

6-26-2009

## Making and Keeping the Peace: An Analysis of African Union Efficacy

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Making and Keeping the Peace: An Analysis of African Union Efficacy

by

Nicholas Temple

A thesis submitted in partial fulfillment  
of the requirements for the degree of  
Master of Arts  
Department of Government and International Affairs  
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Date of Approval:  
June 26, 2009

Keywords: Regionalism, Peacemaking, Peacekeeping, Darfur, Western Sahara

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# **Making and Keeping the Peace: An Analysis of African Union Efficacy**

**Nicholas Temple**

## **ABSTRACT**

The African Union (AU) has pledged to create a continent of peace and solidarity. However, dozens of socio-ethnic conflicts occur across the continent despite the AU's best efforts to prevent them. In this thesis, case studies of Darfur and Western Sahara were used to assess the efficacy of the AU in the realm of peacemaking and peacekeeping. Within each of these studies, AU impediments to peacemaking and peacekeeping on financial, political, and socio-cultural fronts were analyzed. The findings suggest that while socio-cultural conflict continues to proliferate, the AU has neither the financial resources nor the political clout to meet peacemaking and peacekeeping milestones. Furthermore, findings from this research suggest that conflict founded upon socio-cultural diversity undermines the very foundation of regionalism solidarity and therefore compromises the overall application of regionalism as a mechanism for peacekeeping. This in turn stymies the AU from becoming internationally respected for making and keeping the peace.

## **Chapter 1: Introduction**

Since decolonization of Africa, the power struggle within and between African governments has resulted in civil unrest and interstate warfare. These conflicts have been the target of peacemaking and peacekeeping initiatives of the Western powers, the United Nations (UN), and neighboring African states. The European Union (EU) has found regionalism to be a preventative solution to conflict. After two world wars, European states used economic interdependence and political integration to establish the EU as a forum to negotiate and mediate issues across a table instead of on a battlefield. With the success Europe has experienced in quelling violence and civil unrest through regionalism, many hope this interdependence of states through regional integration has may be a possible remedy for African turbulence.

This thesis seeks to evaluate the efficacy of Africa's response to regionalism, in particular the African Union (AU), and its peacemaking and peacekeeping efforts in Darfur and Western Sahara. It will examine questions stemming from three quintessential areas of AU peacemaking and peacekeeping: economical, political, and socio-cultural. Why is the AU having financial problems? If the purpose of peacekeeping is to broker peace through compromise between opposing parties, is it within the interest of member states

that are the subject to peacekeeping measures to contribute state funds to the AU Peace Fund? Why do Governments such as Sudan and Morocco object to the intervention of UN peacekeeping forces while inviting an AU peacekeeping mission? Is AU peacekeeping more acceptable because of its African origin, or is it because of its widespread record of lame-duck peacekeeping missions that offer little threat to the offending government? This study will attempt to address these questions within two case studies of Darfur and Western Sahara.

## **Methodology**

Through the use of primary sources such as UN and AU publications and secondary sources such as periodicals, books, articles, and newspapers, I will address the issue of AU peacemaking and peacekeeping efficacy by analyzing two case studies: the Darfur crisis and the Western Sahara stalemate. The analysis will focus on whether or not economic, political, and cultural factors have stymied AU peacemaking and peacekeeping efforts in these two distinct African regions.

## *Case Study Analysis*

The Darfur and Western Sahara conflicts were chosen for analysis due to their high level of AU involvement and therefore offer sufficient evidence of AU peacemaking and peacekeeping capabilities. Other crises, such as Congo and

Rwanda were subject to more outside peacemaking and peacekeeping assistance rather than driven by a high level of AU involvement. Furthermore, cases such as Liberia and Sierra Leone are more of an example of the peacekeeping efforts of sub-regional organizations such as the Economic Community of Western African States (ECOWAS). The Darfur and Western Sahara case studies, however, offer sufficient data for greater understanding of the AU peacemaking machine due to the AU's deep involvement in each of these conflicts. Moreover, the comparison of the two cases will offer a more balanced understanding of the AU's capacity for peacemaking and peacekeeping as a whole.

### *Conceptual Clarifications*

Understanding the difference between peacemaking and peacekeeping are integral to the evaluation of AU conflict resolution because the benchmarks towards peace outlined within each approach will be used as a measure for efficacy evaluation. Because this thesis will evaluate how effective the AU can meet the goals of peacemaking and peacekeeping, it is important to first define these and other terms for clarification and understanding.

Richmond (2002) defines *conflict* in a multilateral context wherein the definition involves the interjecting agendas of human rights, sovereignty, territory, self-determination, and identity that result in conflicting ethnic groups and nationalities. For the purposes of this thesis, conflict will be defined as *an*



*occurrence whereby two or more groups are engaged in a struggle founded on contradicting agendas.*

*Peacemaking* has been defined as the proactive intervention to encourage warring factions to settle their dispute (Conteh-Morgan, 2004). For the purposes of this study, peacemaking will be defined as *the use of both non-military and military interventions as a means to achieve cessation of open hostilities.*

*Peacekeeping* has been used as a blanket terminology to incorporate other approaches to used to achieve peace such as peace-building, peacemaking, peace enforcement, and preventative diplomacy (Conteh Morgan, 2002; Diehl, 1993). Peacekeeping has also been defined simply as the use of military intervention to *maintain* peace and prevent an increase in confrontation (Conteh-Morgan 2004). Kieh and Mukenge (2002) define the traditional peacekeeping approach as the use of military force and political pressure by a third party to maintain the peace achieved by the peacemaking process. Diehl (1993) has defined peacekeeping as “any international effort involving an operational component to promote the termination of armed conflict or the resolution of longstanding disputes” (p. 4), while Goulding (1993) defines it as a technique set up to help settle armed conflicts. Lastly, the UN Charter (October 1945) Chapter XII, Article 41 states, “The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions...”. For the purpose of this study, peacekeeping is defined as *the*

*act of maintaining and sustaining peace through the use of military intervention forces.*

*Mediation* is an international engagement where a third-party will convene at the negotiating table with warring parties and employ diplomatic methods to help both parties reach a peaceful resolution (Goulding, 1993). Wall, Stark, and Standifer (2001) agree with this definition that mediation is when a third-party intercedes between two opposing forces. However, they add that this third-party may or may not have the authority to compel an outcome of the warring parties. Taking these definitions into account, mediation in this thesis is defined as *the intercession of a third-party to facilitate the resumption of communication between two or more conflicting groups to achieve a resolution through compromise.*

In addition, *financial impediments* to peace are those obstacles, financial in nature, which obstruct the proliferation of peacekeeping endeavors. *Political impediments* are those hurdles peacekeepers face which stem from the use of rules, alliances, and other political devices to obstruct the progression of peacekeeping endeavors. *Socio-Cultural impediments* are obstacles born through circumstances that involve conflicting groups whereby the source of conflict is ethnic, cultural, or societal by nature.

Because this thesis evaluates how well the AU engages in peacemaking and peacekeeping, the dictionary defines the term *efficacy* as “the power to produce an effect” (Morehead & Morehead, 2009). Therefore, *AU efficacy* will be

defined as the *AU's ability to meet peacemaking and peacekeeping goals wherein peace is attained and sustained*. For the purposes of this thesis, the goals for peacemaking are,

- To halt hostilities through the attainment and continuance of ceasefire;

The goals for peacekeeping are;

- To bring warring parties to the negotiations table;
- To Facilitate negotiation whereby both parties are likely to maintain peaceful relations over time; and
- To maintain peace longevity amongst the populace.

## **Literature Review**

Peacekeeping as a general concept has evolved over time, incorporating a wide scope of approaches and philosophies over the course of the twentieth century through today.

### *Cold War to Post-Cold War: The Evolution of Peacekeeping*

During the Cold War, peacekeeping operations were quite simplified. Richmond (2002) states that the balance of power that is characteristic of the state-centered *Realpolitik* philosophy created a background for much of the UN peacekeeping policies. He states that this international backdrop lays the foundation for the first of three generations of peacekeeping. Because the first

generation is state-centered, it primarily focused upon a state-centered approach wherein a conflict is stifled by the efforts of an outside source and sought to maintain the balance of power through the maintenance of hostility cessation. Furthermore, Diehl (1993) covers several cases wherein the U.N. had many peacekeeping operations between 1955 and 1992 that obliged the peacekeepers to maintain the target of peacekeeping operations to reside at the state level.

The second generation flies in the face of the state-centrism of its predecessor. Since the end of the Cold War, there has been a shift in the peacekeeping paradigm from the use of force to intercede within conflicts to the use of conflict resolution methods (Bandura, 1982; Diehl, 1994; Wall and Druckman, 2003). The conflict resolution theories of the second generation according to Richmond (2002), are centered upon the individual and therefore stress that a peace agreement cannot be achieved until the consent and consideration of the rank-and-file is considered.

In response to this shift, three main approaches to obtaining peace have been developed. These new approaches, including peace enforcement, preventive diplomacy, and peace-building (Conteh-Morgan, 2004), offered a significant paradigm shift in peacekeeping methods. Because of the shift these peacekeeping approaches represent, they have been labeled as a “third generation” of peacekeeping by Richmond (2002). This change is marked by peacekeeping operations of the UN from a stance of “interposition” in which high-profile levels of mediation and negotiation exist, to that of “integrated and

multidimensional operations” marked by the peace enforcement operations for which the UN was later to be known (Richmond, 2002, p. 11). He states that this generation of peacekeeping “approaches [to] peace...signify the attempt to create an operational, normative, just, democratic fabric of mediation in and between civil societies” (Richmond, 2002, p. 11-12).

A closer look at peace enforcement will offer evidence of this paradigm shift. Peace enforcement is based on the access the peace enforcer has to the necessary material and personnel to encourage compliance of the disgruntled parties. The peace enforcer must be of a neutral party and they “must demonstrate...willingness to induce compliance from all of the parties to the conflict, without exception. [The willingness to induce compliance] is critical for establishing the enforcer’s credibility with both the disputants and the international community at large” (Kieh & Mukenge, 2002, p. 17). It is important for the peace enforcer to be knowledgeable of political, as well as social, economic, and cultural aspects of the conflicted region, as this knowledge is crucial to peace enforcement (Kieh & Mukenge, 2002). The recognition of these other aspects towards conflict demonstrates the major paradigm shift within peacekeeping as a whole.

Another addition to peacekeeping operations is the use of preventive diplomacy. Preventive diplomacy is the employment of diplomatic measures to arrest conflict before it can proliferate (Conteh-Morgan, 2004). Furthermore, Murray (2001) argues that much of conflict outburst stems from human rights

violations. She continues to add that if human rights violations were diplomatically addressed early, conflict could be preempted. Amnesty International (1998) agrees stating a clear link between the preservation of human rights and the minimization of conflict.

