Stabilizing fragile states in sub-Saharan Africa: towards a new role of regional organizations?

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1. Introduction

The stabilization of states has in recent years become a crucial challenge for research as well as for security and development policies: strengthening basic functions of statehood is frequently seen as a prerequisite for the emergence of good governance and the peaceful resolution of potentially or already violent conflicts. The African continent has attracted special attention. This is, among others, evident in the yearly publication of the Failed States Index in which African states hold prominent positions. Their relevancy becomes clear in the fact that of the ten most fragile states in 2007 eight were located in sub-Saharan Africa (see Table 1).

Table 1: Sub-Saharan Africa prominently represented in 'Failed States Index'

1	Sudan	6	Côte d'Ivoire
2	Iraq	7	Democratic Republic of Congo
3	Somalia	8	Afghanistan
4	Zimbabwe	9	Guinea
5	Chad	10	Central African Republic

Source: Foreign Policy (2006); The Fund for Peace (2007).

Fragile statehood can be explained through unsuccessful statebuilding processes often reinforced by regime instability and armed conflict. In addition, the problem goes beyond those countries mentioned as 'front-runners' by the Failed States Index. A more exact analysis shows that within the African continent, South Africa is the only really consolidated state. A number of countries have reached a certain degree of stability, for example Zambia, Botswana, Tanzania, Ghana, and Mali; a high proportion of these, however, are currently in critical or endangered condition.[1]

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1   For more concrete information, please see the Failed State Index 2007 on: http://www.foreignpolicy.com/story/cms.php?story_id=3865 (29.4.2008).

The stabilization of fragile states through institution-building and the establishment of security architecture (Klingebiel 2005) emerged as one of the central challenges of the 21st Century. Various external actors are involved with regard to Africa:

- Great and middle powers (primarily the USA, France, and Great Britain) have proclaimed that security and political stability in Africa has become a strategic goal; one central multilateral initiative has been the EU-funded African Peace Facility Fund.[2]
- OECD/DAC, the World Bank, and the EU have developed new strategies for working with 'difficult partners'.
- China is becoming more and more prominent – in terms of the extraction of raw materials, of development aid, and partly also in terms of peace-keeping. The Beijing Consensus attaches high priority to ensuring the sovereignty of partner nations; the neglect of human rights, rule of law, due process, etc., can be seen both implicitly and explicitly as a challenge to the Western good governance discourse.

Despite growing involvement of external actors, the support of African regional organizations has become more of a focus point because external actors know the limited effectiveness of their own stabilization attempts or simply fear the risk of a prominent own commitment. Against this background, they unanimously stress the necessity to strengthen African capacities in terms of peacekeeping and governance support. They hereby frequently refer to regional organizations as having comparative advantages over actors from outside the region. Four arguments define this debate:

(1) Through a comparatively high homogeneity of traditions and cultural proximity, regional organizations are especially appropriate as forums for norm creation.
(2) The desire for a good neighborhood and the concern over bad neighborhoods create a special interest in stabilization and a corresponding readiness for sustainable commitment.
(3) The familiarity with the situation allows regional organizations to find the 'right tone' and behave appropriately in critical situations.

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2 The African Peace Facility comprised €250 million for the period 2003-2007: €200 million have been devoted to peacekeeping operations. The remaining €50 were mainly earmarked for capacity-building within the AU and sub-regional organizations, but also for evaluations, audits and contingencies. See for more detailed information:
http://ec.europa.eu/development/body/publications/docs/flyer_peace_en.pdf (28.12.2007).

(4) The delegation of responsibility to the regional level reduces the complexity of peacekeeping and raises the probability of resolute action in contrast to global approaches.

The four arguments are highly plausible. At the same time, there are weighty opposing arguments which question the particular applicability of regional arrangements in this regard. Critics first assert that 'old thinking' frequently dominates regional organizations and that they, therefore, can only seldom be seen as leaders of progressive norm creation. Second, skeptics point to the danger that, especially in sub-regional contexts, hegemonic ambitions can butt heads with stabilization. A third critique states that familiarity can also mean partisanship – and hinder appropriate solutions. After all, most regional organizations are equipped with only weak administrative capacities which frustrate hopes of action.

No matter how one looks at the issue: the potential contribution of regional organizations to the stabilization of states is certainly a matter of debate. At the same time, regional arrangements, especially in sub-Saharan Africa, have become the *de facto* 'default option' when there are no actors at the global level who are willing or able to act resolutely.

Which regional actors are actually concerned? At the continental level, the founding of the African Union (AU) in Durban (July 2002), and the establishment of the New Partnership for Africa's Development (NEPAD) in 2001, which one year later established the African Peer Review Mechanism (APRM), created new dynamics (Heubaum 2005). The AU is, in turn, linked to five sub-regional organizations in North, East, West, South, and Central Africa, all of which originally had sectorally limited integration goals:

- AMU (Arab Maghreb Union)
- CEEAC (Communauté Economique des États de l'Afrique Centrale)
- ECOWAS (Economic Community of West African States)
- IGAD (Inter-Governmental Authority on Development)
- SADC (Southern African Development Community)

Since AMU, CEEAC, and IGAD clearly lag behind in establishing normative guidelines and in developing functioning institutions, we will concentrate – in addition to AU and NEPAD – on ECOWAS and SADC. Our basic assumption is that statebuilding is decisively flanked by two strategies:

(1) The promotion of statebuilding efforts and their embedding in public instiutions that are based on norms, principles, rules, and decision procedures which are oriented towards accountability, responsibility, transparency, and participation (good-governance-regimes).

(2) The support of a security architecture as a framework for mutual reli-
ability and for the mobilization of military resources in cases where
peace operations are required.

In the following contribution, we will first of all analyze how the AU and
NEPAD as initiatives on the continental level prove of value in developing
and implementing the two strategies. We will then, in the second section,
evaluate what ECOWAS and SADC have achieved. Besides taking stock of
possibilities and limits of regional strategies for peace, we will also offer ten-
tative recommendations how external actors can support the process of estab-
lishing a good-governance-regime and a security framework that can contri-
bute to successful statebuilding in sub-Saharan Africa. The concluding sec-
tion sums up the most important results and takes a look at future challenges.

