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PEACE KEEPING OPERATIONS: A COMPARATIVE PERSPECTIVE BETWEEN AFRICAN UNION AND UNITED NATIONS

AUTHORED BY - ANWESHA PATI

Abstract

Peacekeeping operations are a viable mechanism to counter instability and establish peace and security in nations ravaged by war and internal conflict. However such operations are never an easy task to accomplish as they are dependent on a multitude of factors like a strong mandate, adequate resources, proper funding and effective coordination between nations. Although the United Nations has always been the torchbearer for such operations, its stint in the African continent has been more of a failure than success – partly because of the regional factors at play. Fortunately these debacles have paved the way for a new partnership between the UN and African Union, where both the organizations are jointly involved in restoring international peace and security. It has also become clear that regional bodies are more adept in handling their internal conflicts, but at the same time plagued by their own shortcomings. This article analyses the nature of peacekeeping operations under the UN and AU. It sheds light on the challenges that affect the effective implementation of such operations and finally discussing what should be the way forward in making these peace keeping operations a success and helping the AU emerge as a key player in the resolving regional disputes.

I. INTRODUCTION

The concept of peacekeeping has been a mechanism for the United Nations to maintain international peace and security for years since its establishment, although it does not have a direct mention in the Charter. Peacekeeping operations(herein after PKOs) have been defined as “the coordinated presence of military, police and civilian personnel responsible for a wider range of task such as humanitarian assistance, policing, human rights and electoral monitoring, social

and economic rehabilitation and reconstruction.”¹In the beginning, peacekeeping operations followed a traditional model which involved deploying of military forces in conflict- torn countries tasked to bring about a ceasefire and enable the culmination of a settlement between the warring parties. The United Nations paper on Peacekeeping Operations Guidelines and Principles states that the main objectives of such operations was –

- a) Observation, monitoring and reporting – using static posts, patrols, over- flights or other technical means, with the agreement of the parties²
- b) Supervision of ceasefire and support to verification mechanisms³
- c) Interposition as buffer and confidence- building mechanism.⁴

These supervision tasks were carried out to observe at the ground level that the cease fire is respected and strictly adhered to, which would in turn ensure that the warring parties did not get involved in further conflict. However gradually after the Cold War these peacekeeping operations have evolved considerably and taken the shape of multidimensional peacekeeping wherein military forces are greatly involved in bringing about lasting peace in countries facing violent internal armed conflict and to stabilise the situation. Multidimensional peacekeeping involves - (a) creating a secure and stable environment while strengthening the state’s ability to provide security⁵ (b) facilitating the political process by promoting dialogue and reconciliation and supporting the establishment of legitimate and effective institution of governance⁶ (c) providing a framework for ensuring that all United Nations and other international actors pursue their activities at the country level in a coherent and coordinated manner.⁷

Multidimensional peacekeeping is particularly more difficult than the traditional model because it not only caters to observation and supervision but also entails the successful establishment of a legitimate government which can take over the administration of the country. In most situations where such operations are deployed, there are cases of displacement, human rights violations,

¹ Solomn Agada, *The Challenges of United Nations Peacekeeping Operations in Africa: A Case study of Somalia*(2008), <https://media.peaceopstraining.org/thesis/agada.pdf&vex>.

² . United Nations Peacekeeping Operations: Principles and Guidelines (2008) <https://peacekeeping.in.org/en/what-is-peacekeeping>.

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*

⁶ *Ibid.*

⁷ *Ibid.*

discrimination on the grounds of religion, ethnicity. Hence such operations are tasked with the responsibility to provide assistance to the various organisations working side by side the United Nations in establishing peace in such countries and also the bodies at the national level, help in rebuilding the infrastructure for governance and protect the rights and interests of the people. In doing so, the peace keeping operations are given the power to assume the governance of the country temporarily, until a stable administrative framework is established which can take over the governance. In addition, as the chief sufferers of such conflicts are mainly civilians, peacekeeping operations have to devolve a strategic agenda between the military, police and the other organisations involved in such operations so as to resolve conflict and at the same time enable the rehabilitation of civilians into their normal life.