Peace-building has become more common since the end of the Cold War as a potential replacement for peacekeeping (Shimizu and Sandler, 2002). Rather than rely on a military presence to induce compliance, peace-building focuses more on the rebuilding of infrastructure and establishing a transparent government as a means of maintaining peace (Conteh-Morgan, 2004). Furthermore, Samuels (2005) believes that a lasting peace is contingent upon three interrelated aspects to building democratic governance:

- The society is transitioned from the utilization of violence to political means of settling conflict;
- There is a reformation of governance that ensures equity amongst warring parties and the development of democratic governance;
- There is an establishment of sustainable, meaningful institutions.

In agreement, Adedeji (1999) believes it is important to understand the complex dynamic of African conflict; he states that sustainable peace is found in good governance, democracy, and development.

As presented, peacekeeping has evolved from simply focusing upon the solution to conflict at the state level to emphasizing the individual, cultural,

economic factors. Furthermore, there is also a movement by states within the developed world to share the peacekeeping burden.

### *Regionalism's Role in Conflict Pacification*

Regionalism has become a growing trend in international politics as well as international economics. In the realm of peacekeeping, the UN and the North Atlantic Treaty Organization (NATO) have taken the lead to initiate peacekeeping operations in many conflicts worldwide. Furthermore, many regions of the world are aiming to follow the path of the EU as they watched the European Coal and Steel Community evolve into the world's largest single market economy, as well as bring a region that was the epicenter of two world wars to over 50 years of peace (Dinan, 2003). Discussing the peacekeeping examples of each of these noteworthy organizations in brief offers an opportunity for understanding context and the lessons learned within the world of peacekeeping operations by international organizations.

The UN has been the international figurehead for peacekeeping operations. Its evolution of peacekeeping methods since its conception illustrate the very change in peacekeeping over time as stated in Richmond (2002).

According to the Department of Peacekeeping Operations within the UN:

The nature of conflicts has also changed over the years. Originally developed as a means of dealing with inter-State conflict, UN peacekeeping has been increasingly applied to intra-State conflicts and civil wars. Although the military remain the backbone of most peacekeeping operations, the many faces of peacekeeping now include administrators and economists, police officers and legal experts, de-

miners and electoral observers, human rights monitors and specialists in civil affairs and governance, humanitarian workers and experts in communications and public information.

(UN, 2008b)

This evolution can be seen when comparing the mandates of United Nations Operation in the Congo in 1960 (ONUC) with that of the United Nations Assistance Mission for Rwanda in 1993-1995 (UNAMIR) (UN, 2008d). Within the Congolese operation, there was a short mandate speaking of installing a ceasefire by offering the Government of the Republic of the Congo military assistance to help quell the intrastate violence (United Nations, 2008c). By contrast, UNAMIR offers a much more multifaceted approach to peacekeeping. UNAMIR's mandate was to monitor the ceasefire in addition to the distribution of humanitarian aid. Furthermore, the UNAMIR mandate stated that peacekeepers were to:

Stabilize and monitor the situation in all regions of Rwanda to encourage the return of the displaced population; provide security and support for humanitarian assistance...; and to promote, through mediation and good offices, national reconciliation in Rwanda.

(United Nations, UNAMIR, 2008).

Furthermore, in *International Peacekeeping*, Diehl (1993) comments on the UN peacekeeping missions in the past 50 years, highlighting 10 such operations. One in particular, UN Emergency Force-I (UNEF I), the United Nation's first peacekeeping mission to the Suez Canal in 1956, offers evidence noteworthy of future peacekeeping trends. Despite UNEF I achieving its first two goals of arresting conflict and facilitating the withdrawal of Israeli, French, and



British troops from the area, the withdrawal of UN troops at the request of Egypt's President Nasser offered Israel an opportunity for a preemptive strike against Arab forces near its borders. The Six-Day War subsequently ensued. According to Diehl (1993), this occurred because UNEF I failed to extinguish the source of Arab-Israeli conflict. UNEF I offers an example of first generational peacekeeping of which Richmond (2002) speaks, concentrating upon a solution at the state level by arresting violence without addressing the underlying sources of the conflict. Furthermore, the respect for state borders the UN offers within its charter is suspect to Richmond's (2002) first generational peacekeeping theory as well. According to Goulding (1993), "... [UN] peacekeeping operations could be set up only with the consent of the parties to the conflict in question" (1993, p. 454). The UNEF I operation illustrates the underlying reasons for the change in peacekeeping ideology between ONUC and UNAMIR.

The North Atlantic Treaty Organization (NATO) is another example of peacekeeping by a regional organization. Created during the Cold War as an allied response to a perceived growing communist threat world wide, NATO came to represent the West's counterbalance to the Soviet heavyweight. After the Cold War ended and the Soviet Union, many expected that NATO would dissipate without its adversarial mandate; yet it has become a major player in regional security operations in the post-Cold War world (Duffield, 1994; Solana, 1999). Evidence of this can be seen in NATO's most recent success in their intervention within the Kosovo conflict (Solana, 1999). However, Dobbins (2005)

states that NATO lacks the same resources as the UN and the EU to cover those functions that stem beyond military intervention which this new age of peacekeeping requires.

Due to European solidarity, EU peacekeeping efforts have stemmed outward with moderate success. The creation of the Euro-Mediterranean Partnership (EMP) is a demonstration of this fact through its use of market liberalization techniques to maintain peace. Young (2003) covers at length the EMP goals of political, economic, and social stability through promoting economic, political, and social union with EU policies. Young (2003) describes the peacekeeping and security goals of the EMP as alleviating socioeconomic factors within the area by establishing a free-trade area by 2010. This peacekeeping initiative is set forth between the EU and South Mediterranean states including Morocco, Algeria, Tunisia, Egypt, Israel, the Palestinian Authority, Syria, Lebanon, and Turkey. This “zone of interest and stability” is criticized for being counter-productive because it opens these underdeveloped markets to EU competition, which threatens to destabilize the region (Young, 2003, p. 414-416). As seen through the example of NAFTA’s effect upon Central American countries, peacemaking and peacekeeping through liberalization of markets may very well backfire as businesses are forced to compete with the competitive goods of developed countries thus increasing unemployment, recession, and poverty (Schultz, 1998). Lack of public provisions can erode public trust, which in turn can inflame rank-and-file tensions. Because of the

EU's lack of attention upon domestic revenue development, Green (1999) argues that the subsequent lack of infrastructure, basic service rehabilitation, and public service pay guarantees that it is only a matter of time before the next conflict.

### *Peacekeeping in Africa*

Many believe that decolonization led to the proliferation of conflict in the under-developed world (Sadowski, 1998; Szirmai, 2005). Consequently, many scholars and peacekeeping envoys are looking towards newer and less expensive measures to facilitate peacekeeping operations. One difficulty with this endeavor is the longstanding animosity with former colonial powers that further complicates and affects the efficacy of African peacekeeping (Addison & Murshed, 2002). Addison and Murshed (2002) argue the initial creation and agreement to a peace agreement depends largely upon the credibility of those making the offer. Proof of this is noted by Diehl (1993), who states that the ONUC was a break in the traditional peacekeeping operations of the time because regional countries donated troops to help build the credibility of the peacekeeping force with the Congolese people. Many are now looking at the ethnic component as well as the political and economic components when considering African peacekeeping operations.

In regards to preemptive peacekeeping measures, many scholars aim to study the source of conflict within Africa, hoping that understanding it can prescribe methods for the lasting effects of a successful peacekeeping mission.

Though ethnocentric peacekeeping orthodoxy is widely accepted, Adedeji (1999) objects to ethnic divisions being a dividing force, so long as languages, religions and cultural differences define ethnicity. He states that several stereotypes for the source of African conflict are rooted in ethnic and tribal conflicts that often stymie or regress development processes. According to Adedeji (1999), these ethnic and tribal rivalries are often flared by the political elite for their own ends, which in turn has led to conflict. However, Yahya Sadowski (1998) disagrees, citing examples from the French and Belgian eras of Rwandan colonization. Sadowski (1998) mentions that the Rwandan genocide was rooted in Belgian political and social mechanisms that stymied the inter-caste movement which existed during the French colonization period. This led to an adversarial social construct between the two castes, and became increasingly militaristic.

Toure (1999) explains that peace is best achieved, through the cooperation, strengthening and reexamination of sub-regional peacekeeping capabilities. One of the reoccurring themes Toure (1999) touches upon is the logistical, training, and financial shortcomings of these groups despite their ideological strengths and commitments. These ideological strengths and commitments are grounded in prevention. Some of the socio-economic preventative measures include:

- Instituting and implanting efficient democratic systems which take the ethnic realities of each state into account

- Instituting a system of government based on permanent social dialogue and quest for political consensus
- Establishing a judicial system which is accessible to and is perceived by all as independent of the state
- Respect for human rights and the rejection of impunity
- Eradicating exclusion and intertwining ability in the running of public affairs
- In cooperation with international organizations, conducting policies which address issues such as debt, regional integration, women, children and cultural identity.

(Toure, 1999, p. 24)

Despite the creation of the Cairo Declaration, which was meant to point to the Organization of African Unity (OAU)/AU's need to take a wider view of conflict prevention, conflict management, and its resolution, Murray (2001) states that the OAU/AU must improve their record of quelling gross human rights violations if they are to meet the goals of conflict prevention.

#### *The Creation of the OAU/AU- Their Mission and Their Challenges*

The AU was born out of the (OAU). The OAU was created as a measure of African resolve for pan-decolonization and promotion of African solidarity in 1963. When the OAU charter was signed, it incorporated 47 countries of varying black and Arab origins as a measure to promote this solidarity (Binaisa 1977; Biswaro, 2005). At a meeting of nation-states in Tripoli, Libya, H.E. Alpha Omar

Konare, President of the Republic of Mali at the time and Chairmen of The Economic Community of Western African States (ECOWAS) suggested the use of the AU as a replacement for the OAU because the mission of OAU—African liberation from the hold of colonialism—had been realized. According to Alpha Omar Konare, the OAU had lost its political mandate and could not uphold the economic mandate stated by the Abuja Treaty. It therefore follows that the AU should function as a replacement for the OAU and should also serve as a consolidation medium for the Regional Economic Communities (RECs) leading to a (con)federation of states (Biswaro, 2005). This led to the genesis of Sirte II, a draft Treaty to be submitted and signed in Lome on July 2000, marking the beginning of the African Union (Biswaro, 2005).

Considering the motivation for peace was the catalyst for the formation of regionalization, it follows that many regions have found themselves in peacemaking and peacekeeping operations (Dinan, 2003). Therefore, once the OAU met their goal of widespread decolonization, their focus shifted toward a new mission: peace. Because the time span of the case studies within this thesis straddles this change in the organization's mission and title, this thesis will use "AU" to refer to the "OAU" despite a reference prior to the 2000 conversion.

