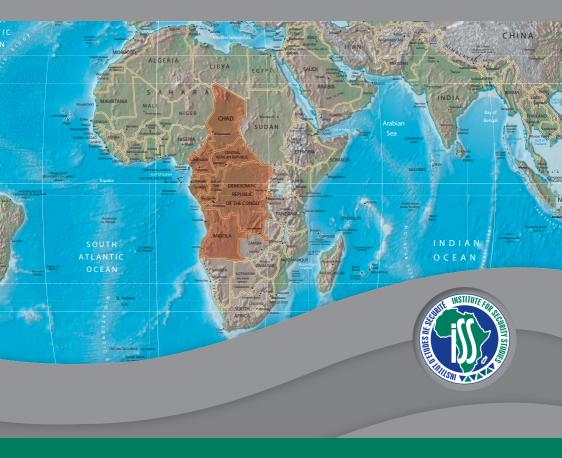# Political economy of regionalisation in Central Africa

Edited by Chrysantus Ayangafac

As a leading African human security research institution, the Institute for Security Studies (ISS) works towards a stable and peaceful Africa characterised by sustainable development, human rights, the rule of law, democracy and collaborative security. The ISS realises this vision by:

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Political economy of regionalisation in Central Africa

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Contents

Chapter 3

Chrysantus Ayangafac

PART III: REGIONAL RELATIONS AND HUMAN SECURITY
IN THE CENTRAL AFRICA REGION

Chapter 4

Yves Alexandre Chouala

Chapter 5

The role of international justice

Alain-Guy Tachou Sipowo

PART IV: REGIONALISATION IN CENTRAL AFRICA

PART V: POLICY OPTIONS AND RECOMMENDATIONS

Preface

Why study regional integration in the Central Africa Region? A perusal of African political economy will reveal that the Central Africa Region is lagging on all counts of human security, at least at present, and as far as integration in the region is concerned, it is far behind, too. The burning question is how to explain (and then rectify) this state of affairs given that the region is abundantly blessed with natural resources. This monograph does not pretend to provide unassailable answers to these difficult questions. Rather its principal objective is to provoke policy discussions and place regional integration in the Central Africa Region high on the political agenda.

In advocating for robust regionalisation in Central Africa the monograph places more emphasis on human security, as the criterion by which state and regime security is measured. From this perspective the monograph argues that the poor state of regional integration in the region can be ascribed to domestic politics. This leads to the argument that international support for regional integration must not take place at the expense of improvements in domestic political governance. Against this backdrop the monograph concludes that in order to mitigate the problem of time consistency (political security), the potential cost and benefits of regionalisation, implementation and monitoring must be contingent on a positive aligned between regime security and human security.

This monograph is not a once-off event. It is part of the efforts of the Institute for Security Studies (ISS) within the framework of article 20 of the African Union Peace and Security Council Protocol, to enhance and complement the conflict prevention strategies of the AU. The ISS is an independent and non-profit applied policy research organisation with a focus on human security in Africa. Its mission is to conceptualise, inform and enhance the security debate on the continent and internationally. The ISS has offices in Addis Ababa, Cape Town, Nairobi and Pretoria. It recognises that conflict prevention and

peace-building are fundamental principles of the African Peace and Security Agenda. Efforts to anticipate and resolve disputes are intrinsic components of this agenda and include programmes and projects as such the ISS Direct Conflict Prevention (DCP) Programme in Addis Ababa, which was established to support and enhance AU peace and security conflict prevention strategies.

The structure of the monograph is to a large extent informed by its analytical underpinnings. Unlike some works in this field which depend entirely on analytical insights such as rationalism and historical institutionalism, this monograph adopts an analytical narrative approach. Accordingly the monograph begins with an explanation of the contextual variables that inform domestic politics in the region, then moves on to some critical issues, state relations and international justice, these being important variables that would determine the region's political economy in the future. The next section is devoted to an examination of regionalisation in Central Africa and the monograph concludes with policy recommendations. The monograph will be available on the ISS website (www.issafrica.org). The contributors hope that this publication will prove to be useful and stimulating to its readers.

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August 2008

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Executive summary

An interesting phenomenon in the global political economy is that regional mechanisms have come to be considered the best policy response to globalisation and weak state capacity. As such, Regional Economic Communities (RECs) have been heralded as the building blocks of the African Peace and Security Architecture. However, while other regions of the continent have made laudable progress towards economic and political integration, Central Africa is facing a human security crisis and regional integration seems an unattainable chimera rather than a reality. Ironically, the region is well endowed with natural resources.

Against this backdrop, questions that need to be answered are: What explains the sad reality of human insecurity in the region? Is regional integration a policy imperative that would redress the human security situation of the region? And if it is the answer, what form should regional integration take?

This monograph does not pretend to provide unassailable answers to these questions. However, in drawing insights from new institutional economics, it argues that until there is a positive alignment between political security and human security, the region will continue to face a human security crisis. In attempting to explain the absence of deep integration, the monograph borrows insights from comparative political economy and argues that states in the region view regionalisation as an extension of domestic politics. As such, they must maintain a precarious balance between the potential long-term gains of regionalisation and the perceived short-term political cost to their survival. Furthermore, regionalisation in Central Africa has become a mechanism more often than not used to enhance regime security rather than human security.

As a policy response, the monograph calls for political convergence, that is improved domestic political and economic governance, to form the building blocks of the RECs and the African Peace and Security Architecture.

List of abbrevations

ADB	African Development Bank
ADIE	l'Agence Internationale pour le développement de l'Information
AEF	French Equatorial Africa
AFRICOM	United States Africa Command
AFRISTAT	Economic and Statistical Observatory of Sub-Saharan Africa
AMIS	African Union Mission in Sudan
AIDS	Acquired Immune Deficiency Syndrome
AMU	Arab Maghreb Union
APRD	People's Army for Restoration of Democracy
APSA	African Peace and Security Architecture
ARSO	African Regional Organisation for Standardisation
AU	African Union
BBC	British Broadcasting Corporation
BDEAC	Central African States Development Bank
BDP	Office of the Prosecutor
BEAC	Bank of Central African states
BONUCA	United Nations Office in Central Africa
BSR-AC	Bureau Sous-Regionale d'Afrique Centrale
BVMAC	Bourse des Valeurs Mobilières

CAMAIR	Cameroon Airlines
CAMSUCO	Cameroon Sugar Company
CAR	Central African Republic
CC	Concession Contract
CCI	Community Integration Contribution
CDS	Defence and Security Commission
CEMAC	Central African Economic and Monetary Community
CEN-SAD	Community of Sahel-Sahara States
CEPGL	Economic Community of the Great Lakes Countries
CGG	Commission du Golfe de Guinee
CICIBA	Centre Internationale des Civilisations Bantu
CIMA	Inter-African Conference on Insurance Markets
CIPRESS	InterAfrican Conference on Social Welfare Environnemental
CNU	Cameroon National Union
COBAC	Central African Banking Commission
COMESA	Common Market for Eastern and Southern Africa
COMIFAC	Central African Forestry Commission
COPAX	Council for Peace and Security in Central Africa
COSUMAF	Central Africa Financial Supervision Commission
CPDM	Cameroon People's Democratic Movement
CPI	International Criminal Court
CVR	Truth and Reconciliation Commission
DIHPSS	human integration, peace, security and stability department
DRC	Democratic Republic of the Congo
EAC	East African Community
ECCAS	Economic Community of Central African States

ECOSOC	Economic, Social and Cultural Council of the African Union
ECOWAS	Economic Community of West African States
EITI	Extractive Industry Transparency Initiative
EPA	Economic Partnership Agreement
FIDH	International Federation for Human Rights
FODEC	community development fund
FOGAPE	Fond d'aide et de Garantie des credits aux Petites et moyenne Entreprises
FOMAC	Multinational Force of Central Africa
FOMUC	Multinational Force in the CAR
FONADER	Fonds Nationale de Developpement Rurale
GDP	Gross Domestic Product
GNP	Gross National Product
GNU	Government of National Unity
HDI	Human Development Index
HIPC	Highly Indebted Poor Countries
HIV	Human Immunodeficiency Virus
HRW	Human Rights Watch
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for (the former) Yugoslavia
IDA	International Development Association
IGAD	Inter-Governmental Authority for Development
IMF	International Monetary Fund
ISS	Institute for Security studies
List-PR	List Proportional Representation
LPA	Lagos Plan of Action

LRA	Lord's Resistance Army
MARAC	Early Warning Mechanism of Central Africa
MLC	Movement for the Liberation of the Congo
MONUC	United Nations Organisation in the Democratic Republic of the Congo
MSF	Médecines Sans Frontières (Doctors Without Borders)
NEPAD	New Partnership for Africa's Development
NGOs	Non-governmental Organisations
OAU	Organisation of African Unity
PAPS-CEEAC	ECCAS Support Programme for Peace and Security in Central Africa
PBV	Party Block Vote
PDG	Gabonese Democratic Party
PEAC	Central Africa Power Pool
PRSA	Regional Programe for Food Security
PSC	African Union Peace and Security Council
REC	Regional Economic Communities
REPAC	Network of Parliamentarians in Central Africa
RoC	Republic of Congo
SACSQCA	UN Standing Advisory Committee on Security Questions in Central Africa
SADC	Southern African Developement Community
SAPP	Southern African Power Pool
SEMRY	Societe d'Expansion et de Modernization de la Rizculture de Yagoua
SNH	Societe Nationales des Hydrocarbures
SNI	Societe Nationale d'Investissement

SOCAPALM   Societe Nationale des Palmaires

SONARA   Societe Nationale de Raffinage

TCI   Community Integration Tax

TRS   Two Round System

UDE   Equatorial Customs Union

UDEAC   Central African Customs and Economic Union

UDEAC   Customs and Economic Union of Central Africa

UEAC   Union of the Central African States'

UFDR   United Alliance of Democratic Forces

UN   United Nations

UNECA   UN Economic Commission for Africa

UNITA   União Nacional para a Independência Total de Angola

USA   United States of America

WANEP   West Africa Network for Peace Building

WESTCOR   Western Power Corridor

ZLE   Zone de Libre Echange

Introduction and background

1 The political economy of regionalisation in Central Africa

CHRYSANTUS AYANGAFAC

It has become fashionable to argue that the debate on the rational for regionalisation is dead, and that the debate should now be focused on the how question. This assertion invariably seems to suggest that any robust integration must follow a policy blue print, a well defined trajectory. This argument is somehow misplaced because it does not take into consideration the fact that integration is a continuous struggle and conflict over interest. As a consequence, two important issues are important to outline from which this monograph takes its cue. Regionalisation is about political interest and political survival. This does not mean that economics plays no part in regionalisation. The point here is how leaders derive and enhance their legitimacy is critical to understand regional integration. Thus, regional institutions are first and foremost an initiative, an embodiment of a political ideology rather than mere structures. The structure, design and function of regional organisations are nothing but a reflection of a political compromise to realise and accommodate political interest.

