

WORLD FEDERALIST MOVEMENT

BACKGROUND PAPER ON AFRICAN UNION*

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I. BACKGROUND

At its final meeting in July 2001, the Organization of African Unity announced its decision to transform from OAU to AU in the upcoming year. The transition will be lead by the newly elected interim head, Amara Essy, Ivory Coast's former foreign minister. The 53 African states who currently compose the OAU will be members of the new intergovernmental organization - the African Union, which will be loosely modeled after the European Union and will be headquartered in Ethiopia.

The AU will replace the OAU, which was established in 1963 to promote unity, solidarity and international cooperation among the newly independent African states. It provided both practical resources and political backing for countries in their struggle against colonialism and helped to mobilize the battle against the apartheid regime in South Africa. However, during the past four decades the OAU has been hindered by internal conflict and self-serving heads of state. According to most critics, the OAU has protected the interests of African heads of state without addressing the real problems. Because of the OAU's tradition of non-interference in the internal affairs of its member states, it has proved of limited use across a continent of constant conflict and widespread government corruption. It has done little to address Africa's economies or to combat AIDS and other disease plaguing the continent.

The African Union was proposed by the Libyan leader Moammar Al Qaddafi as a more effective institution for increasing prosperity in Africa. The AU was formally established in September 2001, in Sirte. The AU's objective is to harmonize the economic and political policies of all African nations in order to improve pan-African welfare, and provide Africans with a solid voice in international affairs. Supporters of the AU believe

it will have a stronger charter than the OAU, will be better funded, and will have the "teeth" that the OAU lacked, including the power to create a common African Parliament, a Central Bank, a common African currency and an international Court of Justice. It is hoped that the AU will have the authority and ability to achieve economic and political integration among member states, as well as work towards a common defense, foreign and communications policy: national boundaries will be blurred, armies merged, and a single passport introduced.

II. CHALLENGES THAT FACE THE AFRICAN UNION

While the goal of more effective continental unity is widely shared, there is widespread skepticism whether the new organization will prove more effective than its predecessor. Some of its main challenges are :

1) Economic Disparities

- How can continental unity be achieved when even regional unity faces complications, and there are numerous problems with regional economic and political treaties (such as COMESA and SADC). How will AU ensure a fair balance of trade among countries with vastly different economic powers?

- Should there be a minimum economic standard for entering the AU (like the EU standard)? How will that effect poorer African countries? Can the AU afford to grant loans to poorer members?

- The AU has adopted and merged the South African President's, Thabo Mbeki, Millennium Africa Recovery Plan (MAP) and Senegal's President Wade's Omega Plan, resulting with the New African Initiative (NAI), for recovering Africa's economy.

2) Historical Perspectives

- The OAU did not dictate that its members necessarily have to be democratic (policy of non-interference in internal affairs). Should there be a standard, such as democracy, for joining the AU (like in the EU)? What African countries will actually be able to join?

- There is also a claim that the timetable is unrealistic and might backfire. The EU took nearly fifty years to form and it did not start by including every European country.

- There are also regional alliances that may hinder the goal of unity (the historical Casablanca and Monrovia groups).

3) Political Disparities

- Political stability is a qualification to join the EU so as to avoid destabilization of other countries. If all African states automatically become members, that means that like the OAU there will be no democratic or political stability standard. War-torn states will destabilize others. Setting such standards may mean denying membership from many countries, and ironically from Qaddafi's Libya as well. Even countries with well defined democratic constitutions may have undemocratic tendencies that will hinder their recognition as a democracy.

- Many question whether there are enough African leaders to outweigh the many misguided or corrupt leaders in the continent.

4) Nation-States vs. Multi-Nation States

- States with more than one significant linguistic group (multi-nation states) have faced internal strife, as well as wars inspired by religion. While most European states were founded as nation states, most African states were founded as multi-nation states due to colonial history. This makes the goal of unity even more difficult to achieve as the ethnic and religious rivalry and constant border conflicts are one of the biggest challenges to the AU. On the other hand, the hostilities that ethnic groups have within each country are caused by the fact that they have to compete for central government power left by the colonial power, but such groups may be friendly with those in other countries that do not compete for power with them. It is the idea of colonial forcing ethnic groups together which cause conflict, but many claim voluntary unification may work well.