### *Impediments to Peacemaking and Peacekeeping in Africa*

Despite the virtue of peacemaking and peacekeeping, achieving and maintaining peace in Africa is expensive. It is noted that UN peacekeeping

operations are mainly contingent upon the contributions of a disproportionate few member states (namely the United States and a select other few wealthy nations) (Khanna, et al., 1998; Sandler & Shimizu, 2002). Even though the UN does not design its peacekeeping agenda based upon the price of a mission (Lebovic, 2004), insufficient funds can impede upon mission effectiveness (Khanna et al., 1998). The probability of success within a peacekeeping mission relies largely upon the organization, deployment, or direction of the force (Diehl, 1993). The increase in demand for peacemaking and peacekeeping efforts is apparent by the increase of the UN annual budget of peacemaking and peacekeeping initiatives. In 1980, the annual budget for peace efforts was \$180 million. In 1994, that cost increased to \$3.5 billion (Shimizu & Sandler, 2002) and stands at about \$7 billion in 2008 (Deen, 2008). This documented proliferation of conflict combined with a member-supported Peace Fund result in an over-stretched AU peacekeeping machine. The UN reports that the AU Peace Fund is \$48 million in arrears in funding its peacemaking and peacekeeping operations (Berman & Sams, 2000). This shortcoming in AU member funding provides an alarming illustration of the organization's inability to finance necessary and effective peacemaking and peacekeeping campaigns. Given the price tag of peacemaking and peacekeeping efforts, it follows that more effective and efficient uses of peacekeeping funds are needed.

Mediation has been found to be one of those price-efficient forms of peacekeeping. Mediation, as defined above, is the intercession of a third-party to

facilitate the resumption of communication between conflicting groups. This often involves a face-to-face conversation to work out differences and offers clarification of issues of contention, both with the intent to pacify conflict (Conteh-Morgan 2004). RAND corporation attributes the UN's recent employment of mediation tactics upon the African continent to a 40 percent decline in the number of conflicts since 1992 (Deen, 2008). Furthermore, previous Secretary General to the UN, Kofi Anan, utilized this form of peacekeeping to end post-election riots in Kenya at the price of a mere \$208 thousand (Deen, 2008). Given its recent track record, its recent deployment to stop the five-year conflict in Darfur (Sudan Tribune, 2008), its history in other conflicts in Africa, as well as its inexpensive price tag, mediation is noteworthy within the study of peacekeeping because of its efficacy and relatively miniscule price tag.

However, financial and logistical means are not the only impediments to peace. Political and cultural issues arise as well. Political constraints can include policies of inaction. This is exemplified by China's inaction towards leveraging its economic power with Sudan to encourage a cessation in hostilities (Yardley, 2008). Other political constraints include policies of home countries which prevent peacemaking and peacekeeping goals from being set, such as Morocco's refusal to withdraw troops from Western Sahara as well as its rejection of the presence of UN and AU troops in the area to facilitate a self-determination referendum (Naldi, 1985).



Political impediments can also intertwine with ethnic constraints. The drawing of arbitrary borders during colonization, for example, have separated indigenous peoples, coupling rival clans together and potentially sewing seeds of conflict. Furthermore, American and Russian funding of rival factions during the Cold War have fanned hot flames of conflict, further deepening conflict (Binaisa, 1977). This thesis will explore the potential impediments cultural conflict offers to the AU peacemaking and peacekeeping process.

In sum, the remainder of this thesis will focus on the record of effectiveness of AU peacemaking and peacekeeping in the face of financial, political, and socio-cultural obstacles. In particular, to what degree was the AU able to accomplish the goals of peacemaking and peacekeeping in Darfur and Western Sahara? What economic, political, and socio-cultural factors influence the degree of the AU's effectiveness in these conflicts? Are AU peacemaking and peacekeeping efforts effective enough to influence the behavior of conflicting parties towards a lasting peaceful coexistence? These questions are addressed in the next two chapters dealing with the crisis in Darfur and Western Sahara, respectively.

## Chapter 2: Darfur Case Study

### Darfur Background

The Darfur crisis started when non-Arab ethnic groups believed their Arab counterparts in the region were being disproportionately favored by the government. This favoritism drove the disgruntled non-Arabs to take up arms and on March 2003, fighting broke out between the government and these groups. With the violence quickly escalating and the Government of Sudan unable – or unwilling – to intervene in the hostilities, the Darfur crisis rapidly grew to international spotlight as a genocidal catastrophe.<sup>1</sup>

This case study aims to survey and assess the AU's intervention within this crisis by first exploring the history of the conflict as well as its key groups and players. It then outlines the peacemaking and peacekeeping agenda of the AU as it develops over time, followed by an assessment of this agenda's effectiveness. It aims to answer questions asking why this agenda has not met its goals and fighting in the region continues to proliferate.

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<sup>1</sup> I use the term “genocidal” over actually calling it a genocide because of the United Nation's conclusion that the Darfur crisis promulgated in Resolution 1564 (CNN, 2005), though dire, does not fall under the categorization of genocide because the violence is indiscriminant and does not target one ethnic group over another. This, of course, falls contradictory to many Fur nationalists who claim quite the opposite. Given this contradiction in findings, the change in terminology is an appropriate compromise between these two ideologies.

Many ethnic groups reside within the area of Darfur, however the Furs account for a majority of the population. With 40 percent of the total population as non-Muslim Furs, Darfur has become a battleground wherein ethnic Furs have become locked in warfare amongst Arab ethnicities in the region. Furthering their distaste for Khartoum, many Furs perceived the government was arming militias against them. This perception proliferated when policies following a drought and famine sparked their estrangement from the Sudanese government due to government favoritism towards the Arab population, state-program mismanagement and overall neglect (BBC, 2008; Global Security, 2007). This estrangement came to a head in February 2003 when both the Sudan Liberation Movement/Army (SLM/A) and Justice and Equality Movement (JEM) attacked government troops in protest of the government's neglect to protect local villagers from nomadic groups as well as the government's failure to prevent their economic marginalization (Amnesty International, 2008).

Although the majority of Darfur is comprised of ethnic Furs, it is important for the sake of this case study to understand the ethno-geographic makeup of the region. In addition to the Furs, Global Security (2007) reports that the central belt region of Darfur also includes the non-Arab Masalit, Berti, Bargu, Bergid, Tama, and Tunjur. The North is comprised of Zaghawa and Bedeyat who are also non-Arab. It also includes the Arab Mahariya, Irayqat, Mahamid, and Beni Hussein. Furthermore, the Arabs in the East and South are made up of Habbaniya, Beni Halba, Maaliyya, Taaisha, and Rezeigat peoples. Much of the literature relating

to conflict within this region classifies the inhabiting ethnicities as either being Arab or non-Arab. This religious dichotomy illuminates the source of much of the alienation which ethnic Furs and other non-Arabs feel toward the Arab-dominated capitol of Sudan.

The fighting in Darfur became more pronounced as hostilities became defined by a cleavage between Arab and non-Arab tribes. Furthermore, the logistical and financial support offered to the Arab tribes by the Sudanese Government continuously justified the non-Arab distaste and skepticism for Khartoum and its policies (Human Rights Watch 2004). Non-Arab tribes began to group together to fight against what they consider to be a central government plot to redefine the demography of the Darfur region (Global Security, 2007).

The first of these groups, the JEM, is a rebel group whose leadership has changed over the years. Global Security (2007) reports that the Sudanese opposition leader, Hassan al-Turabi, was a former speaker of Sudan's parliament and later became a tenant of a Sudanese prison. Afterward, the BBC (2008) states JEM was led by Lawyer Khali Ibrahim Muhammad who wrote *The Black Book: Imbalance of Power and Wealth in the Sudan*—a work documenting a disproportionate amount of Arabs in powerful positions within Khartoum. This group is a splinter cell of the SLM/A and had a few other rebel groups split off of it, most notable of which are The National Movement for Reform and Development (NMRD) and the National Redemption Front (NRF) (BBC, 2008).

The SLM/A started as the title of a self-defense militia comprised mostly of ethnic Furs. Starting as the Darfur Liberation Front (DLF), it changed its title to SLM/A in March of 2003 (Global Security, 2007). Founded by Minni Arkoi Minawi, SLM/A differs from its DLF secessionist movement by calling for a creation of a “united, democratic Sudan” (Global Security 2007). The SLM/A eventually split along ethnic cleavages in 2005. This schism produced the SLM/A-Minni Faction, SLM/A-Abdel Wahid al-Nur faction, and the SLM/A-Unity faction, which is most recently blamed for a September attack on an AU base in which 10 AU soldiers were killed (BBC, 2008). The SLM/A-al-Nur, SLM/A-Minni, and the JEM are the three most notable groups that fight for the causes of the non-Arab tribes against their government-backed opposition, the Janjaweed.

#### *Who are the Janjaweed?*

In opposition to the SLM/A and JEM movements are the government of Sudan and the Arab militias, namely the Janjaweed. The Janjaweed, loosely translated to “a man with a horse and a gun”, is an Arab militia with whom the SLM/A have been in conflict. The Janjaweed have been strong in the region; they have pushed local communities off of their land and have secured funding and armament from the Sudanese government to be a means of pro-government support in the region. Khartoum denies supporting the militia despite Sudanese government documents secured by Human Rights Watch (2004) that demonstrate otherwise. According to Wax (2004), the Janjaweed is used by the

government as a proxy fighting force against the JEM and SLM/A. As of 2004, the Khartoum-backed Janjaweed militia has displaced 1.2 million people in the Darfur region via violence, rape, and pillaging of villages (Wax, 2004).

### *Chronology of Peacemaking and Peacekeeping*

According to the Darfur Consortium (2008), the first rebel attack occurred in February of 2003, and attempts at ceasefire agreements were achieved in September of that same year. However each group accuses the other of violations. April 2004 saw representatives of the rebel groups and the Government of Sudan sign a ceasefire and protocol on the establishment of humanitarian assistance in N'djamena. This agreement established a Ceasefire Commission (CFC), and in June 2004 the first six observers were deployed to the CFC headquarters in Darfur. One month later, the AU deployed a mission to Darfur (AMIS) to help facilitate the ceasefire as well as peacekeeping operations. That following August, the AU deployed its first set of troops in Darfur with the assignment of monitoring the ceasefire, and January of 2005 brought a Comprehensive Peace Agreement (CPA) between the government of Sudan and the JEM as an agreement to end North-South conflict. Yet these agreements were not upheld by all parties involved, namely the JEM. The AU increased the number of its troops to 7,731 to be present in the vast region. However, this did not prove to be enough support to contain the violence, and Khartoum endorsed an additional 3,000 UN troops to support the currently struggling AMIS. Once

again, the government of Sudan and the SLM/A-Minni signed the Darfur Peace Agreement (DPA) in Abuja, Nigeria in May 2006. However this agreement did not incorporate the other rebel groups in the region. So in June 2006, the AU commission for Peace and Security and the Sudanese AU representative once again met with SLM/A and JEM and signed a Declaration of Commitment to the DPA. Later that month the AU issued sanctions against any group undermining the DPA and reiterated its disapproval of the gross human rights violations within the region. With chronic ceasefire violations, the AU accepted UN support thus transferring power from AMIS to the United Nations/African Union Mission in Darfur (AMID) in 2009 (NATO, 2009).