As Africa makes laudable steps towards its renewal, the prominence of regionalisation and regionalism have taken center stage in the academic and policy circles as responses to limited state capacity, triumph of neoliberalism (globalisation) and uncertainly in the global political economy. As such, Regional

Economic Communities (RECs) have been heralded as the building blocks of the African Peace and Security Architecture (APSA). This seems a vindication of the gradualist neoliberal infancy thesis in which the primary objective is to consolidate RECs and then convert them into a single security apparatus for the continent. A policy implication of this thesis has been that over the years there has been an emphasis on strengthening and capacitating African regional security mechanisms as the most viable and robust mechanisms to stem conflicts on the continent. However, little mention is made of the fact African states remain central to both the architecture and RECs. Weak states produce weak regional organisations which begs the question of whether one can argue that the weak nature of the peace and security architecture and RECs stems from domestic African politics. This monograph does not pretend to provide an exhaustive answer to this question. Taking the Economic Community of Central African States (ECCAS) as a case study, it ventures to interrogate the neoliberal thesis, and in the process contribute to the debate on continental integration within the context of conflict prevention. It does so by advocating for sound domestic political and economic governance as the main building block of human security on the continent. Though its emphasis is the Central Africa Region, its relevance stretches beyond the region and the present time frame.

THE CENTRAL AFRICA REGION IN CONTEXT

In assessing integration in the Central Africa Region, the first question that needs to be answered is what constitutes the Central Africa Region? Any attempt at conceptualising the region for robust policy engagement based on reality must be predicated on politics and institutions. Central Africa as a unit of analysis is an abstraction of the reality grounded in an institutional construct rather than a thesis (Sindjoun 1999). Therefore it might be considered erroneous to treat Central Africa as a unit of analysis as its politics is a mosaic of practices, actions, representations and institutions aimed at influence or domination. However, from a purely diplomatic and international relations perspective, the Central Africa Region is an institutionalised fiction which produces effects of reality that orientates the actors involved towards a network of regional organisations and specific regional identities, based on geographic proximity and solidarity (Sindjoun 1999). For the purpose of this monograph and the policy options it proposes, adopting ECCAS as the institutional home and defining

situation of central Africa is in line with line with the African position which recognises ECCAS as one of the five RECs on the continent. However, this is not an attempt to lump together the countries in the region as a unit of analysis, nor does it contest the daunting human security challenges of the region.

Independence of the countries in the Central Africa Region was supposed to bring peace and prosperity, based on a kind of 'Seek ye first thy political kingdom and all things else shall be added unto you' philosophy. Indeed, some parts of Africa (notably southern Africa) have moved towards better political governance, economic stability and co-operation. However, after almost five decades, an inspection of the World Bank Governance Indicators (Kaufmann, Kraay & Mastruzzi 2008) and the Human Development Index (UNDP 2008) reveals that despite some improvements, the region is facing a serious crisis with regard to all aspects of human security; reminiscent of Chinua Achebe's *Things fall apart the center cannot hold*. This human security situation is not only a vindication of afro-pessimism but has also fulfilled Joseph Conrad's description of the region as the 'heart of darkness' (Conrad 1999).

Except for Cameroon, Equatorial Guinea and Gabon where oil income and international support or indifference have promoted some semblance of regime stability, the region has been embroiled in violent conflicts almost constantly since independence. In total, presidents Paul Biya of Cameroon, Omar Bongo of Gabon and Obiang Nguema of Equatorial Guinea, have been in power for 96 years. Since independence Chad and the CAR have not experienced any constitutional transfer of power, thus making political stability and peace a pipe dream. Thanks to international pressure, São Tomé and Principe survived a bloodless coup in July 2003**,** engendered by the appetite for oil and led by former São Toméan mercenaries. The Republic of Congo (RoC) is a glaring example of how a truncated democratisation process against a backdrop of abundant oil rents and competing global interests unleashed a violent wave of elite struggle from which the country has apparently not fully recovered yet. Angola, Burundi and the Democratic Republic of Congo (DRC) still have to cope with the probability of a relapse into conflict.

An important trait of conflicts and human security threats in the region is their trans-national character. Conflicts within a country are seen by other states in the region as being relevant to the regional situation and as a 'significant externality' that demands the attention of all regional states. The conflict in the CAR and Chad are closely interwoven, with Cameroon experiencing some of

the fallout of the conflict. The conflict in the DRC and RoC also had a regional character. However, it should be pointed out that not all local externalities pose a threat to the physical security of members of the region, but when it does, it serves as the glue that binds the states that constitute that particular security complex together.

Ironically, this depressing human security situation comes against a backdrop of abundant natural resources, and the region has a huge potential for socio-economic development. Angola, Cameroon, Gabon, the DRC, the RoC, Chad, Equatorial Guinea and São Tomé and Principe are all oil producers, some with sizable deposits in the strategic Gulf of Guinea. The CAR is rich in timber, uranium and diamonds. How these countries can transform their natural resources wealth to sustain human security is still unclear, considering the level of political decay and skewed regional integration process taking place at present, particularly when compared to the progress that has been made in southern (SADC) and western Africa (ECOWAS).

THEORETICAL ARGUMENT AND FRAMEWORK

What are the reasons for the deplorable human security situation in the region despite its enormous economic potential? Can integration provide the requisite ingredients for sustainable human security in the region? Why has ECCAS been comparatively ineffective in addressing the human security challenges in this region? By paying attention to the form rather than the design of regional integration in the region, the central thesis pursued in this monograph is that regionalisation or integration has both an external and internal logic (Nkiwane 1999), with the internal logic being dominant. This means that integration largely functions as a political construct to ensure domestic political security. Lake and Morgan (1997:48) postulate that a regional system is 'a set of states affected by at least one transborder but local externality that emanates from a particular geographic area'. They build on the concepts of neighbourhood and spill-over effects to define externalities as 'costs (negative externalities) and benefits (positive externalities) that do not accrue only to the actors that create them' (Lake & Morgan 1997:49). A robust regional security system is accordingly produced if a 'local externality poses an actual or potential threat to the physical safety of individuals or governments in other states' (Lake & Morgan 1997:49).

From this perspective the inability of organisations in the region to discharge their mandate on human security is a function of the perceived potential benefit and cost to domestic politicians, viewed in terms of their political security. Thus a weak ECCAS is a reflection of how (un)important it is to the political calculus of member states. Because of the political and socio-economic interconnectedness of states in the region, integration is an extension of domestic politics, making it a two-level game. State intercourse is a strategic game in which each state chooses its action based on the expected strategies of the other states. Within this context, if the benefits of a robust integration outweigh potential cost, politicians will be more amenable to integration. Integration would then be seen as good politics insofar as it entails a commitment to overcome the problem of time consistency (domestic political security and vulnerability), and the ability of institutions to monitor and enforce compliance. Thus, integration conforms to an institutionalist approach to international politics, which has the ability to reduce the cost of risk and uncertainty inherent in achieving political security. However, it should be noted that politicians represent the interests of certain constituencies and powerful interest groups (Ayangafac 2008). Consequently, if integration is beneficial to certain powerful domestic interest groups, they will almost certainly try to influence state behaviour toward integration (Rogowski 1989).

While the argument pursued here might seem to support rational institutionalism couched in game theory, expecially the prisoner's dilemma, the monograph nevertheless advocates for an analytic narrative approach to an evaluation of integration in the region. This approach incorporates elements of deduction and induction in ways that overcome the traditional distinction between the focus on specific contextual conditions of historical institutionalism and the rational choice search for features of political behaviour rooted in the incentive structure that individuals face (Thelen 1999). The theoretical framework adopted by the monograph is a mélange of comparative political economy and new institutional economics. Drawing insights from comparative political economy, the monograph argues that REC politics are viewed as an extension of domestic politics. Therefore the point of departure is that politicians must maintain a precarious balance between the potential long-term gains of regional integration and the perceived short-term political cost in terms of their survival. In its attempts to analyse the human security situation in the region, the monograph draws upon new institutional economics, arguing that until

there is a positive alignment between political security and human security, the region will continue to face a human security crisis. Within this context, the monograph concludes that any renewed efforts at integration in the region must be anchored on the need for political convergence to lock-in states in the region into a commitment to institutional and democratic governance as a means of enhancing human security.

RATIONALE

The argument pursued here does not have a purely scholarly intent. The rationale for the argument is informed by the intent to examine to what extent ECCAS is equipped and prepared to confront the security challenges of the region. In addressing this question, the monograph hopes to highlight the need for a more robust integration in the region and place it centrally on the political agenda. It intends to do so by debunking some of the myths and simplistic analyses surrounding conflict in the region and in the process argues for a research approach that places institutions at the centre of conflict prevention, management and resolution. Thus in the final section the monograph proposes some policy options and considerations, principal amongst which is that it advocates for renewed political will to capacitate and strengthen the role of ECCAS in conflict prevention, management and resolution.