- There is also the question of ethnic groups which are calling for self-determination, and prefer to join the AU as sectarian groups rather than as an entity of the governments whose legitimacy over them they do not recognize. Will the AU accept these groups or maintain the OAU's policy which objects to the formation of new African states?

5) Threat of Western Imperial Interests

- An example: The USA is about to implement the Africa Growth and Opportunity Act (AGOA 2000). This bill has the potential of dividing the trade relations among African states, because it allows the USA to choose which countries it sees as "deserving" (by unclear standards).

- Some African countries (like Morocco) have attempted to apply for EU membership. This would undermine the idea of African unity.

- There are groups like the IMF, the World Bank, Western firms in Africa, and donor countries that have clear interests in Africa, and hold much control over some states. This which may hinder the AU's attempt to promote unity and self-reliance within the Union.

6) Civic Education Levels

- From the EU's experience of low voter turnout for the referendum (people did not understand what they were voting for), it seems that the ordinary Africans will not be able to understand the complexities of the AU (the literacy rate is about half of that in Europe).

In any case, so far most African leaders did not consult their own citizens with the decision of whether to join the AU. It remains to be seen whether they will consult and educate their people about the AU in the future.

7) Poverty and Low Technology

-Poverty alleviation and sustainable development are a major challenge to the continent. -
- Many parts of Africa are impassable or inaccessible. There is poor communication and almost no possibility to register/document inhabitants, by computer or otherwise.

- Most investments in the AU will be foreign, but even if some investments will be African, it seems they will mainly come from already wealthy Africans (mainly white) who may take advantage.

8) Qaddafi: Many fear the AU's close ties to Qaddafi. Critics say the Libyan leader is so eager of this union since he has failed in similar endeavors to create a Pan-Arab Union, and therefore he is funding the establishment of the AU almost single handedly (Libya is considered the wealthiest nation in Africa). There are fears that his only objective for the AU is self-promotion and achieving legitimization after being an international pariah for many years.

- Since Qaddafi is the driving force behind this Union, would other religions and races be treated equally by a leader inherently opposed to competitive beliefs? There have been racist attacks against blacks Africans in Libya by those who prefer Pan-Arabism over Pan-Africanism. Despite this Qaddafi stated in his speech of July 11,2001 that "the new union was reserved exclusively for blacks" and referred to the racist behavior of the colonialist powers against blacks. Qaddafi often contradicts himself to gain support. He recently praised African women for their role in African unity, stressing that their inclusion in decision making roles was critical. Yet his own country is run by the military from which women are excluded.

- The AU promises to respect democracy and good governance more than the OAU ever did. However this new parliament will sit in Tripoli, Libya - a country that allows no opposition, no free elections, free speech or free press. Qaddafi runs a dictatorship under the guise of a socialist republic. What would keep him from running the AU in the same manner (after easily bribing poor African nations for their complacency)?

- Another troubling factor is Qaddafi's support of terrorist organizations. There are rumors that he has been funding the rebels in Northern Nigeria, in order to weaken

Libya's most fierce competitor in the continent. As a proven violator of UN resolutions, Qaddafi would be a poor choice for a continent dependent on the UN's good will. Also, the disruption of a fellow country's stability hardly promotes the AU's theme of unity.

9) The AU upholds many **human rights principles**. It provides that the AU will abide by the African Charter on Human and Peoples' Rights and the Universal Declaration of Human Rights as well as the UN Charter. However there is no provision for the establishment of relevant institutions and only five states have ratified the protocol of the African Court on Human and Peoples' Rights, and the AU is silent on its relationship with the Court of Justice that is to be established by the AU. (The African Commission on Human and Peoples' Rights is considered the most credible and independent human rights instrument in Africa).

-Integrating women, youth and marginalized groups in the AU is another major challenge.