2.   Continental initiatives: The AU and the NEPAD

Norms and discourses in Africa at the start of the 21st Century differ substan-
tially from the situation in the 1990s and fundamentally from the period of
decolonization and the Cold War. The NEPAD provided the framework for
developing a good governance regime, based on reciprocity, with the APRM
as its core element. Simultaneously, the Organization for African Unity
(OAU) was transformed into the AU, which created new norms and built up
new capacities within the area of security. The coupling of NEPAD and the
AU has also initiated a process of successive integration of both new
initiatives.

2.1 The NEPAD

The precarious economic state of sub-Saharan Africa in the 1990s and the
danger of being the only continent cut off from the benefits of globalization
led to the elites' recognition that the basic institutional conditions in the so-
cio-economic field desperately needed improvement. The creation of
NEPAD in 2001, triggered by an initiative of five African heads of state
(Thabo Mbeki, Olusegun Obasanjo, Abdoulaye Wade, Hosni Mubarak, and
Abdelaziz Bouteflika), provided a new forum for an appropriate discussion
of good governance. NEPAD's goals are the realization of greater political
stability, higher economic growth rates, sustainable development, and

strengthened regional integration through the agreement on and implementation of policies, standards, and practices (Kebonang 2005: 138f).

2.1.1 The APRM as the core of the NEPAD

The 2005 Governance Report by the UN Economic Commission for Africa (UNECA 2005) identified the greatest challenges for African countries. The report evaluated 28 countries as of the end of 2003 based on the surveys and expert assessments: progress could be seen in political representation and participation while clear deficits still remained in fighting corruption, institutional management and implementation capabilities.

The APRM presents a crucial instrument for overcoming governance weaknesses. Until 2007, 27 countries have subscribed to this mechanism. The instrument involves, as the NEPAD declaration from June 2002, states, a voluntary system of peer review linked with collective processes of persuasion and exchange of ideas. The goal is neither a comparison nor a ranking of the individual states but rather the development of an individual governance profile from which concrete recommendations can be drawn. Four areas can be distinguished: democratic and political governance, economic governance, corporate governance, and socio-economic development. From an institutional perspective, the APRM consists of the following basic components: the highest decision-making body is the APR Heads of State Forum (APR Forum); the Panel of Eminent Persons (APR Panel), made up of five to seven persons, oversees the process; the APR Secretary is responsible for organizational matters; and the Country Review Teams (APR Team) are created for visits in the country. Especially important is the panel of distinguished, independent personalities which 'serve as a "credibility buffer" between national civil societies and the actual Peer Review in the APR Forum (…)' (Grimm/ Nawrath 2007: 2).

According to the Declaration on Democracy, Political, Economic, and Corporate Governance (Paragraph 15, APRM Base Document 2001), the process itself is made up of five steps (see Table 2).

Table 2: The Five Steps of the APRM

Step 1	Step 2	Step 3	Step 4	Step 5
Completion of a Memorandum of Understanding	APR team's visit to the country for the review	Completion and discussion of the APR Team's report	APR Secretariat submits the report to the APR Panel	Publication of report and recommendations

A crucial defect in the system is that states can become members of the APR Panel through a simple declaration of intent, i.e. before they have completed a Memorandum of Understanding (MOU) and committed themselves to a governance assessment (Grimm/Nawrath 2007: 4). Thus, countries like Sudan, Congo-Brazzaville, the DR Congo, and the Gabon have become APRM participants and are likely to slow down or even block the establishment of a continental good-governance-regime.

What chances does the APRM offer? There are two possible ways to answer this question. The first approach examines hitherto existing experiences, the second draws on experiences with other peer review mechanisms. Previous experiences are mixed. Reports now exist for Ghana, Rwanda, and Kenya. South Africa, Benin, Burkina Faso, Nigeria, Mauritius, and Tanzania, among others, are on the way. Clearly, the success of the individual APR processes cannot be measured by the imposition or non-imposition of sanctions. Although Article 24 of the APRM Base Document from 2001 states that the APR-Panel can impose 'appropriate measures' in case a government does not spur necessary reform, the wording is so vague that no meaningful course of action can be justified (Kebonang 2005: 162). Instead of the categories threat, control, or sanctions, it is more about transparency and participation. As shown by the APRM process in Mauritius (Ochieng 2006), the determining potential for learning lies in the consultation of civil society organizations. If these organizations are poorly designed or fragmented, or if they are not properly prepared for the APRM, then the results remain sub-optimal. The mechanical handling of the APRM questionnaire poses a further problem if a country's individual profile, its real successes as well as possible improvements in the future step into the background.

The APRM's specific problems mirror the Peer Review's more fundamental characteristics. The concept is strongly dependent on peer influence and the power of persuasion. It assumes that experts assess and evaluate suggestions and projects and that they monitor how well states comply with a contract's requirements. Comparative processes which address reciprocal evaluation and accountability have until now, among others, been practiced in international relations by the Trade Policy Review Mechanism of the World Trade Organization (WTO), the Peer Review Mechanism of the Organization for Economic Cooperation and Development (OECD), in Article IV-Consultations of the International Monetary Fund (IMF), as well as by the G8 Financial Action Task Force (Kebonang 2005).[3] The primary

3 Further peer review mechanisms have been established, e.g. within the Council of Europe (Mutual Evaluations by the Group of States against Corruption/GRECO) and within the Organization of American States (Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption/MESICIC). See for a systematic analysis of Peer

goal is to create transparency in all cases (transparency reviews). Implicit or explicit sanctions become necessary if the readiness to actually comply with requirements (compliancy reviews) is to be examined.

Kebanong (2005: 153) has evaluated previous review mechanisms and on this basis identified conditions for success (see Table 3). In addition to the availability of exact data and an adequate financial and personnel accouterment the consistency of guidelines and frameworks as well as the rapid publication of review reports are highly relevant.