The need to place regional integration high on the political agenda is timely and important for a variety of reasons. First, from a strategic position, the influence and control of the region – the heartbeat of the Gulf of Guinea – have grown tremendously. The Gulf is considered to be the next big thing in the oil industry, and has become of critical importance to Western countries and other global players like China and India. Five of the six countries of CEMAC are oil producing countries whose total reserve make up 12% of Africa's oil reserve. The Gulf of Guinea accounts for about 45% of the Africa's total reserve (Tamba, Tchatchouang & Dou'a, 2007). Oil accounts for about 79% of CEMAC's exports (Tamba et al 2007) and by 2005 oil revenue generated about 6 063 billion Franc CFA (BEAC 2006). It is generally accepted that the region is extremely important in the political calculus of the industrialised states as they seek to enhance their energy security. Unlike other global players, the United States has openly asserted that it views the Gulf of Guinea as a zone of vital interest (the 2001 US national energy plan). In terms of this

plan the US aims to import 25 per cent of its energy needs from the region by 2015. The CAR's uranium deposits also provide an alternative source of energy for countries such as France with which to enhance their nuclear capabilities. Apart from oil and uranium, the influence and control generated by the immense biodiversity potential of the Congo Basin – second only to the Amazon – is of critical importance against the backdrop of climate change challenges. Thus it is important to consider how global competition for the region's natural resources will affect regional political competition and configuration and what effect it will have on democratic consolidation, interstate relations and regional integration considerations.

As is usually the case with African politics in general, analysis of politics and security in the region has suffered from reductionism, oversimplification and banal analogies. This obscures the complexity of the reality in the region, particularly when added to epithets such as predatory, phantom, collapsed, kleptocratic, precarious and non-developmental which are increasingly used to describe the nature of states in the region. As Sinjoun (1999) argues, the politics of seductive and impressive book titles, such as *Politics of belly* (Bayart 1993 and *Africa Africa Works: disorder as political instrument* (Chabal & Daloz, 1999)) are determined by urgencies of marketing. The implication of such (possibly) distorted analyses is that conflict prevention strategies have been wholly informed by the one-size-fits-all mentality. In the Central Africa Region, conflicts are increasingly viewed from the perspective of a greed thesis, while the truth is that conflict in the region stems from a much greater variety of causes than merely the presence of natural resources. Natural resource abundance is indeed a factor which informs the preference and objectives of political actors, but institutional configuration is the overriding factor that explains conflicts in the region. Thus no matter how tempting the natural resource abundance might be and although it may exacerbate political stability and conflict, this is unlikely to stimulate civil war without regard to the political and social context.

The Direct Conflict Prevention Programme of the Institute for Security Studies has as one of its principal objectives to complement and enhance the conflict prevention strategies of the AU Peace and Security Council (PSC). It tries to achieve this by means of briefings of the rotational chair of the AU PSC on cases relevant to the African peace and security agenda. The added value of the Programme's briefing, of which this monograph will form part, is not only

that it provides a varied and alternative source of information to policy makers in Addis Ababa, but that its basic point of departure is to capture the reality on the ground and from an African perspective. This monograph is firmly rooted in this methodology.

METHODOLOGY

The various chapters in this monograph are the result of field research and commissioned papers. The papers were then presented at an expert roundtable (held in Yaoundé) where they were subjected to intense scrutiny and discussion by experts on the subject from the region. As far as its research methods are concerned, the monograph applied two analytical techniques, namely process tracing and path dependence.

Process tracing is an analytical technique for generating and analysing data on the causal mechanisms, processes, events, actions, expectations and other variables that link particular causes to observed effects (Bennett & George 2004). Path dependence exists when the outcome of a process depends on its past history, thus on the entire sequence of decisions made by agents and resulting outcomes and not just on current conditions (Mahoney 2000; Pierson 2000). The aim is to convert a purely historical account that implies or asserts a causal sequence into an analytical explanation based on theoretical variables. Micro-correlations strengthen analysis by means of the minute tracing of the explanatory narrative to the point where the events to be explained are microscopic and the covering laws correspondingly more certain.

ROADMAP

This monograph is organised in four parts: the first part of the monograph (chapter 1) provides the introduction (objective, argument and rationale). Part two (chapter 2 and 3) looks at the contextual framework and incentives that might help in comprehending the human security challenges of the region. The third part of the monograph (4 and 5) examines regional relations and examine how international criminal justice systems can shape regional relations and conflict. The four part (chapter 6,7 and 8) interrogates the experience and dynamics of regional integration in the region. The last part concludes by providing some policy options and recommendations for the region.

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Context to human security challenges in Central Africa

2 Personalisation of power, post-regime instability and human (in)security in the Central Africa Region

FRANCIS NGUENDI IKOME

INTRODUCTION[1]

Since the advent of political independence Africa has faced a crisis of governance (see for example Bayart 1993; Ekeh 1975; Joseph 1987; Liebenow 1986; Olukoshi & Laaka 1996; Bratton & Van de Walle 1997; Ayittey 1998). One of the manifestations of this crisis has been the personalisation of power and the rarity of peaceful regime transitions. However, while poor governance, including problem-prone regime transitions and underdevelopment, has been common to all the regions of the continent, they have been more acute in the Central Africa Region.[2] The region currently hosts some of Africa's longest serving and most perverse personalised regimes. While at least one country in each of the other regions of the continent has turned a corner in governance and regime transitions, the Central Africa Region has remained mired in inexplicable governance and development inertia. Although most of the countries of the region have modern constitutions that make provision for separation of powers and modalities for regime transition, power in most central African states is still personalised and regime transitions have on the whole been through the barrel of the gun rather than through the ballot box.

Empirical evidence from across the continent shows that personalisation of power has the potential for post-regime instability. For example, the Democratic Republic of Congo (DRC) (formerly Zaïre), Equatorial Guinea, the Central African Republic (CAR), Côte d'Ivoire and the Republic of Togo had some of Africa's longest serving heads of state, who entrenched what was perceived as stable personalised regimes. Although the nature and degree of personalisation of power in these regimes differed from each other, the five regimes in question shared the juxtaposition of the office and person of the head of state with that of their respective states. Jean Bedel Bokassa, Marcias Nguema, Joseph Desire Mobuto, Felix Houphouët-Boigny and Gnasingbe Eyadema projected themselves as 'fathers' of their respective nations, culminating in their holding the positions of heads of state, heads of government, commanders-in-chief of their national armies and security forces and also serving as the repository of the judiciary. Their long personal rule established complex webs of patronage and entrenched vested interests among their collaborators, which could only be sustained through the continued survival of these leaders.

Understandably, with the demise of these rulers, who had come to be identified with their states, the centre could no longer hold.[3] Their demise created situations in which on the one hand their protégées desperately struggled to protect their entrenched interests by striving to maintain the status quo, while on the other hand, their opponents who had been marginalised during long years of iron-fisted rule, saw their demise as opportunities for the establishment of new orders that could cater for their interests. The tensions that ensued between the old and the new guards boiled over to civil strife in some cases. In Côte d'Ivoire for example, the demise of President Felix Houphouët-Boigny and the ensuing contests amongst various political actors almost crippled the state, drawing it close to collapsed state status with attendant implications for human security. In Zaire, Equatorial Guinea, the CAR and Togo the succession puzzle was resolved by coups d'état or by recycling of the old order by other unconstitutional means.

The experience of these states and the continued existence of similar regime types on the continent, particularly in the Central Africa Region, have made the interrogation of the implications of both personalisation of power and post-regime (in)stability on human security very pertinent. This paper examines the personalisation of power, prospects for post-regime instability and its implications on human security in the Central Africa Region. It argues

that under systems of personalised rule, regime security is prioritised over and above human security; and also that personalisation of power is a recipe for post-regime instability with the potential for further compromising human security.

SCOPE AND ORGANISATION OF THE ANALYSIS

This paper focuses on five of the 11 countries of the region – Cameroon, Gabon, Equatorial Guinea, the DRC and the CAR. This is informed by three considerations: The first is that Cameroon and Gabon, aside from having the longest serving personalised regimes on the region, are also projected as two of the most politically stable countries on the continent and the second is that the CAR, Equatorial Guinea and the DRC have in common that they have produced three of the continent's most notorious personal dictators or personalised regimes. The three regimes had a lot in common, in terms especially of their emphasis on regime security and survival at the expense of human security and development. It is also important that the collapse of these regimes had serious consequences for political stability and human security in the three countries and the broader Central Africa Region. Therefore their experiences could serve as lessons for the surviving personalised regimes in Cameroon and Gabon.

The third consideration is that the remaining six countries, with the exception of São Tomé and Principe which has had a semblance of impersonal and institution-based governance over the years,[4] have either been the theatre of coups and military rule (CAR), or are experiencing de facto civil strife (Chad), or are in post-conflict states (Angola, Rwanda and Burundi). Although these regimes equally have the trappings of personal rule found in Cameroon and Gabon, they have not had the luxury of being in place long enough to be classified as personalised regimes. These six therefore will not be part of the focus of this paper.

This paper is accordingly organised as follows: it begins by establishing the nexus between personalisation of power, post-regime instability and human security; it proceeds to an examination of the character of three notorious personalised regimes in the Central Africa Region (Mobutu's Zaire, Bokassa's CAR and Nguema's Equatorial Guinea) and the human security situation after their demise; it then moves on to examine the character of surviving personalised and supposedly stable regimes in the region (Biya's Cameroon and Bongo's

Gabon) and the prospects for instability at the demise of these regimes, includ-
ing the implications for human security. This is then followed by a conclusion.

THE NEXUS BETWEEN PERSONALISATION OF POWER, POST-REGIME INSTABILITY AND HUMAN SECURITY

Personalisation of power

Personal rule has been a common form of political life throughout history
and in the contemporary world (Jackson & Rosberg 1982:5). While settled na-
tional political activities take place within the framework of institutions that
restrain and moderate the acts of politicians, under personal rule the right
to govern or influence government policies does not necessarily take place
within an overall and legitimate framework of agreed-upon rules. Rather,
institutions, if and where they do exist, are usually ineffective and politicians
conduct themselves in ways that undermine and subvert them and most often
render them irrelevant. On the whole rules are only observed by leaders after
they have been altered to suit their political convenience. They are essen-
tially instruments of political power rather than normative restraints on it.
Importantly, in systems of personalised rule individuals take precedence over
rules and office holders are usually not bound by their offices and are able to
change their authority and powers to suit their personal political needs. Rules
do not regulate political behaviour, making it difficult to predict or anticipate
conduct on the basis of knowledge of the rules. The end result is that the state
becomes a government of individuals and not of rules (Jackson & Rosberg
1982:10; Bream 2004:132).