The need for peacemaking and peacekeeping is apparent in Darfur; however, the financial, political, and socio-cultural hindrances make these operations increasingly difficult for the AU. To better understand these hindrances, this case study will analyze the AU agenda for peace followed by an analysis of the financial, political, and socio-cultural impediments to achieving a lasting peace in Darfur.

### **Peacemaking and Peacekeeping Agenda**

Per the definition of peacemaking and peacekeeping outlined previously, there first must be a successful peacemaking mission to achieve peace before peacekeeping activities can maintain it. Therefore, the main item on a

peacemaking agenda is to achieve a ceasefire because peacekeeping operations must be done in a context free of the antagonism of open violence. However, as expanded upon below, achieving a ceasefire agreement on paper is much easier than enforcing one.

### *The Darfur Peace Agreement*

Examination of the DPA offers a closer look at the goals and aspirations of the Darfur peace process. Signed May 5<sup>th</sup>, 2006 by the Government of Sudan and SLM/A-Minni Faction, the DPA outlines in six chapters a comprehensive peace agreement stating the peacemaking and peacekeeping goals outlined within its chapter titles:

Chapter 1: Power Sharing

Chapter 2: Wealth Sharing

Chapter 3: Comprehensive Ceasefire and Final Security Arrangements

Chapter 4: Darfur-Darfur Dialogue and Consultation

Chapter 5: General Provisions

Chapter 6: Implementation Modalities and Timelines

(Darfur Peace Agreement, 2006, p. i)

I will focus mainly upon Chapters 1-3 as they contain the major thrust of the peacemaking and peacekeeping strategy within the region. Because the chronology of the DPA requires the goals in the “Comprehensive Ceasefire and Final Security Arrangements” chapter to be met first, I will focus upon this



chapter and then follow with the goals outlined within Chapters 1 and 2 thereafter.

Chapter 3, titled “Comprehensive Ceasefire and Final Security Arrangements”, offers a more detailed view as to how ceasefire agreements are to be handled by the signatories. Section (A) deals with the ceasefire itself, stating a reaffirmation of commitment to previous ceasefire agreements. It continues to state that the parties will refrain from armed conflict as well as undertake

...measures to neutralize and disarm the Janjaweed/armed militias in like with UN resolutions 1556 and 1564, the AU summit Resolutions, the N’djamena Agreement and the November 2004 Abuja Protocol such that security in Darfur is assured.

(DPA, 2006, Article 22, paragraph 214(f))

Additionally, Article 23 surveys the purpose of the comprehensive ceasefire beginning within 72 hours of the signing of the DPA, stating it aims to:

- Ensure that a ceasefire is maintained within the region,
- Uphold a commitment to prevent violence, intimidation, or forced displacement,
- Place population safety as the highest priority,
- To ensure humanitarian aid to Internally Displaced Persons (IDPs), and
- Demonstrate a commitment of all the parties involved within the peace agreement to cooperate with AMIS in facilitating it.

By signature, this portion of the agreement obligates the signatories to spread awareness of the ceasefire to all allies, citizens, and associated groups. Article

24 states the prohibited activities which include attacks, harassment, or violence upon AMIS personnel, activities which are gender-based, or which impede the distribution of humanitarian aid. Furthermore, it restricts covert and overt activities which may impede upon the peacekeeping mission within the area. Article 25 speaks towards methods to reinforce the ceasefire agreement by asking the AU and its international partners to maintain proper funding so that AMIS may fulfill its mission. It mandates the creation of a Ceasefire Commission chaired by the AMIS Force Commander to engage in monitoring on behalf of a Joint Commission. The Joint Commission will be based at the AU headquarters in Addis Ababa and chaired by a Special Representative of the Chairperson of the AU Commission, and together these two commissions will monitor and police the ceasefire. This Article 25 also creates the Joint Humanitarian Facilitation and Monitoring Unit (JHFMU) which is a joint UN-AU body which was created to observe and facilitate the humanitarian assistance in the area, as well as observe the safety of human rights. The JHFMU's observations will be sent to the Joint Commission, the Ceasefire Commission, AMIS and other regulatory bodies where appropriate for oversight. While Article 26 speaks toward the care of internally displaced peoples, Article 27 outlines the goals and methods of which all parties are to disengage and exhibit means to control the distribution of arms and assigns the charge of policing of this endeavor to the Ceasefire Commission. The rest of this chapter describes the communication strategies and organizational plans for the completion and maintenance of the ceasefire.

Preparations for this ceasefire are to be done within 30 days of signing the DPA, and the first phase of disengagement is to be completed within 45 days. Phase one consists of a quarantine of activities of the undersigned parties to prescribed areas as well as the creation and monitoring of buffer zones around the IDP camps and humanitarian aid routes. The control of the Janjaweed militia will also begin within phase one.

Phase two, which continues many of the projects of phase one (with the exception of starting to disarm the Janjaweed, releasing of detainees, and the beginning of restoration of the area) is mandated to take no longer than 45 days as well. Phase three, which mandates the detainment of large artillery and other types of weaponry is to be handed over to secure locations maintained by AMIS. Phase three is to be started after phase two and should be completed within 30 days.

Article 29 explains the reintegration of Darfur into the national system. Much of this portion of the DPA spends time explaining how to disarm, assemble, and demobilize former combatants and reintegrate them into society. Furthermore, it creates a security advisory team which will aid in this endeavor. It also speaks toward building the capacity and the capability of the police force of the Government of Sudan.

The cessation of hostilities, as outlined above, marks the beginning of the peacekeeping process. The first two chapters of the DPA offer insight as to how exactly the signatories are to share power and distribute wealth once hostilities

have ceased. Knowing that the Darfur crisis started with rebel groups acting out in response to the neglect of its civilians' civil rights, it follows then that Chapter 1 of the DPA outlines the importance of mutual respect between the state and its citizens. This is expressed through Article 1 wherein the sovereignty of the Republic of Sudan is recognized as well as the importance of respect for human and civil rights, particularly voting rights is stressed. Article 2 expresses the agreed upon criteria and guidelines for power sharing, where Article 3 emphasizes and elaborates upon human rights and freedoms. This article outlines the rights afforded to every individual and reads much like the United States Bill of Rights, including *inter alia*, the right to due process, the right to vote despite gender, the right of every citizen to own property, and the right of freedom of assembly regardless of gender, ethnic origin, place of birth, or religion. This is of importance because these are the very rights and freedoms which served as the catalyst of the Darfur crisis.

To best facilitate the rights outlined within the DPA, Articles 4-7 outline the system of governance between all levels of government. In particular, Article 6 offers how state governance will take affect and speaks to the administration of Darfur. It also establishes a Transitional Darfur Regional Authority (TDRA) in which the SLM/A and the JEM are represented, and it serves as the principle implementation authority of the DPA within the region. It further outlines how the TDRA will be structured, how it would be financed, and that the TDRA would be in charge of its own rules of procedure. Article 6 further creates a permanent

status of Darfur through a referendum in three states within the region, and states that this referendum will be supervised by the National Election Commission (NEC). Articles 8, 9, and 10 offer governance structure of an executive, legislative, and judicial branch of the national government, respectively, while Article 12 offers how military and police enforcement shall be structured. Articles 13 and 14 discuss how other national institutions, commissions, and bureaucratic agencies will be organized. Article 15 speaks of the location of the national capitol, while Article 16 explains pre-election power sharing within Darfur. It states the composition of gubernatorial seats shall be held by one of the states in Darfur as well as assigns deputy governor powers to nominees of the SLM/A and JEM. In similar vain, this article continues to assign various administrative responsibilities to representatives from both of these groups.

Chapter 2, titled “Wealth Sharing,” emphasizes fiscal and monetary principles that shall be created to ensure the equity of wealth across social classes, not only on a fiscal level, but on a livelihood basis as well. Per Article 17, the DPA states that all have the right to, *inter alia*, safe drinking water, free access to markets, access to quality education, security of property, freedom from hunger, promotion and protection of cultural heritage, and restitution of property for those affected by conflict. As seen here, the DPA creates a construct wherein the state revenue and wealth is appropriated to assure human rights as well as fiscal responsibility to citizenry. Article 18 outlines the fiscal

federalism and the intergovernmental relationships that are to take place amongst the various levels of government.

Chapter 2, Article 19 discusses the economic policies that would fund reconstruction and development. It emphasizes creating macro economic policy which favors investment, development, research and development, and it recognizes the need to support the large agricultural sector within the region. It further surveys strategic post-conflict objectives towards development and reinvigoration of Darfur, most of which covers the building of infrastructure as well as the encouragement of the people of Darfur to produce goods and services. Furthermore, it creates the Darfur Reconstruction and Development Fund (DRDF), which it will serve as an intermediary between domestic or international donors and Darfur for the region's reconstruction. It also states that the Sudanese Government will allocate \$300 million as seed money for the DRDF as well as an additional \$200 million for 2007 and 2008 depending on the outcome of the Joint Assessment Mission to Darfur. The Joint Assessment Mission for the Darfur states (JAM) was also created by the DPA to:

...identify and quantify the needs of post-conflict economic recovery, development, and poverty eradication program for Darfur states. These needs will be presented to the donors at a donors' conference to be convened three months after the signing of this Agreement.

(DPA, 2006, Article 19, para. 155)

This conference will potentially include the African Development Bank, the AU, the EU, the League of Arab States, and the US amongst others.

Article 20 defines of land rights as well as the disbursement of natural resources. Article 21 speaks towards the needed programs for internally displaced persons (IDPS) and refugees who have been affected by the conflict by first legalizing their right to fundamental freedoms and reinforcing their human rights, especially choice of residence which includes their right to re-establish a homestead at their place of origin. It is clear through this chapter that the desire of all parties involved (on paper at least) is to assure human rights especially with the allocation of funds, policies of redevelopment, and equity in disbursement of natural resources.

One of the issues that plagued the DPA was that only one of the three rebel forces initially signed the agreement (Sudan Tribune, June 2006). The fact that the other remaining rebel groups did not sign the DPA resulted in many incidences where violence was committed by these groups (Sudan Tribune, June 2006). In February of 2007, the Darfur Peace Agreement Joint Commission reported to the AU Commission regarding the ceasefire violations which occurred since their last report in December of 2006 (Sudan Tribune, February 2007). The noted decrease in Janjaweed activity was starkly contrasted by reports of the Joint Commission of a continuance of violence between all parties within Darfur as well as an increase in assaults on AMIS and aid agencies' personnel (Sudan Tribune, February 2007).