Table 3: Conditions of a good peer review mechanism

Type of Reviews	Differences	Similarities Require
Transparency Reviews	No sanctions provided	• Availability of accurate information • Sufficient funding
Compliance Reviews	Sanctions implicitly/ explicitly provided	• Sufficient and capable personnel • Independence of the secretariat • Consistent set of guidelines or framework for reviews • Prompt publication of review reports

Source: Kebanong (2005: 153)

2.1.2 Interim conclusion

APRM's institutional weaknesses, for example, the far too low entrance threshold and the sluggishness in completing individual country reviews, show the limitations of this initiative. Nevertheless, one must admit that the NEPAD and the APRM are in the process of systematically building up a continental good-governance-regime. The creation of norms and the determination of principles, rules, and procedures for their implementation create an important base for further efforts. External actors also react to this step: the EU has thus pledged remarkable sums of money to the ACP countries through the governance initiative between 2007 and 2013.[4]

When supporting an African governance regime, Western donors should pay regard to certain requirements, such as that:

Review within the OECD in particular Pagani (2002).

4   In order to set an incentive for governance reforms in ACP countries (Africa, Caribbean, and Pacific), the European Commission has provided €3 billion in the tenth EDF (European Development Fund). The funds will be allocated according to the results of dialogues between the Commission and the partner countries which will refer to Governance Profiles prepared for each ACP country. For more information see :
http://ec.europa.eu/development/Geographical/europe-cares/africa/docs/COM(2006)421_EN.pdf (27.12.2007).

- the APR Secretariat has the power to independently and rapidly carry out actions, whereupon the quick dissemination and publication of reports is of utmost importance;
- the make-up of the Panel of Experts and the Country Review Teams is done according to transparent methods and is based on lists of carefully selected and qualified experts;
- programs for strengthening civil society capacities are included in the APR process because this intersection of state and society is of particular relevance;
- a constant monitoring of recommendations is pursued and implemented.

2.2 The AU

Protracted violent conflict and the development crisis in sub-Saharan Africa led to a second important step aside from the NEPAD Initiative: at the Durban Summit in 2002, the African heads of state decided to transform the OAU into the AU. The OAU had been the symbolic stronghold of a conservative understanding of state sovereignty which emphasized the right of the state to protect itself against external interference; the Heads of State now committed themselves to democracy and good governance, due process, the rule of law, and human rights as well to effective intervention under grave circumstances.

2.2.1 Governance support and institution-building

The promotion of good governance was integrated into the new regional organizations through the inclusion of NEPAD as a socio-economic program. The question remained, however, whether the AU would be able to agree on a declaration that goes beyond the AU Charta and NEPAD documents. At the core of this project was the African Charter on Democracy, Elections and Governance. A first draft from May 2005 failed to win overall acceptance at the AU summit in Banjul in July 2006 (Essousso 2007: 10). Eventually, the eighth extraordinary assembly of Heads of State or Government however did adopt the final draft on 30 January 2007, which cemented the commitment to democracy and good governance and is partly already being operationalized. Chapter 8, which provides for the activation of the peace and security council with broad sanctioning power for the re-establishment of constitutional order in case of an unconstitutional change of government, is especially remarkable (see Art. 23-26).

The emphasis of democratization in the statebuilding process is relevant in more than one way. Since 1989, sub-Saharan Africa has been marked by the fall of autocratic regimes. At the same time, only a few countries have made the leap to full democracy. The vast and growing majority find themselves in a transitional type of regime. As the Political Instability Task Force at the University of Maryland, founded by Ted R. Gurr and Monty Marshall, determined, such hybrid regimes – a bit misleadingly labelled by Gurr and Marshall as *anocracies* – are especially prone to state decay and violent conflict.

The AU differs significantly from the OAU in its ambition and in its understanding of internal and external responsibilities for peace and security issues. The Department of Political Affairs (DPA) plays a special role in governance support and statebuilding. This department, however is not yet able to play a significant role compared to NEPAD, UNECA, and the sub-regional organizations. External actors should support efforts to 'build bridges' between the DPA and other institutions, as Essousso (2007: 14) recommended. First, it would be important to integrate UNECA's African Governance Report into the AU process. In addition, AU's strategic capabilities could be strengthened so that the DPA could play a more prominent role in bundling together various external support initiatives and contribute to leadership and quality standards in the field of governance promotion (Essousso 2007: 15f).

2.2.2 Establishing a basic framework for peace and security

Statebuilding requires guarantees that institutional change will not lead to destabilization. In its Charta, the AU claimed far-reaching competencies. Art. 4 (h) and (i) opened up the possibility of military intervention under two circumstances: first, 'pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity' (Art. 4 [h]) and second, upon request of a member state 'in order to restore peace and security' (Art. 4 [j]). Unconstitutional changes of governments are unambiguously condemned (Art. 4 [p]) (Hartmann 2005). Meanwhile, the overthrow of legitimate political institutions has become a reason for military intervention. The African Charter on Democracy, Elections and Governance stated its position clearly in January 2007, inasmuch as it rejects unconstitutional changes of government.

The authorization and mandating of military operations naturally requires that the respective decision-making mechanisms and institutional structures exist. The Peace and Security Council (PSC) plays a central role; it is made up of 15 members, ten of which hold office for two years and the

other five of which hold office for three. In addition, the AU is aiming for the creation of an African Standby Force (ASF) until 30 June 2010, made up of five regionnal brigades and with a membership of 3000 to 4000 troops, resulting in 15,000 to 20,000 peacekeepers altogether. The African Peace Facility Fund, mutually equipped by the EU and AU, provides special support with its pledge of 300 million Euros between 2008 and 2010 (Kinzel 2007). The first practical tests were lined up at short notice – yes, precipitously – at the African Mission in Burundi (AMIB) and the African Mission in Sudan (AMIS).