Politics in personalised systems are characteristically uncertain and less
restrained and are usually contingent on the interests, ambitions, desires and
other personal predispositions of individuals, particularly those of the ruler
and ruling elite. In the words of Jackson and Rosberg (1982:12) personal rule
is '… a dynamic world of political will and action that is ordered less by in-
stitutions than by personal authorities and powers; a world of stratagem and
countermeasures, of action and reaction, but without the assured mediation
and regulation of effective political institutions'. Under these circumstances
political power can only be checked by a countervailing force and not by ra-
tional institutions. Moreover, mediation and regulation usually occur (if at all)

at the instigation of the politicians themselves and on their own terms (Jackson & Rosberg 1982; Chabal 1986). Like many other regions of the continent, countries in Central Africa have constitutions and codes of conduct, but there is little relationship with how power is exercised (Joseph 2002:4). Overall, personalised regimes tend to prioritise regime security and survival over human security and development.

Post-regime instability

Defining and classifying political regimes have been characteristically problematic, particularly with regard to identifying elements that are essential for various regime types (Kopstein & Lichbach 2005:4). A multiplicity of definitions of political regimes has been proposed over the years (Collier & Mahon 1993; Lawson 1993; Fishman 1990:428; Cardoso 1979:18; Linz 1975). However, a review of some of the key definitions reveals that they are anchored on two inter-related dimensions of the concept of political regimes, namely procedure and behaviour.

From a procedural point of departure, a political regime could be seen as a set of formal and informal rules or procedures that determine first the number and types of actors who are allowed to gain access to the principal governmental positions; second the methods of access to such positions; and third the rules that are followed in the making of publicly binding decisions. These three sets of rules tend to structure the establishment and conduct of government, including vertical and horizontal relations between various government authorities and organs and between government authorities and the governed in a broad sense (Munck 1996:3–4).

Although procedural elements are generally considered the core of the definition of political regimes and are sometimes emphasised to the exclusion of other factors, it is useful to factor in behavioural dimensions for a more holistic definition of political regimes. The behavioural dimension of political regimes relates to the importance of actors and to the fact that procedural rules structure and shape the conduct of politics only to the extent that actors accept or comply with these rules. From this premise therefore, the concept of political regimes will also involve the strategic acceptance of formal and informal rules and procedures by all major political actors and the absence of normative rejection of these rules by them (Munck 1996:6).

Broadly speaking, two principal approaches have been dominant in regime classification over the years: the continuous and the dichotomous approaches. The continuous approach is based on a series of factors that allow for the ranking of regimes into continuums – ranging from free to not free and from authoritarian to democratic. Conversely, the dichotomous approach separates democracies from non-democracies and has been popularised by scholars like Huntington (1991) and Przeworski, Alvarez, Cheibub and Limongi (2000). Three major regime types – democratic, authoritarian and totalitarian – are common to the two approaches and have been popularised in the literature on regime typology. From these a number of sub-types have emerged (Karl 1995; Dahl 1971; Collier & Mahon 1993; Collier & Levitsky, 1994; Munk & Snyder 2004). Personalised regimes, the focus of this analysis, are a sub-type of authoritarian regimes, alongside the military and single-party sub-types.

Like other forms of authoritarian regimes, a personalised regime is usually an order resting on personal political arrangements, which are more subject to repudiation and disruption than are legitimate institutions. Understandably, personal rule systems are only sustainable as long as their principals survive and are able to successfully manipulate the variables of the system. The viability and stability of the system depend on the ruler's personal authority and charisma, and on his/her political skills and acumen (Bream 2004). The leader's experience and understanding of the opportunities and constraints of his actions and those of other actors, including the strategies for influencing and controlling the system as whole, are paramount. Successful and enduring personalist leaders have demonstrated a great deal of political sophistication and experience about the resources and limitations of their political systems (Jackson & Rosberg 1982:4).

Personal rule regimes are vulnerable to succession uncertainties and post-regime instability because the systems are only held together by their principals. This explains why the states of Equatorial Guinea, the CAR and former Zaire became very unstable at the demise of their respective personal rulers. It is the contention of this paper that the same fate is most likely to befall the two surviving personalised regimes in the region – Biya's Cameroon and Bongo's Gabon. Also, what is considered to be political stability in these two countries is actually regime stability and not systems stability. It is also germane to observe that under systems of personal rule, emphasis is on regime stability and survival rather than on the general wellbeing of the people and

their security. Issues of human security (development, health, employment, education and general welfare) are at the bottom of the list of considerations in personalised regimes.

Human security

In the developing world in particular, it has been recognised that the threat posed by structural violence or 'social neglect' is greater than the one posed by inter-state war (UNDP cited in Harris 2004:6). It is against this backdrop that human security emerged as the cornerstone of the African Peace and Security Agenda from the late 1990s onwards. The African Union instructively defines human security as:

> ... the security of the individual in terms of satisfaction of his/her basic needs. It also includes the creation of social, economic, political, environmental and cultural conditions necessary for the survival and dignity of the individual, the protection of and respect for human rights, good governance and the guarantee for each individual of opportunities and choices for his/her full development (AU 2005:5).

From the foregoing it is clear that under personal rule, the personalisation of power is all important, and in the post-regime instability human security is not a priority either. What is most important in this system is the survival and security of the regime, especially that of the personalist leader and his cronies. Furthermore, because the personal regime system is constructed around an individual as opposed to institutions and institutional processes, its viability depends largely on the continued survival of the leader and his ability to continue to manipulate the variables of the system, including electoral processes, to his advantage (see De Mesquita al 2003). Usually when the individual leader leaves the political system, either through death or incapacitation, the centre can no longer hold and the system collapses, resulting in some cases in open conflict between contestants for power, with even more negative implications for human security.

As I indicated earlier the Central Africa Region has had a number of personalised regimes, and their telling negative legacies on their peoples and countries are particularly relevant in understanding the compromising character

of personal rule on human security. Moreover, the experiences of collapsed personal regimes should serve as lessons for the surviving personalised regimes in the region. In the sections that follow, I examine the realities in the three collapsed personalised regimes in the region and the insecurity that ensued after their collapse. This is followed by an appraisal of the prevailing realities in the surviving personalised regimes in the region and the implications for human security.

REALITIES IN COLLAPSED PERSONALISED REGIMES AND POST-REGIME INSECURITY

Mobutu's personal rule and post-regime instability in the DRC (former Zaire)

The DRC is one of Africa's most studied countries, largely because of two major factors: the paradox of its enormous natural resource endowments and its underdevelopment on the one hand; and its chequered political history and notoriety of the personalised patrimonial leadership of Mobutu Sesse Sekou on the other hand (see Nzongola-Ntanja 2004; Elliot & Dymally 1990; Young & Turner 1985; Wright 1983; Callaghy 1984; Gould 1980; Clark 1998; White 2005).

Barely five years after gaining independence from the Belgians in 1960, the then Zaire plunged into political instability that arose from five interrelated developments: The power struggle between the president of the Republic and his prime minister; the personal appropriation of government and administrative offices by officials, resulting in immobilism; the degeneration of the army into either mutineers or conflicting groups; the outbreak of political and religious uprisings and rebellions; and ultimately, challenges to the territorial integrity of the state from various levels and sources. This resulted in an overall state of internal warfare in Zaire among various groups and authorities, while state apparatuses were riddled with conflict (Jackson & Rosberg 1982:168; Wright 1983; Elliot & Dymally 1990; Young & Turner 1985).

It was against this background and especially in the context of recurrent constitutional stalemates that Mobutu Sesse Sekou seized power in November 1964. He promised to be in office for five years and pledged to instil law and order, revive the administration and to bring about political unity in the highly polarised country. To the extent that Mobutu's ascension to power averted the

descent of the country into chaos, it was welcomed as a positive development and Mobutu was hailed as a messiah.

However, Mobutu betrayed the expectations of the Congolese people by establishing one of the world's most predatory personalised regimes, anchored on royalist-style patronage, administrative venality and corruption. The state was converted into his private patrimony where state agents were obliged to be both loyal and dependent upon him, and dedicated to self-enrichment. All revenue, appointments, promotions and dismissals depended on his whims and caprices (Ryneman 1977; Jackson & Rosberg 1982; Willame 1972; Van Rensburg 1975; Callaghy 1984).

Between 1965 and 1970, Mobutu expanded and consolidated his power, beginning with the elimination of potential rivals and proceeding to the concentration of all instruments of state power in his office and person. He moved swiftly to alter the country's post-independence constitutional and administrative frameworks, which had made provision for the division of authority in the state in the form of separation of powers between the president, the prime minister and the legislature and also between the central and provincial administration (Jackson & Rosberg 1982:170; Van Rensburg 1975). Although Mobutu had acceded to power with the help of the military, the military was not very prominent in his administration. Rather, trusted civilians were taken into confidence and given the most prominent positions.

By March 1966 Mobutu began ruling almost exclusively by decree, beginning with the cancellation of scheduled presidential elections, suppression of the legislature, and the dismissal of the prime minister – followed by the institution of a unitary state in 1967. He established a state party, the Mouvement Populaire de la Revolution (MPR (Popular Movement of the *Revolution)*) and a state trade union organisation that was imposed on all workers through the forceful amalgamation of existing unions and the suspension of the right to strike. He introduced a forced conscription system into the army and systematically purged all political allies who showed signs of independence, such that by 1970 his personal autocracy had been fully established (Van Rensburg 1975; Jackson & Rosberg 1982:171).

Mobutu inherited a vast and diverse country with a chaotic history which presented him with very unique political challenges. To cope with these challenges and to secure control over the state and the people of Zaire, he developed a Machiavellian sense of power and control and relied on cunning and scheming

to reach his goals. He evolved three important strategies of rule and national glory, namely the encouragement of the cult of Mobutuism; the promotion of the state party, the MPR, as the central political agency of the state; and the pursuit of cultural and psychological decolonisation embodied in his policy of authenticity (Jackson & Rosberg 1982:172).

Although the personality cult has been a common governance tool amongst African leaders, Mobutu exploited it to extremes in Mobutuism. Mobutuism was in essence Mobutu's thoughts, words and actions, which included amongst others acts of fealty such as the requirement that all officials swear a formal oath of loyalty to Mobutu, praise words in which he was referred to as guide or messiah and public portraits and the teaching of Mobutuism in schools. As a matter of fact, Mobutuism was decreed the official ideology of Zaire in 1974 (Jackson & Rosberg 1982:172; Wright 1983; White 2005; Elliot & Dymally 1990; Young & Turner 1985).

