Symposium on African Union at 20: AU @ 20: Red Flags of Implementation and Political Will Continue to Stall Much-needed Reform

By:

Faith Mabera

August 3rd, 2022

Faith Mabera

https://doi.org/10.25159/2522-6800/11303

The establishment of the African Union (AU) on 9 July 2002 was a momentous occasion, signalling a step-change in the institutional and normative frameworks of the institution. The Constitutive Act of the AU envisioned a united, prosperous, stable and peaceful continent that would anchor the African century in an evolving global order. The Organisation of African Unity (OAU) had been pivotal in the decolonisation and liberation of the continent, but the

new millennium heralded a major transformation in policy and increased momentum towards an African Renaissance and enhanced agency in shaping the destiny of the continent and its profile in global politics. As we mark the twentieth anniversary of the AU, it is an opportune time to take stock and assess the extent to which the organisation has achieved its broad mandate to deliver political, economic and social development to the continent.

A cursory glance through its two-decade existence reveals a mixed record of both successes and failures across a range of sectors and issue areas. The common refrain among critics is that the AU has turned out to be an 'old boys club', a gerontocracy—if one goes by the average age of the ruling class in the majority of African countries. Apart from the obvious generational disconnect between the older ruling class and a majority youthful population with a median age of nineteen, the cronyism and clientelist networks fostered by the ruling class have not only limited access to effective participation in political life and economic development for the youth, but have also fostered a toxic culture of corruption and graft with far-reaching implications for governance and service delivery. The governance deficits and erosion of democratic norms are linked to the trend of protests and popular uprisings as citizens look to vent their grievances about lack of accountability, socio-economic issues, rising inequality and poor service delivery which have gone mostly unaddressed by governments.

A major challenge for the AU has been the effectiveness of its conflict management and resolution approaches. The trends in armed conflicts across the continent, including the resurgence of coups in recent months; the worsening jihadist violence across the Sahel and the Horn of Africa; and limited progress with high-wire transitions such as Libya, Chad and Sudan have exposed the limits of the AU's institutions, norms, instruments and practices aimed at promoting peace, security and stability in Africa. A key question going forward is whether the African Peace and Security Architecture (APSA) will adapt to the rapidly evolving and multi-dimensional challenges facing the continent, and relatedly, whether member states will muster the political will to ensure that a well-functioning and effective APSA becomes a reality. The Peace and Security Council (PSC), which is the standing decision-making organ for the prevention, management and resolution of conflicts, is hindered by an ambitions-implementation gap, stemming from the over-reliance on funding

from external actors as well as the agenda-setting practices linked to membership dynamics and selectivity on prioritisation and responses to agenda items. For instance, Ethiopia's membership to the PSC in 2021 precluded the tabling of the conflict in Tigray on the agenda. Pertinent to the issue of integration, the relations between the AU and the Regional Economic Communities (RECs) have been the subject of debate concerning the principles of subsidiarity and comparative advantage. Although the new Protocol on AU-REC relations (which entered into force in November 2021), is expected to enhance coordination and harmonisation at the regional and continental levels, the variance in levels of regional integration and capacity across the RECs may impact the uniform implementation of programmes and projects in various thematic areas such as trade integration, political and institutional integration, among others.

One of the hallmarks of the transformation from the OAU to the AU was the putative shift from non-intervention to non-indifference in addressing the peace and security challenges on the continent. Article 4(h) of the AU Constitutive Act takes it a step further by enshrining what is tantamount to the norm of the Responsibility to Protect (R2P), granting the AU the right to intervene in a member state in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity. Despite the prolific and progressive character of such normative frameworks concerning the human protection agenda and the promotion of security, stability, development and cooperation, implementation and the lack of political will has turned out to be the AU's Achilles' heel. The problem of ineffectiveness gives rise to another pivotal question about the AU's relevance, not only in terms of fulfilling its mandate as a regional organisation, but also regarding the promise of protecting and promoting human and peoples' rights.

It is not all doom and gloom on the scorecard. The AU has had some wins such as the adoption of Agenda 2063, which is a blueprint to achieve inclusive and sustainable socio-economic development over a fifty-year period. According to the latest progress report compiled by the African Union Development Agency, the New Partnership for Africa's Development (AUDA-NEPAD) and the AU Commission, the continent achieved an aggregate score of fifty-one per cent at the aspiration level, with the strongest score of eighty-four per cent Aspiration 2. 'an integrated continent politically united and based on the ideal of Pan-

Africanism and the Vision for Africa's Renaissance' and the lowest score of thirty-seven per cent for Aspiration 1 'A prosperous Africa based on inclusive growth and sustainable development.'

Another win for the AU is the institutional reform agenda that was initiated in 2016 to strengthen the efficiency and financial autonomy of the organisation. There have been major institutional overhauls such as the merger of the political affairs and peace and security divisions into a consolidated Political Affairs, Peace and Security (PAPS), while the imposition of a 0.2 per cent levy on non-eligible non-African imports and the establishment of the Peace Fund point to some level of progress in implementation. However, the AU's self-financing goals remain off-target as a result of irregular payment of dues by member states, coupled with the absorption capacity of the AU's bloated regular and peace budget, which has resulted in continued reliance on funding by foreign donors.

In sum, a core objective of the AU is to project an integrated and peaceful Africa as a dynamic force in the global arena, undergirded by the core values of Pan-Africanism and the African Renaissance. Twenty years later, and as Africa is increasingly positioned as the epicentre of geostrategic and geopolitical shifts in the global arena, the AU faces the Herculean task of navigating a complex web of interests and partnerships with external actors, while leveraging the collective bargaining power and agency of an Africa in transition.

View online: Symposium on African Union at 20: AU @ 20: Red Flags of Implementation and Political Will Continue to Stall Much-needed Reform

Provided by Afronomicslaw