II. THE NATURE OF UN PKOs

The legitimacy of peace keeping operations under the United Nations can be found under Chapter VI of the UN Charter. The troops for such operation are deployed after the Security Council has adopted a resolution to that effect and the budget for the PKO is sanctioned by the UN General Assembly. These PKOs are built on the principle of trinity:

1. Consent of the parties to the conflict
2. Impartiality
3. Non- use of force except in defence.

Consent means that the parties to the conflict agree to the presence of troops to give effect to the peacekeeping operations and help them achieve stability. This is necessary because lack of consent can end up defeating the purpose for which the PKO was deployed and the PKO can itself become embroiled with parties which can lead to use of enforcement action.⁸ Further, it is also important that the consent of the parties is present throughout the peace keeping operation and any revocation of such consent is again likely to jeopardise the main objective of the mandate.⁹ For this reason, it is important to gain the trust of the local population and “have a thorough understanding of the history and prevailing customs and culture as well as the capacity to assess the evolving interests and motivation of the parties.”¹⁰ Sometimes it may happen that

⁸ *Supra* note 2.

⁹ *Ibid.*

¹⁰ *Ibid.*

consent for peacekeeping is not given freely or involves subjugating to pressure at the international level, in such cases there is a clear possibility of withdrawal of consent later on. Also it may happen that lack of unity among the main parties to the conflict due to their internal differences or presence of belligerent groups makes the consensual process more difficult. Thus a peacekeeping operation must have the adequate resources to ensure that consent is maintained and try to mitigate situations which may arise in the course so that mandate can be fulfilled.

The second aspect of a PKO involves impartiality. Impartiality means that the peace keepers should treat both the parties to the conflict with equality and without bias. It has always been emphasized that the term impartiality should not be confused with neutrality.¹¹ Impartiality does not mean that any action that is contrary to the objectives of the mandate shall be allowed and peace keepers should not stop themselves from taking measures against those that try to violate the cause of the mandate. Also in the process of maintaining impartiality care should be taken to ensure that even if any action is taken for violation of the mandate, such action should entail transparency and the basis for such action should be explained. This will help reduce any kind of misunderstanding that may arise which can in turn effect the consent of the parties.

Lastly, peace keeping should be without use of force. However it allows use of force for defence purposes or in situations where it is evident that the mandate will be vitiated due to the activities of various armed groups who often operate to impede the peace keeping process.¹² The use of force can be applied only when it is authorized by the Security Council. The Security Council calls for the use of “robust mandate” and the “use of all necessary means” in order to combat a violent situation and to provide protection to civilians.¹³ However such use of force should be made only in situations of urgency, where other methods of suppressing the conflict have failed. Also while exercising such force it is very important that it is reasonable and not in excess of what is required so as to ensure that the consent of the parties remain uniform. Further the use of force must always be made after good amount of deliberations because it has a multidimensional impact on the mission.

¹¹ *Supra* note 2.

¹² *Ibid.*

¹³ *Ibid.*

III. PEACEKEEPING UNDER THE AFRICAN UNION

The Organisation of African Unity was established in 1963 which conducted small scale peacekeeping due to inadequate institutional capacity and the failure of the UN in combating the situation in Rwanda necessitated that a robust organisational structure should be built which can solve that problems of the African continent. Thus the African Union was born in 2002. The African Peace and Security Architecture was envisaged as a mechanism to deal with the various ongoing conflicts in different parts of the continent. The APSA consists of five organs namely the Peace and Security Council (PSC), the Panel of the Wise, The Continental Early Warning System, The African Stand by Force and the Peace Fund.