(1) *The 'AMIB'*: Violent conflict in Burundi has a decade-long genesis. A decisive break was the assassination of Melchior Ndadaye, the first democratically elected president of Burundi and chairman of the Front pour la Démocratie au Burundi (FRODEBU), representative of the Hutu ethnic group. His murder by the Tutsi-dominated army triggered a brutal war at the end of 1993. A consequence of the ethno-political violence was the killing of over 300,000 people – many of them civilians – hundreds of thousands more fled to neighboring states. To end the conflict, various African Heads of State attempted to mediate. The OAU officially intervened. After year-long and intensive negotiations, these efforts peaked in the Arusha Peace and Reconciliation Agreement for Burundi (Arusha Agreement) of 28 August 2000. Even though 17 Burundi groups signed the agreement, the main rebel groups – the Conseil National pour la Défence de la Démocratie – Forces pour la Défence de la Démocratie (CNDD-FDD) and the Parti pour la Libération du Peuple Hutu – Forces Nationales de Libération (PALIPEHUTU-FNL) declined to give their signatures. Negotiations for a ceasefire in October and December 2002 between the CNDD-FDD and the government finally resulted in a comprehensive peace agreement (CPA) and an integration of the CNDD-FDD into the transitional government. At the same time, disputes with the PALIPEHUTU-FNL continued at the local level.

Pressure on the AU rose after the United Nations were not able or willing to deploy troops to Burundi, as foreseen in the Arusha agreement of 2000, because there was still no comprehensive ceasefire. The AU, regional Heads of State, and the Burundian parties thereupon agreed to the AMIB, which started its operation on 2 April 2003, for an initial 12 months. The mission consisted of close to 3500 soldiers from South Africa (one battalion, two companies: 1600 men), Ethiopia (one battalion, two companies: 980 men), and Mozambique (one strengthened company: 280 men) as well as of military observers from

Burkina Faso, Gabon, Mali, Togo, and Tunisia. The mandate included the monitoring and verification of the ceasefire agreement, disarmament, demobilization, and reintegration (DDR) of combatants as well as humanitarian assistance. It did not, however, explicitly mention the protection of civilians (Powell 2005: 35). This deficit was partly remedied through Rules of Engagement (ROE) which allowed for the protection in cases of direct danger for the integrity and the lives of civilians.

With the decision to deploy AMIB, the African Heads of State wanted to show their preparedness to step in all cases 'where the international community was not willing to provide robust support' (Powell 2005: 35). At the same time, it was clear right from the start that AMIB had the primary job of preparing the terrain for the UN mission. The UN Security Council did in fact authorize a peace operation with Resolution 1545 in May 2004. In June 2004, AMIB was completely merged into Opération des Nations Unies au Burundi (ONUB). It received a mandate for the protection of civilians and consisted of 5650 soldiers, encompassing soldiers' quotas from Kenya, Nepal, and Pakistan next to those troops already stationed from South Africa, Mozambique, and Ethiopia.

One positive result of AMIB was the stabilization of close to 95 per cent of the country – only the region around Bujumbura remained unstable. In addition, the ceasefire agreement between the Burundian transitional government and the CNDD-FDD moved forward. At the same time, AMIB was not able to secure a comprehensive ceasefire – disputes between the Burundian army and the FDD on the one side and the PALIPEHUTU-FNL on the other remained. And the mission completely failed to disarm, demobilize, and reintegrate former combatants as well as to protect the Burundian citizens. What are the reasons for this? For one, the AMIB was underfinanced and undermanned: fewer than 3500 persons were confronted with finding lodging for 25,000 combatants and with designating 45,000 combatants to barracks while a ceasefire did not exist yet (Powell 2005: 37). In light of Mozambique's and Ethiopia's limited possibilities, South Africa provided most of the finances as well as the lion's share of logistics, transportation, and medical supplies. Even though the EU, as most important donor, supported AMIB with 25 million Euros, the mission's overall costs of $134 million were not covered. The situation changed as ONUB started in June 2004. The earlier agreement between the UN and the AU proved advantageous. Some observers therefore argued that such a 'div-

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ision of responsibilities between regional forces and the UN presence should be formalized' (Agoagye 2004: 14).

(2) *The 'AMIS'*: Aside from the Burundi conflict, the AU was also under pressure to engage troops in Sudan – the African country involved the longest armed conflict since decolonization. While the United Nations sent UNMIS (United Nations Mission in Sudan) for the resolution of the Southern Sudan conflict after completion of the CPA in 2005, the AU was assigned to the Darfur conflict. Darfur had seen low-intensity violence for decades already. Reasons for this are complicated: disputes between communities over representation in the local government; the tense relations between farmers and herders, especially regarding access to land and water – conflicts which grew worse especially during the drought in the mid-1980s.

The conflict gained a new dimension in 2001 after two rebel groups had been founded: the Sudan Liberation Army/Movement (SLA/M) and the Justice and Equality Movement (JEM). The situation dramatically escalated in February 2003 when the SLA/M attacked government troops and facilities in the cities of Gulu, El Fashir, and Mellit. The Sudanese government began an all-out and merciless campaign including aerial bombing and land attacks as well as the deployment of armed Arab militias (known as Djanjaweed) (Powell 2005: 41). The AU intervened after a failed attempt by President Idriss Déby of Chad to ease the conflict in September 2003 through a ceasefire between the Sudanese government and the SLA/M. Negotiations between the government in Khartoum and the Darfurian rebels led to the Humanitarian Ceasefire Agreement on the Darfur Conflict and the Protocol on the Establishment of Humanitarian Assistance in Darfur, signed on 8 April 2004, by the Sudanese government and the SLA/M and JEM. This agreement provided for the founding of a Joint Commission and a Ceasefire Commission (CFC), whereby the AU played a leading part in the deployment of military observers.

