



ADDIS ABABA UNIVERSITY

SCHOOL OF GRADUATE STUDIES

**THE VIABILITY OF AFRICAN SOLUTIONS TO AFRICAN PROBLEMS IN
PEACE AND SECURITY: LIBYA AND SOMALIA AS CASE STUDIES**

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JULY 2016

**THE VIABILITY OF AFRICAN SOLUTIONS TO AFRICAN PROBLEMS IN
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BY:

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RELATIONS**

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1.1. AMISOM's Major Troop and Police-Contributing Countries

Abbreviations

AfSol	African Solutions
AHC	African High Command
AIAI	al-Itihaad al-Islaam
AMIB	Union Mission in Burundi
AMISOM	African Union Mission in Somalia
APF	EU Africa Peace Facility
APSA	African Peace and Security Architecture
ARS	Alliance for the Re-Liberation of Somalia
ASAP	African Solutions to African Problems
ASF	African Stand by Force
AU	African Union
CADSP	Common African Defense and Security Policy
CEWS	Continental Early Warning System
CIC	Council of Islamic Courts
CVDF	Captured and Voluntary Disengaged Fighters
EU	European Union
GCC	Gulf Cooperation Council
GPC	General People’s Congress
ICC	International Criminal Court
ICU	Islamic Courts Union
IGAD	Inter-Governmental Authority on Development
IGASOM	IGAD’s Peace Support Mission to Somalia
IPSS	Institute of Peace and Security Studies
IRAs	Interim Regional Administrations

ISS	Institute of Security Studies
MSC	Military Staff Committee
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
NISA	National Intelligence Security Agency
NSA	Somali State's National Security Army
NTC	National Transitional Council
OAU	Organization of African Unity
OPEC	Organization of Petroleum Exporting Countries
PSC	AU Peace and Security Council
PSD	AU Peace and Security Department
RCC	Revolutionary Command Council
REC	Regional Economic Community
SNA	Somalia National Army
SNF	Somalia National Security Forces
SNM	Somali National Movement
SOP	Standard Operation Procedure
SRC	Supreme Revolutionary Council
SRRC	Somali Reconciliation and Restoration Council
SSA	Somali Salvation Alliance
SSDF	Somali Salvation Democratic Front
SYL	Somali Youth League
TCCs	Troop Contributing Countries
TFC	Transitional Federal Charter
TFG	Transitional Federal Government

TNC	Transitional National Council
TNG	Transitional National Government
UAE	United Arab Emirates
UIC	Union of Islamic Courts
UK	United Kingdom
UN	United Nations
UNHCR	UN High Commissioner for Refugees
UNICEF	United Nations Children’s Emergency Fund
UNITAF	United Task Force
UNSOA	UN Support Office to AMISOM
UNOSOM	United Nations Operation in Somalia
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
US	United States
USC	United Somali Congress
USSR	Union of Soviet Socialist Republics
WFP	UN World Food Programme

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Dedication

To my family; for always believing in me!

Abstract

Africa's history is of a struggle for self-determination; this quest for self determination has gone through different phases and has also taken different forms. In the aftermath of the end of the Cold War and the onset of a multi-polar world order in the 21st century, this struggle is best expressed in Africa's quest for Pax-Africana, a peace 'that is protected and maintained by Africa herself'. African Solutions to African Problems (AfSol) is a notion that bestows Africa the leading role in defining its problems and providing solutions as well. This research upholds the notion of AfSol as an extension of the ideas of Pan Africanism and African Nationalism; and hence with strong historical roots. The research investigated the viability of African Solutions to African Problems in the security realm with AU as an institutional mechanism by taking the 2011 Libyan crisis and the peacekeeping mission deployed in Somalia (AMISOM) since 2007 as case studies. The study explores the practical difficulties the Union has had in providing an African centered solution to the Libyan crisis at the initial levels of the conflict and with the Somalia case study the study examines the kind of difficulties the Union has faced with AMISOM by investigating how much of the mission's agenda are home grown as it is funded by foreign donors. The study followed a qualitative approach. The data used in the research is a combination of data gathered through primary and secondary sources.

The AU is hampered by its own institutional and financial weaknesses in upholding AfSol in the peace and security realm and the study has pointed out unwarranted external intervention in the internal affairs of African states as a difficulty that is external to the Union's genuine efforts in providing African centered solutions in conflict resolution. The Libyan crisis of 2011 is one where the Union has come up with a roadmap that has foreseen the challenges that any solution but political would be a failure as its genuine efforts were sidelined because of big power interest in Libya. This showed a case where the Union was not even allowed to take ownership of a crisis in providing African centered solutions in the continent. On the other hand AMISOM, hailed as a success story by some, is a case in point where even when some kind of African ownership is exercised yet African Solutions fall short as the mission is funded by external powers and they have a direct say on the kind of agenda being carried out by the mission. In conclusion the study hails the notion of African Solutions to African Problems as one with a great potential for providing a sustainable and lasting solutions to the peace and security challenges that hamper the development of the continent. The notion is still a work in progress but it shouldn't be regarded as a 'rhetoric' as upon the institutional and financial strength of the AU; it's one that could be achieved.

Chapter One

Introduction

1.1. Background

Africa is a conflict torn continent and the African Union (AU), primarily a peace and security actor, has been tasked with bringing peace and security to the continent. The organization initially came into being with a new mandate to manage conflict in the continent, for its predecessor the Organization of African Unity (OAU) failed to take matters on its own mainly because of its non-intervention principle. Non-indifference is the new approach that the AU has adopted. The Rwandan genocide of 1994 has been one of the factors that triggered in the transformation of the OAU to the AU with a quest to finding African Solutions to African Problems. Professor Amadou Sessay states that the establishment of the Peace and Security Architecture (APSA) by the AU shows the emphasis the organization is laying on local conflict prevention and management, and the ownership of processes as reflected in the Constitutive Act.¹

Africa has been a victim of foreign intervention since the time of colonialism and even after more than 50 years of independence this intervention continues. Ferim Valery argues that for decades, African leaders and scholars alike have expressed concerns over foreign intervention in the internal affairs of African countries. They have decried humanitarian intervention as a neo-colonialist agenda propelled by self-interest.² With the reality that compelled foreign intervention in the continent being one of self interest and not a real aspiration to help; Africans have felt the need for taking ownership of their own affairs. ‘African Solutions’ or ‘Try Africa First’ reflects the response of African leaders through their multilateral institutions – the OAU, and now the AU and RECs – to minimize as much as practicable, direct external powers involvement in African conflicts especially if that means deploying their citizens in conflict situations like those

¹ Amadu S., (2010). Concept Note: ‘African Solutions’ or ‘Try Africa First’ in Peacemaking and Security: A Proposal for Research and Outreach Project. Proceedings of the Workshop on African Solutions for Peace and Security.

² Ferim, Valery (?). African Solutions to African Problems: The Fault line in Conflict Resolution in Africa. University of Fort Hare.

in Liberia, Sierra Leone and Cot d'Ivoire in West Africa, or in the Democratic Republic of Congo, Rwanda or Burundi in Central Africa, etc.³

The political ideal of 'African Solutions to African Problems' is essentially an issue of self-determination. It seeks to bestow Africa, as a matter of principle, the lead role or ownership in the endeavour to prevent, manage and resolve conflicts on the continent.⁴ But this does not mean the notion aspires for a continent that stands alone. In this highly interdependent and increasingly globalizing world and time, 'African Solutions to African Problems' does not pretend to suggest that Africans should exclusively formulate and support efforts for maintaining peace and security on the continent.⁵ Rather, as Dersso argues, it's one that has two dimensions: one is the control that Africans exercise over the analysis, understanding and definition of the peace and security challenges facing the continent. And the other dimension is the utilization of African leadership in the formulation and implementation of solutions that are properly tailored to respond to the specific conditions and needs of those affected. Thus viewed, 'African Solutions to African Problems' is a pan-African ideal that seeks to accord Africa both ownership of and a high stake over the process for resolving the problems facing the continent.⁶ As the IPSS workshop report summarizes it, AfSol should not be seen as giving Africans exclusive say in peace and security but it is to provide a framework for Africans to assist one another before resorting to external actors.⁷

African Solutions to African Problems (AfSol) is a noble idea with multiple constraints defying it. This study analyzes AfSol in the peace and security realm within the AU context and assesses how the rhetoric and reality are on the ground by taking Libya and Somalia as case studies. The two countries have different colonial histories, geopolitical importance, socio-cultural composition and economic capabilities. In the same token the Union has also had different experiences with the two cases. Somalia could be considered as a success story as it is an instance where a peace keeping operation has been deployed to the country which is a success story for the AU. Libya on the other hand is a totally different instance where African Solutions

³Amadu S., Op. cit. p. 1

⁴ Solomon A. Dersso (2012). The quest for Pax Africana: The case of the African Union's peace and security regime. *African Journal on Conflict Resolution*, 12(2), 11-48.

⁵ Ibid

⁶ Ibid

⁷ Institute for Peace and Security Studies (IPSS), (2014). African-centered Solutions for Peace and Security (AfSol) Workshop Report 26 – 27 September 2014, Addis Ababa.

have failed to materialize and the country has disintegrated into chaos where no peace keeping mission has been deployed.

In another aspect, the two countries revealed two diverse challenges for the AU in providing African Solutions. While Libya brought about the challenge of external intervention to the fore once again; on the other hand Somalia, where there is considered to be an African Solution i.e. AMISOM presented the challenge of funding. AMISOM is funded by foreign sources which directly gives them power to have a say on the agenda setting of the mission.

The two cases summed-up present two very important challenges faced by the AU in the providing African Solutions. Unwarranted foreign intervention in order to secure national interest, as seen in the Libyan case, and even after succeeding to provide some form of African Solution, as is in the case of Somalia, the lack of authority on the agendas to be carried out make the two cases ideal for this study which aspires to question the attainability of the notion.

1.2. Statement of the Problem

In the aftermath of the Cold War the most formidable challenge besetting the African Continent was the challenge of maintaining peace and Security. ‘African Solutions’ and ‘Try Africa First’ represent a clear attempt by Africans to domesticate conflict prevention and resolution mechanisms and templates in the continent, and by so doing, shield its people from vicissitudes of rampant and often undue external manipulation.⁸ The notion has its roots in the early pan-African movements and ownership takes the core tent of the notion. AfSol is an ideology and a driving force behind Africa’s struggle for political independence, in the subsequent formation of the OAU in 1963 and its transformation to the AU in 2002.

When the AU was established in 2002, it was clearly stated that the organisation was going to have the primary responsibility for maintaining international peace and security on the continent.⁹ AU’s vision is to: “build an integrated, prosperous and peaceful Africa, an Africa driven and managed by its own citizens and representing a dynamic force in the international

⁸ Amadu S., Op. cit. p. 1

⁹ Olsen G. R., (2011). The African Union and regional security: International support to the ‘African solutions’ approach. In Global International Studies Conference.

arena.”¹⁰ The Union’s more specific vision for conflict management reflects an awareness that the precondition for achieving this overarching goal is security and stability on the continent.¹¹ This vision of the Union reinforces the idea of ownership of Africa’s peace and security challenges by Africans themselves i.e. African Solutions to African Problems.

However, the effectiveness and scope of AU’s peace and security endeavors have remained limited in light of this normative claim, which is commonly attributed to the AU’s lack of capacity.¹² In the context of applying African Solutions in the security realm; the AU has been hindered by multiple obstacles to succeed. Capacity and resource limitations, the inadequacy of the African leadership, the difficulty of consensus building among African states and lack of political will; and dependence on external funding,¹³ are all challenges that are regarded as impediments in the successful implementation of AfSol in the peace and security realm.

In light of these realities its only sound to question whether or not African Solutions to African Problems in the peace and security realm are viable? The study investigates the feasibility and attainability of African Solutions in the peace and security realm in AU context by taking Libya and Somalia as case studies. With the Libyan case study the research has tried to investigate the causes for the Union’s “failure” for intervention in the context of employing AfSol. On the other hand with the Somalia case the study will analyze to what extent the AU peace and security operations are internally driven in terms of resource and agenda setting. Based on the conceptual framework provided in chapter two the study has tried to see both cases from the AfSol perspective so that a standpoint could be established as to whether the AU could fully utilize African Solutions in peace and security.

The argument advanced in this thesis is that categorizing African Solutions to African Problems as rhetoric does not take into consideration the historical and political background of the notion. The notion is not just an aspiration but is one that is facing hindrances in application. National interest of countries has clouded much of AfSol progress and will continue to do so since

¹⁰ AU Commission, Draft Strategic Plan 2014 – 2017, AU document EX.CL/501 (XV) Rev.2, May 19, 2009, p. 8.

¹¹ Williams, P. D. (2011). *The African Union's conflict management capabilities*. New York, NY: Council on Foreign Relations.

¹² Vorrath, J. (2012). Imbalances in the African Peace and Security Architecture: The Current Approach to Capacity-building Needs to Be Challenged. *SWP Comments*, 29, 1-4.

¹³ Solomon A. Dersso., Op. cit. p. 2

international relation is based on securing and advancing one's own national interest. Financial capacity of the AU is also a case in point. Much work needs to be done by Africans to realize the full implementation of the notion.

1.3. Research Objectives

1.3.1. General Objectives

The study focuses on investigating the viability of African Solutions to African Problems in the security realm with AU as an institutional mechanism and aspires to stimulate some fresh ideas that serve as generic indicators for further research agenda on AfSol as an intellectual challenge in peace and security in Africa

1.3.2. Specific Objectives

- Conceptualize and define AfSol and identify the rationale behind the notion
- Investigate the feasibility and attainability of African Solutions in the security realm in AU's context
- Assess the challenges faced in implementing the principle of African Solutions in the Libyan crisis and the challenges that were and still are in place in executing AfSol with the peacekeeping mission deployed in Somalia (AMISOM).

1.4. Research Questions

This study will attempt to answer the following research questions:

- How are African Solutions thought to contribute to peace and security in the continent?
- What hindered the implementation of AfSol in the crisis in Libya and Somalia?
- What must be done to address issues of resource and institutional deficiencies at the level of the AU?
- Is AfSol in the peace and security realm just rhetoric?

1.5. Methodology and Methods of Data Collection

The study employed qualitative approach as qualitative approach to research is concerned with subjective assessment of attitudes, opinions and behavior;¹⁴ and this study has been one where views and opinions have been assessed and analyzed from different perspectives. The data used in the research is the combination of data gathered through primary sources i.e. interviews; and secondary sources. Both published and unpublished materials have been used in the secondary data collection method. In-depth interviews with key informants who are conversant about the area of study that have provided useful information which adequately answer the research questions have been conducted. The researcher conducted in-depth interviews and discussions with officials at the AU: from the Continental Early Warning System (CEWS), the Peace Support Operation Division and from Political Affairs – one from each division. Moreover in order to collect scholarly opinion on the issue, two researchers at the Institute of Security Studies (ISS) and one at the Institute of Peace and Security Studies (IPSS) have been interviewed.

Books, journal articles, published materials from various publications of the African Union, magazines and newspapers; reports and publications of various associations associated with the issue; reports prepared by research scholars, universities etc. and public records, historical documents, and other sources of published information have been used in the secondary data collection. The secondary sources have helped to provide relevant knowledge to supplement the primary data in order to produce a compact analysis of the data.

1.6. Scope of the Study

African Solutions to African Problems is a notion which covers a range of social, political and economic aspects that hinder the African continent. However this study will be confined to the aspect of AfSol that deals with African Solutions in the peace and security realm with the AU at the center of the study. The research evaluates the practice of AfSol in the AU taking the case of Libya and Somalia. The conflicts and instabilities in these countries will not be discussed in depth. With the Libyan case study in particular, the research is focused on the initial stages of the conflict not on the consequent developments or the current crisis in the country.

¹⁴ C. R., Kothari (2004). *Research Methodology: Methods and Techniques*. New Age International Limited Publishers, New Delehi.

1.7. Significance of the Study

The study will facilitate to have a more vivid picture of the notion of AfSol. It will be a significant contribution to efforts that aim at making African Solutions a reality. With the two case studies the study will present in clear terms what hinders AU in implementing AfSol in the peace and security realm. On the same note the study will attempt to contribute to the knowledge gap on the notion of AfSol and will also help research institutes to develop a robust conflict management and resolution mechanisms in Africa. Instigating curiosity about the notion of AfSol and being a catalyst to further research lies at the core of the study.

1.8. Limitations

This study will not be able to conduct interviews outside Addis Ababa due to budgetary constraints. To balance this, the researcher has conducted interviews with responsible personnel at the AU and researchers at the ISS and IPSS. Finding the responsible personnel and getting them to consent to an interview had been challenging and time consuming.

Inclusion of summary of the financial support that has been provided to AMSIOM would have enriched the Somalia case study but the pursuit in obtaining this has been unsuccessful as an official at the AU stated that it is impossible to get that information.

1.9. Organization

The study is organized in five chapters. The first chapter introduces the general framework of the study providing a clear picture of what the study is all about and how it has been carried out. The second chapter focuses on laying down the conceptual framework and gathering the existing knowledge in a way that lays the foundation for the analysis of the data gathered. Chapter three and four represent the core of the study, they present and test the practical experience of the notion of AfSol by studying Libya and Somalia as case studies respectively.

The Libya case consists of seven sections: by first laying down some historical background to the country the chapter goes on to analyze the conflict by first presenting the emergence of the conflict. The subsequent subsections deal with the research questions presented above by elaborating the AU's diplomatic efforts to resolve the crisis peacefully by presenting a roadmap. By regarding the roadmap as an African Solution provided by the AU the final sections of this

chapter will investigate why the roadmap failed to materialize; and finally the chapter will close by evaluating the adequacy and efficiency of the Union's efforts to resolve the crisis.

The Somalia case study is presented in eight sections. Starting with a background overview of the state and the conflict, the chapter goes on to covering AMISOM – its background, mandate, performance, and challenges. The final sections of the chapter analyses AMISOM from its funding and agenda setting in order to answer whether the mission could be regarded as an AfSol.

Chapter five provides summary and conclusions, and also comments on the way forward.

Chapter Two

Conceptual Framework and Literature Review

2.1. Conceptual Framework

2.1.1. What is ‘African Solutions to African Problems’?

Other than African Solutions to African Problems (ASAP) the notion also comes in the names of African Solutions (AfSol), Try Africa First or Ali Mazrui’s reference to it as Pax Africana. The maxim applies to a wide range of issues, including development, education and health, but it is used most often in relation to peace and security.¹⁵ The precise meaning of the concept of “African led Solutions” to African problems in general is still debatable. More so, its practical application has been at best elusive. But it is largely agreed as a concept that offers Africa a leading role in defining its problems and providing solutions to problems facing the continent.¹⁶

The lack of clarity on the meaning and implications of African-centered Solutions (AfSol) has created divergent views; while some treat AfSol as an idea to be advanced and others as a creed to be followed, yet some argue that it is a meaningless, if not harmful, myth to be avoided.¹⁷ Through review of literature one can learn that African Solutions are usually based on either ownership i.e. of being African-led or of being ‘working’ solutions rooted in the African identity manifested in its culture, values and realities of societies. The questions of ownership can again be discussed in relation to African states, political leadership and institutions, and peoples at the grassroots level.¹⁸

In trying to construct a concrete picture about the concept a workshop organized by the Institute of Peace and Security Studies (IPSS) entitled “African Centered Solutions for Peace and Security” has put forth couple of points. It regarded AfSol as an ideology that dates back to the time of pan-Africanism and also as a philosophy which dates back to Nkrumah’s idea of political kingdom. It went on to recognize AfSol as a policy in the making, therefore AfSol can be

¹⁵ Nathan, L. (2013). African solutions to African problems: South Africa's foreign policy. *Zeitschrift für Internationale Politik*, (92), 48-55.

¹⁶ Komey, Osman and Melakedingel Nolawi (2013). Operationalizing African-led Solutions in Peace and Security: Case Studies from South Sudan and Somalia. Africa Peace and Security Programme, (APSP) African-led Solutions (AfSol) Research Project (Addis Ababa: IPSS)

¹⁷ Institute for Peace and Security Studies (IPSS), (2014). African-centered Solutions for Peace and Security (AfSol) Workshop Report 26 – 27 September 2014, Addis Ababa.

¹⁸ Ibid

practiced. Consequently, AfSol was placed in the category of idealism but with a blend of realism. The former refers to AfSol as an aspiration, a desire that reflects an incomplete project still under construction. The latter is reflected in Africa's collective self-help efforts in peace and security.¹⁹

The conceptual framework will try to link the concept of African Solutions with that of Africanization and ownership. The cry for ownership in the continent has been uttered since the time of colonialism and slave trade through African Nationalism and pan-Africanism; concepts that take root in the discussion around African ownership.

2.1.2. Africanisation and Ownership

Any study on the Africanisation of African security necessarily has to begin with the advent of Pan-Africanism and its role in the decolonization process.²⁰ Three names often associated with Pan-Africanism are Henry Sylvester-Williams, W. E. B. DuBois, and Marcus Garvey.²¹ The foundations of contemporary Pan-Africanism were laid by the Fifth Pan-African Congress held in Manchester, United Kingdom in 1945, at which Du Bois was active, together with Dr. Nkrumah.²² Historically Pan-Africanism is the perception by Africans in the diaspora and on the continent that they share common goals and has been expressed in different forms by different people.²³ Simala I. K., a Kenyan linguist, states that there is no agreement on the meaning, character and periodization of Pan-Africanism. He argues that opinions on its meaning, aspirations, and nature will continue depending on whether we assume the phenomenon came into being in the eighteenth, nineteenth, or twentieth century,²⁴ emphasizing the range of experience the continent has had throughout each century.

Timothy Murithi regards Pan Africanism as a movement rather than a unified school of thought. He writes: Pan-Africanism is a movement with as its common underlying theme the struggle for

¹⁹ Institute for Peace and Security Studies (IPSS), Op. cit. p. 8

²⁰ Franke, B., & Esmenjaud, R. (2008). Who owns African ownership? The Africanisation of security and its limits. *South African Journal of International Affairs*, 15(2), 137-158.

²¹ Khapoya, V. B. (2013). *The African Experience: An Introduction*. 4th Ed. Peachpit Press.

²² Gassama M., 2013. The African Union: A veritable progeny of Pan-Africanism. AU Echo, Special edition for the 20th AU Summit.

²³ Murithi, T. (2007). *Institutionalising Pan-Africanism: Transforming African Union Values and Principles into Policy and Practice* (ISS Paper 143. Pretoria: Institute for Security Studies).

²⁴ Simala, K. I. (2003). Pan-Africanism and the Language Question: Re-reading African Cultural and Intellectual History. *African Journal of International Affairs*, 6(1-2).

social and political equality and freedom from economic exploitation and racial discrimination.²⁵ He argues that it is a notion with a purpose. Essentially, Pan-Africanism is a recognition of the fragmented nature of the existence of Africans, and their marginalization and alienation both on their own continent and the rest of the world.²⁶

Andrian divides the history of Pan African movement into three periods. The first dates back to the period 1900 to 1945 which he calls the era of political acquiescence. Under the leadership of Dr. DuBois, the movement sought as the main goal colonial reform within the existing colonial structure. One of the primary goals was to eliminate racial discrimination. In this sense, the Pan-African movement was perhaps more "pan-racial" than Pan-African.²⁷ The time the Pan African movement sought immediate national independence for African territories, which began at the close of World War II, marks the second period of the movement. In Andrian's words: the era of nationalist agitation. Pan-Africanists asserted demands for self-government, African supremacy, "Freedom", "Uhuru" and democracy. The ideology of nationalism became an important aspect of the universal Pan-African ideology. The third period of the Pan Africanist movement came at the time of independence. Here African leaders placed primary value on consolidating the economic and political strength of their nations, by undertaking vast projects of economic development, and by attaining the full realization of African freedom outside the control of any colonial or neo-colonial system.

With the independence of most African countries in the 1960's the need for a Pan-African organization which will be able to keep the peace in the continent now that the imperial powers have withdrawn was seen. At this stage the movement saw the need for Africa to own its own problems and be able to provide solutions. In the contemporary stage of development, Pan-African advocates search for a community feeling in their geographical contiguity, African pre-colonial cultural heritage, desire to prevent intervention by non-African powers, and common socio-economic needs.²⁸

²⁵ Murithi, T. (2007)., Op. cit. p. 9

²⁶ Murithi, T. (2005). *The African Union: Pan-Africanism, Peacebuilding and Development*. Ashgate.

²⁷ Andrain, C. F. (1962). The Pan-African Movement: the search for organization and community. *Phylon* (1960-), 23(1), 5-17.

²⁸ Ibid

Clearly the purpose of the Pan African movement is to call upon Africans to draw on their strengths and capacities and become self-reliant; recognizing that the only way out of the existential socio-political crisis is by promoting greater solidarity amongst Africans.

While dialogue and debate in Africa will not always generate consensus, it will at least be dialogue among Africans about possible resolutions to their problems. It holds out the belief that if ideas are not designed by the Africans themselves, it will rarely be in the interests of Africans.²⁹

Pan Africanism calls for ownership which entails continental jurisdiction over African affairs. In the words of Ali Mazrui the word 'Africanism' is stripped of pigmentational militancy. The ultimate frame of reference is now 'our continent' rather than 'our race'.³⁰ As Andrain explains the Pan-African movement, throughout its stages of development, has both stimulated and reflected political changes occurring in twentieth-century Africa.³¹

In relation to Western political structures, these social changes have involved the breakup of European colonial empires and the emergence of nation-states. In relation to traditional structures, the changes have meant the disintegration of narrow-range tribal associations and the development of national and trans-territorial political institutions. Pan-Africanism embodies both the national and, more particularly, the universal values of this political development.³²

In the words of Ali Mazrui; the Organization of African Unity (OAU) was created on the basis of a continental mystique. It is out of this mystique that a principle of continental jurisdiction emerged. The principle of continental jurisdiction asserts that there are certain African problems which should only be solved by Africans themselves.³³

Franke B. and Esmmenjaud R. point out two important developments after the creation of the OAU that shed light on the concept of Africanization which subsequently meant ownership. One is the understanding that the primary purpose of Pan-African security cooperation would not be the defense of the continent against external aggression as suggested by Nkrumah but the

²⁹ Murithi, T. (2007)., Op. cit. p. 9

³⁰ Mazrui, A. A. (1967). *Towards a Pax Africana: A study of ideology and ambition*. Weidenfeld & Nicolson.