The PSC is the main decision making body with regard to the peacekeeping operations and is assisted by the other organs. It consists of 15 members who are elected on regional basis by the AU Executive Council.¹⁴ The PSC is responsible for “mounting and deployment of peace support operations and undertake preventive measures and support peace building and peace –making activities.”¹⁵ The Continental Early Warning System has the task of observing and analysing situations to determine the possibility of future conflicts and reporting the same to the Africa Commission. It has a Situation Room which acts as a centre for monitoring and relevant information gathered is communicated to the UN and other international organisations and the PSC to contemplate the recourse to be taken to prevent conflict. The Panel of the Wise consists of 5 members who are “highly respected African personalities from various segments of society who have made outstanding contributions to the cause of peace, security and development on the continent” with a task “to support the efforts of the Peace and Security Council and those of the Chairperson of the Commission, particularly in the area of conflict prevention.”¹⁶ The African Stand by Force is given the task of carrying out the operations of the peacekeeping as stipulated by the PSC. Article 11 of the African Constitutive Act from which the AU and its organs derive their power, states that “such force shall be composed of standby multidisciplinary contingents, with civilian and military components in their countries of origin and ready for rapid deployment at appropriate notice. For that purpose, the Member States shall take steps to establish standby contingents for participation in peace support missions decided on by the Peace and Security

¹⁴ Research Report Working Together for Peace and Security in Africa(2011),

<https://www.securitycouncilreport.org/research-report/lookup-c-glkwlemtisg-b-6769467.php>.

¹⁵ Africa’s Role in Nation- Building – An Examination of African led Peace Operations (2019),

<https://www.rand.org>pubsPDF>.

¹⁶ *Ibid.*

Council or intervention authorized by the Assembly.”¹⁷ Lastly, the Peace Fund as is evident from the name, has been designed to provide necessary financial support to the peacekeeping operations. In addition to this, there are several regional economic communities and mechanisms who are involved in assisting the PSC in achieving its mandate.

IV. AN ANALYSIS OF AFRICAN UNION- LED PKOs

One of the first peacekeeping missions embarked upon by the AU was in Burundi where there had been a long standing dispute between the majority Hutu population and the minority population of the Tutsis. The failure of the Arusha Accord to bring about peace in the region triggered the AU to launch a peacekeeping operation which involved “protection, demobilization, reintegration of combatants.”¹⁸ The operations in Burundi have been considered to be one of the biggest successes of the AU. AU troops played a significant role in stabilizing the situation, providing a safe environment for return of expatriate leaders who could take part in the establishment of new government and ensuring that ceasefire was brought about which would be adhered to. Even though the AU mission in Burundi is lauded for its success, it also helped in gathering experiences about the problems that the AU has to struggle through like delay in decision making regarding deployment of troops, lack of essential medicines and food and also the poor administrative capabilities of the AU which impacted the mission to a large extent.

The Democratic Republic Congo has been at the heart of conflict for a long time with dispute mainly between the government and the rebel groups which had ended up dragging the neighbouring countries like Uganda, Rwanda, Angola, Namibia and Zimbabwe into their matters.¹⁹ Thus in order to achieve a resolution of these conflicts the Lushaka Agreement was signed. This ensured that armed forces from these neighbouring countries receded making way for the UN peacekeepers to take over the operations of establishing ceasefire and ultimately promoting peace. The objectives of the UN mission in DRC was mainly to observe that the Lushaka Agreement was given effect and to take action for any act that was contrary to the provisions of the Agreement, to make the situations conducive for the conduct of transitional elections and also “to facilitate the process of disarmament, demobilisation, repatriation,

¹⁷ *Ibid.*

¹⁸ Professor Chika Njideka Oguonu, *African Union and Conflict Resolution in Africa*, 5:27 MEDITERRANEAN JOURNAL OF SOCIAL SCIENCE, 325(2014).

¹⁹ *Ibid.*

resettlement and reintegration (DDRRR) of armed militants.”²⁰The role of the AU in assisting the UN in achieving its mandate is commendable. The efforts of AU to bring the countries together and using its negotiation skills to reach an agreement between the parties has helped immensely in restoring their trust and confidence and establish peace.