Further agreements and ceasefires have been made since the DPA, all of which have not been respected. In November 2008, Sudan President Al-Bashir

made a ceasefire announcement only for rebels to allege attacks by government military two days later (Sudan Tribune, November 2008). With the many ceasefire agreements signed, dated and violated by the signatories in the past, the collapse of the recently-signed Doha peace agreement between the Government of Sudan and the JEM in February 2009 is not a question of *if* but likely *when*.

The consistent reiteration of peace agreements displayed in this timeline illustrates AMIS aptitude to mediate a ceasefire agreement but lack of ability to enforce it. Furthermore, closer assessment reveals that poor funding and inadequate logistical support is only part of the puzzle.

### **Financial Shortcomings**

As a demonstration of the AU's failure to meet logistical and financial needs of peacemaking and peacekeeping, the AU has made calls for funding vital to these missions. Due to the overstretched 7,000 troops in the region, many AU soldiers are not paid for weeks on end. Furthermore, AU peacekeepers are consistently attacked or abducted; 19 AU peacekeepers have been killed in Darfur since 2004, a Nigerian officer has been reported missing, and approximately 90 AU vehicles in the region have been hijacked (Sudan Tribune, May 2008a). Since the failure of the 2006 peace deal signed by the Minni-faction of the SLM/A, Khartoum continues to reject the use of a UN



peacekeeping troop support for the AU. Furthermore, the government and rebels have both been guilty of ceasefire violations; the AU publicly condemned an “unprovoked” attack by government aircraft on rebel territory in northern Darfur, and though rebels have claimed there have been other attacks thereafter, the Sudanese government has denied these claims (Sudan Tribune, May 2008a). Analysts have stated, “without the capacity to forcefully implement the [DPA], security has deteriorated, its implementation fell behind schedule, and its perceived failure became a self-fulfilling prophecy” (Sudan Tribune, September 2006).

The financial shortcomings of the AU to meet the logistical challenges of the Sudanese infighting continue to force the organization to look for international support. Much of this support is financial rather than troop contributions because, according to Human Rights Watch (HRW), the “UN has sought to place most of the burden of carrying out the goals contained in Security Council resolutions 1556 and 1564 on the shoulders of the nascent African Union” (Human Rights Watch, 2005). Furthermore, HRW believes that much of the world looks to the AU for solving the Darfur crisis because of their ability to achieve an, albeit short, ceasefire in 2006 with the DPA. Concurrently, the US and the EU see this prospect to support the AU’s assumption of this responsibility as an opportunity to prevent their own soldiers from going into a violent milieu. However, the AU also views this as an opportunity to establish itself as a significant regional power on the African continent (Human Rights

Watch, 2005). This reliance on outside funding, however, ultimately chips away at the AU's chances at achieving this reputation. Furthermore, these shortcomings continue to illustrate that the AU has assumed a responsibility far greater than it can handle. AU success is dependent, according to HRW, upon the willingness of the U.S. and the E.U. to fund the AU's peacekeeping endeavors within the region (Human Rights Watch, 2005).

The willingness to fund the AU can be easily documented. Britain offered support and training for the AU's plans to increase troop output to 7,700 troops and civilian police at the cost of \$466 million (Global Security, 2005). The EU pledged €40 million which the AU designated as development funds to help keep the peacekeeping effort afloat. Furthermore, in June 2005, Britain raised its financial contribution to the AU's peacekeeping force in Darfur from £6.6 million to £19 million. This money was meant to help fund the peacekeeping operations until the UN-AU hybrid force is active (Sudan Tribune, May 2008a). Secretary of State for international development, Hilary Benn, mentioned that these funds would be used to buy 500 additional vehicles as well as other rapid deployment equipment (Sudan Tribune, May 2008a). Much of this equipment is needed, especially when the Janjaweed militia continues to be subsidized by Khartoum's oil revenue. The shortcoming of arms was supplemented by an arms embargo, but in October of 2006, UNSC Panel of Experts reported all parties in violation of the arms embargo in Darfur—much of these violations belonging to China (African Consortium, 2008).

### *Hybrid Force: Messiah or Myth?*

The UN-AU hybrid force will be used to replace the ineffective AU force of 7,000 troops with a 23,000 person operation. The EU has already given €400 million to the AU mission to help with the transition to the hybrid force. However, plenty of accusations coming from outside the government state that Khartoum has been trying to delay the deployment of the much-needed force (Sudan Tribune, May 2008b).

A US State Department official stated that they believe Sudan was still looking for a way out of accepting the hybrid force. Sudan insisted that any forces that were in terms of the Addis Ababa communiqué will be under AU command. However, former President Bush's Special Envoy to Sudan stated that the Addis Ababa communiqué expressed clearly that the hybrid force would be under UN command and control. In actuality, the hybrid force has a military and political component. The political component will be reporting to the UN as well as the AU (Sudan Tribune, April 2007).

UNSC resolution 1706 in August 2006 authorized deployment of 17,300 troops to Darfur to assume "responsibilities currently taken on by the AMIS in relation to implementation of the Darfur Peace Agreement. Sudanese President Omar Al-Bashir calls the resolution 'part of a comprehensive conspiracy for confiscating the country's sovereignty'" (Darfur Consortium, 2008). While Al-Bashir's anti-UN message is reiterated at the summit of Chinese and African

leaders in Beijing in November 2006, the Sudanese Government accepted UN-AU hybrid force in June 2007 with the condition that the troops are recruited primarily from African countries (Darfur Consortium 2008). This seems to be an exploited loophole by Khartoum officials, as the 7,700 troops currently in the region are donated from African countries; clearly, if more troops were available for donation, they would be there already. Understanding this, the U.S. rejected this allegation, stating that the US strongly encourages further contributions of troops to this force by African nations, but if they fall short, they have no other choice than to look outside the continent (Sudan Tribune, April 2007).

Furthermore, juxtaposing the Addis Ababa communiqué with Resolution 1706, it becomes clear why Khartoum stresses this slant of the agreement over the UN resolution. The tripartite commission created by the Addis Ababa agreement gives Khartoum veto power on the composition and size of the peacekeeping force (Sudan Tribune, April 2007), furthering its power and influence on the pace and effectiveness of peacemaking and peacekeeping operations.

If the monies and logistical support offered by the UN was not hampered by political conditions and motivations on the part of Khartoum, the hybrid force would likely offer the AU much needed support in peacemaking and peacekeeping endeavors. However, it seems clear that Khartoum has made every effort to increase the difficulty of the AMIS mission. It is these political impediments which reinforce the financial shortcomings, which further

exacerbate the Darfur crisis while making the peacemaking and peacekeeping mission increasingly difficult.

### **Political Impediments**

Political impediments to AU peacemaking and peacekeeping span across the domestic as well as the international realm. As explained below, funding of Arab militias by an Arab run Sudanese Government as well as working with the emboldened Sudanese President, Omar Al-Bashir, presents an uphill battle to making and keeping the peace in the region. Adding insult to injury is the Sudanese oil export to China which provides the government with the revenue to arm their military as well as the Janjaweed militia. This systemic opposition to peace illustrated below offers insight to the failure of the DPA, representing present and future challenges faced by the AU-UN mission.

### *State Sponsored Violence*

The state-sponsored violence is a unique impediment to the peacemaking and peacekeeping process because it incorporates all three impediments which are discussed in this case study; it is the use of oil revenues by political officials to exploit the religious and ethnic cleavages. The state-sponsored violence waged against the ethnic tribes by the Arab militias has continued to fuel hostilities and stymie AU efforts to maintain a ceasefire. Given the oil revenues

used for the purchasing of arms, the Government-backed Janjaweed have acted as the military proxy against SLM/A and others. This was in response to the non-Arab groups taking up arms in 2003 as protest against Khartoum's neglect of upholding their land and economic rights (Amnesty International, 2008). Though some Janjaweed have been captured, tried and punished, many believe this to be a symbolic gesture by Khartoum to appease international pressure to reign in the Arab vigilantes (BBC News, 2004).

Given their heavy funding and armament from Khartoum, the Janjaweed have become a formidable foe for the JEM and SLM/A factions. The numbers of casualties reported to date in 2006 have varied greatly. Global Security (2007) reports that 600,000 civilians have been displaced and 75,000 have fled to neighboring Chad, while 3,000 unarmed civilians have been killed in 2003. Furthermore, International Herald Tribune (Polgreen, 2006) reported that at least 200,000 died at the hands of the Janjaweed and government forces. Other experts in the field put the death range between 300,000 to 550,000 people (Hearn, 2006).

#### *Sudanese President Omar Al-Bashir*

As mentioned earlier, there have been ceasefire violations on the part of rebel groups as well as the Government of Sudan. While each accuses the other as the main perpetrator of the violation, many cannot help but look at the leadership of Sudan as a main impediment to AU-UN peacekeeping operations.

President Omar Al-Bashir has refused the use of UN peacekeeping forces as a supplement to AMIS several times. Because of these ceasefire violations, the refusal of logistical help from the international community, and the undeniable religious cleft between warring factions, many have accused Al-Bashir of engaging in genocidal activities, leading an Arab centered government and funding an Arab militia against predominately Christian rebel groups (MSNBC World News, 2009).

The International Criminal Court (ICC) issued a warrant for Al-Bashir's arrest on charges of war crimes on March 4, 2009. The warrant illustrates that Al-Bashir is charged with five counts of crimes against humanity and two war crimes. It states that:

The above-mentioned crimes were allegedly committed during a five year counter-insurgency campaign by the Government of Sudan against the Sudanese Liberation Movement/Army (SLM/A), the Justice and Equality Movement (JEM) and other armed groups opposing the Government of Sudan in Darfur.... A core component of that campaign was the unlawful attack on that part of the civilian population of Darfur – belonging largely to the Fur, Masalit and Zaghawa groups – perceived to be close to the organized armed groups opposing the Government of Sudan in Darfur.  
(ICC, 2009)

Al-Bashir's response to this warrant was to denounce the ICC Tribunal, the UN, and aid agencies as a "new colonialism". He thereafter revoked the licenses of 10 aid agencies and ordered them to leave Darfur. One of these agencies, CARE, is a Kenyan based agency which focuses upon water and food distribution to approximately 600,000 people in the region (MSNBC World News,

March 2009). Revoking aid will only further destabilize and consequently inflame violence in the region.

Many have been waiting anxiously for the repercussions of the international indictment and now are attempting to find every way to contain its fallout. Methods range from the new US administration pushing for Al-Bashir to step down to the UN Security Council invoking its power to postpone the warrant for one year (Hanson, 2009). Al-Bashir's recent emboldened actions show that the former is far less likely than the latter.

Despite the disagreement amongst the ICC tribunal justices as to whether Darfur qualifies as a genocide, this indictment and its results illustrate the reactionary personality of President Al-Bashir, placing him as another step in the uphill climb for an AU-brokered peace.