³¹ Andrain, C. F., Op. cit. p. 10

³² Ibid

³³ Mazrui, A. A., Op. cit. p. 11

prevention, management and resolution of internal conflicts; while the second development was the emergence of the principle ‘Try Africa First’.³⁴

2.1.3. African Solutions: as an extension of Pan-Africanism and African Nationalism

African nationalist thought of the independence period had two major strands, Pan-Africanism and anti-imperialism. African nationalism, almost by definition, was an antithesis of imperialism whose synthesis was African Unity.³⁵ Pan-Africanism has evolved substantially over the years from its abolitionist roots and political acquiescence to being a spearhead of nationalist agitation, which placed primary value on immediate national independence for the African territories and, ultimately, total unification thereof.³⁶ As Nkrumah in his book ‘Africa Must Unite’ explains, that instead of a rather nebulous movement, concerned vaguely with Black Nationalism, the Pan-African movement had become an expression of African Nationalism.³⁷ At the time of independence there grew a new African self-consciousness, argues Ali Mazrui. Out of this new African self-consciousness grew a body of ideas which came to influence African political behavior at large.³⁸ The idea of being ‘an African’ was the most important of this body of ideas. This was the self-recognition which led to the affirmation of the an-African tautology that all Africans are, in the final analysis, ‘fellow Africans’.³⁹

Africa’s history is of a struggle for self-determination. None other than the quest for achieving control over our politics, culture, geography and economics can best capture the essence of the political history of our continent.⁴⁰ This quest for self determination has gone through different phases and has also taken different forms. In the aftermath of the end of the Cold War and the onset of a multi-polar world order in the 21st century, this struggle is best expressed in Africa’s quest for Pax Africana, a peace ‘that is protected and maintained by Africa herself’.⁴¹

³⁴ Franke, B., & Esmenjaud, R. (2008). Who owns African ownership? The Africanisation of security and its limits. *South African Journal of International Affairs*, 15(2), 137-158.

³⁵ Shivji, I. G. (2009). Pan-Africanism or imperialism? Unity and Struggle towards a new democratic Africa. *Issa G. Shivji*, 196-208.

³⁶ Franke, B., & Esmenjaud, R., Op. cit. p. 9

³⁷ Nkrumah, Kwame. (1963). *Africa must unite*. London: Heinemann.

³⁸ Mazrui, A. A., Op. cit. p. 11

³⁹ Ibid

⁴⁰ Solomon A. Dersso (2012). The quest for Pax Africana: The case of the African Union’s peace and security regime. *African Journal on Conflict Resolution*, 12(2), 11-48.

⁴¹ Mazrui, A. A., Op. cit. p. 11

This struggle for maintaining African peace and security by Africans themselves has brought about the notion of African Solutions for African Problems. Ali Mazrui's concept of Pax Africana is closely related to AfSol. In describing the concept he wrote;

The word 'Africana' in this concept describes both the nationality of the peace-makers and the continental limits of their jurisdiction. For Pax Africana asserts that the peace of Africa is to be assured by the exertions of Africans themselves. The idea of 'Pax Africana' is the specifically military aspect of the principle of continental jurisdiction.⁴²

The idea of African Solutions in one way or another is linked and interrelated or even, could be said to be a result of African Nationalism. African Nationalism being a subjective feeling of kinship or affinity shared by people of African descent; writes Khapoya V. B., is a feeling based on shared cultural norms, traditional institutions, racial heritage, and a common historical experience. Along with this sense of shared identity is a collective desire to maintain one's own cultural, social, and political values independent of outside control.⁴³

The political ideal of 'African Solutions to African Problems' is essentially an issue of self-determination. It seeks to bestow Africa, as a matter of principle, the lead role or ownership in the endeavor to prevent, manage and resolve conflicts on the continent.⁴⁴ Dersso states that there are two dimensions to this self determination. The first and most important of these, he argues, is the control that Africans exercise over the analysis, understanding and definition of the peace and security challenges facing the continent. In explaining this dimension he wrote:

For far too long, as Africans, we have had very little say over the definition of our challenges. Much of the mainstream knowledge that is produced on Africa has been neither by Africans nor has it been from within Africa. This being knowledge produced based on epistemology and using methodologies developed elsewhere, it had little space for alternative and indigenous frameworks and approaches. One of the ambitions of 'African Solutions to African Problems' is therefore to reverse this and anchor the analysis and understanding of the peace and security challenges in Africa on the needs and particular circumstances of those directly affected.⁴⁵

⁴² Ibid

⁴³ Khapoya, V. B. (2013). *The African Experience: An Introduction*. 4th Ed. Peachpit Press.

⁴⁴ Solomon A. Dersso, *Op. cit.* p. 12

⁴⁵ Ibid

The other dimension he points out is the African leadership in the formulation and implementation of solutions that are properly tailored to respond to the specific conditions and needs of those affected.

Instead of treating them as objects of charity and people incapable of redeeming themselves, this acknowledges and reinforces the agency of African actors. Thus viewed, ‘African Solutions to African Problems’ is a pan-African ideal that seeks to accord Africa both ownership of and a high stake over the process for resolving the problems facing the continent.⁴⁶

‘African Solutions to African Problems’ is a recognition of the fact that African societies are different – their colonial history is unique, its societies heterogeneous and its challenges daunting.⁴⁷

The concept (AfSol) aspires for a self determined Africa. It implies a resurgence of African renaissance and a zeal to combat the tyrannical forces of neo-colonialism.⁴⁸ AfSol reflects the powerful anti-imperial sentiment that Africans should be free to decide their own futures without being dictated to by outsiders.⁴⁹

2.1.4. Underlying Assumptions in AfSol

There is no full-fledged definition of the concept of AfSol. The African Union (AU) recognizes that the peace and security in Africa lacks intellectual foundation and therefore poses an “intellectual challenge”,⁵⁰ and for this the Union has mandated the Institute of Peace and Security Studies (IPSS) at Addis Ababa University to carry out research in the area.

IPSS was mandated by the African Union Executive Council Decision (AU) (EX.CL/567 (XVI), and the follow-up Memorandum of Understanding signed between the two institutions, to take up the intellectual challenge of defining African-centered Solutions (AfSol) through training, research and advocacy around African peace and security issues.⁵¹

⁴⁶ Ibid

⁴⁷ Ferim, V. (?). African Solutions to African Problems: The Fault line in Conflict Resolution in Africa. University of Fort Hare.

⁴⁸ Ibid

⁴⁹ Williams, P. D. (2008). Keeping the peace in Africa: why “African” solutions are not enough. *Ethics & international affairs*, 22(3), 309-329.

⁵⁰ Concept Paper African - Centered Solutions in Peace and Security (AfSol), Second Work shop Series (6th March – 7th March 2015). The Africa Peace and Security Programme, IPSS, Addis Ababa University

⁵¹ Ibid

IPSS, in executing the mandate given to it, has launched an AfSol workshop series to provide leading African institutions with state-of-the-art knowledge and expertise on how to grapple with the intellectual challenges provoked by the quest for African Solution in peace and security.⁵² The workshop on African-centered Solutions for Peace and Security (AfSol) held on 26-27 September 2014 by the IPSS has come with the underlying assumptions in the discussion surrounding AfSol. AfSol primarily, supposes the existence of shared African identity and values that can be reflected in the solutions. There is also a prevalent agreement over who these Africans are and their efficiency in tackling peace and security challenges if they own the processes.⁵³

The three primary underlying assumptions are – ownership, commitment and shared values. The second pillar, the commitment of Africans at all levels, supports the first pillar, ownership. Both adhere to a set of shared values that is the third and final pillar of AfSol.⁵⁴

2.1.4.1. Ownership and Commitment

These two assumptions of AfSol are put together since one is to reinforce the other i.e. ownership could only succeed if there is commitment. The workshop that was held at the IPSS entitled “African-centered Solutions for Peace and Security” established that African ownership is not about success but about doing it in one’s own way. Africans are able to tackle their own problems best because they are more familiar with their problems than external actors. AfSol is a home grown approach where Africans are ‘their own-brothers’ keepers’ using relevant mechanisms.⁵⁵

Inclusiveness has been regarded as an important principle in the discussion of ownership. African solutions should not be only confined to the leadership; African ownership does not represent the narrow dominance of African leaders in ownership of decision-making, but the ownership of the African people.⁵⁶

Other important aspects with regard to ownership are:

⁵² Ibid

⁵³ Institute for Peace and Security Studies (IPSS)., Op. cit. p. 2

⁵⁴ Ibid

⁵⁵ Ibid

⁵⁶ Ibid

- In AfSol, Africa should challenge the tendency to blame others for ‘African problems.’ Instead, AfSol should create a situation where Africans take responsibility of negative contributions and acknowledge best practices.
- Overcoming challenges that depict Africans as victims, which has been the case in the past, will transform the global image of Africa. Africans should be proactive in the process of developing AfSol.
- AfSol should not only own African problems of conflict management and deployment of peacekeeping missions. It should also be concerned with long-term solutions and conflict prevention mechanisms that are more inclined to good governance. This rests on political will and, commitment of leaders, academia and the African people.
- Financial ownership should be achieved

Ownership at various levels can only emanate from the commitment of actors at all levels. Commitment of leaders at national, regional and continental level is crucial to the promotion of good governance. The role of citizens in shaping good governance lies in their commitment to elect appropriate leaders by being active participants in the process.⁵⁷ In implementing this the role of a robust think-tank, committed to educate citizens on the essence of AfSol and the building of strong African institutions and overcoming the challenge of finding a common ground (institutional commitment) are mentioned as crucial.

2.1.4.2. Shared Values

Africa is certainly one instance where a few decades of history led to greater changes than the several centuries that preceded them. One of the changes that these decades have brought about is perhaps a new consciousness of ‘geographical contiguities’ and a new response to them.⁵⁸ Shared history, geography and identity are the basis for shared values. Africans have a shared history that goes back to experiences such as slavery and colonialism.⁵⁹ Here geography has been identified as the defining element of African identity. Geographically, if states and their people are found in Africa, they are African. This identity creates a longing for Africans to create a

⁵⁷ Ibid

⁵⁸ Mazrui, A. A., Op. cit. p. 11

⁵⁹ Institute for Peace and Security Studies (IPSS), Op. cit. p. 2

peaceful and united Africa. All stakeholders, governments, think tanks, citizens and the diaspora share this responsibility.

The values are the basis for commitment and ownership of African peace and security challenges. Each individual state has its own values, some of which it shares with its neighboring states at the regional level. Africa is a platform where the shared values of each region form a ground for an Africa wide identity. On the other hand any African value found at a certain location, shared with others or not, should be reflected in the solution designed for the people of that locality since it is 'shared' among individuals, creating the basis of their collective identity.⁶⁰

Ali Mazrui sites a statement made by Julius Nyerere at a symposium at Wellesley College entitled 'African's place in the world'. The statement Nyerere made was 'One need not go into the history of colonization of Africa, but that colonization had one significant result. A sentiment was created on the African continent – a sentiment of oneness.'⁶¹ The consciousness of colonialism has brought about the need for unity and the consciousness of an African identity which all Africans shared. 'African' takes the central part in the discourse of AfSol for it is this shared identity that the concept revolves around. It is this shared identity that has started the fight against colonialism and now it is the basis for African Solutions to African Problems by claiming jurisdiction over internal affairs in the continent.

⁶⁰ Ibid

⁶¹ Mazrui, A. A., Op. cit. p. 11

2.2. Literature Review

2.2.1. Africa's Peace and Security Framework

Former UN Secretary-General Kofi Annan in his 1998 report on “The Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa” stressed the profound effect of colonialism and the cold war in shaping the African state system.⁶² The report traced historical legacies as the initial source of conflict in Africa by placing the 1885 Berlin Congress which marked the partitioning of Africa into “territorial units” by the colonial powers; which subsequently led to division and chaos at the time of independence.

Colonialism created the conditions for many of the ethnic grievances of the post independence era through arbitrarily drawn colonial boundaries.⁶³ It created the basic conditions of the crises – dependent economies, distorted structures, artificial boundaries/countries, divided people, undeveloped human resources and weak, undemocratic state structures.⁶⁴ The Cold War, on the other hand, affected the African state system by prolonging destabilizing liberation wars and by creating military stalemates.⁶⁵ In the words of Franke B. & Esmenjaud R., the Cold War has shaped Africa's Peace and Security structure by dividing the continent into opposing spheres of influence and eventually turning it into a proxy battleground.⁶⁶ Although it was widely expected that the end of the Cold-War would usher in a period of relative stability, peace and development, this promise remained largely unfulfilled with most of the continent being plagued by relentless violent conflict.⁶⁷

Africa's post-Cold War conflicts, or what is also called ‘post-modern’ and ‘network wars’ are distinct from their Cold War precursors in several significant ways.⁶⁸ As Amadu S. explains:

First, they were mainly within states, and started by men leading informal armies, so-called ‘warlords’. Second, they were protracted and not easily amenable to

⁶² Adebajo, A. (2006). Towards A New Pax Africana: Building Peace In Africa. *Trust Africa web discussion 'Building Sustainable Peace*, 4.

⁶³ Ibid

⁶⁴ Bujra, A. (2002). From the OAU to the African Union. *Cooperation South*, 108.

⁶⁵ Adebajo, A., Op. cit. p. 18

⁶⁶ Franke, B., & Esmenjaud, R., Op. cit. p. 9

⁶⁷ Butera B. J. and Karbo T. (2010). Concept Note: African Solutions for Peace and Security. Proceedings of the Workshop on African Solutions for Peace and Security

⁶⁸ UNRISD (1995). States of Disarray: The Social Consequences of Globalization, Geneva: UNRISD. As cited in Amadu, S. (2008). The African Union: Forward March or About Face-Turn. *Printed in Sweden by University Ckeriet, Uppsala*.

resolution using the existing conflict management mechanisms of the OAU. Third, they involved the use of large numbers of children, the so-called 'child' or 'baby' soldiers, many of whom became notorious for heinous war crimes and atrocities such as rape, kidnapping, cannibalism, crude amputations, etc. Fourth, and quite unlike previous wars, most of the victims and casualties were civilians: children, women and the aged. Fifth, the armaments used were overwhelmingly small arms and light weapons, easy to carry and use, which also facilitated the massive participation of children in the wars. Finally, 'network' conflicts led to what became known as complex humanitarian emergencies; massive displacement of peoples internally, unprecedented refugees, collapse of social infrastructure, hunger, diseases, etc., and eventually state collapse.⁶⁹

Conflict in Africa has also internal sources – its post independence leaders. Crafting federations and conceding autonomy to minority groups were rejected by many nation-builders who argued that one-party states were the only means to avoid destabilizing ethnic wars and to preserve the unity needed to build their nations. Ghana, Guinea, Tanzania and Kenya were some of the early pioneers of monopoly politics.⁷⁰ The challenge of achieving peace, security and development in Africa was therefore affected by global, continental and sub-regional developments.⁷¹ One could argue that colonialism and the Cold War are the main sources of conflict in Africa and could be considered sound. This is because it is the aftermath of both unfortunate historical incidents that have left Africa chaotic and is also definitely the reason for the internal factors to be in the picture in the first place.

With the number of independent states increasing from time to time, Africans saw the need for a united defense mechanism for the whole continent. Nkrumah uttered the need for an African High Command (AHC) and the establishment of an African Legion during the first All-African Peoples Conference in 1958.⁷² The military construct was supposed to have the objective of:

- a) Defending the increasing number of independent African states from imperialist aggression
- b) Offering African states a feasible alternative to disadvantageous military pacts with the Cold War powers, and

⁶⁹ Amadu, S., Op. cit. p. 1

⁷⁰ Adebajo, A., Op. cit. p. 18

⁷¹ Butera B. J. and Karbo T., Op. cit. p. 18

⁷² Ibid

c) Spearheading the liberation of areas under colonial and white supremacist control.⁷³

However, this quest for a united African army which was supposed to protect the continent from external aggression lost its meaning as Africa's conflicts came to be internal rather than foreign (out of the continent) aggressions. With the demise of the Cold War; the eventual effects of colonialism were felt deeply. This has been so, as Dersso explains the end of the Cold War and the emergence of a new global order in which Africa 'lost' its geo-strategic value and was called upon to deal by itself with the mess that the legacies of colonialism and the Cold War left plus the change in the nature of conflicts, is what led to the recognition that Africa needs to develop its own means for overcoming the challenges of peace and security facing it.

2.2.2. The Evolution of the OAU Security Regime

Africa's united struggle against colonialism and apartheid followed a Pan-Africanist ideology, which was also the basis for the formation of the Organization of African Unity (OAU) as well as the discussion around African-centered Solutions.⁷⁴ Pan-Africanism thus ceased to be a mass movement and was transformed into an ideology driving a state-based continental organization.⁷⁵ The broad objectives of the OAU were to promote political cooperation in the struggle to liberate the entire African continent from colonialism and white oppression.⁷⁶

The engagement of the OAU in conflict resolution in Africa dates back to the middle of the 1960s when the organization became involved in the resolution of disputes that arose out of border demarcations and the territorial claims of African states.⁷⁷ In addition to settling boarder disputes, the OAU's conflict resolution efforts in its early days were directed towards the diffusion of tensions that resulted from ideological differences during the Cold War.⁷⁸

⁷³ Franke, B., & Esmenjaud, R., Op. cit. p. 9

⁷⁴ Institute for Peace and Security Studies (IPSS), Op. cit. p. 2

⁷⁵ Bujra, Abdalla (2002). Africa: From the OAU to the African Union. An article based on a lecture at the African Centre for Research and Training in Social Development, Tripoli, Libya, on 23 September 2002.

⁷⁶ Moshi, E. H. (2013). Organization of African Unity/African Union and the Challenge of Realizing its Objectives. Workshop to Commemorate 50 years of OAU/AU held on 24th May 2013 at J.K. Nyerere Hall, MUCCoBS

⁷⁷ Malan, M. (1999). The OAU and African Subregional Organisations-a closer look at the 'peace pyramid'. *Institute for Security Studies Papers*, (36).

⁷⁸ Smock, D. R. (Ed.). (1993). *Making war and waging peace: Foreign intervention in Africa*. United States Inst of Peace Pr.

The creation of a more robust response on the part of the OAU to different forms and phases of conflict, however, is a more recent development.⁷⁹ The new international dispensation regarding peace and security issues at the end of the Cold-War required that the OAU reposition itself to address the dire pressing peace and security issues dictated by the new international realities.⁸⁰ As a result, the post-Cold War era saw an explosion of attempts to internalize the provision of peace and security in Africa at both the regional and continental levels.

With the shackles of the superpower confrontation gone and the need for inter-African cooperation becoming ever more obvious and pressing, the OAU and many of the regional organizations began a renewed search for 'African Solutions to African Problems'.⁸¹

In June 1993, African Heads of State passed a resolution leading to the establishment of the Mechanism for Conflict Prevention, Management, and Resolution.⁸² The functions given to the mechanism were to anticipate and prevent situations of potential conflict from developing into full-blown wars, to undertake peacemaking and peace building efforts if full-blown conflicts should arise, and to carry out peacemaking and peace building activities in post-conflict situations.⁸³

Although the establishment of the OAU Conflict Resolution Mechanism should have moved the OAU to the center of conflict management in Africa, the performance of the mechanism was not impressive. But while the OAU initially had difficulties in agreeing on anything more than a blurred Mechanism for Conflict Prevention, Management and Resolution and a couple of small observer missions (in Rwanda 1991 1993, in Burundi 1993-1996 and on the Comoros 1997-1999); argue Franke B. and Esmmenjaud R., the regional organizations used their substantial experience in economic cooperation to design elaborate security structures and engage in a variety of conflict management activities ranging from full blown peace-enforcement operations to political mediation and ceasefire monitoring.⁸⁴

⁷⁹ Powell, K., & Tiekou, T. K. (2005). The African Union's New Security Agenda: Is Africa Closer to a Pax Pan-Africana?. *International Journal*, 60(4), 937-952.

⁸⁰ Butera B. Jean and Karbo T., Op. cit. p. 18

⁸¹ Franke, B., & Esmmenjaud, R., Op. cit. p. 9

⁸² Muyangwa, M., & Vogt, M. A. (2000). *An assessment of the OAU mechanism for conflict prevention, management and resolution, 1993-2000*. International Peace Academy.

⁸³ Powell, K., & Tiekou, T. K., Op. cit. p. 21

⁸⁴ Franke, B., & Esmmenjaud, R., Op. cit. p. 9

Five factors in particular gave rise to this new regional activism, namely:

1. The drastic deterioration in Africa's security landscape following the end of the Cold War;
2. Quickly waning superpower interest and the international community's apparent unwillingness to get involved in the continent's proliferating conflicts;
3. The OAU's equally obvious inability to provide continental solutions to these conflicts;
4. The successful precedent set by the 1991 intervention of the ECOWAS Cease-Fire Monitoring Group (ECOMOG) in Liberia's civil war;⁸⁵ and
5. The growing acceptance of regional approaches to security by the UN and other international actors.⁸⁶

The OAU was a decisive watershed in the history of Pan-Africanism thought and movement. The underlying current of Pan-Africanism and the objectives of African Liberation dictated the institutional and organizational imperative of unity among African people.⁸⁷ The creation within OAU of the Mechanism for the Prevention, Management and Resolution of Conflicts was an important move, though it may not have the capacity to resolve, let alone prevent, conflicts in the continent.⁸⁸ Tragically, the Rwandan genocide in 1994 took place while this Mechanism was operational. It was also during the last decade of the 20th century that the conflict in Somalia led to the collapse of the state and the violence in Sierra Leone, Liberia, Angola and the Democratic Republic of Congo led to the death and displacement of millions of Africans. These devastating events illustrated the limitations of the OAU as a framework for conflict resolution.⁸⁹

By the time of its thirtieth anniversary, most analysts of the OAU concluded that the organization could not meet future demands without serious reform and reorganization. Experts agreed that the OAU Charter needed revision the most, specifically with regard to the principles of sovereignty and non-interference.⁹⁰ As a response to the ineffectiveness' of the OAU's mechanism, African leaders decided in May 2001 to devise a new security regime to operate within the framework of the nascent AU.

⁸⁵ Ero, C. (2000). ECOMOG: A model for Africa. *Building Stability in Africa: Challenges for the New Millennium. ISS Monograph Series*, (46), 97-120.

⁸⁶ Franke, B., & Esmenjaud, R., Op. cit. p. 9

⁸⁷ Moshi, E. H., Op. cit. p. 20

⁸⁸ Bujra, Abdalla (2002)., Op. cit. p. 18

⁸⁹ Bah, A. S., Choge-Nyangoro, C., Solomon A. Dersso, Mofya, B., & Murithi, T. (2014). *The African Peace and Security Architecture: A handbook*.

⁹⁰ Packer, C. A., & Rukare, D. (2002). The new African Union and its constitutive act. *American Journal of International Law*, 365-379.

2.2.3. The Transformation of the OAU to the AU: from Non-intervention to Non-Indifference

The decision to establish the AU was taken in 1999. At the fourth extraordinary session of the Assembly of Heads of State and Government of the OAU held in Sirte, Libya, the Assembly adopted a declaration calling for the establishment of the AU to replace the OAU.⁹¹ Its declared purpose was "to forge unity, solidarity and cohesion, as well as cooperation, between African peoples and among African States."⁹² The AU's Constitutive Act, which entered into force in May 2001, outlines the organization's vision of conflict management. It commits AU members to accelerate political and economic integration of the continent, including through the development of a common African security and defense policy; to defend the sovereignty, territorial integrity, and independence of its member states; to promote peace, security, and stability throughout Africa; and to encourage democratic principles of good governance, human rights, and sustainable development.

This transformation has been considered by some as the most important development in Africa's effort towards translating the ideal of 'African Solutions to African Problems' into an institutional framework.⁹³ The beginning of AfSol, as an African conflict prevention and management approach, is traceable back to the 1990s in the aftermath of the failure of the international community to decisively deal with conflicts in Africa. Hence, the coming of age of the AU from the OAU marked the first steps of the notion of AfSol which later served as one of the founding principles of the AU.⁹⁴ As Dersso notes, the transformation of the OAU to the AU is indeed a major development in the evolution towards achieving the ideals of pan-Africanism.⁹⁵ It should be recalled that the inauguration of the OAU in 1963 represented the institutionalization of pan-African ideals.⁹⁶

The AU's overarching objective is the emergence of "an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena." The

⁹¹ Solomon A. Dersso, Op. cit. p. 2

⁹² Packer, C. A., & Rukare, D., Op. cit. p. 22

⁹³ Ibid

⁹⁴ Komey, Osman and Melakedingel Nolawi, Op. cit. p. 8

⁹⁵ Solomon A. Dersso, Op. cit. p. 2

⁹⁶ Apuuli, K. P. (2012). The Principle of 'African solution to African Problems' under the spotlight: The African Union (au) and the Libyan Crisis. *Nairobi: AfriMap*.

union's more specific vision for conflict management reflects an awareness that the precondition for achieving this overarching goal is security and stability on the continent.⁹⁷ As Murithi rightly pointed out, the AU 'was supposed to usher Africa into a new era of continental integration, leading to a deeper unity and a resolution of its problems'.⁹⁸

The evolution of the AU has marked in a policy shift i.e. from the principle of non-intervention in the internal affairs of member states, which the OAU advocated, to the principle of non-indifference. The AU has constructed this principle as its main pillar in the peace and security realm.