In October 2004, the AU Peace and Security Council authorized the AMIS, which was to consist at first of 3320 soldiers and then in two further phases to be built up to 7500 and 12,300 soldiers, police officers, and civil services. Its main objective was to oversee the stabilization of the situation, humanitarian aid, and support of displaced persons and refugees according to the agreement of April 2004 (Powell 2005: 43). Protection of civilians and disarmament of the Djanjaweed were not included in the mandate due to objections from the Khartoum government. The backdrop of this commitment was the general hesitation at the UN level to intervene, the Sudanese government's

preference for an 'African solution', and last but not least the AU's desire to profile itself as a central player. The UN Security Council first became active in March 2005 when it broadened an arms embargo that had originally been imposed on non-state actors in Darfur to the Sudanese government with UN Security Council Resolution (UNSCR) 1590. At the end of March 2005, in agreement with findings by the International Commission of Inquiry, Resolution 1593 referred the crimes under international law in Darfur since July 2002 to the International Criminal Court (ICC). Pressure was raised further with Resolution 1976 on 16 May 2006 (AU 2006: 2). In Resolution 1706, the UN Security Council announced the extension of UNMIS' mandate to Darfur; UNSCR 1769 from 31 July 2007 authorized the deployment of UNAMID, an AU-United Nations Hybrid Operation in Darfur, backed up with a robust chapter VII mandate for self-defense, the protection of civilians and humanitarian assistance. On 31 December 2007, the UN took joint command of this mission. Instead of 26,000 soldiers and police[5], however, only 9000 personnel were deployed and 24 helicopters were missing which raised severe concerns whether UNAMID would be more effective than AMIS.

From hindsight, AMIS' gains were its readiness to show an international presence through which breaches of ceasefire became apparent. At the same time, AMIS' limited mandate as traditional peacekeeping mission hindered the effective protection of civilians. Thus, the constellation from Rwanda in 1994, where foreign troops were present and partly aroused expectations of protection among civilians but simultaneously looked on at acts of violence, repeated itself in Darfur. The chairman of the AU Commission, Alpha Oumar Konare, accordingly demanded in 2006 'that AMIS should act proactively to fulfill all aspects of its mandate, including the right of self-defense and the protection of civilian population in danger' (AU 2006: 2). There have been no such changes however. The presence of troops thus was a great risk of becoming an alibi – and gave the government in Khartoum the chance to undermine the effective stationing of UN troops.

(3) *Interim conclusion*: In acute crisis situations, post-war stabilization and statebuilding in selected cases, efforts have to be backed by external military force. The AU is presently not able to carry out multidimen-

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5   The overall authorized strength is 31,569 personnel, including the following components: troops 19,315; military observers 240; police 6432; international civilian 1579; local civilian 3455; UN volunteer 548. The prospective budget for 07/2007 to 06/2008 is $1,477,766,300, pending approval by the General Assembly. See http://www.un.org/Depts/dpko/dpko/bnote.htm (27.12.2007).

sional stabilization operations. Against this background, the UN has extended its engagement in sub-Saharan Africa. The UN peacekeeping operations stationed in sub-Saharan Africa in November 2007 made up of 64,729 of the 100,595 UN troops worldwide. The figure would rise to more than 90,000 UN peacekeeping personnel in sub-Saharan Africa if the authorized strength of UNAMID were deployed. At the same time, there are obvious shortcomings because of political concerns in the UN Security Council and the often sluggish recruitment of troop contingents. In this context, AMIB proved that the AU is able to prepare terrain for later takeover by more complex UN peace operations. External support should therefore concentrate on raising the AU's capability to rapidly deploy contingents and especially on strengthening its ability to strategically plan and communicate with the UN Secretariat and relevant UN agencies such as the UNDP. The *ex-ante* deployment of African troops, however, becomes problematic when they neither offer adequate protection nor are there reliable prospects for their takeover by a robust UN mission.

Figure 3: UN peacekeeping missions (as of October 2007)
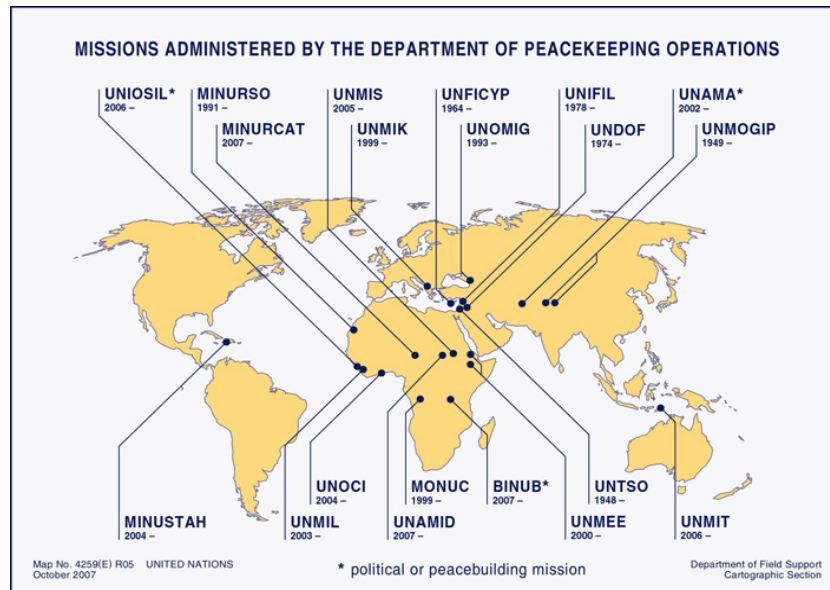
Mission	Established	Total personnel	Budget (US $) (2007–2008)
UNTSO (Middle East)	May 1948	377	62,270,500 (2006–2007)
UNMOGIP (India/Pakistan)	January 1949	114	15,796,000 (2006–2007)
UNFICYP (Cyprus)	March 1964	1068	48,847,500
UNDOF (Golan Heights)	June 1974	1205	41,586,600
UNIFIL (Lebanon)	March 1978	14,133	748,204,600
MINURSO (Western Sahara)	April 1991	436	46,472,700
UNOMIG (Georgia)	August 1993	436	36,708,200
UNMIK (Kosovo)	June 1999	4618	220,897,200
MONUC (DR Congo)	November 1999	21,982	1,166,721,000
UNMEE (Ethiopia & Eritrea)	July 2000	2088	118,988,700
UNMIL (Liberia)	September 2003	16,420	721,723,000
UNOCI (Ivory Coast)	April 2004	10,422	493,698,400
MINUSTAH (Haiti)	June 2004	10,687	561,344,900
UNMIS (Sudan)	March 2005	13,754	887,332,000
UNMIT (Timor)	August 2006	2724	160,589,900
UNAMID (Sudan/Darfur)	July 2007	63 (authorized strength: 31,569)	1,477,766,300 (pending approval from the General Assembly)
MINURCAT (Central African Republic and Chad)	September 2007		Under preparation
Total		**100,595**	**About $7 billion*[6]**
Troops in sub-Saharan Africa		64,729	4,866,229,400

6   Includes requirements for the support account for peacekeeping operations and the UN Logistics Base in Brindisi (Italy), as of 30 November 2007. See:
http://www.un.org/Depts/dpko/dpko/bnote.htm, and:
http://www.un.org/Depts/dpko/dpko/bnote010101.pdf (27.12.2007).