10) Morocco withdrew from the OAU in November 1984 to protest the illegal admission of the self-proclaimed SADR which claims the independence of its southern provinces retrieved by Morocco in 1975 under a tripartite agreement with Spain, the former colonial power. In July 2001 Morocco stated that it will not adhere to the AU, for it has repeated the same error as the OAU, when it allowed the SADR to sign on despite its lack of any international recognition. Morocco is a leading country in the continent, and some claim the AU cannot do without it. ** Morocco is party to some regional economic and political treaties such as the recent CEN-SAD, the Sahel and Saharan States Community (formerly called COMESSA) and the UMA (1989).

11) An OAU **Civil Society Conference** was held at Addis Ababa in June 2001. The objective of the conference was to enhance and consolidate cooperation between the OAU and the African Civil Service Organizations (CSOs). Particularly to provide mechanisms for such cooperation as to enable CSOs to contribute and consult the OAU in such issues as: good governance, peace and security in Africa, protection of human and people's rights, unity and cohesion in Africa and resolving conflicts.

12) What will be the role of **NGO's** in the AU. In April 2000, a Forum for all Arab-African NGO's was established, with a view of creating a united force which will make the NGO's relevant and responsive to the needs of the people of Africa and to ensure their involvement and participation in the work of the AU.

13) HIV/AIDS and other diseases are devastating many African countries - challenge AU.

III. DIFFERENCES BETWEEN OAU CHARTER AND THE AU ACT

The official languages of the AU are the same as in the OAU: African languages, Arabic, English, French, Portuguese. (but Arabic was moved up from 4th place to 2nd).

1. AU includes all of the **objectives** (purposes) of the OAU, aside from mentioning the eradication of colonialism. But it adds a few important issues:

Article g: Promoting **democratic** principles and institutions, popular participation and good governance.

Article h: Promoting and protecting human and peoples' rights in accordance with the **African Charter on Human and Peoples' rights** and other relevant human right instruments. (OAU mentions only UN Charter and Universal Declaration of HR, which AU mentions in Article e)

Article d: Promote and defend common positions on issues of interest to the continent and its people.

Article j: promote **sustainable development** at the economic, social, and cultural levels as well as the integration of African economies.

Article l: coordinate and harmonize policies between Regional Economic Communities.

2. The **principles** of the AU include all of those of the OAU, except for the emancipation of African territories from colonial powers. But there are additions:

Article c: **Participation of African peoples** in the activities of the Union.

Article d: Establishment of a common defense policy for the African continent.

Article k: promotion of self reliance within the Union.

Article l: promotion of **gender equality**.

Article m: respect for democratic principles, human rights, the **rule of law**.

Article n: promotion of **social justice** to ensure balanced economic development.

Article p: condemnation and rejection of unconstitutional changes of government.

** Limitations on the rule of non-interference in the internal affairs of all Member States:*

Article f: Prohibition of the use of force or threat to use force among members.

Article h: The rights of the Union to intervene (upon decision of the Assembly) in cases of **war crimes, genocide and crimes against humanity**.

Article i: The right of member states to live in peace and security.

Article j: The rights of member states to request **intervention from the Union in order to restore peace and security**.

1. Important provisions that did not exist in the OAU Charter:

Articles 17, 18: The Pan-African **Parliament**; The **Court of Justice**

Articles 19, 22: Financial Institutions, The Economic, Social and Cultural Council

Article 23(2): imposition of **sanctions** on members that fail to comply with the decisions and policies on the Union.

Article 30 **Suspension**: governments which shall come to power through unconstitutional means shall be allowed to participate in the activities of the Union.

Article 33(2): The provisions of the AU Act take precedence over and supersede any inconsistent or contrary provisions of the Treaty establishing the African Economic Community.

1. **CONCLUSION**: Should the WFM support the AU? It depends on how African leaders react to the challenges ahead of them. It depends on the role of Qaddafi and other dictators in Africa will be able to play in the AU. In July 2002 South Africa will host the inaugural Summit of the Assembly of the AU. Consequently President Mbeki is likely to be the first leader to preside over the new Union. This remains to be seen, as is Qaddafi's role in this. It might be best to wait and see how things develop.

** The AU consists of several large regional jurisdictions (including ACOWAS, SADC, COMESA, UDEAC), republics, kingdoms and some multi-jurisdictional territories (eg: wildlife sanctuaries). It is the 10th largest economy in the World. It constitutes 1/5 of the world's land mass, and holds a major part of its natural resources.