However the AU’s mission in Darfur and Somalia has not proved to be fruitful to a large extent as these countries continue to be entrapped in civil war. Since the Cold War, Somalia remains deeply involved in conflict and even though substantial efforts have been made both by the UN and AU alike, the situation has not improved. Peacekeeping missions in Somalia began in 1992 under the auspices of the UN. But it was forced to abandon the mission as it became uncontrollable. A second attempt was made by the AU forces to drive out the Islamic Courts Union, a militant group who are primarily responsible for all the conflict in Somalia.²¹ However till date the militant groups continue to operate and have not been completely eradicated. There is no certainty as to when the situations would stabilize and until then AU forces must be present to ensure safety and security of the civilians.

V. LIMITATIONS OF PKOs

Scholars have tried to discern the causes of success and failure of the UN peacekeeping operations and there is difference of opinion amongst them. By evaluating a number of peacekeeping operations, they have been able to identify certain common factors which account for the failure of such PKOs. Some of them are at the operational level and some at the strategic level.²² Factors like delay in the deployment of troops, inefficiency of the mandates, withdrawal of troop contributing countries, failure to manage the conflict at the root level seriously affects the efficacy of such operations. One of the most commonly cited factors for failure of PKOs is the delay in deployment of troops. For example, the conflict in Somalia which began in 1991, the UN had sanctioned a mandate to put into action a ceasefire in April 1992, but the troop deployment began not until August. Hence there can be seen a gross inadequacy in terms of the countries who are mainly responsible for contributing their troops to counter the immediateness of the situation.²³

²⁰ Ogunrotifa Ayodeji Bayo, *The Factors Behind Successes and Failures of United Nations Peacekeeping Missions: A Case of the Democratic Republic of Congo*, 3:4 JOURNAL OF ALTERNATIVE PERSPECTIVES IN SOCIAL SCIENCES, 914(2012).

²¹ *Supra* note 15.

²² A.K. Bardalai, *United Nations Peacekeeping Operations: Causes for Failure and Continuing Relevance*, 12:4 JOURNAL OF DEFENCE STUDIES, 5(2018)

²³ *Ibid.*

This particularly puts the mandate at stake because more the delay in deployment of troops, the more time the belligerents get to escalate the conflict. Sometimes it can have a snowballing effect on the conflict leading to a larger conflagration. The reason for delay is often placed on the slothful bureaucratic procedures which slow down deployment. Hence it is important that deployments should take place with immediate effect without the hesitation and diplomacy of the troop contributing countries who are often engrossed on determining what would serve their best interests.

Sometimes a weak mandate also leads to failure of the PKOs. A strong mandate is supposed to achieve the necessary ceasefire and establish peace between the conflicting parties. But a mandate which is weak makes such goals unachievable because it lacks the proper sanctions to enable the troops to manage the situation at the ground level. Hence proper care must be taken to ensure that a mandate which is robust enough to tackle the conflict is designed, otherwise it can vitiate the objective of the PKO. It is required that the mandate must clearly spell out the powers to be exercised by the troops and other authorities who are to remain involved in the peacekeeping so that there cannot be any room for discrepancy or arbitrariness.

Shortage of sufficient manpower to carry forward the mandate is also one of the reasons for failure of the PKOs. An analysis of a number of peacekeeping operations have demonstrated that despite the mandate having provisions of deploying certain number of troops to the conflict torn country, the actual number is significantly less thus accounting for the inadequacy to give full effect to the objectives of the mandate. Often the shortage in the manpower leads to non-fulfilment of the mandate like assisting the local administration with the governance, maintaining the ceasefire, catering to the interests of the civilians, demobilizing the belligerent groups and seizing the weapons. The tendency of the belligerent groups to back out from the peace accords is also one the cause for the peacekeeping operations failing to achieve success. As is evident that establishing a ceasefire through negotiations between the conflicting groups and making sure that the peace is observed is a potentially difficult task. Thus these belligerent groups often violate the provisions of the accord or give effect to only a part of it which impairs the peacekeeping and ultimately leads to withdrawal of the troops, which deteriorates the situation as the local population is left to struggle with the chaotic state the country is pushed into.