3. Sub-regional initiatives

Among the five sub-regional organizations in Africa, the SADC and the ECOWAS stand out because of their advanced institutionalization. In addition, regional hegemons clearly structure the economic and power relationships and South Africa and Nigeria are supposed to have the potential for stabilizing their 'neighborhoods'.

3.1 SADC

SADC succeeded to the Southern African Development Coordination Conference (SADCC), which had been founded in 1980 as an organization of front-line states directed against the South African apartheid system. The organization was renamed in 1992 after the apartheid was ended; Namibia and South Africa became members until 1994. With Madagascar's entry in 2004, every state in southern Africa as well as the DR Congo and Tanzania acceded to SADC. Until 2001, SADC was shaped by decentralized administrative structures in which individual member states took over responsibilities for specific policy areas and recruited employees from the respective ministries. With the SADC reform of 2001, these 21 sector-coordinating units were consolidated into four clusters within the SADC Executive Secretary in Gaborone.

3.1.1 Support of good governance and institution-building

SADC's treaties contained the member states' commitment to democracy, good governance, and due process. However, some passages highlighting the meaning of democratic procedure were only belatedly added through an Agreement amending the Treaty of the Southern African Development Community from 2001. In particular, Article 5 was modified and included the new goals:

'(b) to promote common political values, systems and other shared values which are transmitted through institutions which are democratic, legitimate, and effective; [and to] (c) consolidate, defend and maintain democracy, peace security and stability'.

At the same time, the support of good governance has not yet been spelled out in detail, nor has the role of SADC in the APRM been specified.

The Strategic Indicative Plan for the Organ on Politics, Defense and Security Cooperation (SIPO) from 2003 was a step forward in so far as it listed

the following strategies for the consolidation of democracy and good governance:

'(i) Establish common electoral standards in the region, including a code of electoral conduct; (ii) Promote the principles of democracy and good governance; (iii) Encourage political parties to accept the outcome of elections held in accordance with both the AU and the SADC Electoral Standards; (iv) Establish a SADC Electoral Commission and define its functions; (v) Establish a Regional Commission for the promotion of and respect for human rights; and (vi) Strengthen Member States' judicial systems'.

Despite of this progress, the strategic plan remained unsatisfactory because it did not clarify exactly what the principles of democracy and good governance meant in particular for SADC member states.

3.1.2 Establishing a basic framework for peace and security

The SIPO names the instability of member states as being one of the central security challenges as it leads to the subversion of constitutional order and to the erosion of national sovereignty. The SADC conference in Blantyre voiced a similar argument in 2001. The Protocol on Politics, Defense and Security Cooperation, ratified at the conference, listed out 12 goals for cooperation, among others to:

'(a) protect the people and safeguard the development of the region against instability arising from the breakdown of law and order, intra-state conflict, interstate conflict and aggression; [… and] (g) promote the development of democratic institutions and practices within the territories of State Parties and encourage the observance of universal human rights as provided for in the Charters and Conventions of the Organization of African Unity and United Nations, respectively'.

In contrast, the Mutual Defense Pact (MDP), adopted in August 2003, mirrors 'traditional' African foreign policy by underlining the commitment to mutual assistance in cases of military aggression from outside the SADC territory.

Since the establishment of the Organ for Defense, Politics and Security (OPDS) in 1996, SADC has a specific mechanism at its disposal. Its work, however, was blocked right from the start by a conflict between Zimbabwe and South Africa over the nomination of the caucus chairman. The situation was further complicated by the fact that OPDS was not integrated directly into the SADC structures and thus was not required to report to the SADC Heads of State conferences. In 1997, Zimbabwe's President Mugabe refused to give up the chair according to the rotating principle agreed the year before. In response, the SADC conference suspended the body without further ado. Only four years later in 2001 could the OPDS be reactivated and completely

integrated into the SADC organization through a compromise to hand leadership over to a troika.

The main dispute over the role of the OPDS took place in August 1998 over Zimbabwe's, Namibia's, and Angola's involvement in the war in the DR Congo. According to Mugabe, this involvement took place in the name of the SADC and OPDS, even though only a few SADC states had agreed. This issue threatened to break SADC up. The escalation was eventually mitigated by a hurried SADC conference in Mauritius on 13 September 1998, which gave an *ex post* mandate to the intervention. The other SADC states, especially South Africa, refused to send troops to Congo and focused on a diplomatic solution. A further quarrel broke out again in September 1998, as South Africa and Botswana militarily intervened in Lesotho to reverse a military coup. Here, too, SADC later formalized the intervention through an *ex post* mandate.

SADC's foundation treaties envision the possibility of sanctions if the basic principles are breached. Furthermore, member states can demand the dispatchment of monitors to oversee democratic elections. In addition, a detailed set of standards concerning the fair and free organization of elections and their observation was drawn up. At the same time, however, these provisions did not impact on the way SADC handled the Zimbabwe crisis as no agreement on appropriate sanctions was reached regarding the violations of these principles since 2001. Although 'enforcement' is allowed for as a solution to intra- and inter-state conflict, the emphasis on consensual procedures means that the actual application of these provisions remains unclear. Furthermore, approaches to regional peacekeeping are not sufficiently elaborated; this, sure enough, has to do with the unfortunate decision to locate the Regional Peacekeeping Training Centre (RPTC) in Zimbabwe's capital, Harare, which cannot complete its mission due to the situation of the country.