2.2.4. Intervention under the AU: Article 4(h)

The AU is seeking to promote a paradigm shift in continental affairs. One fundamental shift is that the AU is endowed with the right to intervene in the internal affairs of its member states. When setting up the African Union, the Heads of State thus intended to endow their continental organization with the necessary power to intervene if ever the spectre of another Rwandan genocide loomed on the horizon.⁹⁹ With this shift two major exceptions came to existence. First, the union has repeatedly confirmed that it will not tolerate "unconstitutional changes of government." Second, it claims a new right of humanitarian intervention under Article 4(h) of the Constitutive Act.¹⁰⁰ Article 4(h) of the Constitutive Act provides for:

"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"

The decision by the Assembly of Heads of State and Government of the OAU that adopted the Constitutive Act of the African Union to incorporate the right of intervention in that Act

⁹⁷ Williams, P. D. (2011). The African Union's Conflict Management Capabilities. Working Paper. Council on Foreign Relations, United State of America

⁹⁸ Murithi, T. (2008). Introduction: Contextualizing the debate on a union government for Africa. In: Solomon A. Dersso, (2012). The quest for Pax Africana: The case of the African Union's peace and security regime. African Journal on Conflict Resolution. Vol, 12, no. 2

⁹⁹ Kioko, B. (2003). The right of intervention under the African Union's Constitutive Act: From non-interference to non-intervention. *INTERNATIONAL REVIEW-RED CROSS*, 807-826.

¹⁰⁰ Williams, P. D. (2011)., Op. cit. p. 24

stemmed from concern about the OAU's failure to intervene in order to stop the gross and massive human rights violations witnessed in Africa in the past.¹⁰¹

In accordance with the provisions of the Constitutive Act, the Assembly will decide on intervention at two levels: on its own initiative (Article 4 (h)) and at the request of a member State (Article 4 (j)). Article 4 (j) refers, unlike Article 4 (h), to member States and not to a member State, and therefore does not expressly restrict the right to request intervention of the Union to the member State concerned.¹⁰²

In providing for a right of intervention, the African Union has moved away from non-interference or non-intervention – which is a cardinal principle in both the United Nations Charter and the Constitutive Act of the African Union — to what could be referred to as the doctrine of “non-indifference”.¹⁰³ The Act reaffirms the principles of domestic sovereignty and non-intervention. Specifically, it stipulates the defense of the sovereignty, territorial integrity, and independence of the member states (Art.3 (b)), as well as the principle of noninterference by any member state in the internal affairs of another (Art.4 (g)).¹⁰⁴ However, article 4(h) of the Constitutive Act relativizes sovereignty and non-intervention in ways commensurate with the protection mandate.¹⁰⁵

It also places more emphasis on local conflict prevention and management, and the ownership of the processes as reflected in the Constitutive Act, and in its African Peace and Security Architecture (APSA).¹⁰⁶

¹⁰¹ Kioko, B. (2003). The right of intervention under the African Union's Constitutive Act: From non-interference to non-intervention. *International Review- Red Cross*, 807-826.

¹⁰² Ibid

¹⁰³ Ibid

¹⁰⁴ Packer, C. A., & Rukare, D., Op. cit. p. 22

¹⁰⁵ Grasa, R., & Mateos, O. (2010). Conflict, peace and security in Africa: an assessment and new questions after 50 years of African independence. *International Catalan Institute for Peace, Working Paper*, (2010/8).

¹⁰⁶ Sessay, A. (2010). ‘African Solutions’ or ‘Try Africa First’ in Peacemaking and Security: A Proposal for Research and Outreach Project, Concept Note, Annex Five, Proceedings of the Workshop on African Solutions for Peace and Security (Addis Ababa: IPSS and AUC, Awasa, Ethiopia).

2.2.5. African Peace and Security Architecture (APSA) – An Institutionalization of AfSol

During the formative process of the AU, the Assembly of Heads of State and Government of the OAU meeting in Lusaka, Zambia in July 2001, adopted Decision 8 on the implementation of the Sirte Declaration (on the establishment of the AU, adopted in 1999), including the incorporation of other Organs. It was on the basis of this decision and Article 5(2) of the Constitutive Act that the AU Peace and Security Council replaced the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution, established under the 1993 Cairo Declaration. The Cairo Declaration had “signaled Africa’s determination to resolve its own problems.”¹⁰⁷

The establishment of the Peace and Security Council (PSC) constituted a fundamental change in the focus of the AU that brought to the forefront the quest for peace and stability in Africa. In 2004, the Common African Defense and Security Policy (CADSP) was established. The PSC and the CADSP are regarded as the legal frameworks underpinning the African Peace and Security Architecture (APSA) of the African Union.¹⁰⁸ APSA accounts for the different elements implemented by the AU and other regional agencies to consolidate peacekeeping and security efforts in the continent.¹⁰⁹ APSA is comprised of: the PSC, the Continental Early Warning System (CEWS), the African Stand by Force (ASF), the Panel of the Wise and a Special Fund/Peace Fund.

The protocol establishing the PSC was adopted at the first ordinary session of the AU Heads of State and Government in Durban, South Africa. The Protocol came into force in January 2004 following its ratification by simple majority of member states of the AU. The PSC was subsequently launched in May 2004.¹¹⁰ According to Article 2 of the Protocol, the PSC is ‘a standing decision-making organ for the prevention, management and resolution of conflicts’ which operates as ‘a collective security and early warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa.’¹¹¹

¹⁰⁷ Apuuli, K. P., Op. cit. p. 23

¹⁰⁸ Komey, Osman and Melakedingel Nolawi, Op. cit. p. 8

¹⁰⁹ Grasa, R., & Mateos, O., Op. cit. p. 25

¹¹⁰ Kimathi, L., Op. cit.

¹¹¹ Bah, Sarjoh A. et al., Op. cit. p. 22

Its objectives, outlined in Article 3 of the protocol, are to promote peace, security, and stability in Africa; anticipate and prevent conflicts; promote and implement peace-building and post conflict reconstruction activities; coordinate and harmonize continental efforts in the prevention and combating of international terrorism in all its aspects; develop a common defense policy for the union; and encourage democratic practices, good governance, and the rule of law, as well as protect human rights and fundamental freedoms.¹¹²

The CEWS are the center of analysis and data collection. This system is intended to ‘facilitate the anticipation and prevention of conflicts’.¹¹³ The ASF and the Military Staff Committee (MSC), on the other hand, comprise of the military structure. Given that mobilizing troops for peace operations takes time, the ASF is envisioned to serve in a continental rapid-response capacity for peace support operations and interventions. The MSC provides the ASF with technical suggestions and solutions to military issues and the Committee also provides expert opinion to the PSC before military decisions are made.¹¹⁴ The Panel of the Wise is an advisory body of outside mediation. It is an institutional innovation for preventive diplomacy and conflict resolution. It is to advise the chairperson and the PSC on issues of conflict prevention.¹¹⁵

All these organs are to be operationalised by the Peace Fund. This is a special fund to finance the operation. According to Article 21, the Peace Fund is meant to provide the necessary financial resources for peace support missions and other operational activities related to peace and security. The Peace Fund is to have three sources: appropriations from the AU’s regular budget, voluntary contributions from the AU Member States and voluntary contributions received from other sources within and outside Africa.¹¹⁶

¹¹² Williams, P. D. (2008). Keeping the peace in Africa: why “African” solutions are not enough. *Ethics & international affairs*, 22(3), 309-329.

¹¹³ Kimathi, L., Op. cit.

¹¹⁴ Ibid

¹¹⁵ African Union, The Protocol Relating to the Establishment of the Peace and Security Council of the African Union, Article 11 as cited in Engel, U., & Porto, J. G. (2009). The African Union's new peace and security architecture: toward an evolving security regime?. *African Security*, 2(2-3), 82-96.

¹¹⁶ Omorogbe, E. Y. (2011). Can the African Union Deliver Peace and Security? *Journal of Conflict & Security Law*, Oxford University Press, doi:10.1093/jcsl/krr001

Chapter Three

The Libyan Crisis of 2011: in the Context of African Solutions to African Problems

3.1.Introduction

3.1.1. Overview on the Libyan State and History

The history of Libya has been intertwined for thousands of years with the social and economic transformation of Africa, Europe, and the Middle East. With a location in the north of the continent of Africa, the people of the region west of the Nile Valley were engulfed in the fortunes of trade, ideas, and religious expansion. Europeans along the Mediterranean coast interacted with the peoples of Libya for millennia.¹¹⁷ The most significant milestones in Libya's history were the introduction of Islam and the Arabization of the country in the Middle Ages, and, within the last two generations, national independence, the discovery of petroleum, and the September 1969 revolution that brought Muammar al Qadhafi to power.¹¹⁸

At the time of the scramble for Africa among the European powers, Libya fell under the control of Italy. In 1927, the country was split into two autonomous regions or colonies, namely Italian Cyrenaica in the west and Italian Tripolitania in the east. Seven years later, Libya was reconfigured administratively to encompass the three regions of Cyrenaica, Tripolitania and Fezzan (in the south).¹¹⁹ In World War II, Libya became a main battleground for Allied and Axis forces, until it was occupied by victorious British and Free French troops. The Treaty of 1947 between Italy and the Allies ended Italian rule in Libya.¹²⁰ In 1951 a national assembly devised a monarchical constitution and offered the throne to Sayyid Idris, Emir of Cyrenaica.

Until the discovery of oil in 1959, Libya remained “one of the world’s poorest countries”.¹²¹ The discovery and exploitation of petroleum turned the vast, sparsely populated, impoverished

¹¹⁷ Campbell, H. (2013). *Global NATO and the Catastrophic Failure in Libya*. NYU Press.

¹¹⁸ Metz, C. H. (1987). *Libya: A Country*. Washington: GPO for the Library of Congress.

¹¹⁹ Koko, S., & Bakwesegha-Osula, M. (2012). Assessing the African Union's response to the Libyan crisis. *Conflict trends*, (1), 3-10.

¹²⁰ Libya: <http://www.encyclopedia.com/topic/Libya.aspx> accessed on 1/15/2016 at 10.22AM

¹²¹ Arnold, Guy (2005) *Africa: A Modern History*. London: Atlantic Books, p. 185. As cited in Siebens, J., & Case, B. (2012). *The Libyan Civil War: Context and Consequences*. THINK International and Human Security, Special Report.

country into an independent wealthy nation with potential for extensive development and thus constituted a major turning point in Libyan history.¹²² Indeed, Libya's oil wealth strengthened the authority of the monarchy and gave a tremendous boost to the system of state patronage. But by the end of the 1960s, the monarchy was tainted by accusations of elitism, corruption, intrigue, patronage and self-enrichment.¹²³ The King's popularity was short lived outside of his home territory, and in 1969 a bloodless military coup deposed the monarch while he was out of the country and declared Libya a republic.¹²⁴

The "Free Officer's Movement" that launched the coup that deposed the monarchy in Libya in 1969 formed a directorate, called the Revolutionary Command Council (RCC), to implement a package of sweeping reforms. On 8 September, the RCC announced the formation of a civilian government. This government resigned on 16 January 1970, and a new cabinet was formed under Col. Mu'ammarr al-Qadhafi, chairman of the RCC.¹²⁵ In 1972, Gaddafi forbade political parties, under the penalty of death for those who defied the order.¹²⁶ He then began to institute a regime characterized by a dominant ideology agenda, premised on the Third International Theory¹²⁷ detailed in his 'Green Book'. This book which first emerged in 1975 comprised of Gaddafi's plan of action for the social, political and economic transformation of Libya.¹²⁸ According to Rosan Smits et al., the 'Third Universal Theory' is an alternative to Capitalism and Marxism that stated Qadhafi himself would never be head of state; instead he was named the Guide of the Revolution, or Brother Leader.

¹²² Metz, C. H., Op. cit. p. 28

¹²³ Smits, R., Janssen, F., Briscoe, I., & Beswick, T. (2013). Revolution and its discontents: state, factions and violence in the new Libya. Conflict Research Unit, The Clingendael Institute.

¹²⁴ "On This Day" BBC News: http://news.bbc.co.uk/onthisday/hi/dates/stories/septemeber/1,newsid_3911000/3911587.stm (March 2012) as cited in Siebens, J., & Case, B., Op. cit.

¹²⁵ "Libya." *Worldmark Encyclopedia of Nations*. 2007: <http://www.encyclopedia.com/doc/1G2-2586700107.html> accessed on 15/1/ 2016

¹²⁶ Grifa, Moussa (2012). The Libyan Revolution: Establishing a New Political System and the Transition to Statehood. Arab Reform Initiative, Arab Reform Brief. Tripoli, Libya

¹²⁷ The Third Universal Theory is a theory replacing the two known theories: Capitalist Theory and Marxism Theory. It aims for the change of the relations of both political and economic relations in their radical change, and the building of the Society according to accurate natural rules. This could be practically secured through the rise of the people's power, Natural Socialism, demolishing of monopolization, and the harmony between the Social Factor (National) with the Religious Factor, till the securing of the Collective Stability of people's and life grows up and becomes powerful purely grown up. (Language of the Third Universal Theory: <https://rcmlibya.wordpress.com/2012/08/12/language-of-the-third-universal-theory/> accessed on 28/06/2016 at 5:47PM)

¹²⁸ Mabera, Faith K. (2014). The African Union and the Responsibility to Protect: Lessons learnt from the 2011 United Nations Security Council intervention in Libya. MA Thesis. University of Pretoria

On the seventh anniversary of the Revolution, September 1, 1976, Qadhafi introduced a plan to reorganize the Libyan state. The plan's primary feature was a proposal that a new representative body, the General People's Congress (GPC) replace the RCC as the supreme instrument of government.¹²⁹ In 1977, he announced the establishment of the so-called "people's sovereignty" and renamed the country the "Libyan Jamahiriya".¹³⁰

3.1.2. Libya's Foreign Relation under Gaddafi

Libya's foreign policy under Qaddafi was characterized by a blend of anti-capitalism, anti-communism, pan-Arabism, and later, pan-Africanism.¹³¹ Solomon H. and Swart G. state that Libya's foreign policy has produced at least two influential schools of thought. The first approaches the matter from the point of view of the psychological determinants of Colonel Muammar Gaddafi's personality, typically viewing the Colonel as an irrational megalomaniac, whose hegemonic ambitions are limitless and who lacks all sense of perspective and reality.¹³² And on the other hand the second school of thought analyses Gaddafi's ideological preferences and views him as a more rational man dedicated to the pursuit of the ideals of Arab nationalism, Islamic reformism and utopian socialism that he has labeled as his Third Universal theory.¹³³ This policy of backing revolutionary groups was certainly a projection of his persona as a charismatic enabler of the revolutionary mission. However, the reception of this mission in the wider world formed the basis for the image that Qaddafi most commonly occupied in Western eyes.¹³⁴

Metz, Helen Chapin argues that Libyan foreign policy grew from the historical legacy of colonial domination, Nasser's philosophy, and most important, the creation of Israel. And goes on to emphasize that Gaddafi's hatred for Israel is what underlines it all. She writes; Qadhafi's concept of foreign relations has been determined to a large extent by his implacable hatred of Israel and his desire to destroy it. The policy of eradicating Israel either shapes or takes precedence over his

¹²⁹ Metz, C. H. Op. cit. p. 28

¹³⁰ Grifa, Moussa, Op. cit. p. 29

¹³¹ Siebens, J., & Case, B. (2012). *The Libyan Civil War: Context and Consequences*. THINK International and Human Security, Special Report.

¹³² Solomon, H., & Swart, G. (2005). Libya's foreign policy in flux. *African affairs*, 104(416), 469-492.

¹³³ Deeb, M. J. (1988). *The Primacy of Libya's National Interest*. The Green and the Black; Qadhafi's Policies in Africa. As cited in Solomon, H., & Swart, G., Op. cit.

¹³⁴ Totman, S., & Hardy, M. (2014). The Charismatic Persona of Colonel Qaddafi. *M/C Journal*, 17(3).

ideology.¹³⁵ The abhorrence for Israel has gone as far as sponsoring and funding Palestinian organizations fighting against Israel. According to Metz, Helen Chapin Qadhafi's antipathy toward imperialism derives less from Libya's struggle against Italian colonialism than from the perceived creation of Israel by the United States and European powers. He always had an anti Western stance and was an advocate of Arab Unity.

In a world aroused by Islamic fundamentalist terrorism, the Libyan blend of religion and revolution is increasingly ominous. Islam is at the foundation of Qaddafi's worldview, mixed in with a heady concoction of secular anti-imperialism. This novel ideology is based on Qaddafi's vision of himself and his country as an original, new, revolutionary order and, according to an official Libyan government publication, as "an organic part of the movement of the Third World, struggling for emancipation, progress, and freedom from imperialist domination."¹³⁶

King Idris had been pro Western, quiescent if not passive, and scarcely interested in pan Arab issues.¹³⁷ It could be said with the coming of Gaddafi Libya's foreign policy has drastically changed. For Solomon H. and Swart G. anti-imperialism and regional unity with which Gaddafi defines his foreign policy are incoherent. Even if the Libyan leader does define the ideological agenda behind Libyan foreign policy in terms that relate to anti-imperialism and regional unity, as his comments on Europe suggest, he is increasingly obliged to recognize practical realities.¹³⁸

Insisting on the continued use of petroleum as leverage against Israel and its supporters in the West, Libya strongly supported formation of the Organization of Petroleum Exporting Countries (OPEC) in 1973, and Libyan militancy was partially responsible for OPEC measures to raise oil prices, impose embargoes, and gain control of production. As a consequence of such policies, Libya's oil production declined by half between 1970 and 1974, while revenues from oil exports more than quadrupled.¹³⁹

¹³⁵ Ibid

¹³⁶ Cordes, B. (1986). Qaddafi: Idealist and Revolutionary Philanthropist.

¹³⁷ Emadi, H. (2012). Libya: The Road to Regime Change. *Global Dialogue Vol. 14(2)*, 128.

¹³⁸ Joffé, G., & Paoletti, E. (2010). Libya's foreign Policy: drivers and objectives. *Mediterranean Papers Series, 10*.

¹³⁹ Ibid

3.2. 'The Arab Spring' and the Libyan Rebellion

The 'Arab Spring' as it is popularly known is a popular revolution that first erupted in Tunisia on December 17, 2010 when Muhammad Bouazizi, a young street vendor, in the provincial town of Sidi Bouzid, which lies in the centre of Tunisia; self immolated. This sparked a series of unprecedented demonstrations in Tunisia.¹⁴⁰ The ruptures of the events in Tunisia seemed to echo elsewhere, the so-called "Tunisian wind" swept across North Africa and the Middle East, and began a great chain of unrest.¹⁴¹

Although events did not occur in an identical fashion to those witnessed in Tunisia, it seemed that people across the Arab world were actively taking the initiative to overthrow their autocratic governments.¹⁴² The causes varied from country to country but mostly derived from domestic issues such as: a lack of democracy, human rights violations, wide-spread corruption, economic decline, unemployment, extreme poverty, rising food prices, and a number of demographic factors, such as a large percentage of educated and dissatisfied young people and the centralized systems that marginalize parts of the population outside capital cities.¹⁴³

A protest about deteriorating living conditions in Libya was not unexpected.¹⁴⁴ In discussing the cause of the rebellion, Emadi Hafizullah wrote,

The Liberal economic policies that were adopted by Gaddafi created a commercial class which intended on maximizing its gains at the expense of the ordinary citizens. Popular disenchantment with this trend of development, the government's inability to provide jobs, and repressive state policies in dealing with dissidents and curbing civil liberties generated further public dismay. The seeds of an anti-regime rebellion were planted.¹⁴⁵

The first indicators of unrest in Libya occurred on February 1, when a web-based political activist was arrested on apparently trumped-up charges shortly after making an online appeal for

¹⁴⁰ Berger, L. G., et al. (2012). The Arab Spring-Its Impact on the Region and on the Middle East Conference. Policy Brief

¹⁴¹ McKay, Alasdair (2011). Introductory Notes in: The Arab Spring of Discontent. A collection from e-International Relations.

¹⁴² Ibid

¹⁴³ Berger, L. G., et al., Op. cit. p. 32

¹⁴⁴ K. Mathews (2011). The 2011 NATO military intervention in Libya: Implications for the African Union. NATO Defense College (NDC), Research Division.

¹⁴⁵ Emadi, H. (2012). Libya: The Road to Regime Change. *Global Dialogue Vol. 14(2), 128.*

demonstrations.¹⁴⁶ In mid-February mass protests against the regime broke out across the country. A ‘Day of Rage’ as, it is called, was scheduled for 17 February. A date historically associated with opposition to the regime.¹⁴⁷

On that day in 1987, nine people were executed on national television following charges of having plotted against the regime. In 2006, approximately ten people were killed in Benghazi when police fired on a crowd that had been protesting a television broadcast in which an Italian cabinet minister wore a t-shirt that featured an offensive caricature of the prophet Mohammed.¹⁴⁸

Qaddafi took several steps to head off large-scale protests before February 17.¹⁴⁹ He dealt with the calls for the ‘Day of Rage’ by issuing an unprecedented warning against any attempts to create chaos and instability in Libya.¹⁵⁰ However, the 15 February arrest in Benghazi of the prominent human rights lawyer Mr. Fathi Terbil – which constituted part of a wider anti opposition crackdown – sparked a spontaneous mass demonstration in the city.¹⁵¹ Initially, police and paramilitary forces employed brutal but non-lethal tactics to disrupt the protests; however, security forces began firing live ammunition on February 17, killing more than 150 people over the next three days.¹⁵² Protests in solidarity with Benghazi then broke out across the country, intensifying significantly on 17 February. It is this date that is now popularly recognized as the beginning of the revolution.¹⁵³

Emboldened by events, rebels battled Gaddafi’s forces and gained control of two major cities, Misurata and Zawiyah, near Tripoli. They seized government ammunition depots, taking heavy weapons and tanks and looting public properties.¹⁵⁴ Within days, this (the February 17) uprising was militarized, with armed resistance countered by declarations from the Libyan leadership

¹⁴⁶ Bell, Anthony and Witter, David (2011). *The Libyan Revolution: Roots of Rebellion*. The Institute for the Study of War (ISW), United States of America.

¹⁴⁷ Dirk J., Vandewalle (2006). *A History of Modern Libya*. Cambridge: Cambridge University Press. As cited in Bell, Anthony and Witter, David., Op cit.

¹⁴⁸ Ibid

¹⁴⁹ Bell, Anthony and Witter, David., Op. cit. p. 32

¹⁵⁰ Reuters, *Libyan Protestors Prepare for ‘Day of Rage’*: <http://www.guardian.co.uk/world/2011/feb/17/libyan-protesters-prepare-for-day-of-rage>. Accessed on 1/27/16 at 3.36pm

¹⁵¹ Report of the Independent Civil Society Fact-Finding Mission to Libya, January 2012.

¹⁵² Bell, Anthony and Witter, David., Op cit. p. 32

¹⁵³ Report of the Independent Civil Society Fact-Finding Mission to Libya., Op. cit.

¹⁵⁴ Emadi, H., Op. cit. p. 31

vowing to use raw state power to root out the rebellion.¹⁵⁵ Whereas demonstrators in Tunis and Cairo successfully ousted their former rulers, Tripoli collapsed into a protracted civil war.¹⁵⁶

As Siebens James and Case Benjamin explain the rebellion was intensified in the cities of Benghazi and Bediya to the level where security forces were forced to retreat to the nearby Katiba Military Base on February 18. This left those cities under the control of the rebel forces.

Anti-Qaddafi protesters marched to the army base, throwing stones and gasoline bombs, and troops inside opened fire. The exchange sparked a two-day battle for the base in which rebels besieged the walled barracks using bulldozers, makeshift grenades, weapons stolen from police stations, and soldiers inside fired back with heavy machine guns, inflicting hundreds of casualties.¹⁵⁷ On February 20 a suicide bomber driving a car packed with explosives brought down a section of Katiba's walls, and the soldiers inside beat a hasty retreat, leaving Benghazi completely under rebel control.¹⁵⁸

Violent protests erupted in the towns of al-Bayda, Derna, and Tobruk concurrently with those in Benghazi, and security forces quickly resorted to firing live ammunition. Protests reached Tripoli on February 20, 2011, but the regime moved quickly to silence the dissent.¹⁵⁹ Once it became clear that Libya was faced with an armed and determined opposition that could indeed pose a threat to the national government if permitted to gather enough momentum, Qaddafi's forces began to conduct full-scale military operations against the rebels.¹⁶⁰ Over the next several days, loyalist forces continued to crack down on scattered protests in the capital as demonstrators made several attempts to rally. Although Qaddafi secured the capital, he had lost control over almost all of Cyrenaica by February 22.¹⁶¹ And at the same time in Tripolitania, unrest had spread to the major coastal cities of Misurata and Zawiyah, and revolts occurred in Berber towns across the Nafusa Mountains.¹⁶²

¹⁵⁵ Campbell, H., Op. cit. p. 28

¹⁵⁶ Anderson, Lisa (2011). Demystifying the Arab Spring: Parsing the Differences Between Tunisia, Egypt, and Libya. Foreign Affairs, Vol. 90, No. 3, Council on Foreign Relations Stable.

¹⁵⁷ Schemm, Paul (2011). Battle at Army Base Broke Gadhafi Hold in Benghazi. *The Washington Post*. <http://www.washingtonpost.com/wpdyn/content/article/2011/02/25/AR2011022505021.html>. As cited in Siebens, J., & Case, B., Op. cit.

