the presence of international personnel in the country), the mission managed to play a positive role in the process of mitigating local conflicts. While the number of acts of violence during the height of the conflict that were caused by political changes between 1993 and 1996 reached 200–300,000, the intensity of the conflict was still much smaller than in the neighbouring Rwanda. International personnel took efforts to mitigate the conflicts between the civilian authorities (dominated by the Hutu) and the military (mostly composed of the Tutsi). With the threat that the dramatic events taking place in the neighbouring Rwanda would spill over to Burundi, their mediation activity was of paramount importance. Another fact that had a positive impact on the image of the operation was that the OMIB forces were mostly composed of military doctors, who provided aid to those in need in many different situations (the composition of the mission was the result of concessions to the Burundian military which was initially rather unwilling to accept the idea of international forces stationing in the country). The mission was relatively small: initially it was composed of 47 observers, but in March 1995 the number was increased by 20.[17] The presence of the international factor did not bring about the expected results – the coup d'état of July 1996 undermined the purpose of further operations. As a result, concerned that Burundi's military authorities would not be interested in continuing the peace process, the OAU made the decision to terminate the operation. The mission, which lasted more than two and a half years, provided the opportunity to gain new experience in the organisation, logistics and international cooperation with other entities that provided organisational and material support to the Organisation of African Unity.[18]

Another similar initiative was the Observer Mission in the Comoros (OMIC), executed between 1997 and 1999. It was established in response to the internal crisis in

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[17] See: ibid., pp. 68-70.

[18] See: *The AU and the Search for Peace and Reconciliation in Burundi and Comoros*, Geneva 2011, Centre for Humanitarian Dialogue, pp. 9-28, at <http://www.hdcentre.org/uploads/tx_news/The-AU--and-the-search-for-Peace-and-Reconciliation-in-Burundi-and-Comoros-FINAL.pdf>, 1 December 2015.

the Comoros, that is the emergence of separatist movements on individual islands of the archipelago, which threatened the country's unity and territorial integrity.[19] The presence of international observers combined with mediation efforts of the OAU were to lead to an agreement turning the Comoros into a federal country with guarantees of autonomy for its constituents, and international observers were to monitor the process of implementing the agreement and rebuilding effective state administration structures. The fate of the mission was similar to the one in Burundi: the coup d'état that took place on 30 April 1999 was deemed a severe obstacle to further operations, and the international personnel was withdrawn from the country.[20]

One should also add that in both missions legitimised under the Mechanism for Conflict Prevention and Resolution in Africa later diplomatic efforts and threats of international sanctions against state authorities resulted in the continuation of the peace process and ultimately in adequate peace agreements. Therefore, the fact that the two missions were aborted can be seen not only as the consequence of discouragement by the fruitlessness of the peace efforts but also (and perhaps primarily) as an attempt to force the military authorities of Burundi and the Comoros to make concessions to the regional community of states that did not accept the undermining of the peace process. The fairly consistent position of the OAU and its member states in the cases in question as well as the pressure later put on the governments of the two countries (including the threat of imposing international sanctions) were of considerable importance for the resumption of dialogue and negotiation of peace agreements. Thus both observer missions can be considered parts of a broader spectrum of OAU's activities undertaken with the aim to restore peace and security in the region and it is in this context that they should be evaluated. In later years, the regional pan-African organisation will again be engaged in the issues of peace and stability in Burundi and the Comoros several times, which shows that difficulties persist but at the same time that there is consistency in striving to reach the goal.

The OAU's experience in executing its first peacekeeping operations was encouraging enough to receive common support throughout Africa for the idea of expanding such activity, even despite the awareness of all the political limitations as well as logistical and financial deficiencies. The main aspects stressed in this context were the organisation's preventive functions as an important factor in consolidating the process of stabilising countries trying to deal with a crisis. Speaking of the need to contain the threat of local conflicts spilling over to other countries, peacekeeping operations were treated as an element of a 'culture of prevention',[21] which became considerably important after 1990.

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[19] See: K. Trzciński, 'Geneza secesji a perspektywy reintegracji terytorialnej państwa. Przykład Komorów' [The genesis of secession from the perspective of territorial reintegration of states. The example of the Comoros], *Studia Międzynarodowe*, Vol. 1, No. 1-2 (2004), pp. 254-258.

[20] E.G. Berman, K.E. Sams, *Peacekeeping in Africa…*, pp. 70-72.

[21] The expression was used by Rashid Draman in 'Conflict Prevention in Africa: Establishing Conditions and Institutions Conducive to Durable Peace' in D. Carment, A. Schnabel (eds.), *Conflict Prevention: Path to Peace or Grand Illusion?*, New York 2003, p. 242 (*Foundations of Peace*).