### *The Chinese Variable*

Some believe that Khartoum's perpetuation of violence and reluctance to cooperate with international pressure to cease their support of ethnic violence is due to the fact that peace would mean exposing the Chinese oil industry to international competition in Sudanese oil fields and would jeopardize their Sudanese-Sino relationship (Goodman, 2004). This relationship is highly prized by the Sudanese Government because Khartoum reaps hundreds of millions in oil sales to China. Heavy investment of Chinese oil firms in the area, as well as construction of basic infrastructure meant to efficiently extract and ship oil has led



to the Sudanese Government's protection of Chinese interests while fueling motivation for assault on rebels who reside within the oil rich region. Sudan is China's largest supplier of oil while China is Sudan's largest supplier of arms. Of the \$500 million in revenue received from oil sales to China in 1999, 80 percent went to arms purchases. Furthermore, Sudan enjoyed Chinese assistance to build and outfit three weapons factories outside of Khartoum (Goodman, 2004). Needless to say, AMIS forces are outgunned as well as out-funded by the Government of Sudan, making peacemaking and peacekeeping operations difficult while rebel groups take out their frustrations upon Chinese workers. For example, 9 Chinese oil workers were kidnapped, presumably by the JEM, in October of 2008 (New York Times, October 2008).

Furthermore, China's friendly foreign relations with Sudan combined with its position on the UN Security Council has proven advantageous in defending against potential UN disciplinary action. Any threat of sanctions on oil sales is countered by a threat of Chinese veto of any such policy (Goodman, 2004). However, recent voting patterns in the UN Security Council have demonstrated a positive Chinese voting pattern. The resolution to create an AU-UN hybrid force was nearly unanimously passed, with the only abstention coming from the US. This abstention has been hypothesized to result from the US intelligence community who has relied upon Khartoum to provide intelligence on al-Qaeda whereabouts within the region (Sudan Watch, June 2005).

As seen above, the empowerment of the Janjaweed by a rebellious president offers an uphill battle for the UN-AU mission in Darfur. Chinese funding offers Khartoum the opportunity to out-gun, outnumber, and out-finance the rebel groups which it is charged to eradicate as well as the peacemakers who aim to stop them.

### **Socio-Cultural Clash**

When considering the Darfur crisis, one must also consider the vast cleavages between the various ethnicities and religious groups. Not only is there a clear division and clash between Arab Janjaweed and Christian rebel groups, but differing agendas within the SLM/A has also led to infighting. The introduction to this case study outlines the various factions of the SLM/A, however, it is important to highlight here in depth the differences between the first and largest split of the SLM/A.

#### *Ethnic Cleavages*

The splintering of the SLM/A and JEM into multiple ethnic fighting groups makes achieving a ceasefire agreement and other peace talks difficult (Amnesty International, 2008). Because mediation involves achieving a compromised solution between all warring parties, it becomes increasingly difficult when the number of warring parties continues to proliferate, as do their unique demands

and priorities. As seen by the excluded factions in the CPA and the DPA, the mandate of the peace agreements is undermined due to lack of representation. This in turn offers the unrepresented groups license to continue with attacks because of a perceived illegitimate mandate.

To understand the SLM/A unity issues, it is important to understand the leaders and their backgrounds. The political arm of the SLM/A, led by Abdulwahed Mohamed al-Nur of Fur ethnicity, split over a power struggle with Minni Arkou Minnawi of Zaghawa ethnicity and the head commander of the military arm of the SLM/A. The split came as a major tactical blow to the SLM/A because the Zaghawa represent a majority of their military force (Sudan Tribune, October 2005).

The division has been noted to hamper peace talks, negotiations, as well as the strength of peace agreements. After the signing of the DPA, violence increased as many factions stated that the DPA does not meet the concerns of Arab nomadic groups due to exclusion from the development process. The Nur-faction as well as the JEM refused to sign the DPA because they state that it failed to fulfill their demands for a greater political representation, compensatory aid, and stronger security. In light of this, the DPA became an issue of contention between the rebel groups and a source of infighting in the region (Sudan Tribune, September 2006). Humanitarian sources state that signatories use the DPA as a “shield” to justify waging war on those who had not signed it while the non-signatories use its shortcomings as license for hostilities (Sudan

Tribune, September 2006). In the region west of El Fasher, for example, al-Nur's forces clashed with minni-SLM/A commanders and displaced 50,000 people between July and September of 2006 (Sudan Tribune, September 2006).

However, nearly a year later, peace was brokered between the factions, uniting nine rebel Darfur factions under one charter. This unification involves six factions of the SLM/A, the Democratic Popular Front, the Sudanese Revolutionary Front, and a JEM splinter group under the single umbrella of the SLM/A. The factions united stating that a peace in Darfur starts with a united front (Sudan Tribune, November 2007). The lack of infighting represented by this unification increases the probability that a lasting peace could be assured, if only slightly.

## **Conclusion**

Much of the peacemaking and peacekeeping agenda in the Darfur region was subject to poorly financed operations combined with political impediments empowered by Chinese involvement and investment in the region. Furthermore, ethnic and religious tensions continue to flare while Khartoum, until recently, refused the incoming of much-needed UN aid, infrastructure, and personnel. However, with the peacekeeping personnel on the way in, humanitarian aid is prematurely on its way out, leaving a greater chance for the proliferation of violence.

The failure of the DPA exemplifies the failures of the AU peacemaking machine. The 2006 Agreement outlined peacemaking as well as peacekeeping procedures in depth; however, it failed to secure a lasting ceasefire that prevented any further peacekeeping endeavors. Without a legitimate ceasefire agreement signed and respected by all warring parties, peacekeeping missions will not be successful. The mutual desire between the international community and the AU to tackle the Darfur issue offers potential for the AU to meet peacemaking and peacekeeping goals with international funding. However, the funneling of oil profits into the region offers a defiant Khartoum the use of these funds to arm the Janjaweed. This offers a large hurdle to AU peacemaking and peacekeeping as attempts to achieve and maintain a ceasefire are thwarted by financial shortcomings, political impediments, and ethnic cleavages. But are these findings limited to Darfur? We explore this question in Chapter 3 with the study of Western Sahara.

### **Chapter 3: Western Sahara Case Study**

When Western Sahara underwent decolonization, Morocco and Mauritania jumped at the opportunity to lay claim to the territory. The AU Charter states that the colonized territory is to be returned to the country that held sovereignty over it prior to colonization (Binaisa, 1977). While Morocco and Mauritania claim that portions of Western Sahara were within their territory, the indigenous people to the land claimed the region was home to nomadic tribes who bore allegiance to neither country when it was colonized and therefore did not belong to either country. An armed resistance movement to Morocco's annexation of the area resulted in over a decade of violent conflict. Increased hostility over these irreconcilable differences has brought the Western Sahara case to the fore in international peacemaking and peacekeeping.

This case study aims to examine the AU's intervention in this crisis by first exploring the history of the conflict as well as its key groups and players. It will then outline the peacemaking and peacekeeping agenda of the AU as it developed over time, followed by an appraisal of this agenda's successes and challenges. It will aim to answer a major question: Why has the AU met only some of its goals, resulting in a 17 year stalemate?

## Chronology of Conflict

The source of conflict in the area began when Spain withdrew from the colonized region of Western Sahara. Morocco and Mauritania both laid claim to the region while the indigenous people decided to exercise their right to self-determination as supported by the UN Charter (1945).<sup>2</sup> Despite an International Court of Justice (ICJ) decision upholding the Saharawis' right to self-determination in 1975 (Okere, 1979) in accordance to the UN Charter, Morocco and Mauritania annexed Western Sahara. In response to this annexation of the region by the two countries, the Saharawis people armed themselves to defend their right to self-determination. Calling themselves the *Frente Popular para la Liberacion de Saguia el-Hamra y Rio de Oro* (Polisario Front), they constitute a liberation movement made up of the area's indigenous people, the Saharawis (Hodges, 1984). They also founded the Saharan Arab Democratic Republic (SADR) in 1976, which is their political and governmental arm. Though the Polisario Front drove out Mauritanian forces, the conflict between the Polisario Front and the Moroccan government has been ongoing until a ceasefire agreement in 1991 (Naldi, 1985).

When conflict became hot in 1976 it lasted until the above mentioned ceasefire in 1991. During this time, the Polisario Front appeared to have the

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<sup>2</sup> Chapter I, Article 1, subsection 2 reads, "The purposes of the United Nations are to develop friendly relations among nations on respect for principle for equal rights and self-determination of peoples..." (UN Charter, 1945). Also, the 61<sup>st</sup> session of the of the General Assembly adopted resolution 61/295, "United Nations Declaration of the Rights of Indigenous Peoples" which further provides support for the Saharawis right to self-determination (UN, 2007).

advantage by forcing the Mauritanian forces to withdraw and inflicting large losses upon the Moroccan forces. Events were in favor of Western Saharan self-determination until US funding and support of the Moroccan government turned the tide. In 1988, Morocco and the Polisario Front agreed to settle the dispute by referendum for self-determination; but disputes over voter eligibility and ballot content prevented the referendum from ever occurring. As a renewed attempt to achieve the referendum, the 1991 ceasefire offered a bargain between the two by offering a ceasefire in exchange for the referendum for self-determination. The Polisario Front agreed to cease armed conflict, however the referendum has yet to occur.

In 2007, after several attempts at administering a referendum, AU facilitation and UN observation brought the two warring parties together for face-to-face negotiations. Morocco offered a political solution to allow the territory of Western Sahara to have autonomy within the Kingdom of Morocco. In return, the Polisario Front agreed to continue the cessation of hostilities so long as there would be a referendum in the near future. The talks ended with the extension of the UN Mission for Referendum in Western Sahara (MINURSO) until April of 2009 per UN resolution 1813 (2008e). While the Saharawis people still wait for their referendum, the US State Department (February 2009) press release states that Morocco still considers the Western Sahara part of the Kingdom, as a result all civil liberties and human rights are modeled after the same laws which



apply to the Kingdom of Morocco, therefore creating ultimate authority in the region to stem back to King Mohammed IV of Morocco.

While the need for peacemaking and peacekeeping in Western Sahara is clear, financial, political, and socio-cultural obstacles prevent the AU from effective peacemaking and peacekeeping endeavors. To understand these obstacles, this study will survey and assess them in the context of the AU's agenda for peace in the region.

### **Agenda for Peace**

The AU's agenda for peace met difficult opposition when Morocco vehemently rejected many of the AU peace initiatives. In 1979, the AU took its first attempt at creating a peace initiative that involved assessments and recommendations with regards to how to proceed in peacemaking and peacekeeping within the region. In so doing, the AU designated "two committees: the *Ad Hoc* Committee, also known as the Committee of Wise Men; and the Implementation Committee" to the Western Sahara conflict (Naldi. 1985, p. 34). Each of these committees are discussed in turn.

The *Ad Hoc* Committee created a sub-committee charged with the task to accumulate and implement the best plans toward the restoration of peace and security in the region. This involved a tour of Algeria, Mauritania, Morocco, and Spain, resulting in the *Ad Hoc* Committee's adoption of recommendations for

self-determination for Western Sahara and directions to reach this objective.