Failure to determine the cause of the conflict which is at the root is also one of the major causes

which effect a peacekeeping operation.²⁴ It is very necessary to analyse the reason for all the conflict and this involves looking more deeply into the actual causes, which are present at the subterranean level. A superficial determination of the causes often leads to dissatisfaction of the conflicting parties as it never results in satisfying the interests of both parties. Most of the times the causes are mainly religious factors, ethnical, cultural, longstanding boundary or land disputes. In addition to understanding the cause of the conflict it is equally important that steps to solve the conflict is taken or at least the mandate should have provisions to address the problem. Closely related to this issue is the problem that the troops who are involved with the peacekeeping operations have very little knowledge of the distinct culture and traditions of the African people which is fiercely guarded by them. An insensitive attitude to their culture only makes them more hostile towards these personnel. So it is very important the troops who are supposed to work at the ground level are prepped with adequate information about the sentimentalities of the population which help them to establish trust amongst the people which in turn will help in acquiring their cooperation. Lastly the reluctance of the developed countries in providing troops for the peacekeeping operations to some extent affects the mandate.²⁵ In several peacekeeping operations when the TCCs see that there is a threat to their personnel or they have faced attack from the belligerent groups, they are likely to withdraw their forces which creates a setback to the operation.²⁶

The African Union has been successful in bringing about peace in a number of operations undertaken by it. In many cases it has paved the way for establishing peace in many regions of Africa enabling the UN to take over these operations where the initial negotiations and ceasefire is brought about with the help of AU. However the AU suffers from a number of shortcomings too. The most predominant issue with the AU has been its financial instability. There is a serious dearth of funding from its member states which makes it extremely challenging for the AU to carry the operations effectively. The AU for these reasons has to heavily depend on the international community for the necessary financial support.²⁷ This drawback has the potential to affect the autonomy of the organisation as being financially dependent on other international organisation is likely that the AU will have difficulty in exercising its powers and functions independently in matters of strategy and the actual operation of these missions. Thus it will be

²⁴Supra note 22.

²⁵Ibid.

²⁶ Ibid.

²⁷ Arinze Ngwube, *The African union and its Conflict Resolution Apparatus*, 2:8 ARABIAN JOURNAL OF BUSINESS AND MANAGEMENT REVIEW, 33(2013).

likely that due to improper planning and a tug of war between the organisations regarding decision making related to the operations, there will be an impact on the mandate. Another major issue is that a majority of the African nations are embroiled in war against each other which gives them very little scope to contribute in the peace making process. According to Issac Albert- “African Union will find it difficult to implement its peace programmes because African leaders are involved in the sponsoring of rebel activities against neighbour states.”²⁸ The persistent rivalry between the states itself is a blotch on the African community as it can never focus on making efforts to resolve the conflict, they are always busy pitting one against the other. One such example is the accusations brought up by Chad against Sudan that it has been harbouring militias and was helping them to disrupt the governance in their country. Similarly Sudan has also claimed that Chad has been using its territory to build an army with the intention to overthrow the government and cripple it. The Human Rights Watch has reported that close to 4,700 boys have been abducted from the refugee camps under United Nations in Chad by the Sudanese Liberation Army to be employed in the rebel groups who are working against the Chadian government.²⁹ It is also reported that Sudan has time and again supported the Chadian rebel groups in overthrowing the government.³⁰ Despite peace accords being signed between the countries that there shall be no interference in the internal affairs, they have openly violated them and refused to comply with the provisions thereby making peace keeping a distant reality.

Another issue that is questioned is the efficacy of the PSC in handling the peacekeeping operations. The complicated nature of the peace and security architecture is highly criticised by the fact that a continent which is ravaged by poverty should have gone for a simpler setup for the organisation. A part of the inefficiency of the AU arises from its offices which are still in the developmental stages and do not have operational means to ensure that peacekeeping is effectively carried out.

VI. NECESSARY REFORMS

In the wake of the problems faced by the AU while conducting the peacekeeping operations it is necessary to bring strategic changes in the way it functions and conducts the PKOs. It is important that the AU must upgrade its peace and security architecture which will help in better

²⁸ Isaac Albert, *The Africa Union and Conflict Management*, XXX11 (1) COUNCIL FOR THE DEVELOPMENT FOR SOCIAL SCIENCE RESEARCH IN AFRICA, 57 (2007).