The MPR was the state party and Mobutu's personal political vehicle and instrument of rule. Although the MPR was not a mass movement, it was projected as a powerful unifying force that transcended the divisions in the Zairian society and as representing the views, aspirations and consent of all Zairians. Although Mobuto resorted to the use of carefully managed plebiscites as a tool for engineering consent, he perceived himself as the sole rightful representative of the Zairian people. As a result, both the MPR party and all state functionaries were subordinated to his will and desires, obliged to adhere to his political agenda and to uncritically validate his policy choices for the country. Moreover, the boundaries between Mobutu's self-image and the conception of the Zairian state became increasingly blurred as he blended the cult of Mobutuism with a programme of Zairian authenticity. He further pursued his personal power and fame parallel to his ambitious but unrealistic steps for enhancing the country's economy (Jackson & Rosberg 1982:171; Kabwit 1979).

Mobutu used diplomacy and intrigue with disarming political brilliance, which enabled him to continue to earn the support of big powers even when it was common knowledge that he was presiding over a corruption-ridden and personally appropriated government. He blended populism and plebiscitarianism well and projected himself as a protector of the Zairian people's interests. He constantly flattered them with praises and distanced himself from the omissions and commissions of government officials and employed this vantage position to neutralise members of the ruling oligarchy who tried

to challenge his rule. Furthermore, he used the strategy of publicly criticising the corruption of members of his oligarchy to conceal his own corruption (Gould 1980).

Along with his ruling clique, Mobutu lived a life of opulence and extravagance and was personally rated as one of the richest men in the world at the peak of his reign. He amassed an immense personal fortune by directing large portions of the annual national budgets into the services of the presidency. These funds were managed opaquely, and served as a source of self-enrichment and as an instrument of personal dependency and control among associates and clients (Jackson & Rosberg 1982:178; Gould 1980). Mobutu appropriated state resources for himself and encouraged the practice along the civil-military command chain, with soldiers acquiring near entitlement to loot the state (Kabwit 1979:399). His corrupt system of government provided him with an additional instrument of personal control, in that by allowing his officers to milk the state, he gave them an interest in the perpetuation of his rule, while retaining the trump card of sanctions that he effectively used each time they wavered in their loyalty and support (Jackson & Rosberg 1982:179).

By 1980, Zaire's political and economic decay had reached embarrassing levels, yet the general public was unable to rise against the system out of the fear of Mobutu's agents and the ruler himself. The state was written off and Zairians resigned themselves to political apathy and fear-informed servility (Jackson & Rosberg 1982:179). Zairians could only challenge Mobutu's predatory regime after he was at last abandoned by his Western allies, particularly with the end of the Cold War. However, Mobutu's demise did not bring peace and prosperity to Zaire. Rather, the country was plunged into instability and even civil war, as Mobutu's overthrow brought to light many latent tensions. Moreover, the long survival of the regime was anchored on the patronage system he had established and on his person. So the moment he disappeared from the political scene, the centre could no longer hold and Zaire, later the DRC, moved to a state of collapse, with attendant implications for human security.

Not only was the central government unable to assert its authority beyond the capital, Kinshasa, the country also became vulnerable to a number of external forces. These included its poorer immediate neighbours who saw the departure of Mobutu as an opportunity to stake a claim to parts of the vast territory. In the ensuing internal and external battles for control of the country by various actors, the Zairian people paid with their lives and for those who

survived, human security in the form of health amenities, pipe-borne water, roads and even food became scarce commodities.

In 2006, after years of protracted mediation by the international community, the country held its first plural democratic elections in over 40 years. The elections were followed by further violence and insecurity, but this is slowly giving way to a semblance of 'statehood' in Zaire. The experience of Mobutu's Zaire holds an important lesson for surviving personalised regimes on the continent, as they are most likely to collapse in a similar manner, with the same, if not greater, consequences for their vulnerable populations.

The Central African Republic and Equatorial Guinea: Africa's dictators and post-regime inertia

The CAR and the Republic of Equatorial Guinea were for a long time amongst Africa's most isolated and least studied countries. These two countries first received international attention because of the perverse rule of two of their post-independence leaders, namely Jean-Bedel Bokassa and Francisco Macias Nguema. The two, together with Idi Amin Dada of Uganda, have rightly been described as Africa's most notorious personal dictators (Dicalo 1989). The ravages these regimes wrought on their countries and peoples and their legacy of instability, poverty and underdevelopment underscore the long-lasting negative impact of personal rule even after the demise of the rulers. Moreover, these experiences are indicative of what could happen in those countries in the region that still have personalised regimes.

Central African Republic

The Central African Republic, had been a volatile country beset by a multiplicity of socio-economic and political problems long before independence. David Dako led the territory to independence in 1960, becoming its first president. Like most of his peers, he engineered the establishment of a one-party state in 1962. His rule was however short lived and he was overthrown in a military coup led by Colonel Jean-Bedel Bokassa in 1965 (see Europa 2007:1120), marking the beginning of one of the darkest periods in the post-independence history of the country. Bokassa established one of the most destructive personal dictatorships on the continent, ruling the CAR as a personal estate for 14 years (1965–1979). It is difficult to ascertain what had the most lasting damaging effect on the CAR

and its people, between the maladministration and outright plundering of the French imperialists and Bokassa's personal dictatorship (Decalo 1989:140).

The CAR, like the DRC, has since colonial times suffered from a resource curse in that although it is endowed with diverse natural resources, including huge expanses of forests, copper, manganese, gold and uranium, its economy has stagnated over the years and its peoples have remained amongst the world's poorest. Like many coup plotters, Bokassa presented his coup as a corrective to the socio-economic morass that faced the nation during the Dako regime and himself as their saviour.

Undeniably, Bokassa filled a power vacuum and provided the kind of firm leadership that the country desperately needed at that critical juncture (Decalo 1989:146). When he attained power he promised his people a better life and took a few radical and populist decisions, including the dissolution of the National Assembly and dispersal of its deputies because of their perceived arrogance and the condemnation of the self-serving and complacent attitude of civil servants. However, his idiosyncratic lifestyle and the harshness of his personal rule contradicted these early acts and his self-image as messiah.

The honeymoon between Bokassa and his people was short-lived: His first action was the promotion of most army officers in the aftermath of the coup, awarding huge salary increases to them and increasing the budgetary allocation for the military. In 1967, less than a year after seizing power, he awarded himself the rank of general, which was followed seven years later by the rank of marshal. Gradually state policy became an extension of his ego and the distinction among the state, the presidency and the person became increasingly blurred. His every fancy and idiosyncrasy, however irrational or ridiculous, became state policy (Decalo 1989:147–148).

His powers were absolute, and he oversaw even the most trivial decision on both domestic and foreign policy, resulting in high levels of inertia. He vested himself with executive, legislative and judiciary powers, and also maintained full control over the entire public service. He regularly reshuffled his cabinet, and anyone whose loyalty was in doubt was summarily dismissed, or even arrested and executed. Bokassa also overlooked the misdeeds of favoured officials, thus ensuring that they remained loyal to him. He kept the military and security institutions on his side, bribing them with good pay and sophisticated weapons, while the civil service languished. Only loyal officers were promoted to positions of command to ensure his survival. Bokassa constantly intimidated

both the officer corps and civil servants and even the faintest hint of conspiracy against him was dealt with harshly (Decalo 1989:148–149, 152, 158).

In spite of his apparent invincibility, and notwithstanding the various control strategies, Bokassa's power was increasingly challenged from the mid-1970s onwards by recurrent conspiracies, mutinies and power grabs by the military. These combined with the emergence of an urban working class in the capital, Bangui, to press for the reorganisation of the country's power structure. These developments engendered increasing insecurity, from which Bokassa tried to shield himself by transforming the country from a republic to an empire.

As emperor he retreated to Berengo, his home town, ceding the management of the country to Ange-Felix Patassé, his prime minister and a trusted loyalist. However, he continued to interfere with the cabinet. Bokassa's fall resulted from the ruthlessness with which he handled a student demonstration in January 1979 over an imperial edict that required all pupils to wear school uniforms bearing Bokassa's effigy, manufactured by one of his wives (Decalo 1989:162).

By the end of his regime, Bokassa had become a real embarrassment and a political liability to the continent and to his international backers, especially France. His subsequent overthrow and replacement by a former president and French protégée, David Dacko, was jubilantly welcomed both in Bangui and beyond. However, his departure did not change the socio-economic and political realities of the inhabitants of the CAR. On the contrary, political infighting between those who had been kept out of the inner cycles of political power for years and the old guard who had come to see the scheme of things as an entitlement, have continued to date. The result has been political instability in the form of contested elections, unstable governments, coups and counter coups, that have seen leadership change from Dacko to Andre Koligmba and Ange-Felix Patassé, and finally to Francoise Bozize. In all this conflict, the security and the welfare of the people of the CAR have been mortgaged by the ever-deepening poverty and underdevelopment of the country.

Equatorial Guinea

Like the CAR, Equatorial Guinea has for a long time been isolated and marginalised in Africa's political developments. Its near insignificance in African politics over the years is also partly explained by the fact that it was one of Spain's few African possessions, located in what was essentially a French colonial sphere of influence. Like the CAR, Equatorial Guinea came to attention

only with the emergence of a personal dictator, President Francisco Macias Nguema. Nguema's personal dictatorship was more perverse and devastating than Bokassa's – he was the last of the continent's notorious personal dictators to be overthrown and the first African leader to be prosecuted and executed while still in office.

Unlike the CAR that inherited a plundered and almost non-existent economy from the French colonialists at independence, Equatorial Guinea was originally a vibrant country. Its economy had great potential, as reflected in the country's high per capita income and a gross national product that was comparable to that of Côte d'Ivoire in 1968. However, by the time Nguema's rule came to an end in 1979, the country and its economy had been decimated beyond recognition and its people almost completed impoverished (Decalo 1989: 31).

Unlike Bokassa who came to power through a coup d'etat, Nguema acceded to the presidency through competitive elections. However, barely three months after taking office, he set out to dismantle the plural democratic dispensation. Nguema had won the presidential elections by a very narrow margin and was therefore obliged to form a coalition government with a number of other political parties. Nguema's authority over the coalition government was precarious and insecure from the outset.[5] When a combination of personal ambitions and disenchantment with his leadership style resulted in some of his ministers conspiring to oust him, leading to a failed coup in 1969, Nguema embarked on a programme of political consolidation. He purged the system of intellectuals and his most immediate political rivals, including his political nemesis, Ondo Edu.