3.1.3 Interim conclusion

The rules of the Westphalian Peace of 1648 virtually still dominate SADC: they include the equality of sovereign states and their right to non-interference. Although there is a parliamentary forum at the SADC level (which mostly concentrates on election monitoring), societal actors are for the most part excluded. OPDS is overstretched with the coordination of military and police cooperation and with building up an effective early warning system. Because of South Africa's involvement, SADC disposes of a nominally strong military potential; this does not, however, lead to a strengthening of regional institutions and effective enforcement of rules. The extremely tense

situation in Zimbabwe is definitely responsible for this. As long as this situation lasts, international donors' hands are tied when it comes to support for security components. This is especially awkward because of the high potential for military stabilization and policing in the region. As long as the crisis in Zimbabwe is going on, external actors are well-advised to focus less on cooperation with OPDS and more on the AU or directly on South Africa.

Development assistance can complement regional peace strategies by concentrating on the interfaces of government, parliament, and civil society. The APRM and election monitoring offer meaningful opportunities to increase the exchange of ideas, consultation, and participation. Aside from the support of communication channels and dialogue forums at the aforementioned interface, capacity development can help parliamentarians and civil society activists to better represent their interests to constructively define their roles in participatory processes related to more transparent and accountable governance.

3.2 ECOWAS

ECOWAS was founded in 1975. The original goal of economic cooperation has lost relative importance over time and conflict management became increasingly relevant. With the exception of Mauritania which left the organization in 2001, all West African states are represented in ECOWAS. Binding decisions have to be unanimous; they are taken at the yearly summits of the Heads of State and Government. In 1993, a reform of the organization was passed against the backdrop of an altered international environment and regime change in numerous member states. In this process, the goal of economic unity was adapted and the support of democracy in the member states became an official goal in the new ECOWAS treaty. Chapter II, Article 4, underlines the following fundamental principles:

'… (e) maintenance of regional peace, stability and security through the promotion and strengthening of good neighborliness; (…); (h) accountability, economic and social justice and popular participation in development; (…); (j) promotion and consolidation of a democratic system of governance in each Member State as envisaged by the Declaration of Political Principles adopted in Abuja on 6 July 1991'.

3.2.1   Support of good governance and institution building

Democratic principles have increased in significance over time for the ECOWAS. The ambitious Protocol on Democracy and Good Governance in 2001 explicitly formulated democratic requirements for the member states:

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division of power with autonomous legislative and judicative branches, free elections and participation, civil control of armed forces, freedom of press and assembly, protection against discrimination, and citizens' rights. In addition, detailed guidelines for election procedures were adopted and 'zero tolerance for power obtained or maintained by unconstitutional means'. State fragility and stability mattered insofar the Protocol discussed both the territorial integrity and political sovereignty of the member states. In the event of eroding political authority, ECOWAS promises to support the re-establishment of an elected government.

3.2.2 Establishing a basic framework for peace and security

ECOWAS states had ratified protocols regarding non-interference and mutual assistance in case of defense already in 1976, 1978, and 1981. In 1999, they adopted the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, which was tied together with an elaborate conflict solution mechanism. The organization created a special body for crisis prevention and support of democracy and due process, the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security. Especially relevant is the Mediation and Security Council, made up of nine members. It has been operating since 2001 and was introduced at the urging of the Francophone states which, against the backdrop of Nigeria's military intervention in Liberia (since 1990) and Sierra Leone (1997), wanted to come up against the supposed instrumentalization of ECOWAS' instrumentalization by Nigeria as hegemonic power. Art. 10 of the protocol authorizes all forms of intervention; Art. 25 permits the council to become active when violent conflict emerges, humanitarian threats evolve, the sub-region is destabilized and serious and massive human rights violations take place as well as in situations where a democratically elected government is overthrown or will be overthrown. The possibility of intervening in the case of coups against a democratically elected government was also underlined in Art. 45 of the Protocol on Democracy and Good Governance (2001), which already provides for a wide spectrum of incentives, but also sanctions in order to facilitate a return to constitutional order. In Gambia (1994), Niger (1999), and Togo (2005), ECOWAS tried with varying degrees of success to mediate after a coup or constitutional crisis.

Despite its ambitious goals, ECOWAS has hardly any operative resources at its disposal. Its budget goes mainly towards financing the fixed costs of the Secretary's office staff. There is a meager 'regional fund' which finances projects in member states. However, since June 2006, ECOWAS

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has a rapid response force at its command, the Standby Brigade (ECOBRIG), consisting of up to 6500 soldiers who can be sent to a theatre of conflict within 90 days. And military interventions have already been used many times; aside from the already mentioned cases in Sierra Leone and Liberia the ECOMOG was active in Guinea-Bissau, which was threatened with expulsion from ECOWAS after a coup in 2003. Since 2002, ECOWAS has (if only unsuccessfully) been active in peacekeeping in the Ivory Coast (ECOMICI); this mission later gave way to the UN mission for the Ivory Coast.

3.2.3   Interim conclusion

Compared to SADC, ECOWAS has since evolved into a front runner for security and political integration after the Cold War. Even though the rationale of its interventions oscillates between collective security and partisan hegemony, the regional organization has constituted itself as a capable actor which has built up its own sub-regional security regime. This regime does not only aim at the stabilization of existing governments, but instead also aims at constitutional order in the sense of democracy and due process – a new understanding of sovereignty that became clear in the protocol concerning democracy and good governance (2001).

Nevertheless, there are still glaring deficits, the enduring dispute between Anglo- and Francophone states being one of the most irksome. It is also remarkable that the development, internalization, and implementation of common norms oriented around good governance are clearly lagging behind compared to security integration. Finally, ECOWAS has not yet made substantial progress in providing for appropriate forums for the involvement of civil society and parliamentarians in governance support, institution-building, and security and political stabilization.