These recommendations were submitted in July of 1979 which led to AU

Resolution 114 (1979). It recommended the following:

- A ceasefire between warring parties to be supervised by the AU;
  - The withdrawal of Moroccan troops from Western Sahara;
  - The right for Saharawis to hold a referendum deciding self-determination;
  - A meeting of all involved parties to support the decision of the referendum;
- and
- The establishment of a special committee, with the help of the UN, to oversee and maintain a fair election.

(Naldi, 1985)

Consisting of representatives from Guinea, Kenya, Mali, Nigeria, Sierra Leon, Sudan, and Tanzania, the Implementation Committee was charged with the responsibility to work with the UN regarding the implementation of the ceasefire and to oversee the administration of the referendum (Naldi, 1985). In addition to the peacemaking and peacekeeping forces which would be in the region, the also suggested a possible military observation group possibly including a civilian police component which would have the authority to oversee the ceasefire as well (Naldi, 1985).

Each of these recommendations by the *ad hoc* and implementation committees has merit based on the principles of peacemaking and peacekeeping; however, theory and reality rarely coincide. The AU voted to

endorse the recommendations made by the Implementation Committee to attempt to achieve a ceasefire and to hold a referendum in December 1983 (Naldi, 1985). Despite several fruitless negotiations promising a referendum vote by the mid-1980s, joint AU-UN peacemaking operations did achieve a ceasefire in exchange for a promised referendum vote for self-determination of the Saharawis people to take place shortly thereafter. While the Polisario Front has faithfully and strictly held to the ceasefire agreement since 1991 until today, Morocco has left the referendum vote to currently remain as a promise (Zunes, 2007).

### **Financial Woes**

Financial impediments have plagued the AU in Western Sahara since the AU's peacemaking and peacekeeping experience in Chad. Naldi (1985) offers a concise account of the AU's peacekeeping debacle in Chad which had lasting effects upon the AU's peacekeeping reputation as an under-funded and unreliable peacekeeping organization.

The 1981 peacekeeping force sent by the AU to Chad was envisioned to be an armed, neutral party to cease hostilities and negotiate peace. However, their peacekeeping mandate in the region was unclear to the warring parties, and the peacekeeping force was seen as another force to battle. Combined with lack of financial and logistical capabilities, the negotiating aptitude of the AU

peacekeeping force was undermined. After suffering losses and lack of a political solution on the horizon, countries began withdrawing troops from the already under-manned peacekeeping force, guaranteeing the failure of the AU's peacekeeping mission in Chad.

Some member states may have been reluctant to show support for a peacemaking or peacekeeping force in Western Sahara because of the Chadian debacle. Furthermore, the UN's resolution to help with aid and logistical support further justifies member states' desire to limit contributions (Naldi, 1985).

#### *US-Morocco Relationship*

When assessing the supporters of each side of this conflict, the financial support appears to fall along a Cold War division. While the Soviet Union was in alliance of Algeria, who support the Polisario Front, the US has poured over 20 percent of its African aid into Morocco. This funding allowed Morocco to turn the tide of war to their favor (Zunes, 1998).<sup>3</sup>

Nevertheless, the additional fiscal US support creates a financial hardship on the AU and UN as peacemaking missionaries who are out-funded and out-gunned. Morocco has received in excess of \$1 billion in military aid and \$1.3 billion in economic assistance from the United States in exchange for Morocco to be the United State's longest and most reliable ally within Africa and the Arab

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<sup>3</sup> The Cold War relationship which describes those funding both sides of the Western Sahara conflict begs the question: was the 1991 ceasefire agreement and the end of the Cold War shortly thereafter a coincidence?

world. In exchange for the financial support, US forces are welcome at all Moroccan ports-of-call and have rights to land, refuel, and airspace within Morocco. Furthermore, Morocco has participated in helping the US to support pro-Western regimes within Africa and has contributed troops to US led military operations in Kuwait during the early 1990's (Zunes, 1998).

This special relationship between Morocco and the US helped turn the tide of the war in Morocco's favor, and therefore changed King Hassan's open-minded outlook towards peace and mediation (Naldi, 1985) Morocco's newfound leverage on the battlefield has translated into leverage at the bargaining table.

#### *A War Over Resources?*

Offering an additional financial impediment is Western Sahara's wealth of resources and the resulting dividends they paid to the owner of that land. Though Morocco and Mauritania have expressed ethical or historical possession of Western Sahara, the amount of economic advantage it offers questions the legitimacy of these countries' historical and ethical claims.

The Western Saharan coastline has some of the largest fisheries in the world. Furthermore, its oil deposits, iron ore mines, and its huge phosphate deposits can offer the host country a large economic bounty (Hodges, 1984). With 10 billion tons of phosphate and 1.7 billion tons of high-grade ore, the phosphate proceeds could ensure Western Sahara's place as the second largest phosphate exporter next to Morocco. Consequently, it could single-handedly

support Western Sahara's small population, offering it the opportunity to have a per capita income equivalent to Western Europe. However, exportation of oar collapsed shortly after war broke out in the region (Hodges, 1984).

The AU's difficulties with financing peacemaking and peacekeeping operations stems from an AU track record that has dissuaded member states from contributing to the AU Peace Fund. In light of this, it becomes increasingly difficult to engage in peacemaking and peacekeeping activities when the warring parties are the well-financed Moroccan Government and the formidable Polisario Front. These financial issues are further compounded by the irreconcilable differences between the warring parties driven (in part) by economic gain offered by Western Sahara's natural resources.

### **Political Impediments**

The AU did achieve an agreement for a ceasefire and referendum by King Hassan II of Morocco. However, these efforts were slowed by the AU's inexperience with successful administration of referenda in other areas in Africa and the growing rift between AU members regarding SADR membership to the AU in 1984 (MINURSO, 2007). Morocco's lack of commitment to negotiate with the Polisario Front created a political atmosphere that provided an uphill battle for the AU and UN to facilitate peacemaking operations. It was not until 1991 that a ceasefire was agreed upon by the Polisario Front in exchange for the referendum

for their sovereignty. The Moroccan Government has yet to grant and administer any such vote (Zoubir & Pazzanita, 1995).

### *Loophole in International Law*

Part of the difficulty with peacemaking and peacekeeping operations is the fact that the intervening force is to respect the sovereignty of the host country. Despite the UN and AU rejection of Morocco's annexation of Western Sahara, they still allow Morocco to include the region within its sphere of sovereignty. This presents a conflict of interest, as seen in Darfur, because the government—the perpetrator of the offenses—denies the international community access to engage in peacemaking and peacekeeping endeavors (Naldi, 1985). This is a major impediment to the establishment of peacemaking and peacekeeping forces within Western Sahara. In addition, the lack of access was initially an impediment to holding a referendum for self-determination (Zunes, 2007). Many expect that the Polisario Front's patience will run short as they continue the ceasefire in exchange for a referendum that has yet to come (Thorne, April 2007).

### *SADR Admission to AU: A Shot in the Arm or a Shot in the Foot?*

In 1980, SADR first applied for membership to the AU citing Article 28, which states that “any sovereign African State may at any time notify the Administrative Secretary-General of its intention to adhere or accede to [the AU]

charter” (as cited in Naldi, 1982, p. 152). Morocco’s main contention to this request for membership came from the wording of this quote which states that SADR did not qualify as a sovereign “state” *per se*, and therefore was not eligible for membership despite SADR’s recognition of statehood by 35 other African countries (Naldi, 1982). SADR was invited in accordance with the AU Charter to join the proceedings; however, a simple majority at a previous meeting in Tripoli already decided SADR’s admission into the AU. Further illustrating the AU’s division on the issue, Morocco and 19 other allied states sat out of the meeting, thus preventing a two-thirds quorum. This did not stop admission of the SADR to the AU, which resulted in Moroccan withdrawal of its membership from the AU in protest (Hodges, 1984).

The AU attempted many times to reach a compromise between SADR and Morocco as a means of demonstrating its moderate position towards the Western Sahara conflict. Nevertheless, by granting admission of SADR membership, the AU alienated the Moroccan Government while simultaneously allowing it to become a political statement, thus polarizing its members on the issue. Because the nature of the dispute is centered on the Saharawis' right to sovereignty, this maneuver completely undermined the AU’s positioning as an objective party in the peacekeeping process between Morocco and the Polisario Front. As Naldi (1985) notes, “SADR’s admission as an [AU] member has seriously undermined the prospect of further Moroccan cooperation with the Implementation Committee” (p. 600).



## **Socio-Cultural Issues**

Self-determination is a key issue within the peace process of this case. The conflict started with the Saharawis people claiming they were an ethnically distinct people prior to Spanish acquisition and therefore should be granted self-determination immediately after Spanish decolonization. This claim is best upheld within the ICJ and is maintained by the difficulty to produce a referendum for self-determination.

### *A Case for the International Court of Justice*

Because the central question of this conflict is based on the legitimacy of the Moroccan claim to the region of Western Sahara, a survey of the ICJ's ruling on this matter is important to establish credence to the Saharawis' claim to self-determination within the international community.

After decolonization of Western Sahara, the AU requires that the territory be returned to the country from which it was taken. Both Morocco and Mauritania laid claim to the Western Sahara region. This resulted in the ruling of the ICJ in 1974 (Okere, 1979).

In this dispute, there were three questions to be answered that would determine the fate of Western Sahara: Was Western Sahara a land of no national allegiance? Morocco argued that because indigenous clans of the region displayed loyalty to Moroccan royalty at time of colonization, they were therefore granted possession of the land via "immemorial possession" (Okere,

1979, p. 307) as well as by “geographic contiguity” (ibid, p.307). Mauritania, however, claimed that even though it was not a state at the time of Spanish colonization, it was still a region of peoples tethered by a common culture and social structure, which included the Western Sahara region. The court found that Western Sahara was not *terra nullius* (territory belonging to no one) which led them to the second and third questions. On the Moroccan legal claim of the territory, the court found that:

In the absence of...proof of unambiguous and continued display of authority [on part of the Western Saharan clans], the Court found that there were not ties of territorial sovereignty but only legal links arising from personal allegiance by *some* nomadic tribes—more out of religious loyalty or expediency than from a feeling of obligation (emphasis added).

(Okere, 1979, p. 310)

In addition to not finding any legal connection between Morocco and Western Sahara, the court also found that no legal connection between Western Sahara and the Mauritania entity (Okere, 1979). Despite the ICJ advisory decision with a 15-1 vote to uphold Saharawis self-determination, it offered little help in settling the dispute.

### *The Elusive Referendum*

Because of the abounding international recognition of Western Sahara’s right to self-determination, the AU had been attempting to gain a ceasefire and referendum 12 years prior to the 1991 UN brokered agreement (MINURSO, 2007). Crucial to achieving the ceasefire was the promise to the Saharawis people and their Polisario Front that a referendum vote for self-determination

would occur. Despite several attempts this has yet to happen. Because the region is largely comprised of the Saharawis population, it is clear that the referendum would surely result in Western Saharan independence and the legitimization of SADR.