This resulted in his falling out with Spain and a massive exodus of expatriates from Equatorial Guinea in 1969. It is noteworthy that Nguema rose to power on the back of Spanish colonial and expatriate interests, helped by the belief of the Spanish colonial administration that he was more trustworthy and manageable than the Equatorial Guinean intellectual class (Dicalo 1989:50).

The Spanish exodus unfortunately left Nguema without any controls and enabled him to establish his reign of terror in the country. He suspended the constitution, outlawed political parties or forcefully absorbed them into his governing party. He also appointed large numbers of members from his ethnic group to administrative positions in the capital.

Like Bokassa and Mobutu, Nguema constructed a personality cult around himself that was supported by claims of supernatural powers. But more than any other African personalist ruler, Nguema's image of invincibility permeated

all strata of Equatorial Guinean society, including the military and organised religion, and was an effective pillar of his personal dictatorship that greatly aided his long tenure in power (Decalo 1989:52–53).

His control of the state and the repression of his people were nearly total throughout much of his reign. Initially, he maintained a semblance of government in the capital city, Malabo. However, by 1973 he had dismantled most government structures and all decisions, from the most banal to the most momentous, were made directly by Nguema. Although he had a cabinet, it rarely met. Some ministries only existed on paper, while others functioned with much difficulty, lacking budgets and the basic tools for even minimum operations. Salaries were only paid sporadically and Nguema's private residence was the de facto central bank of Equatorial Guinea, where all domestic and foreign currencies were stored and released at his discretion.

In July 1973, Nguema decreed a new constitution that abolished regional autonomy and fused executive, legislative and judicial powers in his office and person for life, making personalised and arbitrary power the hallmarks of the Equatorial Guinea government (Decalo 1989:60–61).Nguema's regime only collapsed when his excesses began threatening the interests and safety of his own political and security lieutenants. He was finally toppled in a coup in August 1979 led by his nephew, Obiang Ngeuma.

Although Obiang lessened some of the excesses of Nguema's reign, brought an end to the international isolation of the country, undertook measures to revive the economy, and considerably scaled down executions, it has not been less dictatorial. The entire terror machinery has remained intact and in many ways Obiang's regime is simply a continuation of that of Nguema, with nepotism remaining entrenched. The only real difference seems to be that the military has more visibility in the current regime. Although Obiang has reluctantly introduced civilians into his cabinet, he has not been willing to share power and does not seem to have any plans to quit power anytime soon, especially with the advent of petro-dollars. In spite of the adoption of a constitution by referendum in 1982 and the establishment of a deliberative Assembly in 1983, Obiang's personalised powers remain strong as he continues to influence the selection of members of the Assembly (Decalo 1989:68).

The end of Nguema's regime was not followed by the instability characteristic of the demise of personalised regimes elsewhere, but the concentration of power in Obiang's hands has been a source of insecurity and uncertainty, with

recurrent reports of conspiracies and attempted coups. This explains why the regime continues to rely on well paid and frequently rotated Moroccan guards rather than on national troops and security forces (Legum 1985–86:222). Both these aspects are signs of regime instability. Moreover, because one personalised regime replaced another in Malabo, emphasis has remained on regime survival and the welfare of Equatorial Guineans has not improved despite the increased foreign exchange earnings from petroleum exports. Overall, the country occupied one of the lowest rungs of the Human Development Index in 2004 (see Europa 2007).

SURVIVING PERSONALISED REGIMES AND HUMAN INSECURITY: THE CASE OF CAMEROON AND GABON

The neighbouring states of Cameroon and Gabon both have leaders who have been in power for a long time and both are also politically stable in an otherwise unstable region. Unlike other countries of the region, Cameroon and Gabon have not experienced military rule, although both have had failed coups, with Gabon only narrowly escaping experiencing military rule thanks to forceful French intervention that helped reverse the coup of 1964. Each has had only one regime transition, and both were peaceful. Interestingly also, there have been similarities in the regime type and leadership styles of the heads of state in Libreville and Yaoundé, as will become clear below.

Cameroon: mirroring Africa's governance realities

Cameroon has been rightly described as Africa in miniature with regard to the country's geo-cultural, demographic, geo-physical and political diversity. However, the term also aptly describes that Cameroon mirrors Africa's unsettling political, social and economic realities, in terms especially of governance and development shortcomings, weak and dysfunctional state institutions and their concomitant negative impact on human security and development.

Cameroon has been held out to be an island of peace in the turbulent political waters of West and Central Africa. The country has had only two heads of state – Ahmadou Ahidjo and Paul Biya – since independence and re-unification in 1960/61. Its ruling elite have constantly boasted that Cameroon is a land of exceptions, where peace and stability would always thrive.

Cameroon emerged as a plural democratic federation in 1961. However, this political style was out of sync with Ahidjo's centralising ideology and political designs for the country. Like most of his peers, he strongly believed that centralisation of power was a prerequisite for nation building and national integration. He also saw centralisation as an effective check on the forces of Cameroon's ethnic and socio-cultural plurality and as a useful tool to facilitate decisive government action for rapid economic growth (Liebenow 1986:225).

Ahidjo astutely engineered the establishment of a one-party, unitary state with a strong central government that left no room for any form of vertical or horizontal evolution of powers. With the merger of all political parties into a single party, the Cameroonian National Union in 1966 and the scrapping of the Federation in 1975, Ahidjo emerged as the undisputed strongman of Cameroon, turning the one-party state into an instrument of accumulation, authoritarianism and repression. Enormous resources were devoted to developing and strengthening the coercive institutions of the state that ensured his grip on power (Mbaku & Takougang 2004:4).

Ahidjo resigned in 1982 and handed over power to his prime minister, Paul Biya, in what was hailed as one of the most peaceful transitions of power in Africa. It later emerged however, that Ahidjo's sudden departure was the product of a French conspiracy. The French had advised him to temporarily step down to enable him to receive attention for his deteriorating health. Since the presidency had become his personal estate, Ahidjo was under the impression that he could return to office after his medical treatment and his choice of Biya was informed by his belief that he was the least ambitious and most docile of his collaborators, who could be easily controlled even from the hospital bed. This was not to be the case, as Biya quickly asserted himself as an independent actor.

Upon taking office in November 1982, Biya promised to introduce a new political order that would be based on rigour and morals – a ruthless fight against corruption, irresponsibility, laziness, nepotism and related public malpractices; hard work and honesty in public service; rapid economic growth, accompanied by equity in resource allocation; and peace and social justice. The new dispensation was intended to bring the government closer to the Cameroonian people and to make it more relevant to their hopes and aspirations. This was to be founded on accountability and transparency in government; the fight against ills such as tribalism and nepotism, favouritism, sectarianism and intolerance

(which he identified as major obstacles to national integration), economic growth and development (Mbaku & Takougang 2004:6; Biya 1987).

Over 25 years later, the promised new political and economic order is still a pipe dream. Biya exploited and perfected the structures and tactics employed by Ahidjo to entrench himself in office. This included constitutional circumvention and manipulation, exploitation of loyalties, state coercion and bribery and co-optation of the competitive elite (Mabaku & Takougang 2004:10). These tactics, first used in the 1960s and 1970s by Ahidjo, had been used by Biya since the 1990s to avoid genuine democratisation, split the opposition and to review the constitution to remove the constitutional limits to terms of offices.

With the end of the Cold War Biya also came under enormous pressure to liberalise the country's political landscape. Although he did give in to these pressures, he objected to the holding of a sovereign national conference that would have levelled the playing field for all political actors. Rather, he manipulated the process to democratise on his own terms, almost single-handedly setting the rules, amongst others ensuring that key democratic processes such as elections remained under his direct control. He resisted the establishment of a truly independent electoral commission, preferring that the overbearing ministry of the interior be the principal manager of elections. This has guaranteed the continued dominance of his party, the Cameroon's Peoples' Democratic Movement (CPDM) and safeguarded his personal powers and his control of state resources (Mabaku & Takougang 2004:8). The result has been that Biya's regime has remained insensitive to the aspirations of the masses. Unemployment, poverty and underdevelopment still characterise this richly endowed country.

Although the ruling elite routinely project Cameroon as a functioning constitutional democracy, with clear separation of powers, the fact of the matter is that Biya still single-handedly determines the nature, structure and direction of politics in the country, partly because of the relatively weak constitutional order. The CPDM and the Parliament have been reduced to de facto extensions of the executive. Biya not only sets the agenda for parliament and appoints the speaker of the assembly, but also determines how the governing party members should vote. Biya also has total control over the judiciary. He hires and fires members of the judiciary including the president of the supreme court, at will. He also presides over the national judiciary council which is the highest judicial authority in the country. Moreover, he has yet to establish the oversight institutions such as a constitutional court and a senate provided for in Cameroon's revised constitution of

1996. The military and various security apparatuses are firmly under his control
and he continues to secure their loyalty with good salaries and promotions. It
would seem that the primary and sole objective of politics in Cameroon is to serve
the interests of the President and a small group of constantly recycled elite rather
than the broader populace (Mabaku & Takougang 2004:10).

Biya has constantly stressed the virtues of constitutionality and respect
for state institutions, but has never hesitated to violate these rules when they
obstruct his personal goals and interests. Fairly recently he manipulated the
constitution to suppress the clause limiting the terms of office for president. In
actual fact, Biya disregards regulations and rules by decree.

Biya's failure to provide leadership has encouraged generalised impunity
in the public arena in Cameroon, with the country being rated as one of the
most corrupt in the world. Like Mobutu, Nguema and Bokassa, Biya appears to
encourage corruption and graft amongst his collaborators as a strategy to give
them a stake in the continued survival of the regime. Sanctioning of the ruling
elite's numerous omissions and commissions has been rare and has been used
essentially as a political instrument. For example, the ongoing anti-corruption
campaign has been shallow and selective, targeting especially Biya's former or
current allies who attempted to challenge his bid to alter the constitution to
enable him seek a third seven-year mandate. Paradoxically, most of the high-
level officials who have either been effectively jailed or who are facing prosecu-
tion come from Biya's ethnic group. Although this may suggest that the anti-
corruption crack-down is genuine, it directly threatens the interests of members
of the inner circle and could be indicate of internal strife.