External support should therefore concentrate on the intersections between government, parliament, and civil society, similar to SADC. Both the APRM and election monitoring offer meaningful avenues for supporting information sharing, consultation, and participation. One promising starting point is that political stability within ECOWAS has become tightly bound to the development of constitutional rule.

4. Towards stabilizing states in Africa?

The African continent has been stirred into action. There has been progress in terms of governance and institution-building as well as in building up security regimes. Whether the new norms, principles, rules, and procedures will pass the hard test of reality is still questionable, however. The APRM, introduced by the NEPAD, is a central instrument to monitor and evaluate the abidance with standards of good governance. The mechanisms, however, have structural weaknesses (such as the low entry threshold) and the implementation processes are still hard-bitten. Furthermore, APRM is still limited to NEPAD/ AU and has not 'trickled down' to sub-regional bodies. These remain relatively poorly acquainted with questions of governance because only few of the ruling Presidents and political parties are interested in the effective control of the executive. Even though there are many implicit references to democratization and the support of good governance and statebuilding in respective declarations, sub-regional politics tends to circumvent the question in how far state structures and institutions are legitimate. The stabilization of fragile states, thus, is all too often closely linked to the objective of regime survival. Where political elites have eroded state structures and de-legitimized their political authority, as can be observed in particular in Zimbabwe, sub-regional mechanisms have failed so far.

Political transformation and the rebuilding of statehood after violent conflict require a security framework. The AU has transformed itself into a serious actor – with the new Charter, the establishment of the Peace and Security Council, and the willingness to deploy troops in Burundi and Darfur on an ad-hoc basis being the major proofs for this progress. At the same time, the operations' efficiency and effectiveness have been limited, which is why external support pays special attention to a frictionless handing over to the United Nations. In Sudan/Darfur, the traps and pitfalls of such interim missions became distressingly evident, shedding a bad light on AMIS. While SADC has been paralyzed by the Zimbabwe crisis, ECOWAS managed to build up a remarkable Standby Brigade. Though ECOWAS interventions have led to mixed results, ECOBRIG is a factor not to be neglected in regional security issues.

The prevention of and reaction towards unconstitutional change of regime has figured prominently on the political agendas of the AU and ECOWAS and provides a crucial link between the areas of governance and security. Although the Art. 4 (p) of the AU Charter holds that unconstitutional change of regime is a legitimate reason for external intervention, this principle has not been put to test so far at the continental level. Despite for this

logjam, the African Charter on Democracy, Elections and Governance from 2007 has underlined the principle; it remains to be seen in how far it will impact on the AU in the years to come. ECOWAS anchored the defense of basic constitutional principles in cases of coups or blatant breaches of constitutional rule not only at the normative level but applied it proactively in Togo: Immediately after the death of President Gnassingbé Eyadéma on 5 February 2005, the military had installed his son, Faure Gnassingbé, as new president; and the parliament altered the constitution accordingly. Together with the AU, ECOWAS immediately demanded the return to the constitution. Togo was suspended from its AU membership and non-military sanctions were threatened. At the same time, ECOWAS did not follow-up decisively. Thus, the ruling elite managed to rig the election and to pave the way for the semi-monarchist succession of Eyadema's son in the end. Among other factors, it benefited from the fact that the constitution had been tailored towards the needs of power-holders and was not the appropriate basis for a process of democratization (Engels 2005). ECOWAS' track record in upholding constitutional rule, in this light, is ambivalent, but the organization has proved that it is willing not to look the other way when principles are violated.

As can be seen from our analysis, regional cooperation in Africa is still strongly state-centered and mainly shaped by state elites. Thus, we do not observe a 'new regionalism', driven by transnational societal actors and their interest in security, but rather an elite-led transformation fraught with obstacles: State elites remain hesitant to discuss sensitive questions on the regional level which mirrors their fears of being politically threatened by domestic opposition. The 'real issues' are neither military threats from abroad nor the 'war against terrorism'. Instead, regime survival and the destabilization of regional neighbourhoods are at the forefront. Furthermore, ruling elites increasingly are realizing that 'soft' threats like the AIDS pandemic or trade in drugs and small arms meanwhile rank high on the security agenda. Because of their transnational and cross-border nature it is evident that they cannot be resolved in a nation-state framework only, which will most likely increase the willingness of political leaders to establish appropriate sub-regional and regional mechanisms.

Will regional actors in sub-Saharan Africa be able to stabilize fragile states and develop effective strategies for peace in the near future? Not surprisingly, this question cannot be answered with a clear 'yes' or 'no'. The changed international environment and the proliferation of norms have clearly led to reforms and changes within regional and sub-regional institutions. At the same time, effective action by AU, NEPAD and sub-regional organizations such as ECOWAS and SADC has often been hindered

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by a lack of resources and a lack of political will to decisively enforce newly established aims and goals. From a realist perspective, the above-mentioned progress is mere 'window-dressing'. Neo-institutionalists, on the contrary, will highlight that new, transnational challenges make cooperative behavior a rational choice and the emergence of new regimes likely. Constructivists, eventually, will remind us that altered normative frameworks and new perceptions in the middle- and long-term impact on 'realities'. Our outlook is neither pessimistic nor optimistic. We acknowledge that new initiatives have been launched on the regional and sub-regional levels that provide an interesting basis for an African governance and security regime. At the same time, we realize that these nascent structures are still 'fragile' themselves and will not stand up to severe tests. As a consequence, much will depend on the willingness of external actors to support regional reforms and to step in where regional capacities obviously will not be able to stabilize and transform fragile states from a mid-term perspective. A focus of external endeavors could lie in facilitating a closer linkage of continental and sub-regional initiatives in the field of good governance and constitutional rule. Furthermore, the interplay of regional and UN peacekeeping operations can be improved – being aware of the fact that global engagement will remain indispensable for decisive intervention in cases of genocide, crimes against humanity and massive war crimes. The success of such strategies will, eventually, depend on the successful transition to participative and demo-cratic regimes. External actors, thus, should continue to stress the inclusion of civil society groups and parliamentarians. Otherwise, statebuilding initia-tives will be likely to contribute to mere regime stabilization and not to con-structive transformation of political rule.

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