According to the UN Mission for Referendum in Western Sahara (MINURSO) timeline (MINURSO, 2007), the UN and AU began mediation discussions with Western Sahara and Morocco by first proposing the ceasefire-referendum negotiations in 1979. This attempt, however, was rejected by Morocco. By 1981, King Hassan II expressed a willingness to hold a referendum; however, he still qualified that willingness with a statement regarding Morocco's "historical claims" to the territory. As explained earlier, the following year marked the SADR's admission into the AU and Morocco's response of a suspension and eventual withdrawal from the Union in 1984, widening the political rift between the AU and Morocco.

In 1984, the UN and AU collaborated to present the "Settlement Proposals" to the warring parties in 1985 as a solution to the conflict. Six years later these proposals were adopted by the Security Council (April 19, 1991) and became known as the "Settlement Plan." MINURSO was created in 1991 pursuant to Security Council resolution S/1991/690 and was directed to oversee and conduct the referendum in conjunction with the AU.

Immediately after establishing a referendum timetable, arguments arose as to who would qualify for voting rights. Seddon (1992) notes of a plan outlined

in the UN Secretary's draft report that included voters whose fathers were born in the area and those who had intermittently lived in the region before December of 1974. This plan added 30,000 voters to the qualifying pool who may or may not live in the region. Seddon further notes:

The report received the backing of the US and France—staunch and long-time supporters of the Moroccan regime and its position on the Western Sahara. But it drew strong criticism from a number of non-aligned states as well as from the [AU], which includes the Saharan Arab Democratic Republic as a member state and which, with the UN, co-sponsored the peace plan. The Polisario Front called the report, 'partial, unjust and completely aligned with the position of the aggressor, the Moroccan colonists.

(p. 103)

As seen here, division between Moroccan and Polisario interests have infected the UN and AU's outlook towards the conflict. Furthermore, the dichotomy between Moroccan and Saharawis interests continue to widen as they attempt to establish a list of qualified voters. By 1999, the first Provisional Voters List (PVL) was published to survey the qualified voters. This list was followed by a number of appeals which led to a second PVL. This second list states that out of the 250,000 Saharans identified, 86,425 voters are deemed eligible to vote.

The two PVLs were a result to conflicting opinions over the relevance of the date of a voter census. Where Morocco believed that the 1974 census should be a mere point of reference for producing a voter list, the Polisario Front believed that the 1974 census should be the "sole basis for the application of the criteria for voter eligibility" (UN Resolution 809, 1993).

The disenfranchisement of two-thirds of the population triggered 131,000 appeals filed against the PVL (MINURSO, 2007). While the Saharawis wish to be fairly represented in the fate-changing referendum, Morocco is still unwilling to agree to any referendum that incorporates more of the population than previously agreed. Despite an extension of the referendum deadline to July of 2000 (Seddon, 2000), there has yet to be one (UN List of Operations, 2008a).<sup>4</sup>

## **Conclusion**

The Western Saharan stalemate continues today with Morocco and the Polisario Front stalemated over irreconcilable differences. The UN and AU face a difficult mission to maintain a ceasefire based upon the promise of a referendum that has yet to come. The financial impediments represented by a strong Moroccan-US relationship, an irresistible bounty of natural resources, and a lack of peacemaking and peacekeeping financing for the AU has allowed the continuance of the conflict. Morocco's ability to maintain a formidable military front against the Polisario Front has further emboldened their position against negotiation for the referendum. Furthermore, a combination of political snafus as well as a reputation for poorly executed peacemaking missions have further impeded upon peacekeeping efforts in this case and explains why the Moroccan

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<sup>4</sup> The most current date shown on the UN List of Operations is 2008. MINURSO is still listed ongoing as of that date. Because I cannot find any sources between December 2008 and March 2009 stating the mission's completion, I am left to assume that efforts to conduct a referendum in Western Sahara are ongoing.

Government and the Polisario Front have been at a stalemate for 17 years (United States Department of State, 2009).

Though the AU did achieve a ceasefire agreement in 1991, they did require the UN's help to do it. According to a MINURSO timeline (MINURSO, 2007), UN participation did not come to the fore until after SADR's admission to the AU and the resulting revocation of Moroccan's AU membership (Pazzanita, 1994). AU peacemaking and peacekeeping efficacy is lacking due to the inability to fund a viable peacemaking force. Furthermore, the financial impediments to efficacy are compounded by the AU's loss of objectivity and trust with one of the parties with whom negotiations are to take part. The dissolving trust between the AU and Morocco, Morocco's longstanding relationship with the US, and the US influence within the UN may also explain Morocco's openness to UN led negotiations.

What implications for the AU result from the dichotomy between the stalemate of Western Sahara and the crisis of Darfur have for the African Union? The answer is discussed in the following chapter.

## **Chapter 4: Comparison and Conclusion**

At present, both Darfur and Western Sahara are no further along than they were in years past. Lack of mutual trust between Khartoum and Darfur rebel groups still exist, leaving little room for fruitful negotiation or quality ceasefire (Sudan Tribune, May 2009). The recent indictment of al Bashir has shown some movement towards relieving one of the political impediments. However, the announcement of the indictment has already proven counter-productive; al Bashir's loyalists are not likely to give him up without a fight nor will angering the emboldened leader help humanitarian efforts any in the region. To the West, Western Sahara is still locked in a stalemate with little word on when the promised referendum will occur. As a symptom of this, MINURSO has been extended yet again until April 2010 (UN, 2009).

### **Comparison of Overarching Trends**

These case studies illuminate the financial, political, and socio-cultural trials the AU must face when engaging in peacemaking and peacekeeping. While each study illuminates the AU's consistent need for UN assistance with

their peacemaking and peacekeeping initiatives, further observation of these trends demonstrates their transcendence from the case studies themselves, offering a deeper insight into the peacemaking and peacekeeping shortcomings within the AU itself.

Each case study offers insight to the AU's difficulty in funding peacemaking operations. First, the AU alone has difficulty meeting the logistical goals necessary for the scale of its peacemaking and peacekeeping missions. Further exacerbating this issue are the military and logistic capabilities of governments who oppose AU initiatives for peace. While the AU relies on voluntary contributions from member states and the international community, both Sudanese oil revenue and Moroccan phosphate profit continue to fund each nation-state's military initiatives.

Furthermore, the will of these states to use alliances to openly oppose the AU in favor of their own interests demonstrates political challenges as well. Both the Darfur and the Western Sahara cases demonstrate the AU's inability to compete with international allies who are economically strong and politically powerful. While Darfur enjoys a financial alliance with China, Morocco's long-standing political alliance with the US further complicates the negotiations process. Additionally, the Moroccan case demonstrates the fragility of the AU alliance which undermines its ability to fund peace missions and negotiate with a unified voice. Therefore, not only is the AU proving inept in funding its own



peacemaking and peacekeeping missions, their opponents are proving to out fund and out gun the AU as well.

The last over-arching impediment to AU peacemaking and peacekeeping is the overwhelming diversity of the continent. These two case studies illustrate conflict fuelled by socio-cultural rivalry. While the symptoms of these conflicts are socio-cultural by nature, experts in the field disagree on how it is to be addressed.

In summary, these case studies demonstrate that the AU's membership is much too large, and its goals are too grand to be financed and completed on a continental scale. Its inability to finance peace missions combined with member-states' cavalier attitude toward AU policies diminishes the organization's viability in peacemaking and peacekeeping.

### **Suggestions for the Future**

If the AU is to salvage any peacekeeping validity, some changes ought to be considered. First, the AU must start peacekeeping with international support, rather than requiring it later. This partnership could use the colonialist attitude many African dictators take towards international aid and use it to their advantage, creating a "good-cop, bad-cop" dichotomy. However this partnership is spun, the AU must frame their peacekeeping endeavors with international partnership in mind given the effects great nations have on the outcome of

peacekeeping missions. For example, the US's help in Sudan is producing progress in humanitarian aid as well as furthering negotiations, whereas the US's clear support of Moroccan interests produce hindrances at the Western Saharan negotiations table.

Second, a shortage of funds prevents the AU from producing a substantial peacekeeping mission. This reality therefore prescribes the AU to investigate more economically efficient means of attaining peace. As mentioned in chapter 1 of this thesis, mediation has proven promising in this regard as has peace-building and preventative diplomacy.

Third, for regionalism to take hold there must be some economic interdependency. African peace in this vain requires the AU membership to maintain the development of infrastructure and economic interdependency between members. However, a large caveat to this is infrastructure in Africa most likely originates from foreign investment overseas. This requires AU membership to be economically dependent upon foreign investment rather than being interdependent upon each other.

Finally, if a sub-regional organization has a better understanding of regional and cultural issues, then this could potentially lead to better peacekeeping operations vis-à-vis sub-regional advisory (e.g. ECOWAS). However, given the conflicting needs, interests, and opinions of the member states that have joint membership to the AU as well as to sub-regional organizations, the path to peace may be stymied by organizational conflict of

interest, leading to distrust. Since regionalism requires the AU membership to relinquish their sovereignty to the organization, then this organization is only as strong as the mutual trust of its members.

### **Regionalism for Peacekeeping?**

The socio-cultural divisions represented by the Darfur and Western Sahara conflicts reflect the most fundamental impediment towards peace achieved by regionalism. The economic interdependence which led to the EU success story was only possible with an economic partnership founded upon a mutual trust and distaste for conflict amongst the parties involved. Following the European example, political integration flows from this economic interdependence while peace proliferates from a fundamental economic dependency the aggressor has upon the opponent, forcing a political solution.

The development of the AU from the large OAU seems to be developing in reverse from that of the EU. While the EU started with 6 countries and grew over time, the AU incorporated 47 countries at its start. Furthermore, while the EU developed through economic interdependence and integrated politically overtime, the AU seems to be starting with a political union while expecting economic development to occur simultaneously. These two case studies clearly illustrate that this simultaneous progression is counterproductive as socio-cultural cleavages prevent any economic interdependence, further preventing political

integration. Therefore, if socio-cultural upheaval must be absent as a prerequisite for economic interdependence and political integration, then the AU experience demonstrates that regionalism cannot be implemented as a platform for peacekeeping, but rather is a tool for perpetuating an existing peace.

In conclusion, the case studies of Darfur and Western Sahara suggest that while socio-cultural conflict continues to proliferate, the AU has neither the financial resources nor the political clout to meet peacemaking and peacekeeping milestones. Furthermore, findings suggest that conflict founded upon socio-cultural diversity undermines the very foundation of regionalism solidarity. Therefore, this conflict compromises the overall application of regionalism as a mechanism for peacekeeping. All of these impediments work in concert to stymie the AU from becoming internationally respected for making and keeping the peace.

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