Overall, although the form of government in Cameroon has changed since
the 1990s, its substance and essence have remained the same. Everything con-
tinues to revolve around the office and person of the president – who is simul-
taneously head of state, commander-in-chief of the armed forces, chair of the
higher judicial council and chairperson of the CPDM. The focus of Biya's regime
on power accretion and regime survival has resulted in the neglect of human
security, in the form of socio-economic welfare and development. For example,
in 2004 mortality rates were still as high as 149 deaths per 1 000 live births and
Cameroon could only boast of 0,19 physicians per 1 000 patients during the
same period. The country was ranked 144th on the 2004 Human Development
Index (see Europa 2007). In fact, many believe that Cameroonians are worse off
under Biya than they were under Ahidjo.

Against this background, it is obvious that regime stability is not synonymous with human welfare nor does it necessarily translate to human security. The peace and stability in Cameroon is cosmetic and could potentially evaporate at the slightest provocation: it is not based on legitimate and viable institutions but rather on the person and office of the President. There is an assumption that since Cameroon emerged united and strong after Ahidjo, the period after Biya will be characterised by the same level of stability.

I contend that the national, regional and global realities of the Ahidjo regime differ fundamentally from the present situation and that while Ahidjo groomed a successor in Biya, it is not obvious that Biya is grooming any successor himself. Indeed, all the elements that preceded the collapse of the majority of personalised regimes on the continent, including those of Mobutu, Bokassa and Nguema, exist in Cameroon and are just waiting for a trigger. Biya is not getting any younger and his health has been a cause for concern in recent years. Therefore if he is not deposed by the growing disaffection among the people, nature is bound to take its course. Regardless of how it comes about and with his unwillingness to groom a political heir, the period after Biya is likely to be unstable, with far-reaching consequences for the welfare of Cameroonians, which is already at its lowest levels ever.

Gabon: regime longevity and development inertia

Like Cameroon, the Republic of Gabon has had only two heads of state since the advent of political independence in the early 1960s, namely Leon M'bah (1960–1967) and Omar Bongo (1967 to date). With the exception of monarchs, Bongo is currently the world's longest serving ruler after the death of Togo's Eyadema and the 'stepping down' of Fidel Castro in Cuba. Like Cameroon, Gabon has been one of the relatively stable countries on the continent.

Like his peers of the immediate post-independence era, Leon M'bah institutionalised a one-party state system in Gabon, which was perfected by Bongo. However, in the 1990s internal and external pressures for political liberalisation forced him to re-introduce multi-party politics in the country. Like Biya, Bongo 'democratised' on his own terms, ensuring that he retained dominance over the political system, and that his continued stay in office was not compromised in any way. Overall, Bongo's leadership style has been similar to that of Cameroonian president. It is not surprising, therefore, that the outcomes

in terms of a lack of development and de-prioritisation of human security are
almost the same.

Despite Gabon's small size, Bongo has remained an assertive, outspoken and
flamboyant leader in the region and even globally. He has also been a particu-
larly successful personal ruler, who has remained in near total control of the
Gabonese state and politics (De Saint-Paul 1989; Pourtier 1989). He systemati-
cally silenced all his rivals and reduced every other actor in the Gabonese po-
litical landscape to subordinates, fully dependent upon his favours and magna-
nimity. Until the advent of multi-party politics in the 1990s, Bongo distributed
patronage at his will and pleasure.

Bongo, too, governs by decrees and presidential fiat, with the entire appa-
ratus of the Gabonese public service and administration resting on his office
and person and every action subject to his direct supervision. In fact, Bongo's
concerns with political survival has led him to construct a political system that
has reduced otherwise powerful political positions, including that of prime
minister, to a largely administrative position, devoid of autonomous political
power (Jackson & Rosberg 1982:157–158).

Politics in Gabon has been shaped by personal relationships and patronage,
based largely on the country's oil wealth (Pean 1988). A distinctive feature of
Bongo's personal rule is that he occupied the most important cabinet portfo-
lios and also assigned trusted relatives, including his immediate children and
sons-in-law, to strategic positions in the armed forces and the public service.
His cabinet and other high-ranking officials, including provincial governors,
are carefully chosen and appointed with due regard for their total subordina-
tion and loyalty. He subjects his appointees to frequent and unpredictable rota-
tions, promotions and dismissals in a manner akin to the strategy employed by
Mobutu, Bokassa and Nguema.

As in Cameroon, separation of powers and checks and balances exist only
on paper. Until the 1990s Bongo virtually appointed the entire membership of
the national assembly, using his discretionary powers as secretary-general of
the ruling party to nominate candidates for elections to the legislature (Jackson
& Rosberg 1982:158). Although Gabon technically became a multi-party state
in 1993, Bongo has continued to govern it as a one-party state due to the con-
tinued dominance of his ruling Gabonese Democratic Party and the lack of any
credible opposition. He continues to wield significant influence on the bicam-
eral legislature through his control of parliamentarians, a majority of whom

are from his ruling party, and his powers to appoint members of the political bureau of the party. Overall, the legislature in Gabon has remained dependent on the executive and especially on the president who retains constitutional powers to dissolve it (Jackson & Rosberg 1982:158).

Bongo has always counted on the loyalty of the military and other security apparatuses for the survival of his regime. He is the commander in chief of the armed forces and members of the security forces have to pledge loyalty and obedience to him. The constitution also confers on the President the prerogative of mercy/pardon, which he has used throughout his rule to manipulate his subjects to do his will (Jackson & Rosberg 1982:158).

Apart from the late Mobutu of Zaire, President Bongo is the one African leader who has always had the ear of Western, and particularly French, politicians. Gabonese oil is said to have played a huge role in cementing relations between the Gabonese President and his Western allies. Bongo is supposedly one of the wealthiest heads of state in the world, a position attributed primarily to the country's oil resources and the corruption that has characterised the industry over the years and in which a number of Western multinationals has had a stake. While President Bongo and his cronies continue to plunder the nation's oil wealth, the majority of Gabonese continues to live in poverty. Beyond the capital, Libreville, Gabon has little to show for its status as a petroleum-producing nation. Although Gabon has one of the lowest mortality rates in the region (91 per 1 000 live births in 2004), the ratio of physicians to patients (0,29 physicians per 1 000 patients), though comparatively higher than in other countries of the region, is not cause for celebration considering the country's small population and enormous oil wealth (see Europa 2007).

Although President Bongo and his ruling elite continue to lay claim to massive support from the Gabonese people, recurrent outbreaks of unrests, particularly since the advent of multi-party politics in the 1990s, alongside occasional threats from dissident groups to unseat Bongo by force, are manifestations of popular discontent with his rather long period of rule. These incidents may not pose any immediate threat to his regime, and he seems set to retain power for many more years, but the question remains about how stable the country will be when his rule comes to an end. The Bongo regime does not seem to be grooming any heir and the old guard may try to perpetuate the old order when Bongo's rule ends. It is widely speculated that Bongo plans to hand over

power to one of his children in a dynastic rather than constitutional fashion.
Regardless, Gabon is likely to experience post-regime instability.

CONCLUSION

This paper has examined the personalisation of power, post-regime instability
and their implications for human security in the Central Africa Region. I have
argued that under a system of personalised rule, regime security and survival
are prioritised over human security and the overall welfare of the people. The
three collapsed personalised regimes of Bokassa, Nguema and Mobutu showed
that although they were able to accumulate wealth and power, distribute patron-
age, retain and abuse state power for so many years, the citizens in their states
remained poor, were undereducated and lacked potable water, electricity, roads
and other basic amenities. Moreover, because of the corrupt and brutal charac-
ter of these regimes, the people lived in a near permanent state of fear and want.
The states of Equatorial Guinea, the CAR and the former Zaire remained poor
and underdeveloped despite their huge natural resources.

Because these regimes were anchored on individuals (the personal rulers)
and personal networks rather than institutions, the semblance of stability that
they provided only lasted as long as the rulers were able to manipulate the
regimes to their advantage. Moreover, the lack of viable and legitimate institu-
tions in these regimes did not allow structured and peaceful regime transitions
to take place. As a result, the three leaders were forced out of office, which lead
to varying degrees of instability and in the case of former Zaire, civil strife. In
all cases human security, already heavily burdened during the eras of personal-
ised rule, was further reduced as a result of post-regime instability.

In the surviving personalised regimes in Cameroon and Gabon, the peoples
have also suffered as a result of the greed of their rules. Notwithstanding the
garb of multi-party plurality that these regimes donned since the 1990s, power
has remained concentrated in the office and person of the head of state. The em-
phasis has also been on regime security and survival at the expense of human
security and overall wellbeing. Power accretion and wealth accumulation char-
acterises both the Biya and Bongo governments. Although both states have con-
stitutions which make provision for a separation of power and other checks and
balances, these institutions have been repeatedly circumvented, sidestepped
or rendered wholly irrelevant by the leaders. Hence, power continues to reside

in the individual leader, with no credible and legitimate processes of regime succession.

Overall, the much vaunted peace and stability in Cameroon and Gabon are not based on democratic institutions and are likely to dissolve with the demise of Biya and Bongo. Although both have succeeded in altering their national constitutions to keep themselves in office for life, the question remains of how power will devolve after their reigns. This paper argues that in the absence of viable institutions and failure to groom successors, both Cameroon and Gabon will experience post-regime instability with far-reaching consequences on human security not only in Cameroon and Gabon but also in the Central Africa Region as a whole.

NOTES

1   The author is grateful to Mr David Kode, Dr Michel Reuters and Dr Lesley Masters for useful comments on earlier drafts of the paper and also for assistance with references.

2   There is no definitional consensus on what constitutes the Central Africa Region. However, for the purposes of this paper the Central Africa Region is defined from the perspective of international organisations. Thus the area comprises the 11 states that make up the Economic Community of Central African States (ECCAS). ECCAS is one of the regional economic communities identified in both the Abuja Treaty and the Constitutive Act of the African Union as building blocks of the African Economic Community.

3   This expression was earlier used by W B Yeats and was popularised by Chinua Achebe in his famous novel, *Things fall apart*.