¹⁵⁸ Ibid

¹⁵⁹ Bell, Anthony and Witter, David., Op. cit. p. 32

¹⁶⁰ Siebens, J., & Case, B., Op. cit. p. 30

¹⁶¹ Bell, Anthony and Witter, David., Op. cit. p. 32

¹⁶² Ibid

Libya's opposition groups come from different ideological backgrounds; each determined to defend its parochial interests. The opposition included disgruntled elements of Gaddafi's regime with pro-Western proclivities, liberals, Islamic extremists and al-Qaeda fighters.¹⁶³ As Emadi Hafizullah argues the sole purpose that united these groups was the desire to get rid of Gaddafi. On 26 February, the opposition formed quasi-administrative bodies: the National Transitional Council (NTC), a Crisis Team, and a Military Council.¹⁶⁴ On the next day, February 27, the rebels formally announced the creation of an opposition government based in Benghazi. Subsequently on March 1, the NTC declared itself as the only legitimate government of Libya.¹⁶⁵ The other parties to the conflict were third States engaged in hostilities pursuant to Security Council Resolution 1973, and falling under the command of the North Atlantic Treaty Organization (NATO).¹⁶⁶ As Munlo Mbuya Issac G. puts it with the rebellion gaining momentum the Libyan state disintegrated but this came about as a result of internal opposition coupled with external support. Without this, the enforced regime change in Tripoli in October 2011 would have been unlikely.¹⁶⁷

3.3. International Response to the Libyan Crisis

When the uprising turned into a civil war within just days the international community had turned its face towards Libya. On February 20th the US and EU issued a statement condemning the Qaddafi regime use of deadly force against peaceful demonstrators. The UN quickly called for a cease fire and the Arab League expelled Libya. And the AU also condemned the "indiscriminate and excessive use of force and lethal weapons against peace protestors.

The UN Security Council issued Resolution 1970 on February 26. The resolution called for an immediate cease fire. It also imposed sanctions on Qaddafi, his family and members of his government, and referred the attacks on civilians to the International Criminal Court (ICC).¹⁶⁸ Following the passing of this resolution the debate to take military action against Qaddafi

¹⁶³ Emadi, Hafizullah., Op. cit. p. 31

¹⁶⁴ Ibid

¹⁶⁵ Siebens, J., & Case, B., Op. cit. p. 30

¹⁶⁶ Report of the Independent Civil Society Fact-Finding Mission to Libya., Op. cit.

¹⁶⁷ K. Mathews., Op. cit. p. 32

¹⁶⁸ Siebens, J., & Case, B., Op. cit. p. 30

intensified. Over the next month, the rebel's position on the ground deteriorated as Qaddafi launched offensives against the rebels at Zawiyah, Misurata, and Cyrenaica.¹⁶⁹

The United States and European allies had predicated any military intervention on the basis of having international and regional support.¹⁷⁰ The Gulf Cooperation Council (GCC) was the first to show sign of support for military intervention. The GCC met on March 7 in Abu Dubai and the leaders announced their unanimous support for UNSCR 1970 and demanded the Security Council take all necessary measures to protect Libyan civilians, including the creation of a no-fly zone over Libya.¹⁷¹ The GCC had also made the support of the Arab League a reality by influencing the League to call for an emergency meeting on March 12. During which the League expressed its intent to communicate with the National Transitional Council and requested that the UN Security Council impose a no-fly zone over Libya and establish safe havens for civilians. Support for the no-fly zone was hardly unanimous but the strongest support for the measure came from the six members of the GCC.¹⁷²

With the main rebel force in Libya under siege in Benghazi, the UN convened a meeting to discuss the war. On March 17 the UN Security Council adopted Resolution 1973. As Bell Anthony & Witter David explain, the resolution:

- Granted member states, acting independently or through regional organizations or arrangements, the authority to use “all necessary measures” to protect Libyan civilians under threat of attack from Libyan military forces
- Allowed the imposition of a no-fly zone, a strict arms embargo, freezing of the regime's assets, and a travel ban on Libyan officials, but it prohibited ground forces from occupying Libyan territory¹⁷³

The UN widened its economic sanctions against the regime of Muammar Gaddafi – including for the first time, the oil sector. In addition to the no-fly zone and the threat of air strikes, the resolution also stipulated freezing the assets of the Libyan National Oil Company.¹⁷⁴ As Siebens

¹⁶⁹ Bell, Anthony and Witter, David., Op. cit. p. 32

¹⁷⁰ Ibid

¹⁷¹ Ibid

¹⁷² Siebens, J., & Case, B., Op. cit. p. 30

¹⁷³ Bell, Anthony and Witter, David., Op. cit. p. 32

¹⁷⁴ Campbell, H., Op. cit. p. 28

James and Case Benjamin explain, five of the 15 countries in the Security Council – China, Russia, Brazil, Germany and India – abstained from the vote each raising a reservation with the content of the Resolution. The lack of parameters for the use of force was the reasons behind China’s and Russia’s abstention. While Brazil, Germany and India warned against the likelihood of unintended regional consequences of the action, and all five stressed the importance of a peaceful resolution to the conflict.¹⁷⁵ Despite these objections, none chose to block Resolution 1973, and the resolution was passed. The Libyan government responded by declaring a nationwide ceasefire and announcing its willingness to negotiate with the rebels,¹⁷⁶ but the ceasefire was broken immediately, apparently by both sides.¹⁷⁷

Even if the permanent members could have vetoed the resolution, they had chosen to abstain. Abstention or absence of support can simply reflect a non-committal position by the permanent members concerned or, as in this case, be intended as tantamount to a veto.¹⁷⁸ This, as Bell Anthony & Witter David note, is a result of a diplomatic effort. After extensive diplomatic efforts to avert a Russian veto of the resolution, Russia decided to abstain from the vote along with China.¹⁷⁹

3.3.1. Operation Odyssey Dawn

The passing of Resolution 1973 was followed by a military coalition of France, the US and the UK named “Operation Odyssey Dawn” – taking the Security Council up on its authorization to use military force.¹⁸⁰ The operation took place from March 19 – March 31. France opened the campaign with airstrikes against loyalist troops outside of Benghazi. The opening waves of U.S. attacks were designed to cripple Qaddafi’s air defenses and air force, which would pave the way for manned-flights over Libya to enforce the no-fly zone and strike Qaddafi’s ground forces.¹⁸¹ The intervention soon halted the government’s advance in Benghazi and the east, and forced the

¹⁷⁵ United Nations Security Council SC/10200. <http://www.un.org/News/Press/docs/2011/sc10200.doc.htm> (March 2012). As cited in Siebens, J., & Case, B., Op. cit.

¹⁷⁶ “Libya announces cease-fire but attacks continue.” CBS News. March 18, 2011. http://www.cbsnews.com/2100-202_162-20044612.html (May 2012). As cited in Siebens, J., & Case, B., Op. cit.

¹⁷⁷ Siebens, J., & Case, B., Op. cit. p. 30

¹⁷⁸ Akinterinwa, Bola A. (2011). AU-NATO Collaboration: Defining the Issue From an African Perspective. NATO Defense College (NDC), Research Division

¹⁷⁹ Bell, Anthony and Witter, David., Op. cit. p. 32

¹⁸⁰ Ibid

¹⁸¹ Ibid

Libyan army to fall back and assume a defensive posture in the east while attempting to consolidate its control over cities like Misurata in the west.¹⁸²

After a no-fly zone was established over Cyrenaica and gradually expanded over the rest of the country, U.S. and coalition combat aircraft began conducting airstrikes on loyalist ground forces on the eastern front.¹⁸³ Colonel Muammar Gaddafi's air force and his long-range air defense systems had largely been destroyed, according to the U.S. commander of the allied task force charged with enforcing the U.N. resolution.¹⁸⁴ The operation was followed by criticisms from different states and regional organizations. The Secretary General of the Arab League criticized the coalition forces on March 20 saying "the intent of the League's original call for a no-fly zone".

And a day after the United Arab Emirates (UAE) reversed its decision to contribute fighter aircraft to the operation, and opted instead to only contribute humanitarian aid. And on March 22 the leaders of Russia, China and South Africa called for an immediate ceasefire by all sides, including the intervention forces, and Germany withdrew its participation from all NATO operations in the Mediterranean. A group of African leaders suggested that the coalition operation represented interference in Africa's internal affairs.¹⁸⁵

Turning a deaf ear to the criticisms, on March 23, US officials announced that Operation Odyssey Dawn had succeeded in decimating the Libyan Air Force.¹⁸⁶

3.3.2. NATO'S Operation Unified Protector

NATO commenced "Operation Unified Protector" on March 23, which imposed an arms embargo on Libya, and announced that overall command and control of the military intervention in Libya would likely be assumed by NATO.¹⁸⁷ Even though the forces threatening the opposition stronghold in Benghazi had been driven back, NATO continued and intensified the air campaign against the Libyan military. The civil war reached a stalemate, as rebel forces were

¹⁸² Siebens, J., & Case, B., Op. cit. p. 30

¹⁸³ Bell, Anthony and Witter, David. Op. cit. p. 32

¹⁸⁴ Debating Intervention Is U.S. – Led Military Action the Best Solution to Libya Crisis? http://www.democracynow.org/2011/3/23/debating_intervention_is_us_led_military. Accessed on 1/5/2016 at 4:05PM

¹⁸⁵ Siebens, J., & Case, B., Op. cit. p. 30

¹⁸⁶ Ibid

¹⁸⁷ Ibid

incapable of contending with the Libyan military in open battle, but the military was pinned down by NATO airstrikes.¹⁸⁸

The Gaddafi regime was accused of using air force targeting the protesters; this claim was propagated by the Western media but was not confirmed by officials. Although the Western media carried stories that the Gaddafi air force was killing its own people, the Pentagon stated categorically that it could not confirm these stories.¹⁸⁹ Horace Campbell also adds that South Africa, within the debates at the UN, argued that there had been no jets used in attacks by Gaddafi against his own civilians.¹⁹⁰ In the case of the Libyan crisis, the UNSC considered the human rights violations in Libya a threat to international peace and security.¹⁹¹

3.4.The African Union’s Diplomatic Efforts in Libya

In the case of Libya, there was evidence of positive AU hands-on involvement right from the start and it (the AU) undertook a number of initiatives aimed at bringing peace to the country.¹⁹² The AU response went through several stages. The first protest in Libya occurred in the wake of the uprisings in Tunisia and Egypt, and the AU response was framed accordingly.¹⁹³ As Alex De Waal explains even if the organizations guiding principle was the Constitutive Act which condemns unconstitutional change of government, it has went to disregard it in the uprisings of North Africa. The AU chose not to invoke these principles to buttress the status quo against popular protest, but rather to stress the democratic nature of the uprisings.¹⁹⁴ The AU Peace and Security Council (PSC) condemned the repression of demonstrations in Tunisia and Egypt, in each case calling for democratic change.¹⁹⁵

¹⁸⁸ Ibid

¹⁸⁹ Campbell, H., Op. cit. p. 28

¹⁹⁰ Ibid

¹⁹¹ Kabati, Christian (2011). NATO Military Operations in Libya in Relation to International Humanitarian Law. . NATO Defense College (NDC), Research Division

¹⁹² Sithole, A. (2012). The African Union Peace and Security mechanism’s crawl from design to reality: Was the Libyan crisis a depiction of severe limitations?. *African Journal on Conflict Resolution*, 12(2), 111-134.

¹⁹³ De Waal, A. (2013). African roles in the Libyan conflict of 2011. *International Affairs*, 89(2), 365-379.

¹⁹⁴ African Union, ‘Report of the chairperson of the Commission on current challenges to peace and security on the continent and the AU’s efforts: enhancing Africa’s leadership, promoting African solutions’, extraordinary session of the Assembly of the Union on the state of peace and security in Africa, Addis Ababa, 25–26 May 2011, Ext/Assembly/AU/2.(01.2011), paras 6–12.as cited in De Waal, A., Op. cit.

¹⁹⁵ De Waal, A., Op. cit. p. 39

As the fighting intensified in Libya, the Peace and Security Council (PSC) of the African Union expressed its concern over the developments in Libya three days preceding the passing of UNSC Resolution 1970. The Council was first seized with the situation in Libya at its 261st meeting held on 23 February 2011.¹⁹⁶ In the communiqué issued on that occasion, the Council expressed deep concern at the developments in the country and strongly condemned the indiscriminate and excessive use of force and lethal weapons against peaceful protestors, in violation of human rights and International Humanitarian Law. It decided to urgently dispatch an AU mission of Council to Libya to assess the situation on the ground.¹⁹⁷ According to the then PSC Chairperson, ‘the AU lacked firsthand information on the situation and the mission was to fill the gap’.¹⁹⁸ As Phillip Apuuli K. explains a military assessment mission was dispatched to study the military and security situation on the ground and obtain guarantee from Tripoli and Benghazi. The military team went to Cairo, Egypt, where it obtained guarantees from Tripoli but not Benghazi.¹⁹⁹ This subsequently led to the no deployment of the fact finding mission.

The Roadmap of the AU, for resolving the Libyan crisis, was adopted at the 265th meeting at the level of Heads of States and Governments on March 10, 2011 by the PSC. The Road Map revolved around:

- (i) Immediate cessation of all hostilities;
 - (ii) Cooperation of the concerned Libyan authorities to facilitate the timely delivery of humanitarian assistance to needy populations;
 - (iii) Protection of foreign nationals, including the African migrant workers living in Libya;
- and

¹⁹⁶ The 275th Meeting of the Peace and Security Council, Addis Ababa, Ethiopia on 26 April 2011, communiqué.

¹⁹⁷ The 261st Meeting of the Peace and Security Council, Addis Ababa, Ethiopia on 23 February 2011, communiqué.

¹⁹⁸ Pan African News Agency (PANA). 2012. “AU to Deploy Fact-finding Mission in Libya”. <http://pambazuka.org/aumonitor/comments/2787>. As cited in Phillip, Apuuli K. (2013). The African Union (AU), the Libya Crisis and the notion of ‘African solutions to African problems’. *Journal of Contemporary African Studies*, 31:1, 117-138, DOI: 10.1080/02589001.2012.761463

¹⁹⁹ Phillip, Apuuli K. (2013). The African Union (AU), the Libya Crisis and the notion of ‘African solutions to African problems’. *Journal of Contemporary African Studies*, 31:1, 117-138, DOI: 10.1080/02589001.2012.761463

- (iv) Dialogue between the Libyan parties and establishment of a consensual and inclusive transitional government²⁰⁰

The PSC established a high-level ad hoc committee to follow-up on the implementation of the roadmap. The committee was composed of the heads of states of – the Islamic Republic of Mauritania, Republic of Congo, Republic of Mali, Republic of South Africa and Republic of Uganda.²⁰¹ As it is clearly stated in the communiqué, the main objective was to ensure that the legitimate aspiration of the Libyan people to democracy was achieved.²⁰² Nine days after the adoption of the Roadmap, members of the ad hoc committee met at Nouakchott, Mauritania and discussed about travelling to Libya on March 20 to interact with the parties. Both of which had agreed to interact with it.²⁰³ In so doing the committee explicitly decided to seek support from, and coordination with, the league of Arab States, the Organization of the Islamic Conference, the European Union and the United Nations.²⁰⁴

In the pursuit of these objectives, several other PSC meetings were held. Concerns as to the military intervention in Libya were voiced in these meetings. Besides arranging for AU foreign ministers to meet with representatives of all the countries bordering Libya in order to discuss the regional implications of the conflict as well as map out strategies for regional stability, the AU mediation panel (the High-Level Ad Hoc Committee) also issued statements rejecting all forms of military intervention in Libya.²⁰⁵ Besides urging all the stakeholders in Libya to cooperate with the AU, the Summit also requested the African Group in New York and African members of the UNSC to take the initiative and call for a UNSC meeting to re-assess the implementation of the UNSC resolutions 1970 and 1973 which were apparently undermining the AU efforts, and causing the continental organization to feel marginalized in the management of issues of an African country.²⁰⁶

²⁰⁰ Jean, Ping (2011). African Union role in the Libyan crisis, Pambazuka News: Pan-African Voices for Freedom and Justice, 2011 <http://pambazuka.org/en/category/aumonitor/78691>

²⁰¹ The 275th Meeting of the Peace and Security Council, Addis Ababa, Ethiopia on 26 April 2011, communiqué.

²⁰² Jean, Ping., Op. cit. p. 41

²⁰³ The 275th Meeting of the Peace and Security Council., Op. cit. p. 40

²⁰⁴ Mehari Taddele and Solomon A. Dersso (2011). The North Atlantic Treaty Organization's Intervention in Libya and its Political and Legal Implications for the Peace and Security Architecture of the African Union: A view from Africa. NATO Defense College (NDC), Research Division.

²⁰⁵ Sithole, A., Op. cit. p. 39

²⁰⁶ Ibid

As required by resolution 1973(2011), the committee sought authorization for the flights carrying its members to Libya. This request was denied. In actual fact, the military campaign to enforce resolution 1973 started the very day the ad hoc committee was meeting in Nouakchott.²⁰⁷ Following this the ad hoc committee extended invitations to the Libyan authorities and to the TNC to take part in a consultation in Addis Ababa. While the representatives of the Libyan Government attended the meeting, the members of the TNC were unable to do so.²⁰⁸

As a follow-up to the relevant paragraphs of the communiqué of the Nouakchott meeting of the High-Level *Ad Hoc* Committee on Libya, a consultative meeting on the situation in Libya was convened in Addis Ababa on 25 March 2011.²⁰⁹ As evidently stated in the communiqué, the meeting was convened by the AU with the objective of actively searching for an early solution to the crisis consistent with international legality. The members of the *ad hoc* Committee and of the Peace and Security Council (PSC) of the AU, the neighboring countries of Libya and the other countries of the region, as well as multilateral and bilateral AU partners, attended the meeting.²¹⁰ A consensus was reached on the elements of the roadmap at the meeting. These were:

- (i) The protection of civilians and the cessation of hostilities;
- (ii) Humanitarian assistance to affected populations, both Libyan and foreign migrant workers, particularly those from Africa;
- (iii) Initiation of a political dialogue between the Libyan parties in order to arrive at an agreement on the modalities for ending the crisis;
- (iv) Establishment and management of an inclusive transitional period; and
- (v) Adoption and implementation of political reforms necessary to meet the aspirations of the Libyan people.²¹¹

On this occasion, there was not even symbolic support for the AU's efforts. The consultative meeting was followed by a visit to Tripoli by the ad hoc committee on April 10 and 11. On the April 10 the committee met with Gaddafi and got his acceptance of the AU roadmap. The next day, April

²⁰⁷ Jean, Ping. Op. cit. p. 41

²⁰⁸ The 275th Meeting of the Peace and Security Council., Op. cit. p. 40

²⁰⁹ Ibid

²¹⁰ African Union Consultative Meeting on the Situation in Libya, Addis Ababa, Ethiopia on 25 March 2011, communiqué.

²¹¹ Ibid

11, the committee discussed with the NTC Chairman and members in Benghazi. As Jean Ping noted in his letter, the objective was to ensure the effective protection of the civilian population and to create conducive conditions for the fulfillment of the legitimate demands of the Libyan people. But this objective was not achieved for the TNC put forward a political condition as a prerequisite for the urgent launching of discussions on the modalities for a ceasefire.²¹² These prerequisites were in particular the removal from power of Colonel Qaddafi and members of his family, and the withdrawal of the Libyan army from cities forcibly occupied after the breakout of hostilities.²¹³

As one can perceive from the report of the Chairperson of the Commission on the 275th meeting of the PSC; the ad hoc committee is of the view that no specific preconditions should be set for the commencement of negotiations since its purpose is precisely to address the concerns of all parties and facilitate a compromise on the best way forward. This is in particular reference to the prerequisite forwarded by the TNC as a starter for negotiations. As to the same demand being voiced by the international community, the committee, as per the report by the Chairperson, insists that choosing a leader should be left to the Libyans and that international actors should refrain from taking positions or making pronouncements that can only complicate the search for a solution. The role of the international community should be to help Libyans achieve their legitimate aspirations, in a nationally-owned and nationally-led process.²¹⁴

At its April 26 meeting the Council reiterated the need for the international community to work together to facilitate an early resolution of the crisis in Libya and shorten the suffering of the Libyan people. In line with this the Chairperson underscored the need for all the countries and the organizations involved in the implementation of resolution 1973 to act in a manner strictly consistent with the provisions of the resolution. The AU's position reflected a fear that if members of the UNSC could interpret resolutions in such a manner, then Africa would be at risk of other foreign interventions.²¹⁵

The AU convened an extraordinary summit meeting on 25 May, at which it called for an immediate pause in fighting, for ceasefire monitors, and for a framework agreement for a

²¹² The 275th Meeting of the Peace and Security Council., Op. cit. p. 40

²¹³ Ibid

²¹⁴ Ibid

²¹⁵ De Waal, A., Op. cit. p. 39

political solution, including a transitional period culminating in elections.²¹⁶ Five days later, after consulting with the Russians, President Zuma flew to Tripoli to present the AU's proposals and deliver a clear message to Gaddafi that he had to leave. The African leaders were convinced that Gaddafi remained committed to the roadmap, including his promise not to be part of the transition. Zuma held a lengthy meeting at which Gaddafi disappointed him: the Libyan leader restated his commitment to 'not being part of the negotiation processes,²¹⁷ but also insisted that he was not ready to leave the country.²¹⁸ By May, the AU had actually managed to secure Gaddafi's commitment that he would not be part of the negotiation for the formation of a new government, or of the resulting government. South Africa's President Jacob Zuma has nevertheless observed that "the AU's plan was completely ignored in favor of bombing Libya by NATO Forces".²¹⁹

By June, however, the war appeared to have descended into a stalemate, which encouraged those pushing for a negotiated solution.²²⁰ Finally Gaddafi began sending out feelers to western countries, intimating that he might indeed talk to France and the NTC about stepping down.²²¹ On the other side the AU spelled out its framework agreement for a political solution to the crisis in Libya at a meeting in Pretoria on 26 June.²²²

In its July Malabo Summit the AU Council reiterated its call for a political solution to the Libyan crisis. The assembly stated that only a political solution will make it possible to fulfill the legitimate aspirations of the Libyan people and preserve the unity and territorial integrity of the country. But the framework for a political solution spelled out at its Pretoria meeting was debated on. As Alex De Waal presents it:

Britain and France sent emissaries who met privately with African leaders and said that they would object to any mention of a ceasefire in the resolutions.

²¹⁶ Ibid

²¹⁷ Meeting of the AU high-level ad hoc committee on Libya, Pretoria, South Africa, 26 June 2011, communiqué.

²¹⁸ 'Col. Gaddafi "emphatic" he will not leave Libya', *Daily Telegraph*, 31 May 2011. As cited in De Waal, A., Op. cit.

²¹⁹ Speech of President Jacob Zuma delivered at the UN Security Council on 12 January 2012. <http://www.uruknet.info/?new=85064> accessed on 16/2/2016 at 3:41PM

²²⁰ De Waal, A., Op. cit. p. 39

²²¹ 'Possible diplomatic opening in Libyan crisis', AFP, 12 July 2011. As cited in De Waal, A., Op. cit.

²²² Meeting of the AU high-level ad hoc committee on Libya, Pretoria, South Africa, 26 June 2011, communiqué.

Ethiopia agreed: Prime Minister Meles argued that Africa needed Gaddafi gone, and although it would have been preferable for Africa to do the housecleaning, it could not object if someone else was ready to do the job on Africa's behalf. Rwanda, Nigeria and Senegal supported the Ethiopian position.²²³

The request from the prosecutor of the International Criminal Court (ICC) on 27 June, just days before the Malabo Summit, that arrest warrants be issued for Gaddafi, his son Saif al-Islam and Abdalla al-Sanussi, Head of military intelligence²²⁴ further worsened the situation. The Assembly noting that the arrest warrants would seriously complicate the efforts aimed at finding a negotiated political solution to the crisis in Libya, which will also address, in a mutually reinforcing way, issues relating to impunity and reconciliation. The Assembly decided not to cooperate in the execution of the arrest warrant, and requested the United Nations Security Council to activate the provisions of Article 16 of the Rome Statute with a view to deferring the ICC process on Libya, in the interest of justice as well as peace in the country.²²⁵

By and large, the AU had the commitment to fulfill its mission to restore peace in Libya in spite of debilitating developments. Promising to act in compliance with the UN Resolution, the AU had made it public that it was not going to spare any effort in facilitating a peaceful solution which was intended to duly consider the legitimate aspirations of the Libyan people.²²⁶

3.5. The AU Roadmap: African Solutions to African Problems?

AU's diplomatic engagement in Libya from the start has been one that envisaged a democratic transition of power by using mediation as a robust tool. To start with Libya had no institution but Gaddafi which made institution building from the scratch mandatory. As an official at the AU PSD department puts it the solution to the Libyan crisis did not lie in the removal of Gaddafi. He argued that the country only had Gaddafi: he was the Legislature, Executive and Judiciary;²²⁷ the AU strived to secure a Libyan consensus on the establishment of inclusive transitional institutions that would manage the country until such a time those elections are held.²²⁸ Thus in the context of employing AfSol in the resolution of the crisis the AU saw the need to tackle the

²²³ De Waal, A., Op. cit. p. 39

²²⁴ Ibid

²²⁵ 17th Ordinary Session of African Union (AU) Heads of State and Government meeting Malabo, Equatorial Guinea, on July 1, 2011

²²⁶ Sithole, A., Op. cit. p. 39

²²⁷ Interview with an Anonymous official (2) at the AU Peace and Security Department on 24/2/2016

²²⁸ Jean, Ping. Op. cit. p. 41

root causes so that sustainable peace is guaranteed. In the words of one official at the AU; we understand the root cause of the problem more than those who are outside the continent.²²⁹

You cannot look at the issue now or even three years back; you have to look even beyond. So having understood the root causes it gives you better policy options on how to get this issue resolved. Those who come from Europe or anywhere out of the continent in fact look at the near past and try to solve the issue accordingly which is not helpful. You can get a solution in the near term but it might relapse again and to have it corrected you have to look for the root cause.²³⁰

Tackling the root causes was the aim of the AU roadmap; which would have avoided the power vacuum and chaos the country in at the moment. As the Late Chairperson Jean Ping in his letter argued AU's effort for establishing inclusive transitional institutions clearly implied Colonel Qaddafi's relinquishing power to those new institutions. He adds, "Our ultimate objective was to avoid war. As a regional organization, diplomacy is our main weapon and the use of force is always a last resort when all other options have been exhausted."²³¹

In all fairness, the AU roadmap to peace in Libya was a genuine attempt at conflict resolution and not merely an attempt to shore up Gaddafi's appearance of legitimacy.²³² Plus the AU had an upper hand diplomatically in making the case to Gaddafi that he should both stop his assault on civilian population and step down.²³³ But the AU's Roadmap to the Libyan crisis has failed to materialize. The reasons have been both inherent to the Union and induced upon it as well.