PEACEKEEPING OPERATIONS IN THE ACTIVITY
OF THE AFRICAN UNION

When the African Union was established, there were great expectations that the new institution would be able to meet the challenges of the globalising world and to overcome – as far as possible – the weaknesses of its predecessor, which was criticised for, for example, being passive and ineffective in handling the crises emerging in Africa. But the process of developing the African Peace and Security Architecture (APSA) is not yet complete; the mechanisms of regional cooperation are still perfected within the framework of the APSA although its fundamental structure was defined already in 2000–2004 (the adoption of the Constitutive Act of the African Union – 2000, the official establishment of the African Union and the adoption of the protocol to the Constitutive Act enabling the establishment of the Peace and Security Council – 2002, the establishment of the Peace and Security Council – 2004).

Within the framework of the new institutional solutions whose purpose was to create an effective crisis management system (e.g. through expanding and perfecting the available instruments), the possibility of organising peacekeeping operations became an important sphere of activity, and its usefulness was confirmed by the experience of many other organisations, including sub-regional ones (ECOWAS). With the course of time, this form of activity became one of the most important instruments used in reaction to emerging threats and to stabilise the situation in the process of dealing with crises.

Possibilities of deploying peacekeeping operations are provided for in the provisions of the Constitutive Act of the African Union. Article 4, which comprises the fundamental principles of international law in the regional system, includes the possibility of an intervention using international forces under the mandate of the African Union. One of the provisions in this article speaks of 'the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity as well as a serious threat to legitimate order to restore peace and stability to the Member State of the Union upon the recommendation of the Peace and Security Council'.[22] Such provisions indicate the possibility of intervention in a state where certain categories of international crimes are committed without asking its authorities for permission. The Assembly of the African Union, which is the Union's most important political body, composed of the heads of states or governments, has the decision-making competences in this regard. Another option provided for by the Constitutive Act is the possibility of launching an

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[22]   Article 4 (h), *Constitutive Act of African Union*, at <http://www.au.int/en/sites/default/files/ConstitutiveAct_EN.pdf>; Article 4, *Protocol of Amendments to the Constitutive Act of the African Union*, at <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=493fe67d2&page=search>, 2 December 2015. The second part of the provisions cited in this fragment (the right for intervention in the event of a threat to legitimate order) was adopted under the Protocol on Amendment to the Constitutive Act of the African Union adopted in Maputo in 2003.

intervention upon request of a member state 'in order to restore peace and security'.[23] Both options allow for practical deployment of international peacekeeping forces to restore peace, security or a state's internal stability when these values are at risk. Of course, situations that require a peace enforcement mission (active use of armed forces to achieve the preferred values) cannot be realised only under the mandate of a regional organisation – in these cases it is necessary to obtain the consent of the UN Security Council, which has the monopoly on legitimising the use of armed force. At the same time, we need to remember that the above-mentioned provisions of the Constitutive Act only provide for the possibility of intervention. The actual initiation of such an operation by making the decision to legitimise peacekeeping activity of international forces requires political will, including readiness to provide the necessary forces and funds, which (combined with the deficit of resources) makes it rather unlikely for African countries to overuse the rights derived from it.

After the emergence of the African Union in 2002, on several occasions its member states made the decision to deploy international forces on stabilisation missions in countries ravaged by civil war. The AU mission in Burundi (the African Mission in Burundi, AMIB) was the result of an attempt to find a way to end the long conflict between the Hutu and the Tutsi that destabilised the African Great Lakes region. Launched in 2003, still before the Peace and Security Council became the main body responsible for peacekeeping activity in the structure of the African Union, the mission was replaced a year later with a UN operation (the United Nations Operation in Burundi, ONUB). Its goal was to monitor the observance of the armistice between the conflicted parties, demilitarisation and disarmament of the armed forces, supporting the process of political and economic reconstruction of the countries after the crisis, protection and support for humanitarian aid, as well as preparing the UN mission that took over the responsibility for implementing the peace process in May 2004. The country that played the most important role in this operation was South Africa – its negotiators and soldiers played the key role in negotiating the peace agreement, during preparations for field operations and when the mission was finally deployed. Just as it was in the other cases, one of the main factors that determined the replacement of the African Union with the UN as the stabilising factor in Burundi were the costs of the mission (as proven, for instance, by the fact that once taken over by the UN the composition of the mission remained virtually unchanged; what changed were the principles of subordination and sources of funding). The implementation of the peace process and the rising stability in Burundi resulted in a positive evaluation of the undertaking and the role that the newly formed African Union had played in it.[24]

The positive evaluation, in turn, supported the argument to continue with similar initiatives in the event of crises in the region. The best-known operations legitimised by the African Union were those executed in two other East African countries: Sudan

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[23]   Article 4 (j), *Constitutive Act czy Protocol of Amendments*.