²⁹ *Ibid.*

³⁰ *Ibid.*

implementation of the mandate. Not only that, the AU must collect the past experiences from the various peacekeeping operations conducted by it and reassess its policy framework and at the same time its working which will enable it to successfully carry out peacekeeping. It is equally important that the complex relationship between the Regional Economic Communities (REC) and the AU must be revisited to ensure clarity.³¹ This is particularly required in light of the fact that the subsidiary regional building block may not be the effective method to establish peace and security under every circumstances because each case of conflict requires a kind of approach that is suitable to that purpose.³² Often situations arise where the conflict has erupted on the border of two states and it becomes difficult for the REC to supplant the situation as the key stakeholders involved in the dispute are not party to the REC. In such situations it is incumbent upon the AU to step up and bring the matter under control. Therefore, it will be highly effective if the relationship shared between the AU and the REC is revised and to come up with a solid scheme where these two institutions can work hand in hand, as joint venture maintaining a synchrony in their working which will ultimately lead to better conflict management. Another important reform that the AU must focus is building its financial capacity. As it has been elaborated earlier, the AU suffers from serious financial crisis due to the member states not meeting their regular contributions to the institution. This requires that a robust mechanism to ensure that the member states fulfil their financial obligations should be built so that AU does not have to depend on the international community for its resources as this is likely to affect its autonomy in decision making. Further depending on other institutions for shouldering financial incapacity also entails that negotiations and deliberations need to be made *a priori*.³³ Hence only those organisations would extend their support where they find their interests are being served. In order to tackle this situation it should be necessary that the member states of the AU take their responsibilities seriously and contribute to the budget which will enable the AU to function more efficiently and at the same time it can be a partner at the global level in combating conflict.

The African continent has been a quagmire of various global issues like counterinsurgency, terrorism, transnational organised crimes,³⁴ exploitation of mineral resources by multinational companies³⁵ etc. The strategic relationship between the UN and AU has proved to be immensely fruitful in resolving such conflicts. The UN has to a great extent helped the AU in overcoming its

³¹C. De Coning & M Peter, *United Nations Peace Operations in a Changing Global Order*, 213-229, 2018.

³² *Ibid.*

³³ *Ibid.*

³⁴ *Supra* note 31.

³⁵ *Ibid.*

shortcomings by assisting it in peacekeeping through financial and operational support. A close analysis of the operations undertaken shows that the UN strategy is more suited and useful in strategizing the mandate whereas the AU is more suited to bring about the ceasefire and enforcement.³⁶ Thus both the organisations are capable of overcoming each other's flaw. This calls for a synergy between their strategies so that lasting peace can be established in these conflict torn countries. Hence the need of the hour is to design a framework to govern the relationship between the UN and AU so as to achieve the highest form of coordination and cooperation. It is required that each step of the strategy is clearly laid out and the functions of both UN and AU are assessed at the operational and strategic level by holding periodic meetings, discussing the guidelines, making assessments, developing goals to be achieved by each of them. Also it is important the specific approach to the transition period where AU forces withdraw and the mission is handed over to the UN troops must be developed in a systematic manner.

VII. CONCLUSION

After the rechristening of the OAU to AU, there can be seen a remarkable progress in its working and it is emerging as an effective organisation to resolve regional conflicts at the global level. The AU peacekeeping operations have been crucial since it acts as an enabler where the international community is made aware of the problems that are ensuing in the African Continent. Statistics show that the AU has emerged as one of the chief contributors of troops in various peacekeeping operations undertaken by the UN. As far as its shortcomings are concerned which mainly involves shortage of staff and ineffective planning, these issues can be overcome by carrying forward the partnership with the UN. The AU has become UN's preferred partner in settling disputes at the regional level and with the progress of time it has to capacity emerge as an independent organisation to further international peace and security.

³⁶*Supra* note 31.