3.6. Why did the AU Roadmap Fail to Materialize?

In responding to the question "Can one say the AU failed to intervene in Libya?" a researcher from the Institute of Security Studies responded; why would one consider that the AU has failed when especially we know that South Africa and all the African countries in the UNSC voted for the resolution. He also added that promoting democratic values is the mandate of the AU but

²²⁹ Interview with an anonymous official (1) at the AU Peace and Security Department on 07/04/2016

²³⁰ Ibid

²³¹ Jean, Ping. Op. cit. p. 41

²³² Sithole, A., Op. cit. p. 39

²³³ De Waal, A., Op. cit. p. 39

removing Gaddafi from power is not.²³⁴ The same idea was reiterated by an official in the PSD who said ‘I cannot say that the AU has failed at the beginning’.

To an extent one can say the AU has been marginalized.²³⁵ This could be seen in the sequence of events at the time. As an official from the AU PSD stated, one needs to look at the sequence of events; where the issue of Libya has been addressed. They were not addressed by the AU but by the Arab League, as all the meetings were held under the auspices of the Arab League.²³⁶ He argued the personality of Gaddafi has played a great role in this; given the unique circumstances of who Gaddafi was in Africa – they wanted Gaddafi dead.

The actors have an ambition that determined the outcome in a situation. The roadmap was never going to be implemented. There was divergence of opinion between the African States, the Arab League and the UN. The AU had tried to take certain steps in the implementation of the roadmap, which is why the committee went to Libya twice but it could not go back after that. On this side we knew that the roadmap was not going anywhere; we are going to be behind in Libya because of western interest.²³⁷

The question here is why was Africa ignored in her genuine security efforts? A major factor responsible for this stance is the ulterior motives of the invasion. Africa was ignored not just because they are completely bereft of ideas and solutions to the crisis but because Western powers have vested interest in the exploitation of Libya’s oil.²³⁸

From the point of view of my second source at the PSD; the special envoy at that time (2011), at a personal level, has failed to deal with the issue but not because the AU strategy was bad or because it lacked willingness or because of lack of capacity in such kind of mission was not accurate enough.²³⁹ He said the situation needs to be looked at from two standpoints.

One is the initiative itself and the other is the willingness of the parties in conflict to participate fully with the initiative. Gaddafi refused intervention back in 2011 saying it is an internal issue. The ideas should have been put forth; he should have

²³⁴ Interview with an Anonymous Researcher – Conflict Prevention and Risk Analysis at the Institute for Security Studies (ISS), Addis Ababa on 1/04/2016

²³⁵ Interview with an Anonymous official (2) at the AU Peace and Security Department on 24/2/2016

²³⁶ Ibid

²³⁷ Ibid

²³⁸ Ubelejit, Timothy N. (2013). Diplomacy or War as First Recourse: Panacea of the AU Roadmap for Libya. *IOSR Journal Of Humanities And Social Science (IOSR-JHSS) Volume 10, Issue 2 (Mar. - Apr. 2013), PP 45-52*

²³⁹ Interview with an Anonymous official (1) at the AU Peace and Security Department on 07/04/2016

said sit with them, speak with them, see what they have asked for and try to accommodate their demands. But he has failed to do so; the problem is those who are on power don't want to believe that they have some internal problem in their country.²⁴⁰

With a varying degree of influence, the study has revealed that the UNSC Resolution 1973, the lack of coordination and harmony between the AU and member states, biased attitude towards the AU's efforts, and the personality of Gaddafi have added up and resulted in the failure of the roadmap.

3.6.1. United Nations Security Council Resolution (UNSCR) 1973

UNSCR 1973 is the most ambiguous UN resolution that anybody has ever seen.²⁴¹ The deliberate decision by Western powers involved in the NATO offensive – namely France, the United States and the United Kingdom – to ignore, undermine and sideline the AU is the most significant cause of the failure of the AU's roadmap.²⁴² The reason for this decision on their part derives from their historical stance against the Gaddafi regime, the geo-strategic importance of Libya and their need to control the country's strategic resources.²⁴³ The involvement of the UNSC in the Libyan crisis had major implications for the AU and thus excluding it from a pivotal role because the primary responsibility for maintaining international peace and security rests with the UNSC.²⁴⁴

If there had been any lingering doubts on the marginalization of the AU in the Libya crisis, resolution 1973 confirmed it.²⁴⁵ The resolution has opened a door for foreign intervention in the crisis. Even if investigating the legitimacy and scope of the resolution is not the purpose of this study, I have found it essential pin point two issues that need to be questioned. One is with regard to the need for the UNSC to initiate this resolution in the first place. As far as the literature covered is concerned, the UNSC has not taken any initial steps in resolving the conflict diplomatically. The other issue that needs to be examined is the wording of the resolution.

²⁴⁰ Ibid

²⁴¹ Interview with an Anonymous official (2) at the AU Peace and Security Department on 24/2/2016

²⁴² Koko, S., & Bakwesegha-Osula, M. (2012). Assessing the African Union's response to the Libyan crisis. *Conflict trends*, (1), 3-10.

²⁴³ Ibid

²⁴⁴ United Nations Charter, Article 24. Paragraph 1.

²⁴⁵ Phillip, Apuuli K., Op. cit. p. 40

The resolution had been criticized for its wordings, one aspect of this relates to the nature of the implementation of UNSCR 1973. The resolution has been a legal base for carrying military activity by NATO, but there are some others who saw the action on the ground exceeding the mandate. The mandate given was very clear but at the end of the mandate it stated that “all necessary measures” to be taken to protect civilians.²⁴⁶ When NATO has been accused of exceeding the mandate, they have mentioned this phrase. One of these actions is destroying the Libyan forces which were on the side of the President at the time.²⁴⁷ Whether or not supporting of the rebel group was consistent with the requirement of the resolution and whether it authorized regime change as an objective of NATO’s military operation in Libya are issues of contention.²⁴⁸ But there is no doubt UNSCR 1973 has marginalized the AU in its efforts to resolve the crisis with a home grown and well thought solution i.e. the AU roadmap.

3.6.2. Lack of Strategic Coordination and Harmony Between the AU and Member States

The 265th meeting of the AU PSC adopted the Political Roadmap to the Libyan crisis seven days preceding the passing of the UNSCR 1973. The meeting also stated its ‘rejection of any foreign military intervention, whatever its form’.²⁴⁹ But when the UNSC adopted UNSCR 1973, which authorized for a no-fly zone and the use of ‘any necessary’ measure to protect civilians, all three African non-permanent members of the UNSC at the time voted in favor of the resolution. Had South Africa led the three African nations on the Council to abstain or vote against the resolution, it would not have been passed.²⁵⁰ As Alex de Waal states Zuma was advised by his Ministry of Foreign Affairs that the words ‘all necessary measures’ threatened to negate the AU initiative, being open to very flexible interpretation. Zuma ‘therefore explicitly took the risk of voting in favor of Resolution 1973 with the full knowledge that it might be a pretext for regime change on the part of some Western powers’.²⁵¹

²⁴⁶ Interview with an anonymous official (1) at the AU Peace and Security Department on 07/04/2016

²⁴⁷ Ibid

²⁴⁸ Ubelejit, Timothy N., Op. cit. p. 47

²⁴⁹The 265th Meeting of the Peace and Security Council, Addis Ababa, Ethiopia on 23 February 2011, communiqué.

²⁵⁰ De Waal, A., Op. cit. p. 39

²⁵¹Eusebius, McKaiser (2011). Looking an international relations gift horse in the mouth: SA’s response to the Libyan crisis. Ruth First memorial lecture, Johannesburg, 17 Aug. 2011. As cited in, De Waal, A., Op. cit.

At the UN level there were other interests of the member states. The big powers had the interest of getting rid of Gaddafi as soon as possible and did not give him time to keep him in place. There was a kind of clash between what the AU saw at the time and what the UN saw. When we talk about AU and UN we are not talking about organization entity. It is not an entity at all; there are some countries that are driving both organizations. Those countries who were member of the AU PSC; who were also member of the UNSC, namely South Africa as far as I know, the representative here at the PSC level gave a perspective to South Africa differently than the South African representative at the UNSC. It was kind of a double message. The representative at the UN knew what the direction of the UNSC was.²⁵²

In the eyes of a researcher at the ISS, in the world today some intervention would have happened without the go ahead from the African countries. He contended; if Nigeria, South Africa and Gabon had voted ‘no’, we are sure that China and Russia would have moved from abstention to ‘no’; because Russia and China are against this kind of intervention. Africans supporting the resolution, as he puts it, had made China and Russia say “If Africans say it’s the best solution; go ahead”.²⁵³

South Africa’s vote in support of resolution 1973 invited the ire and criticism of other African countries since the continent expected the political and economic giant in Africa to play an effective role in articulating and asserting Pan-African values.²⁵⁴ Sithole Anyway argues that Zuma, representing South Africa and being the leader of the five-member AU High-Level Ad Hoc Committee on Libya, had the opportunity to articulate the African common position on the matter.²⁵⁵ This illustrates the ill structured strategic coordination between the AU Commission and its member states, so far as protecting the AU’s already crafted position on Libya in the context of employing AfSol.

On the other hand the statement of the Late Chairperson Jean Ping in his letter saying “African members of the Security Council supported resolution 1973 driven by a genuine commitment to protect civilians in Libya” (acknowledging that if one of them had abstained or voted against it, the resolution would not have been passed); would make one question whether the Union by itself has found foreign intervention necessary. By voting for Resolution 1973, the AU had

²⁵² Interview with an anonymous official (1) at the AU Peace and Security Department on 07/04/2016

²⁵³ Interview with an Anonymous Researcher – Conflict Prevention and Risk Analysis at the Institute for Security Studies (ISS), Addis Ababa on 1/04/2016

²⁵⁴ Sithole, A., Op. cit. p. 39

²⁵⁵ Ibid

shown its capitulation to Western pressure and in doing so it was unwittingly giving NATO the responsibility to deal with an African conflict.²⁵⁶

The AU roadmap to peace in Libya did not materialize because the continent was not united in the adoption of a common position to solve the Libyan crisis.²⁵⁷ While the roadmap the Union has structured was a genuine effort at conflict resolution in Libya back in 2011; it has failed to come into effect because the Union did not have the support of its member states. The instigation of UNSCR 1973 may be the main cause that contributed to the failure of the Unions effort but knowing the resolution would have not been passed if these states had not voted in favor of it clearly shows it's failure has also been self-inflicted.

3.6.3. Subjective Attitude Towards AU's Effort

The African Union's position on the Libyan crisis – trying to secure a negotiated settlement – found substantial (although not unanimous) support across Africa. Non-African states, however, saw the AU's approach as being too timid, naive and, possibly, partial towards the former leader Muammar Gaddafi.²⁵⁸ This has opened the door for the UN to take over Libya.

The problem at first was, the AU has been seen by the rebellion as being on the side of Gaddafi and has given a roadmap that favors Gaddafi himself. Gaddafi had a very big influence on the AU, the rebellion did not welcome the AU approach having in mind the AU is biased. And when the NATO came under the UN umbrella and started bombing Libya, of course it was to favor the rebellion; so they have welcomed the UN resolution rather than the AU roadmap. Since then the rebellion side was much leaning to the UN approach.²⁵⁹

The perception instilled among the Libyan protagonists about the AU road map has resulted in its failure. Gaddafi on the one hand, Koko, S., & Bakwesegha-Osula, M. explain, was quick to welcome the AU's initiative being well aware of the lack of hard power to enforce compliance should the NTC agree to the initiative. Subsequently, the regime could make use of the AU's initiative to bolster its position and possibly undermine and sideline or even defeat the NTC.²⁶⁰ On the other

²⁵⁶ Akonor, K. (2011). The War in Libya: The African Union's Mistake of Policy and Principle. *Inter-Press Agency, 10*. As cited in Chipaike, R. (2012). The Libya crisis: the militarization of the new scramble and more. *International Journal of Humanities and Social Science Vol. 2 No. 8*

²⁵⁷ Sithole, A., Op. cit. p. 39

²⁵⁸ REGIME CHANGE in LIBYA Africa sidelined. The alternate-Monthly magazine of the Institute for Security Studies. Issue 15/2011

²⁵⁹ Interview with an Anonymous official (1) at the AU Peace and Security Department on 07/04/2016

²⁶⁰ Koko, S., & Bakwesegha-Osula, M., Op. cit. p. 28

hand, by insisting on the departure of Gaddafi and members of his family as a prerequisite to the peace process, the NTC was simply rejecting the very rationale underpinning the AU's initiative, namely inclusiveness.²⁶¹

The NTC's attitude towards the AU has been one that regarded the Union as favoring Gaddafi. The efforts of the AU for this reason have been hindered. The rebels saw the AU as pro-Gaddafi.²⁶² And additionally the NTC had all the support it needed from NATO. Yet one cannot ignore the fact that its rejection of the AU's initiative was actually consistent with its alliance with the NATO powers.²⁶³

3.6.4. Gaddafi's Personality

The biggest problem was Gaddafi himself.²⁶⁴ This relates to his personality and his avowed hatred for the west which he has shown right from his rise to power back in 1969. The other side of his personality relates to his aspirations for a united Africa and his strident support for the Union. Given the unique circumstance of who Gaddafi was in Africa, explained an official from the AU PSD; they (the West) wanted Gaddafi dead.²⁶⁵

As stated above, the AU's effort in Libya has found substantial but not unanimous support across Africa. This, as Koko, S., & Bakwesegha-Osula, M. argue is because;

In spite of his well publicized largesse towards African states as well as continental institutions and initiatives – including Libya's regular 15% contributions to the AU's operational budget – Gaddafi's repeated interference in the internal affairs of several African countries have earned him very few genuine friends among African leaders.²⁶⁶

So Gaddafi's personality has played a crucial role both in Africa and elsewhere which has resulted in the failure of the roadmap from materializing.

²⁶¹ Ibid

²⁶² Interview with an Anonymous official (2) at the AU Peace and Security Department on 24/2/2016

²⁶³ Koko, S., & Bakwesegha-Osula, M., Op. cit. p. 28

²⁶⁴ Interview with Berouk Mesfin, Senior Researcher – Conflict Prevention and Risk Analysis at the Institute for Security Studies, Addis Ababa on 30/03/2016

²⁶⁵ Interview with an Anonymous official (2) at the AU Peace and Security Department on 24/2/2016

²⁶⁶ Koko, S., & Bakwesegha-Osula, M., Op. cit. p. 28

3.7. The Adequacy and Efficiency of AU's response to the crisis

After examining the AU's effort in resolving the Libyan crisis back in 2011 and identifying the obstacles to its efforts the next thing that should be assessed is the adequacy and efficiency of its efforts. This is essential for the Union has to learn lessons from its past experiences in order to handle efficiently future scenarios.

The Constitutive Act of the AU, in its Article 4(h), provides for 'the right of the African 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.'²⁶⁷ What the article fails to provide on the other hand is what exactly constitutes grave circumstances or genocide which hinders a proper application of article 4(h). Some, looking at it from a legal point of view, argue that considering the speed with which mass crimes can occur sometimes, it may be wiser for the AU to prioritize intervention over strict legal interpretation of article 4(h) especially in the absence of precise and legal definition of such crimes in international law.²⁶⁸

With the Libyan crisis in mind; what other alternative and more efficient actions could the AU have taken to stop the 'atrocities' of the Libyan government on 'peaceful demonstrators'? The other possibility besides mediation, available for the AU, was military intervention in accordance with Article 4(H) of the Constitutive Act. What follows from this is the question of the ability and willingness of the AU to intervene militarily in Libya. One of my informants at the AU PSD has confirmed that the Union would not have intervened militarily. This is for the simple reason that Libya presented problems other countries lack for intervention. Moreover the Union cannot impose intervention in a country.²⁶⁹ On the same note it was clear that the Union did not have the capacity to intervene militarily.²⁷⁰ This is because first the African Stand by Force (ASF) has a mechanism that is not in place yet; which another informant at the AU PSD labeled as 'not functional'. As he stated, the ASF was supposed to be functional by 2013 and that could not materialize so it has been pushed to 2016.²⁷¹ The ASF has five brigades, but there is no North

²⁶⁷ Article 4(H) of the AU Constitutive Act of the African Union

²⁶⁸ A Abass, (2007). The Darfur Crisis: The role of the AU in Darfur. Utrecht Journal of International and European Law.

²⁶⁹ Interview with an anonymous official at the AU Peace and Security Department on 24/02/2016

²⁷⁰ Interview with Berouk Mesfin, Senior Researcher – Conflict Prevention and Risk Analysis at the Institute for Security Studies, Addis Ababa on 30/03/2016

²⁷¹ Interview with an anonymous official (1) at the AU Peace and Security Department on 07/04/2016

brigade. There is not even a recognized REC in North Africa. RECs are one of AU's building blocks. The absence of regional community has made the issue of Libya much harder to tackle for the AU.²⁷²

Besides the capacity of the AU to invoke Article 4(H) and intervene militarily in Libya, the other side of the issue that needs to be seen here is whether or not there was actual potential humanitarian predicament posed by Gaddafi and his forces against Libyan population. Here the Western media, Gaddafi's speeches and his past history with this kind of atrocities have played a crucial role. According to Campbell's findings although the Western media carried stories that the Gaddafi air force was killing its own people, the Pentagon stated categorically that it could not confirm these stories. In addition within the debates at the UN, South Africans argued that there were no jets used in attacks by Gaddafi against his own civilians.²⁷³

On the other hand, Gaddafi in his TV speech on February 2011 called on his supporters saying: "Come out of your homes and attack the oppositions in their dens."²⁷⁴ And has gone on and named the protestors "greasy rats" and "Cockroaches". Neither Colonel Gaddafi nor his son attempted to curb the international news that the Libyan army was about to commit genocide in Benghazi at a time when the militarized nature of the rebellion had transformed from an uprising to a civil war.²⁷⁵ And according to Berouk Mesfin, knowing what Gaddafi had done in the past and his personality one cannot be sure if the genocidal predicaments for the Western intervention were just a false alarm.²⁷⁶

The Union would not have intervened militarily. This has been mainly a question of capacity, its mandate as a regional organization, interest of member states and the legality of its intervention. In the words of an official from the AU PSD;

Here at the AU we don't have the same strong mandate as the UN. When we have some kind of misunderstanding or no harmonization between the AU PSC and UNSC; the UNSC has the original (primary) mandate for peace and security. It

²⁷² Ibid

²⁷³ Campbell, H., Op. cit. p. 28

²⁷⁴ Stalinsky, Steven (2011). Gaddafi's calls out "Greasy Rats" and "Foreign Agents". National Review, <http://www.nationalreview.com.comer/greasyrat>

²⁷⁵ Campbell, H., Op. cit. p. 28

²⁷⁶ Interview with Berouk Mesfin, Senior Researcher – Conflict Prevention and Risk Analysis at the Institute for Security Studies, Addis Ababa on 30/03/2016

depends on the member states because at the end it is member state driven organization. And again at the UN side they can use Chapter 7 – which is about enforcement. It allows the organization to intervene in one of the member states but here at the AU it's a long way.²⁷⁷

The choice of mediation as a contrivance for the Libyan crisis was a good choice of the Union bearing in mind it would not have had the capacity to intervene militarily and also noting that curbing the issue diplomatically was an ideal solution. However a researcher at the ISS is of the view that the Union should have tried a more robust diplomacy in trying to get the support of China and Russia. This would highlight on the efficiency of its efforts.

In conclusion, while the choice of forging a diplomatic path was an ideal and thoroughly examined approach for the Libyan crisis in the context of providing an African led solution; the efficiency of the effort of the AU is somewhat questionable. The Union should have tried a more robust diplomatic effort. It should not be forgotten that the lack of harmony and cooperation between the member states was a major predicament. Nevertheless the Union needs to develop a better and stronger approach where it would be able to employ its African centered solutions. As a whole the AU's effort in Libya could be said to be adequate however the actions taken to carry out the roadmap were not efficient enough.

²⁷⁷ Interview with an anonymous official (1) at the AU Peace and Security Department on 07/04/2016

Chapter Four

The Somalia Crisis and African Solutions to African Problems

4.1. The Somalia State pre – 1991: the Seeds to Future Crisis

The deep divisions amongst the Somali's started right from the colonial era where international borders greatly influenced internal conflicts leading to intra and interstate wars due to primordial clannism and sub-clannism.²⁷⁸ The colonial administration which lasted for 75 years until 1960 had totally altered the political and social structure of Somalia. A major political theme in independent Somalia was the need to reunite with three large Somali groups trapped in other states – in French Somaliland, in Ethiopia (the annexed Ogaden and Haud regions) and in northern Kenya.²⁷⁹

In 1970, President Siad Barre proclaimed "scientific socialism" as the republic's guiding ideology. The problem with this was that the process of socialization to uplift the grassroots instituted rigid structures of control.²⁸⁰ Thus, while the administration was decentralized, power was highly centralized. The result was a cosmetic reform process which continued to eat at the fabric of Somali's ethnic harmony and balance.²⁸¹ One of the consequences of the belligerent state which emerged in Somalia under Said Barre was the lack of articulation or relations between the urban and rural areas and among the clans which led to reduced economic integration and interaction.²⁸²

Somalia's defeat in the Ogaden War strained the stability of the Siad Barre regime as the country faced a surge of clan pressures.²⁸³ An abortive military coup in April 1978 paved the way for the formation of two opposition groups in 1982: the Somali Salvation Democratic Front (SSDF) and the Somali National Movement (SNM). The SSDF draws its main support from the Majeerteen clan of the Mudug region in central Somalia and the SNM support was based on the Isaaq clan of

²⁷⁸ *IITPCM International Commentary. December 2013. ISSN. 2239-7949. SOMALIA. CLAN AND STATE. POLITICS. December 2013*

²⁷⁹ History of Somalia - <http://www.historyworld.net/wrldhis/PlainTextHistories.asp?historyid=ad20> accessed on 3/8/16 at 11:13am

²⁸⁰ "One Dictator Less", Africa Events (February 1991), p. 27. As cited in Kinfe, Abraham, Op. cit.

²⁸¹ Kinfe, Abraham (2002). *Somalia calling: the crisis of statehood, and the quest for peace*. Ethiopian International Institute for Peace and Development.

²⁸² Ibid

²⁸³ Somali – Civil War - <http://www.britannica.com/place/Somalia/Civil-war> accessed on 3/8/16 at 5:08 PM

the northern regions.²⁸⁴ Both organizations undertook guerrilla operations from bases in Ethiopia.

As economic, social and political conditions deteriorated in the 1970s and early 1980s, traditional clan loyalties came to the fore, thus fragmenting the Somali nation. By the 1988, the country was in the throes of civil war. As Kinfе Abraham explains after the war with Ethiopia, Barre directed his aggressive appetite against his own people whom he dehumanized with ruthlessness unprecedented in scale and intensity.²⁸⁵ Between 1986 and 1990 the regime unleashed a reign of terror against members of the Majeerteen, the Hawiye, and Isaaq clans, which included the deployment of its feared Red Berets (Somali: Duub Cab).²⁸⁶ This in turn resulted in the formation of disaster guerrilla groups, clan-based and regional, in and around Somalia with the intention of toppling Siad's repressive and centralized regime.²⁸⁷

In May 1988, the northern based SNM launched a military campaign by capturing the northern town of Burao. The government reacted in the most savage way, butchering the northern Isaaq clan members and their livestock. Also clan-based guerrilla opposition groups had multiplied rapidly, following the example of the SSDF and SNM. In January 1991 forces of the Hawiye-based United Somali Congress (USC) led a popular uprising that overthrew Siad Barre and drove him to seek asylum among his own clansmen.²⁸⁸

The leaders who took over power in Mogadishu without prior consultation with different groups who had fought against the Barre regime, unilaterally appointed Ali Mahdi Mohamed, a prominent businessman, as interim President, which was considered by some as an immature step. The appointment of a USC interim government triggered a bitter feud between rival Hawiye clan factions. The forces of the two rival warlords, Muhammad Farah Aydid of the Somali National Alliance (SNA) and Ali Mahdi Muhammad of the Somali Salvation Alliance

²⁸⁴ Ibid

²⁸⁵ Kinfе, Abraham, *Op. cit.* p. 56

²⁸⁶ *IITPCM International Commentary., Op. cit. p. 56*

²⁸⁷ History of Somalia, <http://www.historyworld.net/wrldhis/PlainTextHistories.asp?historyid=ad20>
accessed on 3/8/16 at 11:13am

²⁸⁸ Somali – Civil War - <http://www.britannica.com/place/Somalia/Civil-war> accessed on 3/8/16 at 5:08PM

(SSA), tore the capital apart and battled with Siad's regrouped clan militia, the Somali National Front, for control of the southern coast and hinterland.²⁸⁹

In May 1991 the SNM, having secured control of the former British Somaliland northern region, declared that the 1960 federation was null and void and that henceforth the northern region would be independent and known as the Republic of Somaliland. Similarly, in 1998 the autonomous region of Puntland (the Puntland State of Somalia) was self-proclaimed in the northeast. Unlike the self-declared Republic of Somaliland, Puntland did not claim complete independence from Somalia—it instead sought to remain a part of the country as an autonomous region, with the goal of reuniting the country as a federal republic.