[24]   See: H. Boshoff, D. Francis, 'The AU Mission in Burundi: Technical and Operational Dimensions', *African Security Review*, Vol. 12, No. 3 (2003), pp. 41-44.

and Somalia. The mission in Darfur (the African Union Mission in Sudan, AMIS) was launched in response to a growing internal and humanitarian crisis in the western provinces of Sudan (Darfur), where a conflict had broken out between the local communities and the authorities residing in Khartoum supported by pro-government militant groups (the Janjaweed). In this form, the mission was conducted from 2004 to 2007.[25] The huge cost of this operation combined with the need to intensify peace efforts and increase the number of personnel engaged in the operation in Darfur and to meet logistical needs once again gave rise to the idea to transfer the responsibility for the peace process to the United Nations. After the negotiations, the two organisations decided to establish a joint mission legitimised by both of them. As a result, AMIS was replaced with the African Union/United Nations Hybrid Operation in Darfur (UNAMID) – the first hybrid mission in the history of both organisations. The involvement of the international factor brought about positive changes in Darfur, especially as regards humanitarian aid provided to the population threatened by violence and protection of civilians from aggression by the conflicted parties. At the same time, it should be noted that the barriers to full regulation of the situation in the region have not been removed. Still, because of the positive role the mission plays in humanitarian terms, both the UN and the African Union are interested in maintaining international engagement in Sudan.[26]

The most ambitious African undertaking so far was the African Union Mission in Somalia (AMISOM). Somalia remained engulfed by a crisis (a dysfunctional state) since the government of President Mohamed Siad Barre was removed from power in January 1991. Neither the engagement of an international coalition under Operation Restore Hope on 1992 and 1993 nor the presence of UN missions (UNOSOM I and UNOSOM II from 1992 to 1995) yielded the expected results, and the country continued to be ravaged by rivalry between local political and military forces that emerged on the foundation of clan, political and ideological rivalry.[27] The collapse of Somali statehood facilitated the activation of fundamentalist forces threatening regional security (the Islamic Courts Union and later the Al-Shabaab). Eventually, the measures taken by African countries to rebuild Somalia's administration structures and armed forces (implemented mostly within the IGAD) received support in the form of deployment of international forces under AMISOM, which had been realising its mandate there since early 1997.[28] It is the largest mission of this kind executed by a regional community of states. It in fact took on the form of a peace enforcement operation, and its ef-

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[25] For more see: K.P. Taber, 'Bringing Peace to Darfur: Lessons of the Darfur Peace Agreement', Houston *Journal of International Law*, Vol. 31, No. 1 (2008), pp. 171-210.

[26] See: 'Situation Analysis: In Darfur, Things Have Change – But Nor for the Better', *Peace and Security Council Report*, No. 73 (2015), pp. 5-8, at <https://www.issafrica.org/uploads/PSC_Report73_Eng.pdf>, 12 December 2015.

[27] For more see: W.M. Clarke, J.M. Herbst (eds.), *Learning from Somalia. The Lessons of Armed Humanitarian Intervention*, Boulder 1997.

[28] Cf.: C. Hull, E. Svenson, *African Union Mission in Somalia (AMISOM). Exemplifying African Union Peacekeeping Challenges*, Stockholm 2008 (FOI-R, 2596).

fects include strengthening the position of the internationally recognised Transitional Federal Government of Somalia (formed as a result of mediation of the countries from the region within IGAD) as well as bringing most of the country's territory under control or international forces and the gradually developed Somali military. The territory controlled by militant groups of the fundamentalist Al-Shabaab decreased significantly, but the price for this is the organisation's increased terrorist activity. The aim behind the African Union's actions in this case is to restore Somali statehood by 2016.[29] It is rather important that the attempt to transfer the responsibility for the operation to the United Nations was unsuccessful in this particular case; after what happened in the 1990s, the great powers were unwilling to once again become engaged in the Horn of Africa and instead offered only material and logistical assistance to the African Union forces.