4.1.1. Hyper-Militarization of Somalia and Further Developments

The geo-political interest in Somalia, as Komey et al., point out, has brought about hyper-militarization.²⁹⁰ The primary importance of its geography in this case is its proximity to the all-important oil production centers of the Middle East. Further, it lies on the important trade routes through the Suez Canal and the Red Sea. Somalia has seen the friendship and enmity of both super powers at the time of the Cold War. During the early 1970s, the Soviets were allowed to establish a naval base in the strategic northern coastal city of Berbera, located at the entrance of the Red Sea. This was mainly as a reaction to the large-scale American military support to Somalia's rival, Ethiopia.²⁹¹

At the time of Ethio-Somali war of 1977-78, the superpowers switched their allegiances. The Soviets became allies of the Marxist regime of Col. Mengistu Haile Mariam of Ethiopia (1974-1991) while the U.S. propped up the Somalia government with resources.²⁹² The United States continued to supply armaments to the Siad Barre regime even after war broke out in the north.²⁹³ Between 1979 and 1990 the U.S. sent hundreds of millions of dollars worth of arms to Barre's regime in return for the use of the military facilities at Berbera.²⁹⁴ In addition to the superpowers, the country received military support from Arab countries, China, former East Germany, Italy

²⁸⁹ Ibid

²⁹⁰ Komey, Osman and Melakedingel Nolawi., Op. cit. p. 8

²⁹¹ Ibid

²⁹² Ibid

²⁹³ Kinfe, Abraham, Op. cit. p. 56

²⁹⁴ Ayittey, George (2010). An African Solution, Harvard International Review, Accessed January 28/2014 <http://hir.harvard.edu/refugees/an-african-solution> . As cited in Komey, Osman and Melakedingel Nolawi., Op. cit.

and Apartheid South Africa.²⁹⁵ The economic hardship of the 1980s facilitated the transference of weapons to the general public as a result of soldiers selling their weapons in order to feed their families.²⁹⁶

This previously militarized state did not take much time before turning to total chaos. In the successive bloodbaths into which Mogadishu descended after Siad's defeat and expulsion from the city, foreign embassies and agencies, including U.N., abandoned Somalia to its fate.²⁹⁷ The United Nations Children's Fund (UNICEF), having reopened its office in Mogadishu at the end of 1991 was enabled to resume humanitarian relief in March 1992 after a precarious ceasefire.²⁹⁸ The crisis was further exacerbated by the failure of the international community to come together to resolve the conflict at its early stages.²⁹⁹

External actors continue to influence the conflict and the prospects for peace. Arab countries and Turkey support a centralized, capable state that shares moderate Islamic learning's. Somalia's Arab allies also seek to counter-balance Ethiopian influence in the region.³⁰⁰ Ethiopia, Kenya and other members of the African Union, seek to secure themselves from the threat posed by al-Shabaab and al-Qaeda, as well as to exert influence in their border lands.³⁰¹

4.2. International Intervention: United Nations Operation in Somalia (UNOSOM I & II)

In April 1992 following a sustained pressure group activity, the Security Council authorized the deployment of 50 observers to monitor the ceasefire in Mogadishu; to secure an effective food distribution. In August it was reported that 1.5 million people were at risk but the means to provide the necessary armed protection for food convoys was lacking. As I. M. Lewis explains, by then it had become clear that, without strong logistic and other support from the United

²⁹⁵ Ottaway, Marina (1999). "Ethnic politics in Africa: Change and Continuity". In Richard Joseph (Ed.), *State, conflict, and Democracy in Africa* (Boulder, CO: Lynne Rienner) as cited in Komey, Osman and Melakedingel Nolawi., Op. cit.

²⁹⁶ Komey, Osman and Melakedingel Nolawi., Op. cit. p. 8

²⁹⁷ Lewis, I. (2002). *Modern history of the Somali: Revised, updated and expanded*. James Currey Publishers.

²⁹⁸ Ibid

²⁹⁹ Komey, Osman and Melakedingel Nolawi., Op. cit. p. 8

³⁰⁰ Hearn, S., & Zimmerman, T. (2014). *A Window of Opportunity for Somalia: Will External Actors' Peacebuilding Frameworks Help or Hinder the Effort?*. NYU, Nueva York.

³⁰¹ Ibid

States, for all the Secretary-General's enthusiasm to make Somalia a test case extending the U.N. Charter, member states did not possess the resources, interests or political will to build a coherent action plan to address this challenging new crisis.³⁰² This first operation, United Nations Operations in Somalia (UNOSOM), was subsequently replaced by an American-led force known as United Task Force (UNITAF) with the code name "Operation Restore Hope". UNITAF was authorized by UNSCR 794 on December 1992.

Following the Pentagon's original plan, the Americans' principal objective was to deliver food and humanitarian supplies safely to the most needy area of southern Somalia.³⁰³ The mission has been reasonably successful in that the factions have pledged to stop fighting and was accompanied by negotiations that led to the conclusion of a peace agreement in Addis Ababa in March 1993.³⁰⁴ While virtually the peace provisions agreed in Addis Ababa, including the formation of the Transitional National Council remained unimplemented.³⁰⁵ On 4 May 1993, Operation Restore Hope was declared successful, and US force levels were sharply reduced. Command of relief, disarmament, and reconstruction work was resumed by the UN. Subsequently UNOSOM II took over the mandate.

UNOSOM II was also given a robust mandate, with the additional task of supporting national reconciliation and reconstruction.³⁰⁶ Mohamed Farah Aideed though, saw UNOSOM II as a threat to his power and his militia attacked UNOSOM troops.³⁰⁷ June 5, 1993 Faction leader Mohamed Farah Aideed (who saw the UNOSOM forces as a threat to his power) killed more than twenty Pakistani peacekeepers in Mogadishu. And on October 1993 in the Black Hawk Down incident in Mogadishu, hundreds of Somalis and eighteen US troops got killed.³⁰⁸ US forces withdrew on March 1994 and they were followed by other nations.

On October 22, to demonstrate the UN's continuing commitment, Boutros-Ghali made a short visit to Somalia and opened a new round of negotiations with the OAU and Arab League

³⁰² Lewis, I., Op. cit. p. 59

³⁰³ Ibid

³⁰⁴ Cilliers, J., Boshoff, H., & Aboagye, F. B. (2010). *Somalia: the intervention dilemma*. Institute for Security Studies.

³⁰⁵ Lewis, I., Op. cit. p. 59

³⁰⁶ Cilliers, J., Boshoff, H., & Aboagye, F. B., Op. cit. p. 60

³⁰⁷ AMISOM - <http://amisom-au.org/about-somalia/brief-history/> accessed on 3/9/2016 at 1:42pm

³⁰⁸ Harper, M., Op. cit.

leaders.³⁰⁹ After a litany of even-less-credible-than-usual reports from the Special Representative via the Secretary General to the Security Council, the UN finally announced in September 1994 that the Somali operation will be terminated as soon as possible.³¹⁰ The UN withdrew in March 1995, having suffered significant casualties, and with the rule of government still not restored. Thus failure as it was; UNOSOM inadvertently played a major role in shaping the future of political economy of Mogadishu and southern Somalia.³¹¹ As I. M. Lewis points out one of the failures of the UNOSOM has been its recruitment of a large number of Somali ancillary staff, without considering the implications, from the clan of Adieed's Habar Gidi. This enabled them to accumulate income from backhanders it imposed when renting property and supplying transport to aid organizations. These funds paradoxically, helped to finance Aidede's fight against UNOSOM as well as supplying him with intelligence while disseminating misinformation.³¹²

The international intervention had also been a victim of contradictory aspirations, contends I. M. Lewis. As he explains, these contradictory aspirations were initiated as the general public in Mogadishu had expected the US forces to round up and arrest the faction leaders and also create the condition for a return to civilian government. But on the other hand, the US/UN mandate did not include creating a new government for Somalia, which events showed clearly would have required much more time, understanding and patience – and more local expertise – than the international authorities had at their disposal. This signaled an embarrassing failure to achieve its most important goals and was to act as a barrier to international engagement for the next few years.³¹³

After the UN's withdrawal, events in Southern Somalia proceeded much as before the intervention.³¹⁴ For ten years thereafter, Somalia was left to the warlords who failed to reach or sustain any agreement for the revival of their country.³¹⁵

³⁰⁹ Lewis, I., Op. cit. p. 59

³¹⁰ Ibid

³¹¹ Ibid

³¹² Ibid

³¹³ Cilliers, J., Boshoff, H., & Aboagye, F. B., Op. cit. p. 60

³¹⁴ Lewis, I., Op. cit. p. 59

³¹⁵ Adjovi, R. (2013). Introductory Note to the United Nations Security Council Resolution 2093 on the Situation in Somalia. *International Legal Materials*, 52(5), 1185-1195.

4.3. Regional Mediation Attempts: Competing Peace Makers and Peacekeepers

The emergence of Islamism as a political force in Somalia gave the conflict a regional dimension with implications for Ethiopia and Kenya, which both have sizeable Somali communities within their borders. It also excited the interest of the US and other Western powers concerned about the threat of international terrorism.³¹⁶

Within the regional organization of IGAD, Ethiopia had played a more robust role in the conflict resolution process in Somalia. Ethiopia's desire to see the re-establishment of a government in Somalia stemmed from concerns about the activities of a radical Islamist group that had surfaced in various parts of the country after the downfall of Siad Barre.³¹⁷ Al Itihad al Isamia, as it was called, promoted Islam to be a political goal for its followers rather than clan divisions. They sought the reestablishment of Somalia as an Islamic state governed by Sharia law. Their vision was one that potentially embraced all the Somali peoples of the Horn of Africa, including the Somali communities in Ethiopia and Kenya. Ethiopia's mediation effort then was both to secure domestic and regional interest in Somalia.

On the other hand Ethiopia has also organized a major reconciliation for Somali factions in Sodere, Ethiopia. The Sodere Peace Talk produced a 41 member National Salvation Council with a task of convening a 465 member national reconciliation conference later that year. The Aideed faction that controlled most of Mogadishu had boycotted the Sodere process. This opened a door for a competing initiative that was facilitated by Egypt and the Arab League. Aideed and others participated in this reconciliation that took place in Cairo. The outcome, the Cairo Agreement, effectively undermined the Sodere peace process.³¹⁸

The outbreak of conflict between Ethiopia and Eritrea in May 1998 spelt the end of IGAD's consensual approach to Somali reconciliation.³¹⁹ Both countries have found themselves supporting factions that went against the other. Eritrea was soon reported to be arming the Aideed faction while Ethiopia stepped up assistance to its own allies in Somalia. This was the time Djibouti found herself in mediation.

³¹⁶ Healy, S. (2009). Peacemaking in the midst of war: an assessment of IGAD's contribution to regional security in the Horn of Africa. Crisis States Working Papers Series No.2

³¹⁷ Ibid

³¹⁸ Ibid

³¹⁹ Ibid

In 2000 Djibouti's new President, Ismail Omah Guelleh, launched his own Somali reconciliation Process: the Somali National Peace Conference/the Arta Peace Process. Guelleh sought a new approach involving traditional and civil Somali leaders rather than the cast of warlords and faction leaders who had dominated previous Somali reconciliation meetings.³²⁰ As Menkhaus K. explains, the Arta process was innovative in that delegates were clan elders and civil society leaders, not faction and militia leaders.³²¹ The Arta peace process was concluded with the creation of a Transitional National Government (TNG). Abdulqasim Salat Hassan was elected as the head of the TNG. The TNG had support from Islamists and much of the business community in Mogadishu and close ties with the Djibouti government. It also got recognition from IGAD, the OAU and the UN.

Even if recognized by the aforementioned international organizations the TNG received recognition neither from Somaliland nor Puntland. Ethiopia was also against the TNG. Ethiopian opposition to the TNG hinged on suspicions of its Islamist leanings, its support from the Arab world and the exclusion of many of its own long term allies among the warlords.³²² As Menkhaus Ken argued, what the Arta Accord did not produce was a true government of national unity. Ironically, in its second year when in the eyes of its critics the TNG had simply become another 'faction', its leaders began seriously trying to win the recalcitrant warlords.³²³

In March 2001, clans and factions who felt underrepresented formed an Ethiopian-backed opposition group, the Somali Reconciliation and Restoration Council (SRRC). The SRRC blocked the TNG's ability to expand its authority in much of the country. Other armed opposition came from Mogadishu-based warlords. The TNG never became operational and gradually became irrelevant.³²⁴

Throughout all these regional mediation attempts, IGAD did not play any institutional role besides endorsing the country initiatives. But this was to change as after the Arta Peace Process Ethiopia and Djibouti stood on opposing sides of the factions. As a result the January 2002

³²⁰ Interpeace. (2009). *The Search for Peace: A History of Mediation in Somalia since 1988*. Nairobi: Interpeace. As cited in Healy, S., Op. cit.

³²¹ Menkhaus, K. (2007). *Mediation efforts in Somalia. A paper presented at the African Mediators Retreat.*

³²² Ibid

³²³ Lewis, I., Op. cit. p. 59

³²⁴ Menkhaus, K., Op. cit. p. 63

IGAD Summit commissioned President Moi of Kenya to start a joint initiative with Ethiopia and Djibouti to bring the warlords of the SRRC into negotiations with the TNG. Djibouti, Kenya and Ethiopia formed a frontline states technical committee in which Djibouti backed the TNG, Ethiopia backed the SSRC and Kenya had the role of mediator.³²⁵ Those talks were intended to produce a new transitional government to succeed the TNG.³²⁶

The IGAD-led initiative laid the foundation for the election by members of the Somali Transitional Federal Parliament of President Abdullahi Yusuf Ahmed as head of the TFG. The TFG subsequently went on to draft the Transitional Federal Charter (TFC) which was adopted in November 2004.³²⁷

4.4.The Rise of the Islamic Courts Union (ICU)

The first Islamic Courts appeared in Somalia during the early 1990s, shortly after the fall of the Barre regime.³²⁸ It was founded by Islamic clerics from the locally powerful Abgal sub-clan of the Hawiye, who had the support of their ‘secular’ political leaders.³²⁹ As the vacuum of state authority continued, alternative societal structures arose throughout the country, including Islamic law courts.³³⁰ These courts were divided between clans on the agreement reached upon between them. In absence of any other functioning legal system, Somalis resorted to these Sharia courts, although their link to the Somali factional order meant that their jurisdiction was very local, and limited to its own sub-clan.³³¹

Initially, most Islamic courts operating in Somalia were “less a product of Islamist activism than of Somalia’s two most common denominators: clan and the traditional Islamic faith.”³³² With popular support the Islamic courts started to recruit militias and judges. Their official leaders

³²⁵ Healy, S., Op. cit. p. 62

³²⁶ Menkhaus, K., Op. cit. p. 63

³²⁷ Murithi, T. (2012). Between reactive and proactive interventionism: The African Union Peace and Security Council's engagement in the Horn of Africa. *African Journal on Conflict Resolution*, 12(2), 87-110.

³²⁸ International Crisis Group. (2006). Can the Somali Crisis be Contained?. *Review of African Political Economy*, 752-758.

³²⁹ Mwangi, Oscar Gakuo (2010). The Union of Islamic Courts and Security Governance in Somalia. *African Security Review*, 19: 1, 88 — 94

³³⁰ Seri, T. (2011). CIVILIAN HARM IN SOMALIA: Creating an Appropriate Response. Campaign for Innocent Victims in Conflict (CIVIC)

³³¹ Holzer, G. S. (2008). Political Islam in Somalia: A fertile ground for radical Islamic groups?. *Geopolitics of the Middle East*, 1(1), 24.

³³² Seri, T., Op. cit. p. 64

where religious leaders none of whom was known as fundamentalist.³³³ With the concept of Islamic courts spreading, efforts to consolidate the courts gained ground. Unification of the courts (and especially of their militias) was a formidable way of gaining political power and influence.³³⁴

In 1998, a new brand of court was established under the leadership of Sheikh Hassan Dahir Aweys, a former vice chairman and military commander of the jihadi Islamist organization al-Itihaad al-Islam (AIAI) and a member of the Habar Gidir Ayr clan.³³⁵ The court at Marka, headed by Sheikh Yusuf Indha'adde, became a vehicle for the expansion of Ayr political and commercial interests in the Lower Shabelle region while the court at Ifka Halane, in western Mogadishu, emerged as a platform for jihadi Islamism.³³⁶

The TNG was not able to establish a functional administration. This marked the revival of the Sharia Courts. The Council of Islamic/Sharia Courts (CIC) of Somalia were established in 2004 as an umbrella organization for the Mogadishu Sharia courts. As violence in South Somalia loomed again, the courts promise of law and order appealed to the Somali population regardless of their religious views. Under the leadership of the Supreme Council several courts were persuaded to contribute troops and equipment to a combined militia force of 400 members.³³⁷ The units managed to produce impressive results. In June 2006 the UIC defeated the warlords who had been reigning in Mogadishu. They restored peace for the first time in 15 years, an achievement that the warlords and the TFG had been unable to accomplish.³³⁸

4.4.1. The Rise of Extremism

The UIC had diverse membership and as Holzer Georg-Sebastian states it was difficult to label this new organization as either extremist or moderate. In the interim, evidence began to emerge of links between leading figures within the Courts and terrorist activity at home and abroad.³³⁹ Although the courts initially reflected the many different strains of Somali political

³³³ Holzer, G. S., Op. cit. p. 64

³³⁴ Seri, T., Op. cit. p. 64

³³⁵ International Crisis Group., Op. cit. p. 64

³³⁶ Barnes, C., & Hassan, H. (2007). The rise and fall of Mogadishu's Islamic Courts. *Journal of Eastern African Studies*, 1(2), 151-160. As cited in Mwangi, Oscar Gakuo., Op. cit.

³³⁷ Ibid

³³⁸ Ibid

³³⁹ International Crisis Group., Op. cit. p. 64

Islam, extremist elements gradually began to exert more control.³⁴⁰ More importantly, in 2004 and 2005 a jihadi militia, the *shahaab* (“youth”) was engaging in a ‘dirty war’ against Somalis they suspected to collaborate with the TFG, Ethiopia and/or the US in counter terrorist operations.³⁴¹

Under scrutiny for alleged links to international terrorism and human rights abuses (particularly the implementation of harsh Islamic hudud punishments), the UIC sought to establish international credibility.³⁴² Ethiopia and the US have remained skeptical about the Council which was further exacerbated when the Union appointed Sheikh Aweys who have been placed on sanctions list by the UN in 2001 with an alleged link to al-Qa’ida, as its leader. Several ex-ICU members regrouped in the former militant “youth” wing of the Courts Union, al-Shabaab, while others established the Alliance for the Re-Liberation of Somalia (ARS) headed by Sheikh Sharif Sheikh Ahmed.³⁴³ The Al-Shabaab, the elite militia of Islamic hardliners, began to dominate the courts’ decisions, placing the courts on a conflicting path with the TFG, which was dominated by the Darod clan and backed by Ethiopia.³⁴⁴

The establishment of the TFG in October 2004 came with the election of Abdullah Yusuf, who was well known for his anti-Islamist policy when he was governor of Puntland, as Interim President. Yusuf’s decision to bring troops from neighboring countries of Somalia including Ethiopia, as Holzer Georg-Sebastian notes, bought him widespread hatred both from the hardliners in the courts leadership but also from the majority of Somalis in the south of the country. In late 2006 Ethiopian troops entered Somalia to support the TFG. They used their superior military capacity to regain control in the south, reportedly killing hundreds of ICU militia.³⁴⁵ Subsequently, the ICU left Mogadishu on December 26 and the Ethiopian forces and the TFG occupied the capital on December 28.

In early 2007, the insurgency launched numerous attacks on Mogadishu, targeting government officials, military bases and police stations. They also achieved significant territorial gains and

³⁴⁰ Mwangi, Oscar Gakuo., Op. cit. p. 64

³⁴¹ Holzer, G. S., Op. cit. p. 64

³⁴² Seri, T., Op. cit. p. 64

³⁴³ Ibid

³⁴⁴ Mwangi, Oscar Gakuo., Op. cit. p. 64

³⁴⁵ Seri, T., Op. cit. p. 64

by February 2007 the armed insurgency controlled a number of districts in Mogadishu and was taking over large swathes of Southern Somalia.³⁴⁶

4.5. The African Union Mission in Somalia (AMISOM)

Following a Report of the Chairperson of the Commission on the situation in Somalia and the evaluation and recommendations of the AU Military Staff Committee,³⁴⁷ the AU's Peace and Security Council on 19 January 2007 decided on the deployment of AMISOM. On 20th February 2007, the United Nations Security Council authorized the African Union to deploy a peacekeeping mission with a mandate of six months, adopting resolution 1744(2007)13.³⁴⁸ AMISOM replaced IGASOM. IGAD's planned Peace Support Mission to Somalia (IGASOM) was UN Security Council authorized (through UNSCR 1725 (2006)), a protection and training mission in Somalia, which was never deployed,³⁴⁹ due to a lack of political will and capacity to deploy peacekeepers, the fact that IGAD's Charter did not have a provision for the deployment of such a mission and the absence of consensus among the various Somali factions.³⁵⁰ Originally IGASOM was proposed for immediate implementation in March 2005 to provide peacekeeping forces for the latest phase of the Somali Civil War. At that time, the Islamic Courts Union (ICU) had not yet taken control of Mogadishu, and most hopes for national unity lay with the Transitional Federal Government (TFG).³⁵¹

AMISOM is the third peacekeeping operation that has been launched by the AU.³⁵² It replaced the Ethiopian troops that had invaded Somalia at the invitation of the Transitional Federal Government (TFG) in order to defeat the Islamic courts which had taken over large parts of the country.³⁵³ The TFG represented a new hope for Somalia and it was supported by both Ethiopia,

³⁴⁶ Ibid

³⁴⁷ Murithi, T. (2009). The African Union's foray into peacekeeping: lessons from the hybrid mission in Darfur. *Journal of Peace, conflict and Development*, 14(2).

³⁴⁸ AMISOM Background: <http://amisom-au.org/amisom-background/> accessed on 3/22/16 at 1:550PM

³⁴⁹ Murithi, T. (2008). The African Union's evolving role in peace operations: the African Union Mission in Burundi, the African Union Mission in Sudan and the African Union Mission in Somalia. *African Security Studies*, 17(1), 69-82.

³⁵⁰ Rein, C. (2015). The EU and peacekeeping in Africa: the case of AMISOM. *Global Affairs*, 1(2), 193-204, DOI: 10.1080/23340460.2015.1036341

³⁵¹ AMISOM Background: <http://amisom-au.org/amisom-background/> accessed on 3/22/16 at 1:550PM

³⁵² Wiklund, C. H. (2013). The Role of the African Union Mission in Somalia. *Sweden: Swedish Defense Research Agency*.

³⁵³ Ibid

which had undermined previous attempts at forming a Somali government,³⁵⁴ and the United States. Both for different agendas, as Cecilia Hull Wiklund explains: Ethiopia saw the new interim president as an ally who would not be coming against her for Ogaden and the United States saw the fight of the TGF against the Somali Islamists as an important part in its fight against terrorism.

It started out as war fighting operation to a multidimensional operation.³⁵⁵ The aim of the peacekeeping mission was to support a national reconciliation congress and was requested a report within 60 days on a possible United Nations Peacekeeping Mission.³⁵⁶ However, the UN did not take over the mission, and over the years its mandate has expanded. Geographically, the mission started out protecting a few districts of Mogadishu but has since grown to cover the whole of south central Somalia. Militarily, AMISOM has expanded from an initial force of about 1,600 Ugandan troops to over 22,000.³⁵⁷

4.6. The Mandate of AMISOM

Since its deployment in 2007, the mandate of AMISOM has been changing. AMISOM's original mandate included supporting the TFG and its institutions in their efforts at stabilizing the country and advancing the process of dialogue and reconciliation, facilitating the provision of humanitarian assistance, and creating conditions that were conducive to long-term stability, reconstruction and development in Somalia.³⁵⁸ The Status of the Mission Agreement between the Transitional Federal Government of Somalia and the AU on AMISOM from 2007 serves as the basis of AMISOM's activities in Somalia.³⁵⁹

As Williams summarizes the range of the mandate of the mission throughout its nine years operation; AMISOM morphed from a VIP-protection operation – guarding the institutions of the Transitional Federal Government (TFG) and later conducting urban warfare against Al-Shabaab

³⁵⁴ Ibid

³⁵⁵ Interview with an anonymous AU Official from the Peace Support Operation Division on 12/04/2016

³⁵⁶ AMISOM Background: <http://amisom-au.org/amisom-background/> accessed on 3/22/16 at 1:550PM

³⁵⁷ Williams, P. D. and Hashi, Abdirashid (2016). Exit Strategy Challenges for AU Mission in Somalia. The Heritage Institute for Policy Studies, Mogadishu, Somalia.

³⁵⁸ Wiklund, C. H., Op. cit. p. 64

³⁵⁹ Rein, C., Op. cit. p. 67

–into a broader counter-insurgency and stabilization campaign conducted across vast swathes of the countryside and many urban settlements.³⁶⁰ Currently the mission is mandated to:

1. Take all necessary measures, as appropriate, and in coordination with the Somalia National Defense and Public Safety Institutions, to reduce the threat posed by al Shabaab and other armed opposition groups.
2. Assist in consolidating and expanding the control of the FGS over its national territory.
3. Assist the FGS in establishing conditions for effective and legitimate governance across Somalia, through support, as appropriate, in the areas of security, including the protection of Somali institutions and key infrastructure, governance, rule of law and delivery of basic services,
4. Provide, within its capabilities and as appropriate, technical and other support for the enhancement of the capacity of the Somalia State institutions, particularly the National Defense, Public Safety and Public Service Institutions.
5. Support the FGS in establishing the required institutions and conducive conditions for the conduct of free, fair and transparent elections by 2016, in accordance with the Provisional Constitution,
6. Liaise with humanitarian actors and facilitate, as may be required and within its capabilities, humanitarian assistance in Somalia, as well as the resettlement of internally displaced persons and the return of refugees.
7. Facilitate coordinated support by relevant AU institutions and structures towards the stabilization and reconstruction of Somalia.
8. Provide protection to AU and UN personnel, installations and equipment, including the right of self-defense.³⁶¹

Overall, there are five components of AMISOM, which are related to the domains of civilian, humanitarian, maritime, military and police.³⁶² As Rein C. explains, the civilian domain is tasked with re-establishing functioning state institutions and delivering services to the Somali people. On the other hand the AMISOM's humanitarian role is restricted to facilitating the activities of UN agencies, such as the UN High Commissioner for Refugees (UNHCR) and the UN World

³⁶⁰Williams, P. D. (2016). AMISOM under Review. *The RUSI Journal*, 161(1), 40-49. DOI: 10.1080/03071847.2016.1152120

³⁶¹ AMISOM Mandate: <http://amisom-au.org/amisom-mandate/> accessed on 3/22/16 at 1:550PM

³⁶² Rein, C., Op. cit. p. 67

Food Programme (WFP) along with the non-governmental organization (NGO) community. The maritime component is responsible for the security of AMISOM and internal partners' vessels. Whereas the military; representing the largest component of the mission, is responsible for stabilizing the situation. In terms of police, a training package for the Somali Police Force has been developed with the long-term aim of transforming the police into a credible and effective organization that warrants national security.³⁶³ The military component is more influential than other components.³⁶⁴

4.7. AMISOM's Performance

As expected, the opinion on performance of AMISOM has been varied. On one hand, there are those who opine that the mission has made significant contributions in stabilizing the country; on the other hand, there are those who offer criticism of the mission.³⁶⁵ As per the 2013 report of the International Peace Support Training Centre in Kenya the security situation in Somalia has significantly changed since the inception of AMISOM. The report argues that, while the entire country has not been liberated yet and insecurity remains a great concern in many areas in Somalia; what has been achieved by AMISOM has begun to lay strong foundations for the restoration of peace and security.³⁶⁶ According to Hull, C., Svensson, E., & Axe, D. report on the mission; a lack of political will, a lack of resources among troop contributors and the hostile environment facing AMISOM in Mogadishu resulted in AMISOM remaining severely understaffed until 2012.³⁶⁷

Since 2007, AMISOM has been trying to stabilize Somalia against formidable odds – such as presence of transnational terrorists, lack of adequate personnel and equipments. To date, AMISOM has had significant, albeit limited, achievements in addressing insecurity in Somalia.³⁶⁸ By early 2010, despite remaining ill-equipped and severely under-staffed, AMISOM had managed to re-capture and secure a number of areas around Mogadishu where life was

³⁶³ Ibid

³⁶⁴ Interview with an Anonymous AU Official from the Peace Support Operation Division on 12/04/2016

³⁶⁵ Mark, Malan (1999). Whither Peacekeeping in Africa. Institute for Security Studies. As cited in Nduwimana, D., Op. cit.

³⁶⁶ Musau, Stephen (2013). Clans' and Clannism's Control over weak political institutions. ITPCM International Commentary

³⁶⁷ Hull, C., Svensson, E., & Axe, D. (2008). *African union mission in Somalia (AMISOM): exemplifying African Union peacekeeping challenges*. Defence Analysis, Swedish Defence Research Agency (FOI).

³⁶⁸ Mark, Malan., Op. cit. p. 70

relatively normal.³⁶⁹ This had in effect lead the government to extend its authority to Mogadishu and enhance its legitimacy by delivering services to its residents. Since the recapture of Mogadishu, AMISOM has been on the offensive, leading to a series of defeats for al-Shabaab, progressively reducing the size of its quasi-state in southern and central Somalia.³⁷⁰ This was followed by the control of the port city of Kismayo by AMISOM in 2011. Kismayo, that had been a major source of funds for al-Shabaab, was its last urban stronghold.³⁷¹

Since 2012, as Wiklund C. H point out in a report, a number of improvements have taken place in Somalia.³⁷² The maintenance of the TFG in power in addition to the liberation of Mogadishu from Al – Shabaab in 2012 is considered the most fundamental factor in making the political space needed to further the political roadmap.³⁷³

After operating for 21 years without a central government and following the stabilizing of the security situation, Somalia saw the launch of a new interim Constitution, the inauguration of a new Federal Parliament, and the swearing in of Mr Hassan Sheikh Mohamud as President of the Federal Republic of Somalia on September 10, 2012. These political and security developments are considered as milestones in the stabilization of the country and have created hope that they herald the beginning of a broader political process that will involve and embrace all the Somali population.³⁷⁴

The positive developments in Somalia have led some observers to label AMISOM as a peacekeeping success.³⁷⁵ Staff within the AU have hailed AMISOM as a success for Africa, arguing that it is the first time that African forces have been used in an African intervention to enforce peace.³⁷⁶ “You and I cannot have gone to Somalia from 2007-2010. Today I have gone to Somalia more than 15 times; not just to Mogadishu but even gone to Baidoa which used to be the de facto capital of al-Shabaab.”³⁷⁷ But as my informant reiterated, this stability is not sustainable because of a number of challenges to the mission. In the absence of AMISOM, al-Shabaab would be in control of Mogadishu and we would not be talking about a new Somali

³⁶⁹ Wiklund, C. H., Op. cit. p. 67

³⁷⁰ Ibid

³⁷¹ Ibid

³⁷² Ibid

³⁷³ Komey, Osman and Melakedingel Nolawi (2013). Operationalizing African-led Solutions in Peace and Security: Case Studies from South Sudan and Somalia. Africa Peace and Security Programme, (APSP) African-led Solutions (AfSol) Research Project (Addis Ababa: IPSS).

³⁷⁴ Mark, Malan., Op. cit. p. 70

³⁷⁵ Ibid

³⁷⁶ Komey, Osman and Melakedingel Nolawi., Op. cit. p. 71

³⁷⁷ Interview with an Anonymous AU Official from the Peace Support Operation Division on 12/04/2016

national government with a President from civil society in charge, responded Berouk Mesfin from the ISS. But he also argued that this should not also cloud our judgment and make us forget the defects of the mission.³⁷⁸

Commenting on the way forward, my informant from the AU stated that:

If the state security institutions are weak there is no way one can have sustainable peace; there is a need for us to have a very serious conversation with the Somalis themselves on how they can build their own security institutions because Uganda will not be there forever. There is a need for us to build an exit strategy that is based on a very strong Somali Army. That is what would really boost progress in Somalia. We have made substantial security progress in Somalia but that needs to be supplemented with other forms of support. And until we do that, it will be difficult to say that we have attained our objective.³⁷⁹

For Vines A., through AMISOM, the AU has demonstrated that it is up to conducting a peacekeeping mission in a complex environment and that the biggest obstacle is not the decision to intervene, but the willingness of the majority of member states actually to commit resources.³⁸⁰ It is a reality that after AMISOM's launch, the AU was unable to secure adequate numbers of troops because the majority of AU member states viewed a peacekeeping mission in Somalia not only as too expensive and too risky, but also as unlikely to succeed.³⁸¹ But, despite a persistent shortage of funds and troops, "AMISOM has proven that an African peacekeeping mission can survive in the harshest of environments".³⁸²

4.8. Perceptions and Challenges of AMISOM

The mission is suffering from several shortcomings that range from public perception to operational and structural failures.³⁸³ AMISOM has demonstrated that there are a number of challenges associated with peace support operations.³⁸⁴ The first and foremost challenge faced by AMISOM is the perception of the Somali population and stakeholders towards it. The perception

³⁷⁸ Interview with Berouk Mesfin, Senior Researcher – Conflict Prevention and Risk Analysis at the Institute for Security Studies, Addis Ababa on 30/03/2016

³⁷⁹ Interview with an Anonymous AU Official from the Peace Support Operation Division on 12/04/2016

³⁸⁰ Vines, A. (2013). A decade of African peace and security architecture. *International Affairs*, 89(1), 89–109.

³⁸¹ Williams, P. D. (2009b). Into the Mogadishu maelstrom: The African Union mission in Somalia. *International Peacekeeping*, 16, 514–530.

³⁸² Kromah, L. (2010). The role of AMISOM's civilian component. *Conflict Trends*, 2, 21–27

³⁸³ Komey, Osman and Melakedingel Nolawi., *Op. cit.* p. 71

³⁸⁴ Interview with an anonymous AU Official from the Peace Support Operation Division on 12/04/2016

among the Somali activists and intellectual circles is such that the AU is experimenting with untested, ad hoc and in sourced approaches to establish and maintain stability, peace, and a functioning government.³⁸⁵ This has again been exacerbated by involvement of the frontline states, especially Ethiopia and Kenya in the mission.

These two states have repeatedly pursued counterproductive policies in Somalia that sought to retain their influence over local and national dynamics.³⁸⁶ As Arman Abukar argues the controversial implanting of Ethiopia and Kenya into AMISOM has changed its dynamic from a peacekeeping force into a political technical vehicle.³⁸⁷ And from the interest of the West, AMISOM was seen as being a tool of Western interests because of Washington's support for Ethiopia's campaign and because of a strong diplomatic push by the Bush administration to get African states to contribute troops to the mission,³⁸⁸ in the first deployment of the mission. Al-Shabaab has used the presence of non-Somali troops in Somalia to create disaffection among Somali population and in effect gain support as well as recruit followers among sections of the population.³⁸⁹

Other challenges to AMISOM include: the task of empowering and restructuring Somalia's National Security Forces (SNF), insufficient troop contribution to the mission, lack of management of disengaged fighters and sustained financing.

4.8.1. Slow Political Progress

AMISOM's most fundamental problem was that the process of constructing a federal state in Somalia not only failed to make sufficient progress, but sometimes actively generated conflict between the subsequent centers of power.³⁹⁰ The lack of acknowledgment for the legitimacy of the newly formed TFG by all stakeholders (Somaliland, Puntland and/or factions like that of al-Shabaab) which AMISOM was mandated to protect has been an obstacle for AMISOM to meet

³⁸⁵ Komey, Osman and Melakedingel Nolawi., Op. cit. p. 71

³⁸⁶ Williams, P. D. and Hashi, Abdirashid (2016). Exit Strategy Challenges for AU Mission in Somalia. The Heritage Institute for Policy Studies, Mogadishu, Somalia.

³⁸⁷ Arman, Abukar (2014). Somalia: 'African Solution' or Subjugation? Global Research, available at <http://www.globalresearch.ca/somalia-african-solution-or-subjugation/5382333>

³⁸⁸ Williams, P. D. (2009). AMISOM's Five Challenges. In *Africa Policy Forum* (Vol. 12).

³⁸⁹ Nduwimana, D. (2013). AMISOM in Somalia: A Ray of Hope. *Nairobi: International Peace Support Training Centre.*

³⁹⁰ Williams, P. D. (2016)., Op. cit. p. 69

its mandate. This notion was reinforced, as the TFG increasingly proved to be corrupt and weak, failing to achieve significant and timely progress on key transitional objectives.³⁹¹ AMISOM was mandated to support the federal government, but the mission had to operate in a context defined by the lack of an overarching political settlement setting out how Somalia should be governed and by whom.³⁹²

Williams, P. D in his article entitled “AMISOM under review” explains, the Federal System of Governance that has been set out in the country’s provisional constitution which was adopted in 2012, gave the way for the emergence of Interim Regional Administrations (IRAs). This has been a challenge to AMISOM. Williams argues;

- First it gave the mission an additional set of tasks related to providing security and logistical support at the numerous regional conferences and meetings across south-central Somalia that were part of the process of establishing the IRAs. The mission did this successfully, but it diverted resources from the offensives against Al-Shabaab.
- Second, it was notable that most of the influential players in the process of establishing the IRAs derived their power from clan affiliations rather than political parties or religious movement. This highlighted that Al-Shabaab was not the only security threat facing the FGS and AMISOM.
- Third, AMISOM’s mandate to support the federal government sometimes put it at odds with the local regional power brokers who saw the arrival of (primarily Hawiye) Somali National Army (SNA) troops in their neighborhood as distinctly hostile to their interests.
- Fourth the lack of political settlement and elite consensus made it impossible (for outsiders or insiders) to build an effective set of Somalia National Security Forces, or even to agree on what the overall security institutions should look like or what their role(s) should be. AMISOM was therefore left without an effective local security partner to fight Al-Shabaab while walking through the political minefield of forces established by the IRAs, other clan militias and additional armed groups such as Ahlu Sunna WalJamma’a.

³⁹¹ International Crisis Group. 2011. Somalia: The transitional government on life support. *Africa report No 170*, 21 February 2011. As cited in Wiklund, C. H., Op. cit. p. 67

³⁹² Williams, P. D. (2016), Op. cit. p. 69

- Finally, the failure to finalize the constitution and political infighting among Somali elites also took their toll on the plan to hold general elections in Somalia in 2016, and hence negatively affected AMISOM's planned exit strategy.³⁹³

4.8.2. Empowering and Restructuring Somalia's National Security Army (SNA)

Expanding the troop numbers of AMISOM cannot guarantee sustainable peace in Somalia but empowering the SNA does. The solution for the crisis in Somalia is building the capacity of the SNA.³⁹⁴ Effective operations against al-Shabaab clearly required good coordination between AMISOM and the SNA.³⁹⁵ AMISOM's exist strategy is being hindered by a lack of established Somali security forces to effectively fill in the gap left by AMISOM. Somali National Army has an average of 10,000 soldiers. AMISOM contributes about 540 police officers to support the policing functions of the mission and about 22,000 troops.³⁹⁶

AMISOM will have to evaluate how best to support the restructuring and empowerment of the Somali state's National Security Army (NSA).³⁹⁷ Neglect by AMISOM and the AU towards the importance of the Somali national army is revealed in the remuneration structure it administers. Somali troops organized and trained by AMISOM are financially disadvantaged; with their meager USD 100 salaries withheld for months.³⁹⁸ Financial pressures have in this case been blamed for numerous cases where soldiers resorted to robbery and other criminal practices to support their livelihoods.³⁹⁹

To date, international military assistance to Somalia has focused on mechanisms to strengthen AMISOM and its troop-contributing countries, rather than initiatives to support the NSA. While several countries in the region and some Western partners, including the European Union, have

³⁹³ Ibid

³⁹⁴ Interview with an anonymous AU Official from the Peace Support Operation Division on 12/04/2016

³⁹⁵ Williams, P. D. and Hashi, Abdirashid., Op. cit. p. 73

³⁹⁶ Fund AMISOM fully or deploy a UN mission, troops contributing countries warn the UN - <http://goobjoog.com/english/?p=25706> accessed on 4/13/2016 at 3:01 PM

³⁹⁷ Williams, P. D. (2012). AMISOM in transition: The future of the African Union Mission in Somalia. *RVI Briefing Paper*.

³⁹⁸ Komey, Osman and Melakedingel Nolawi., Op. cit. p. 71

³⁹⁹ Ibid

conducted training programs for Somali Security forces, but these were not coordinated and were relatively small in scale.⁴⁰⁰

AMISOM’s principal local partner, the Somali National Army (SNA), has not developed according to plan. Among the SNA’s most pressing problems are destructive clan dynamics; numerous technical and infrastructural limitations; and problems related to command and control and political leadership.⁴⁰¹ As clan loyalties tend to override loyalty to the national government, the recruitment of potential Somali troops presents problems that make the development of a credible National Security Force an unlikely eventuality, at least in the short term.⁴⁰²

4.8.3. AMISOM Troop Potency

The strength of AMISOM personnel stands now at 22,126. This includes both troops and police. Along with the current Force Headquarters staff of 81, the military component has 5,432 troops from Burundi, 1000 troops from Djibouti, 3,664 from Kenya, 850 from Sierra Leone, 4,395 from Ethiopia and 6,223 troops from Uganda.⁴⁰³

Box 1: AMISOM’s Major Troop and Police-Contributing Countries

Major Troop-Contributing Countries (arrived)	Major Police-Contributing Countries (arrived)
Uganda , March 2007 Burundi , December 2007 Djibouti , December 2011 Sierra Leone , April 2013 (withdrew December 2014) Kenya , June 2012 Ethiopia , January 2014	Uganda , August 2012 (Formed Police Unit) Nigeria , September 2012 (Formed Police Unit)

Source: The Heritage Institute for Policy Studies (HIPS), 2016

⁴⁰⁰ Williams, P. D., Op. cit.

⁴⁰¹ Williams, P. D. and Hashi, Abdirashid., Op. cit. p. 69

⁴⁰² Segui, Ramis N. (2013). The role of the African Union in Somalia: Where to go from here with the AMISOM peace operation? *The International Catalan Institute for Peace (ICIP). Policy Paper, No. 8.*

⁴⁰³ AMISOM frequently asked question - <http://amisom-au.org/frequently-asked-questions/> accessed on 1/19/ 2016 at 4:23 AM

A key challenge especially with regard to the Military component of AMISOM is the insufficient numbers of troops necessary to guarantee the stabilization of areas liberated from al-Shabaab and to continue with military offensive to root out all insurgency in the country.⁴⁰⁴ Most AU members lack the political will for participation in AMISOM. While they provide political support for unity within the AU, many do not fulfill pledges to provide contingents of peacekeepers for the operation.⁴⁰⁵

Through resolution 2232 the UNSC on July, 2015 has increased the number of troops deployed by AMISOM from 17,731 to 22,126. However, Berouk Mesfin – a senior researcher at ISS is of the view that this number is still too low to stabilize the whole of Somalia. He argued that the threat posed by al-Shabaab coupled with comparatively large size of Somalia; AMISOM would not be able to solve the problem of the country with such small number of troops.⁴⁰⁶ The recent AMISOM Summit held in Djibouti on Feb 27, 2016 also had troop strength at the core of its discussions. According to a statement released by AMISOM, the aim of the Djibouti summit was to seek ways to bolster troop operations and enhance the strength of the Somali National Army.⁴⁰⁷

Besides troop numbers, the other crucial problem AMISOM faces is lack of resources. After nearly nine years of operations, AMISOM continues to lack critical enablers and resources, including military helicopters as well as engineering, transportation and logistics capabilities that were authorized by the UN Security Council. It is an international embarrassment that peacekeepers are dying as a result of such neglect.⁴⁰⁸

The lack of military helicopters in particular has left AMISOM without the ability to strike al-Shabaab in depth. It enabled the militants to simply retreat before AMISOM's greater firepower, while retaining the luxury of freedom of

⁴⁰⁴ Nduwimana, D., Op. cit. p. 73

⁴⁰⁵ Mays, T. (2009). The African Union's African Mission in Somalia (AMISOM): Why did it successfully deploy following the failure of the IGAD Peace Support Mission to Somalia (IGASOM). *United Nations Peace Support Operations*

⁴⁰⁶ Interview with Berouk Mesfin, Senior Researcher – Conflict Prevention and Risk Analysis at the Institute for Security Studies, Addis Ababa on 30/03/2016

⁴⁰⁷ AMISOM summit: leaders agree to boost troops in Somalia:
http://www.newvision.co.ug/new_vision/news/1418232/amisom-summit-leaders-agree-boost-troops-somalia
accessed on 4/12/2016 at 5:03PM

⁴⁰⁸ Williams, P. D. and Hashi, Abdirashid., Op. cit. p. 69

movement. Hence, al-Shabaab remained able to target the new AMISOM/SNA bases at the time and place of their choosing.⁴⁰⁹

4.8.4. Management of Disengaged Fighters

AMISOM's lack of direction and capabilities hinders its ability to encourage defection of Al-Shabaab and rehabilitate former fighters.⁴¹⁰ AMISOM in collaboration with other partners has been developing strategies, policies and plans for the management of both the Captured and Voluntary Disengaged Fighters (CVDF).⁴¹¹ As Nduwimana Donatien states, these instruments have been presented to the FGS for adoption but, without corresponding provision of adequate financial resources, efforts to offer alternative livelihoods to former fighters are bound to fail.⁴¹²

One informant at the AU is of the view that if you do not have institutions there is no amount of policy documents that is going to make it work. His argument lies in the acknowledgment of the efforts of the AU. The AU has developed an SOP (Standard Operation Procedure) on handling disengaged fighters. When you have a disengaged fighter you pass him to the National Intelligence Security Agency (NISA). And NISA should process them in accordance with International humanitarian law.⁴¹³ But the effectiveness of this system is dependent on the strength of institutions which Somalia lacks at the time.

AMISOM has to decide how it can work with the Federal Government to encourage defections from al-Shabaab, and help fighters who have abandoned militias and armed factions make the transition into civilian livelihoods.⁴¹⁴ Failure to do so will result (has resulted) in making their disengagement only temporary, with disgruntled individuals reverting back to fighting and/or engaging in banditry and other forms of criminality.⁴¹⁵

⁴⁰⁹ Ibid

⁴¹⁰ Komey, Osman and Melakedingel Nolawi., Op. cit. p. 71

⁴¹¹ Nduwimana, D., Op. cit. p. 73

⁴¹² Ibid

⁴¹³ Interview with an anonymous AU Official from the Peace Support Operation Division on 12/04/2016

⁴¹⁴ Williams, P. D. (2012)., Op. cit.

⁴¹⁵ Williams, P. D. (2013). Dealing with disengaged fighters: the case of al-Shabaab. IPI Global Observatory.

4.8.5. Threats of al-Shabaab

AMISOM's offensive operations did make life more uncomfortable for Al-Shabaab: the insurgents lost several senior leaders and numerous towns and ports.⁴¹⁶ Although weakened, the insurgency is still able to conduct terror operations, not only in its areas of control but in Mogadishu, Kismaayo and elsewhere.⁴¹⁷ The loss of ports has made the insurgency look for alternative ways of generating financial resources from a narrower set of activities such as *zakat* (taxation), which was much more unpopular with locals than skimming profits from the illicit trades in charcoal and sugar.⁴¹⁸

Not playing down the achievement of AMISOM in liberating major cities from the grip of Al-Shabaab; the insurgency still presents a great deal of problems both for the mission as well as the citizens. As Williams put it; the AMISOM/SNA operations did not deal a major blow to Al-Shabaab's combat capabilities, particularly its Amniyat (clandestine intelligence) forces, its fighting vehicles ('technical's') as well as the Saleh Nabhan brigade and the new Abu Zubair battalion.⁴¹⁹

The latter reportedly conducted the assaults on the AMISOM bases in Leego and Janaale in June and September 2015 respectively, while the Nabhan brigade claimed responsibility for the attack on the El Adde base in January 2016. Nor did AMISOM's operations completely stop Al-Shabaab benefiting from the illicit trade in charcoal and sugar.⁴²⁰

In sum, Al-Shabaab has lost the political significance and numerous settlements it once held in Somalia, but it remains a deadly foe, able to conduct operations cheaply and effectively – in part because of its ability to infiltrate government forces, and in part because its freedom of movement enabled it to choose the time and place of its attacks against overstretched AMISOM and SNA forces.⁴²¹

⁴¹⁶ The 7054^h Meeting of the United Nations Security Council, New York, United States on 30 October 2013, communiqué.