International forces of the African Union were also present in the Comoros, where the objective was to support the democratisation and formation of a fully representative government, while at the same time maintaining the country's territorial integrity, which was under threat from separatist trends prevailing on the island of Anjouan (Ndzuwani). After the experience of the late 1990s, which was not exactly positive, the African Union was making renewed efforts to reintegrate the country. It sent observers to the archipelago twice with the aim to support the electoral process – in 2004 (the AU Observer Mission in the Comoros, MIOC) and in 2006 (the African Union Mission for Support to the Elections in Comoros, AMISEC). Considering the lasting tensions between the central government and the separatist authorities on the island of Ndzuwani, the African Union Electoral and Security Assistance Mission (MAES) was authorised on 7 May 2007 with a broad mandate comprising, among other things, supporting federal authorities in the process of regaining control over the revolting island. When the separatists refused to cooperate, the government of the Comoros filed a request for military assistance in restoring order. This resulted in the launch of Operation Democracy in the Comoros, and an international intervention was executed on the separatist island on 11 March 2008, mainly by forces from Tanzania supported by those from Sudan. The operation brought about the expected results (the federal government regained control over the revolting island), but some countries criticised it, including South Africa, which believed that the operation was launched before exhausting all the available peaceful means of dealing with the crisis.[30]

Due to a worsening internal crisis in the Central African Republic, between December 2013 and September 2014 international African forces were deployed to that country under the African-led International Support Mission to the Central African Republic (MISCA). The collapse of the government of President François Bozizé caused by an attack of rebels from the Séléka group (representing mostly the Muslim

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[29]   See: 'Situation Analysis: A Long Road ahead to Achieve Somalia's Vision 2016', *Peace and Security Council Report*, No. 67 (2015), pp. 10-13, at <https://www.issafrica.org/uploads/PSC_Report67. pdf>, 12 December 2015.

[30]   For more see: E. Svenson, *The African Union's Operations in the Comoros. MAES and Operation Democracy*, Stockholm 2008 (FOI-R, 2659).

minority from the north of the country), the ineffectual governance of the new authorities (characterised by violence and the lack of a stabilisation programme) as well as deepening chaos as a result of growing ethnic and religious conflicts (the Anti-Balaka Christian militias challenged the Séléka forces) led to the fall of the state. Growing violence, which *de facto* led to a civil war, induced the African Union to deploy peacekeeping forces (with the consent of the UN Security Council), which, together with intervening French forces, were to stabilise the situation in the CAR, protect the civilian population, ensure deliveries of humanitarian aid, and create the conditions for rebuilding stat structures on democratic foundations. MISCA was meant to be a temporary operation, to be eventually replaced by a UN operation.[31] On 15 September 2014, the UN took over the personnel of the operation, launching the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA).[32] In the case of the crisis in the Central African Republic, it were African forces (together with the French intervention forces of Operation Sangaris) that bore the burden of stabilisation activity in the most difficult period of the crisis (the chaos leading to civil war), and only later did they pass the responsibility for the peace process to the United Nations.

CONCLUSION

The evolution of the regional system of cooperation for peace and security in Africa led to the development of institutionalised methods and forms of cooperation within the framework of regional international institutions (the Organisation of African Unity, the African Union). One of the key forms of executing objectives within the so-called African Peace and Security Architecture (APSA) were peacekeeping operations. This form of activity developed particularly well in the post-Cold-War era, when African countries developed a strategy of overcoming the barriers that hampered stabilisation and modernisation in the region. Missions of preserving, building and enforcing peace became one of the factors shaping the international environment, in which security is the prerequisite for efficient realisation of development goals.[33]

Effective use of this form of activity for peace and security required African countries to undertake a huge organisational effort. The unification of the rules of employing different national contingents, introduction of common standards of managing and

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[31]   See: S. Zifcak, 'What Happened to the International Community? R2P and the Conflicts in South Sudan and the Central African Republic', *Melbourne Journal of International Law*, Vol. 16, No. 1 (2015), pp. 52-85.

[32]   See: UN, *MINUSCA. United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic*, at <http://www.un.org/en/peacekeeping/missions/minusca/background.shtml>, 10 December 2015.

[33]   Cf.: P.D. Williams, 'Peace Operations in Africa: Lessons Learned since 2000', *Africa Security Brief*, No. 25 (2013), at <http://africacenter.org/wp-content/uploads/2013/07/AfricaBriefFinal_25.pdf>, 15 December 2015.

commanding units from different countries, development of the rules of engagement, ensuring logistical support for field operations of mission personnel, development of the rules of cooperation between the military, police and civilian contingents participating in missions, ensuring funds to cover their costs – these are only some of the many challenges that the countries of the region were forced to face. Both the Organisation of African Unity and its successor – the African Union – responded to the above challenges with some organisational efforts. The scope of the tasks executed by the missions was extended – starting with monitoring the observance of peace agreements, through classical peacekeeping missions, to operations that in fact enforced peace. The limited forces and resources at the disposal of African countries have also led them to seek external support for these operations in terms of both material (financial) and technical assistance (e.g. transportation).

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