⁴¹⁷ Williams, P. D. (2016)., Op. cit. p. 69

⁴¹⁸ Ibid

⁴¹⁹ Ibid

⁴²⁰ Williams, P. D. and Hashi, Abdirashid., Op. cit. p. 73

⁴²¹ Ibid

4.8.6. Financing

AMISOM is dependent on EU funding.⁴²² The lack of sustainable funding poses a serious challenge for AMISOM in terms of continuity of its operations, the provision of the required capabilities and logistical support.⁴²³ AMISOM receives variety of funds from variety of sources. The mission benefits from a UN logistical support package, bilateral donations, and voluntary contributions to a UN managed Trust Fund in Support of AMISOM.⁴²⁴ Without this support there is no AMISOM.⁴²⁵

First of all it is difficult for the AU to rely on these funds and secondly the support the EU provides is not adequate.⁴²⁶ The AU faces a challenge in managing and securing sustainable operational funding for the mission, as there are no guarantees that these funds will be intact throughout the mission's deployment. This has been a recent phenomenon as the EU, the major contributor to the mission, has cut funds by 20%. The recent summit of leaders from AMISOM's troop contributing countries in Djibouti on 28 February, 2016; has been one where the move of the EU has been criticized. The African Union (AU) has also criticized the EU's decision to cut funding for AMISOM at a time when it is entrenched in a deadly battle with terrorist militants.⁴²⁷

4.8.7. Command and Control

The forces in Somalia are not unified.⁴²⁸ Lack of centralized command and control of the mission is regarded both by researchers and practitioners as a major challenge to AMISOM. This has been coupled by in-adequate cooperation among the troop-contributing countries themselves, as well as with the headquarters.⁴²⁹ Williams P. D. also points out that there have been significant

⁴²² Interview with an Anonymous AU Official from the Peace Support Operation Division on 12/04/2016

⁴²³ Nduwimana, D., Op. cit. p. 73

⁴²⁴ AMISOM frequently asked question - <http://amisom-au.org/frequently-asked-questions/> accessed on 1/19/ 2016 at 4:23 AM

⁴²⁵ Interview with an Anonymous AU Official from the Peace Support Operation Division on 12/04/2016

⁴²⁶ Ibid

⁴²⁷ The African Unions Somalia Mission hit by EU funding cut - <http://www.euractiv.com/section/development-policy/news/african-union-s-somalia-mission-hit-by-eu-funding-cut/> accessed on 4/13/2016 at 2:43 PM

⁴²⁸ Interview with an Anonymous AU Official from the Peace Support Operation Division on 12/04/2016

⁴²⁹ Williams, P. D. (2016), Op. cit. p. 69

lapses in the command of particular bases, most notably the Ugandan forward operating base at Janaale, which was overrun by Al-Shabaab fighters on 1 September 2015.⁴³⁰

Every troop contributing country is doing its own operation and are not necessarily consulting each other.⁴³¹ Since late 2011, AMISOM has worked in parallel unilateral operations conducted by Ethiopia, Kenya, and the United States that took place outside of AMISOM's command and control. AMISOM had relatively little interaction with the large international coalition that assembled off the coast of Somalia from late 2008 to fight piracy.⁴³² As one senior AMISOM commander states, AMISOM's force headquarters had command but no control over its national contingents in the regional sectors,⁴³³ the implication of this for AMISOM's ability to fulfill its mandate – the stabilization of Somalia and the training of its national army – are under considered.⁴³⁴

4.9. AMISOM: Funding and Agenda Setting

4.9.1. Funding

The Communiqué of the 69th meeting of the Peace and Security Council on January 17, 2007, that authorized the deployment of the AMISOM mission to Somalia, stated that the concept of logistic support for AMISOM shall be based on the model of the African Union Mission in Burundi (AMIB).⁴³⁵ This effectively meant that⁴³⁶ the AU Commission would mobilize logistical support for the Troop Contributing Countries (TCCs), as well as, funding from AU member states and partners to ensure that TCCs are reimbursed for the costs incurred in the course of their deployment, based on AU practice".⁴³⁷

The extant arrangement, in theory, as Bruton, B. E., & Williams, P. D. explain was that:

⁴³⁰ Ibid

⁴³¹ Interview with an Anonymous AU Official (3) from the Peace Support Operation Division on 12/04/2016

⁴³² Williams, P. D. and Hashi, Abdirashid., Op. cit. p. 73

⁴³³ Ibid

⁴³⁴ Albrecht, P., & Haenlein, C. (2016). Fragmented Peacekeeping: The African Union in Somalia. *The RUSI Journal*, 161(1): 50-61.

⁴³⁵ African Union Peace and Security Council, *Communique of the 69th Meeting of the Peace and Security Council*, PSC/PR/Comm(LXIX), 19 January 2007, Addis Ababa, Ethiopia, paragraph 9

⁴³⁶ Murithi, T., Op. cit.

⁴³⁷ African Union Peace and Security Council, *Communique of the 69th Meeting of the Peace and Security Council*, PSC/PR/Comm(LXIX), 19 January 2007, Addis Ababa, Ethiopia, paragraph 9

AU member-state troop contributors would bear the costs of the operation for the first three months, after which, within the space of six months, the AU would refund them and then cover the costs of the operation.⁴³⁸ However, this system did not work in practice due to the AU Peace Fund's failure to function as designed, and the costs fell solely on the contributing states, supported by bilateral donors, primarily the US, UK and France.⁴³⁹

As a result the AU force has always relied upon a range of international partnerships in order to function. The troop-contributing countries have relied on external security assistance programs to train, deploy, equip and sustain their forces in Somalia.⁴⁴⁰ This system was unsustainable and the mission came to rely on international support, which emerged from a number of sources.⁴⁴¹

AMISOM receives funding through the UN logistical support package, the EU Africa Peace Facility (APF), *the UN Trust Fund for AMISOM* and through bilateral support. Security Council Resolution 1863 (2009) called for a UN Trust Fund to be established to finance support for the African Union Mission to Somalia (AMISOM) and to assist in the re-establishment, training and retention of Somali security forces in order to enable them to fulfill the role foreseen for them in the Djibouti Agreement.⁴⁴² This has led to the establishment of the UN Support Office to AMISOM (UNSOA) through which the UN provides logistical support to the mission. Between 2009 and 2014, the UN has allocated over US\$1.5 billion to UNSOA's budget.⁴⁴³

Approximately 75% of the EU funds are used for troop allowances, whereas the majority of UN funding is used for food rations, fuel and transportation. The majority of US funding is used for training, weaponry and vehicles.⁴⁴⁴ The EU's African Peace Facility (APF) provides crucial and targeted financial support to the African Peace and Security Architecture (APSA) to address jointly defined peace and security priorities.⁴⁴⁵ Initially the APF's budget was set to be €750

⁴³⁸ Protocol Relating to the Establishment of the Peace and Security Council of the African Union (2002). As cited in Albrecht, Peter, and Cathy Haenlein., Op. cit.

⁴³⁹ Bruton, B. E., & Williams, P. D. (2014). *Counterinsurgency in Somalia: Lessons Learned from the African Union Mission in Somalia, 2007-2013* (No. JSOU-14-5). Joint Special Operations Univ Macdill AFB FL. As cited in Albrecht, Peter, and Cathy Haenlein., Op. cit.

⁴⁴⁰ Williams, P. D. and Hashi, Abdirashid., Op. cit. p. 73

⁴⁴¹ Albrecht, P., & Haenlein, C., Op. cit. p. 81

⁴⁴² United Nations Political Office for Somalia, Trust Funds – <http://unpos.unmissions.org/Default.aspx?tabid=9740&language=en-US> accessed on 4/13/2016 at 1:15PM

⁴⁴³ Albrecht, P., & Haenlein, C., Op. cit. p. 81

⁴⁴⁴ Rein, C., Op. cit. p. 67

⁴⁴⁵ Ibid

million for 2014-2020 but as the financial needs of AMISOM is constantly increasing; the budget has been increased to €900 million by the EU. But there will still be an additional €710 million required to fund further needs until the end of 2018. AMISOM is currently consuming more than 85% of the overall APF resources.⁴⁴⁶

As of 31 December 2014, €793 million has been contracted and €721 million has been paid for AMISOM.⁴⁴⁷ As Rein C. explains the costs covered by the EU contribution are allowances, operational running costs, transportation, medical expenses, housing, fuel and communication equipment, while other costs of the mission are covered either by the UN or bilateral donors.⁴⁴⁸ The AMISOM soldiers are paid by their national governments, which received €1.08 billion in stipends and allowances from the EU's African Peace Facility (APF) since March 2007.⁴⁴⁹

4.9.2. Agenda Setting

Without the support of the donors, the AU's African Peace and Security Architecture as a whole would not have been operational. The AU is heavily dependent on funds in particular from the UN, the EU, the United States, the UK, Germany, France, Canada, China, Scandinavian countries and other donors to build its conflict prevention, management and resolution capacities.⁴⁵⁰ The downside of this is that donors are the ones who have drawn up roadmaps for setting up key institutions and determined which aspects of the peace and security agenda are to be implemented.⁴⁵¹ In the words of an anonymous source in the African Union Commission Peace and Security Department, the notion of AfSol is lost the minute we go to the partners for funds. As long as the partners have been engaged with this activity, they will come up with their own conditions saying we will support this activity but not this one. Whether we at the AU see as the right track to solve this issue, they come up with pre-conditions saying we cannot fund through that direction but through this one.⁴⁵²

⁴⁴⁶ Ibid

⁴⁴⁷ Ibid

⁴⁴⁸ Ibid

⁴⁴⁹ The African Union's Somalia Mission hit by EU funding cut -

<http://www.euractiv.com/section/development-policy/news/african-union-s-somalia-mission-hit-by-eu-funding-cut/>
accessed on 4/13/2016 at 2:43 PM

⁴⁵⁰ Okumu, W. (2009). The African Union: Pitfalls and Prospects for Uniting Africa. *Journal of International Affairs*, 93-111.

⁴⁵¹ Ibid

⁴⁵² Interview with an Anonymous AU Official from the Peace Support Operation Division on 12/04/2016

The AU is trying increasingly to develop its own system so that it creates its own agenda in peace support missions. In the case of AMISOM it has been quite difficult for the AU to set its own agenda because it doesn't pay for the operation. We continue to have other influential states playing the lead. The UK is the pen holder in Somalia.⁴⁵³

Outsourcing the agenda setting will subsequently lead to inadequate peace building and conflict resolution approaches that fail to take into consideration the local context. In the case of Somalia, Segui Ramis N. states that the international-led approaches to peace building have so far neglected local Somali governing methods, traditions and experiences of controlling and managing security.⁴⁵⁴ This lack of understanding of local initiatives in dealing with security can undermine the building of a legitimate and effective security strategy.⁴⁵⁵

The lack of sustainable funding, which has entailed a high dependence on non-African resources, has had enormous implications for AMISOM's multiple levels of governance and has resulted in challenges regarding its ownership.⁴⁵⁶ We may have ideas; we understand better than all those external actors in terms of how to solve problems - but we are always stuck with the issue of funding, that's why we are conducting the interests of those who support the activities.⁴⁵⁷

4.10. AMISOM: an African Solutions to African Problems?

AU operations mostly rely upon external (non-African) assistance. This dependence undermines a core rhetorical tenet of the AU's approach to conflict management, namely African Solutions first. Despite significant activity, the AU still lacks sufficient funds, troops, police, material, strategic airlift capabilities (for both personnel and equipment), training facilities, management structures, and qualified staff to sustain even relatively small-scale peace operations.⁴⁵⁸ Many African states simply cannot afford to fund their own military interventions abroad.⁴⁵⁹ Due to

⁴⁵³ Ibid

⁴⁵⁴ Segui, Ramis N. (2013). The role of the African Union in Somalia: Where to go from here with the AMISOM peace operation? *The International Catalan Institute for Peace (ICIP). Policy Paper, No. 8*

⁴⁵⁵ Ibid

⁴⁵⁶ Ibid

⁴⁵⁷ Interview with an Anonymous AU Official (1) from the Peace and Security Department on 06/04/2016

⁴⁵⁸ Williams, P. D. (2011). *The African Union's conflict management capabilities*. New York, NY: Council on Foreign Relations.

⁴⁵⁹ Emmanuel, N. G. (2014). Help yourself: recent trends in African peacekeeping in Africa. *Air and Space Power Journal, 2014*(4th Quarter (Decemeber)).

these financial constraints, armed forces in the region cannot commit meaningfully to conflict management and resolution through military means without significant outside assistance.⁴⁶⁰

In the words of Okumu W., Nkrumah very thoughtfully designed a strategy that would ensure that foreign interests do not undermine African self-rule and self-pacification.⁴⁶¹ This could be said to be the foundation of "African Solutions to African Problems," the premise of which was to place the responsibility to protect the African people primarily in the hands of African leaders, states and institutions.⁴⁶² When one talks about funding and agenda setting; it is to mean no granting hand comes without a string attached. The involvement of Western states or other countries from Africa or elsewhere in Somalia entails a national interest that is to be perused by each country. Donor countries of AMISOM have their own agendas in Somalia for which their funds will be (have been) attached to.

Given the fact that the AU's 'Peace and Security Architecture' and its notion of 'African Solutions to African Problems' are meant to deal with inter-state and intra-state conflicts through prevention, intervention, humanitarian and reconstruction/development,⁴⁶³ AMISOM could be considered a result of these efforts. The mission was first initiated in the absence of international intervention in the ever escalating conflictual situation in Somalia that has endangered the country and also its neighbors; and the international community at large. The 1993 disaster in Somalia has lead to lending a deaf ear to the 1994 Rwandan genocide. The so-called "Africa fatigue" by the Western countries, both motivated and necessitated the continent's leaders to step-up and devise 'African Solutions to African Problems'.⁴⁶⁴ Indeed, it is in this context that the African Union (AU) has mandated a range of peacekeeping missions, among them, AU Mission in Somalia (AMISOM), to respond to the complex conflicts that have engulfed the continent.⁴⁶⁵

⁴⁶⁰ Juma, M., & Mengistu, A. (2002). *The Infrastructure of Peace in Africa: Assessing the Peace building Capacity of African Institutions*. New York: International Peace Academy.

⁴⁶¹ Okumu, W., Op. cit. p. 83

⁴⁶² High Level Panel, 22, paragraph 61. Ac cited in Okumu, W., Op. cit.

⁴⁶³ Komey, Osman and Melakedingel Nolawi., Op. cit. p. 71

⁴⁶⁴ Mark, Malan (1999). *Whither Peacekeeping in Africa*. Institute for Security Studies. As cited in Nduwimana, D., Op. cit. p. 73

⁴⁶⁵ Ibid

Based on the above, it would be sound to conclude that AMISOM was definitely initiated in the context of providing an African Solution to Somalia yet answering the question – is it practically an AfSol when the policies and agendas are imposed by donors on the mission? – will lead to a different conclusion as African Solutions are based on either ownership i.e. of being African-led or of being ‘working’ solutions rooted in African identity manifested in its culture, value and realities of societies. AMISOM’s agenda being set by non-Africans therefore makes the mission less of an African Solution. Or as Maphosa, S.B. notes the approach of ‘African Solutions to African Problems’ holds both conceptual and practical obstacles and limitations;⁴⁶⁶ AMISOM is one of other similar cases where this limitation has been signified.

⁴⁶⁶ Maphosa, S. B. (2016). Norm Revisionists, not Norm Breakers: The Emerging Multipolar Landscape of Peace Operations. African Institute of South Africa. Briefing No. 120

Chapter Five

Conclusions and Way Forward

In a quest to finding out whether the notion of ‘African Solutions to African Problems’ has a possibility of being more than rhetoric, the study has first tried to conceptualize the notion so that a more comprehensive and understandable idea is constructed about the concept at the initial stage. The peace and security framework of the continent has been shaped by historical incidents which the study has shown in brief but in a comprehensive way. These hisrtorical incidents have also in a way defined the institutional frameworks of the continental organizations Africa has seen till date. The OAU and latter the AU have been established to provide African Solutions to African Problems.

The vision and aspiration to provide African Solutions to African problems is one that has strong historical roots. The notion is an aggregate of what the continent has passed throughout its history. The experience of Slave Trade and Colonialism has shaped much of the continent’s history and has prompted the initiation of movements like that of Pan-Africanism and African Nationalism. These movements have foreseen the need for an African ownership and self determination in the early days of the slave trade and colonialism; and later at the end of the Cold War. Colonialism and the Cold War have shaped the African state system. Colonialism created the conditions for many of the ethnic grievances of the post independence era through arbitrarily drawn colonial boundaries and the Cold War, on the other hand, affected the African state system by prolonging destabilizing liberation wars and by creating military stalemates. The consciousness that was developed after independence and the end of the Cold War was the need for Africa to be responsible for keeping its own peace and security.

In the context of transforming the OAU to the AU the political ideal of African Solutions to African Problems has played a central role. Established with an overarching objective of creating an integrated, prosperous and peaceful Africa, driven by its own citizens; the AU recognizes the precondition for achieving this overarching goal is security and stability on the continent. The establishment of the African Peace and Security Architecture as an institutional mechanism tasked with carrying out the implementation of this Pan African ideal has been one important achievement of the AU. Further the establishment of the Peace and Security Council (PSC)

constituted a fundamental change in the focus of the AU that brought to the forefront the quest for peace and stability in Africa.

Throughout its engagement, the AU has maintained its drive for AfSol on the strong premise that solutions to the challenges at hand lie with the concerned people themselves. This struggle for maintaining African peace and security by Africans themselves has brought about the notion of African Solutions for African Problems. The AU is seeking to promote a paradigm shift in continental affairs. One fundamental shift is that the AU is endowed with the right to intervene in the internal affairs of its member states. Article 4(h) of the Constitutive Act provides for: 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 has been shown in this entire thesis African Solutions to African Problems is a noble idea that offers Africa a sustainable way out of the rampant peace and security plight that are hampering the progress of the continent in every aspect. The existing conflict in Somalia and the Libyan crisis of 2011 are both real tests for the initiative of AfSol and its operationalization as well as for the effectiveness and efficiency of the AU-APSA in establishing, managing and consolidating peace and security in Africa.

The Libyan crisis of 2011 has shown the kind of obstacles the AU would face in initial interventions in a crisis in promoting and implementing AfSol. AU's diplomatic engagement in Libya from the start has been one that envisaged a democratic transition of power by using mediation as a robust tool. Thus in the context of employing AfSol in the resolution of the crisis the AU saw the need to tackle the root causes so that sustainable peace is guaranteed in the country. Tackling the root causes was the aim of the AU roadmap; which would have avoided the power vacuum and chaos the country is experiencing at the moment. One cannot say the AU has failed when the organization did not even have the ownership of the crisis. It was not on the driving seat. The Libyan crisis has shown the kind of possible potential obstacles the Union would be facing in the future in providing home grown African solutions to conflicts in the continent. Foreign intervention has over-powered and completely clouded the involvement of the AU in the Libyan crisis. The fact that there was no harmony and cooperation between the member states and the Union is not one to be ignored but foreign takeover of the whole crisis weighs much more than the internal causes highlighted in chapter three of the thesis.

The AMISOM experience is one that has been hailed as a success story for the AU in the case of Somalia took the primary responsibility of maintaining peace and security when the international community had abandoned the country after the 1994 incidents in the country. Initially the mission was given a mandate to support the TFG and its institutions in their efforts at stabilizing the country and advancing the process of dialogue and reconciliation, and AMISOM was also mandated to facilitate the provision of humanitarian assistance, and creating conditions that were conducive to long-term stability, reconstruction and development in Somalia. The opinions with regard to the mission's performance vary but strictly examining it from the perspective of providing an African lead solution to the Somali crisis one needs to see the ownership of the mission. African ownership is there since troop contributing countries are all Africans and the mission is also under the umbrella of the AU. On the other hand AMISOM is almost entirely funded by external donors, which means AU does not entirely own the agenda setting of the mission. This undermines the crucial objective of African Solutions to African Problems.

Outsourcing the agenda setting will subsequently lead to inadequate peace building and conflict resolution approaches that ignore consideration of the local context. When one talks about funding and agenda setting; it means that no donor or aid comes without strings attached. The involvement of Western states or other countries from Africa or elsewhere in Somalia entails a national interest that is to be pursued by each country. Donor countries of AMISOM have their own agendas in Somalia for which their funds will be (have been) attached to. Therefore, AMISOM in mind, it would sound to conclude that even when the AU has taken matters in its own hand and tried to maintain peace and security in the continent by deploying peace keeping missions; full implementation of African Solutions is still hindered for the agenda comes where the money comes. One cannot say we are promoting the notion of AfSol when we depend almost entirely on foreign funding.

As apparent from the start Libya and Somalia are two extreme cases where the pan-African ideal of African Solutions to African Problems has seen a completely different level of success i.e. it has completely failed to materialize in one case and in the other instance it has seen some form of implementation. Libya has been a case in point where foreign intervention to secure national interest has clouded modest approaches to conflict resolutions centered in Africa itself. This shows potential future incidents where AU could face a problem in implementing AfSol where

national interest is intact. On the other hand Somalia is an instance where AfSol could be executed but the driving forces are still from outside. So is AfSol just rhetoric?

African Solutions to African Problems is not just a concept that has been developed overnight; rather it is one that has strong historical basis and one that is rationally constructed. The notion is still in the making but it would be unreasonable to regard it as mere rhetoric. The AU has assumed ownership in the Libyan crisis back in 2011 but it has been marginalized. On the other hand it has and still is assuming ownership in Somalia but it lacks financial strength. African Solutions to African Problems at the current institutional and financial strength and ability of the AU lack full implementation but this should not overlook the efforts and practical achievements gained by the Union and regard the notion as just ‘rhetoric’.

National interest is always going to be there. It is something that needs to be dealt with. The best way to deal with it is to have a collective, common African position. There should be a proper channel of achieving a common African position on certain issues and with this the continent can decrease the negative effect of National Interest. Political commitment of member states is as important as financial capacity in realizing AfSol on the ground. The perspective of my informant at the IPSS asserts that ‘May be AfSol will be AMISOM’. In explaining that he said – we don’t have an ideal model for AfSol but the one that is closer is AMISOM. AfSol at its current state is a work in progress; it needs more work to be done on the ground. Africans will set agendas and will be in the driving seat. The finance may come from outside but the agendas will be set in Africa by Africans. This is the approach being studied at the IPSS and one that is thought to be ‘the right approach’.

It is evident that some progress has been made in establishing institutional mechanisms at the AU in the peace and security realm, as the establishment of the PSC and APSA are concrete examples. Yet empowering these institutions and building up a strong leadership structure remains a predicament. Institutional progress both resource wise and ownership with regard to political commitment, needs to be developed in order to realize African Solutions to African Problems. African Solutions to African Problems should not just be labeled as an aspiration or rhetoric and be left alone; it is a notion that is a promising approach that could provide lasting solutions the peace and security issues that hinder Africa as a whole. The first thing that needs to be worked on is defining and structuring the concept. There should be a well thought model of

the concept that is applicable; at its current stage the concept is open for interpretations with a varying degree of understanding both by Africans and foreigners.

Ownership is the basis of the concept. Africans owning their own problem so that they can provide solutions that are rooted in the African culture and identity is one aspect of this ownership. On the other hand avoiding foreign intervention so that foreign interest does not overtake the effort of providing African centered solutions covers the other reason for the aspiration for ownership. The AU as a continental organization takes the leadership of institutionally leading the implementation of the notion. The study has shown the practical obstacles the organization is facing in promoting AfSol. African countries and heads of state are still not assuming the financial and political efforts of the continental organization i.e. the AU. The AU needs to institutionally develop APSA so that it could be capable to carry out its purpose of sustaining peace and security in the continent by providing African centered solutions.

The leadership at the AU needs to first of all come to a common understanding that promoting African Solutions to African Problems needs to be a political objective of the Union. And also member states need to work with the organization by discussing and forming a common understanding in a crisis situation so that there would be a common continental position to be promoted by the AU. The Union having one position and member states forming another would not in any way promote AfSol. Effective and efficient leadership that paves a sustainable way coupled with member state commitment to the Union both politically and financially are crucial for a successful promotion of AfSol.

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APPENDIX I

Open Interview Guiding Questions

AfSol

1. Who is an African and what do we mean by African Solutions to African Problems?
2. What are the purposes and motives behind employing AfSol? How can African Solutions contribute to peace and security?
3. What do you think are the pre-requisite for making AfSol politically and economically sound and practically applicable to real problems on different settings in Africa?
4. How do you see the relationship between the union's aspirations, experience and prospect to provide ASAP in the security realm?
5. What solutions are available to manage conflict within Africa?

Somalia – AMISOM

1. In terms of the continental drive to see a unified African ownership of solutions to African problems, and providing the AfSol concept as a homegrown and deployable tool; how do you evaluate AMISOM?
2. What do AMISOM's experiences to date say about the development of the AU's peace and security capability in the longer term?
3. Some argue that the mission lacks a clear road map and a deliverables framework complemented by technical, institutional and financial obligations. What do you say about that?
4. To what extent is AMISOM internally driven in terms of resource and agenda setting?
5. What do you think are the challenges to AMISOM?
6. With the mission financially and logistically reliant on Europe and the USA, the soldiers on the ground are seen by the public and to some extent by the government, as more of a physical manifestation of political presence by global powers. What does this say about the mission being an African Solution to African Problems?
7. What lessons can be learnt from AU's almost eight years involvement in Somalia?

Libya

1. What are the causes for the Union's failure for intervention in Libya in the context of employing AfSol?
 2. UNSC Resolution 1973 is seen by many as the official document that allowed for the marginalization of the AU. And yet three non-permanent African members of the UNSC have voted in support of it. If this resolution has been voted against by one of them it wouldn't have been passed.
 - In his letter the late Chairperson, Jean Ping, stated that "African members of the SC (Nigeria, SA and Gabon) supported resolution 1973 driven by a genuine commitment to protect civilians in Libya" (acknowledging that if one of them have had abstained the resolution would not have been passed). Doesn't this mean that the AU found foreign intervention or support for the Union necessary?
 - What does this illustrate to the strategic coordination between the AU commission and these countries?? In so far as protecting the AU's already crafted position on Libya in the context of AfSol
 3. With the Libyan crisis in mind, can you please comment on the feasibility and attainability of AfSol in the security realm in the AU context?
 4. If the union was to strongly intervene in Libya, it would have had to use the ASF. Besides the issue of it being marginalized and seeing the issue from the institutional capacity point of view; did the union fail to intervene because the ASF could not have been materialized in the Libyan case? Or why do you think the AU shunned military intervention in Libya?
 5. Has the issue of financial capacity, in any way, affected intervention in Libya?
- ❖ As a whole what do you think are the preconditions and necessary institutional prerequisites in AU making a convincing basis to fully transform the concept of AfSol into a viable, detailed, and African-empowered approach to solving African conflicts?

APPENDIX II

List of Interviewee

At the AU

Interview 1: 07/04/2016, with anonymous official at the AU Peace and Security Department

Interview 2: 12/04/2016, with anonymous official at the AU Peace Support Operations Division

Interview 3: 24/02/2016, with anonymous official at the AU Peace and Security Department

ISS

Interview 4: 30/03/2016, with Berouk Mesfin, Senior Researcher – Conflict Prevention and Risk Analysis at the Institute for Security Studies, Addis Ababa

Interview 5: 1/04/2016, with anonymous Researcher – Conflict Prevention and Risk Analysis at the Institute for Security Studies (ISS), Addis Ababa

IPSS

Interview 6: 4/5/2016, with anonymous Researcher – at the IPSS

Declaration

I, the undersigned, declare that this thesis is my original work and has not been presented for a degree in any other university, and that all sources of materials used for the thesis have been duly acknowledged.

Bethelehem Engida

July 2016

This thesis is submitted for examination with my approval as an advisor of the candidate.

Prof. K. Mathews

July 2016