4   São Tomé and Príncipe experienced a coup in 2003 which was reversed. The constitutional government was reinstated through the intervention of the AU under the guidance of Nigeria.

5   In spite of Equatorial Guinea's tiny population of less than a million people, the country has a long history of deeply rooted regional and ethnic divisions that have tended to define the competition for both resources and power in the country. The origins of Equatorial Guinea's regional and ethnic divisions can be traced to the rather ad hoc fusion of the backward mainland, Rio Muni, with the more developed Fernando Poo by the Spanish colonisers.

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3 The political economy of oil booms in the Central Africa Region

CHRYSANTUS AYANGAFAC

'Politics na njangui' (tontine) or a game of you scratch my back I scratch yours.[1]

INTRODUCTION

This paper is a contribution to the burgeoning literature on the probable impact of abundant natural resources on human security. Against a backdrop of rising oil prices, the quest for energy security, globalisation, poor institutional governance and weak capacity of states in the Central Africa Region the paper attempts to answer the following questions: What makes oil a poisoned chalice, especially in Africa? Why are so many African people poor while living next to oil wells, especially during an oil boom? What will the effect of the present rise in oil prices be on the human security of oil-producing African countries? Why does the oil riches not translate to rich(er) people and what can be done to remedy the situation?

Some countries in sub-Saharan Africa, such as Angola, Cameroon, Chad, the Republic of Congo (RoC), Côte d'Ivoire, Equatorial Guinea, Gabon, São Tomé and Principe and Sudan, are experiencing oil booms (brought on by a rise in oil prices); and simple logic would suggest that these countries would be scoring well

on all indicators of human security. However the 1970s experience and recent empirical evidence seem to suggest the contrary. Twelve of the world's mineral-rich states, and six of the oil-rich states, are classified by the World Bank and International Monetary Fund (IMF) as highly indebted poor countries. A third of these resource-rich countries are found in the bottom part of the United Nations Human Development Index. Most of these countries are classified as corrupt on the Transparency Corruption Perception Index (Transparency International 2005). A number of these countries are in the upper half of Foreign Policy's Failed State Index Ranking (Foreign Policy 2005). According to the World Bank governance indicator, governance in these countries is very poor (World Bank Governance Report 2005). Some of these countries are either in conflict or at the brink of conflict. In a nutshell, resource-rich countries can best be described as economically stagnant, politically unstable, patrimonial, corrupt and vulnerable to conflict, thus deserving the epithet resource curse, or the paradox of plenty.[2]

However, evidence suggests that natural resource abundance does not necessarily lead to economic and political chaos. The examples of Botswana and Norway are evidence of this. There are three theories of causation that attempt to explain the resource curse. Development economists use the Dutch disease theory to argue that the resource boom leads to appreciation of the exchange rate, rendering non-oil commodities uncompetitive, which then leads to economic stagnation (Sach & Warner 1995; Auty 2001). Political scientists use the political Dutch disease theory to support their argument that a resource boom leads to a pernicious distributive struggle for resource rents by numerous powerful groups which weakens state institutions, and at the same time consolidates authoritarianism (Lane & Tornell 1996 Wantchekon & Jensen 2000). Political economists use game theory couched in econometrics to argue that a resource boom might lead to conflict because it provides an incentive for and means to engage in fighting (Ross 2004; Bannon & Collier 2003). The more important question in the context of this paper is whether African countries rich in natural resources have appalling human security situations simply because there are African (see Englebert 2000).

The paper uses Cameroon as a case study, and starts by first stating its argument and rationale for its case selection, then sketches a theoretical framework that will guide its argument and serves to provide an overview of the oil industry in Cameroon. This is followed by an analysis of the effect of the 1970s oil boom on institutional governance in Cameroon. It concludes with some policy implications and considerations.

ARGUMENT AND CASE SELECTION

This paper argues that understanding how some African oil-producing countries managed their oil revenue during previous oil booms might shed some light on the probable impact of the present oil boom on human security in a number of African oil-producing countries. This argument takes into consideration context specifics and changes that have taken place on the continent since the oil boom of the 1970s, and also acknowledges some of the laudable policy initiatives that have been adopted by oil-producing African countries to enhance transparency and accountability in the oil sector.

Couched in institutional economics, the argument pursued here is anchored on the thesis that the institutional and political configurations of a country are key factors in determining a positive relationship between oil abundance and sustainable human security. Thus the critical factor in explaining oil booms and human security is how institutions are configured to constrain the incumbent's discretion over the distribution of oil revenues. The focus is not on the nexus between oil booms and basic human security, but rather on human security as defined by the African Union (see article 1(k) of the AU Non-Aggression and Common Defense Pact 2005).

This argument does not contend that other variables such as the nature of natural resource in question, ownership structure of the resource, ethnicity, demography, prices of non-oil commodities, duration of oil price hikes and debt burden have no effect on the political and economic trajectory of an oil-producing country during an oil boom. Rather, the question is how the oil boom affects institutional governance, and thus human security? Politics is about the allocation and distribution of resources (Leftwich, 2004). Bruce Bueno de Mesquita and his co-authors (2005) argue that economic policies are a reflection of a leader's survival strategies, which means that bad economics can make good politics but that good politics sometimes might make bad economics. Alence (2004) argues that the alignment between political incentive and economic development determines the economic policies a government will pursue, while according to Ross (2004) the logic of the political explanation of the resource curse is grounded in the fact that states are revenue satisfiers not revenue maximisers. It seems then from these arguments that the causal mechanism between resource abundance and human security is institutional governance or the political will and the capacity to transform natural resource abundance into sustainable human security. Consequently,

better institutional and political governance will transform an oil boom into sustained human security since the welfare of the electorates/citizens is crucial for the political survival of politicians.

Cameroon was chosen as the case study because it can be described as a positive example of the resource curse. Cameroon's political economy reflects the diversity and dynamism on the continent: it is strategically situated at the Gulf of Guinea and has a triple colonial heritage (German, French, and English). Though it is held out to be one of the few African countries that has experienced relative political stability, this stability has not metamorphosed into sustained human security. It is the sixth largest oil exporter in Africa and oil accounts for about 4,9 per cent of the gross national product (GDP), 60 per cent of exports and 20 per cent of government revenue (Gary & Carl 2003). Corruption is widespread in Cameroon. Twice (in 1998 and 1999) Transparency International branded Cameroon as the most corrupt country in the world; its oil revenue is almost a state secret. The country is ranked 148th out of 177 on the United Nations Human Development Index, it occupies the 53rd position on the Foreign Policy Failed State Index Ranking. In recent years, the government has made attempts to 'improve' transparency in the oil sector by adhering to the Extractive Industry Transparency Initiative and publishing the account of Société Nationale des Hydrocarbures (SNH) (the Cameroon national oil company) on its website. However, the jury is out on whether the figures are correct and how to explain the sudden change of heart.

Unlike countries in the region such as the RoC (see Englebert & Ron 2004), Equatorial Guinea (Yates 1996), Gabon (Yates 1996) and São Tomé and Principe (Wood & Soares de Oliveira 2003) Cameroon has received little attention in scholarly and policy debate. The debate on the management of oil revenue in Cameroon is very insignificant and one-sided, focusing more on econometrics in trying to assess if Cameroon did experience the Dutch disease syndrome during the first oil boom in the 1970s and 1980s (Koutassila 2005). Benjamin and Devarajan (1986; Devarajan 1999) argued that Cameroon witnessed a mild form of Dutch disease thanks to oil revenue savings and the restraining impact that the Franc Zone had inflationary pressure on the economy. In his explanation of patrimonialism in Cameroon, Van de Walle (1991, 1994, 1995; De Walle and Nicholas, 1997) only touches on how the oil windfall has helped sustain president Paul Biya's regime.

To circumvent the limitations of the literature and contribute to the debate on the political economy of oil revenue in the Central Africa Region, this paper

adopts a theoretical framework informed by new institutional economics. Evidence is taken from secondary literature taking into consideration that the management of oil rents in Cameroon is to a large extent shrouded in secrecy. Consequently, though the conclusions may appear anecdotal, speculative and circumstantial, they are supported by theoretical arguments and relevant generalisations. Causal deductions become more plausible if they are consistent with the available data and can be supported by relevant generalisations for which a measure of validity can be claimed on the basis of existing studies. The plausibility of an explanation is enhanced to the extent that alternative explanations are considered and found to be less consistent with the data and/or less supported by available generalisations (Mahoney 2000).

CONCEPTUAL AND THEORETICAL FRAMEWORK

This section analyses the theoretical relationship that exists between an oil boom (independent variable) and human security (dependent variable), through the level of institutional and political governance (intervening variable). The relationship between an oil boom and the level of institutional and political governance is thus the subject of this section of the paper. The relationship between political and institutional governance and economic governance/human security has been exhaustively debated elsewhere and will not be repeated here.[3]

Figure 1 contains a simple causal diagram that serves as a guideline in the paper. Three key concepts are highlighted, with arrows showing the direction of cause and effect. If an oil boom impacts negatively on the governance level, then there is a negative relationship between the oil boom, governance level and human security.

An **oil boom** is generally regarded as a situation in which oil starts to accounts for more than 30 per cent of a country's exports because of rising prices (Ross 2004; Bannon & Collier 2003). Since the management of oil rents is the preserve of government in most African states. Oil rents as a percentage of government revenue is a proper measure of oil boom. A benchmark of 20 per cent is adopted purely for methodological reasons.

The level of **institutional and political governance** is defined in terms of the set of institutions and traditions through which authority in a country is exercised. This includes the process by which governments are selected, monitored and replaced, on the one hand, and the respect of citizens and the state for the

Figure 1 Causal relationship between an oil boom, institutional
and political governance and human security

institutions that govern economic and social interactions, on the other (Kaufmann et al 2005). Five indicators are used to ascertain governance level, namely participatory governance, centralisation of power, political stability and absence of violence, patrimonialism and control of corruption (Kaufmann et al 2005).

Human security is defined as security of the individual in terms of satisfaction of his/her basic needs. It also includes the creation of social, economic, political, environmental and cultural conditions necessary for the survival and dignity of the individual, the protection of and respect for human rights, good governance and the guarantee for each individual of opportunities and choices for his/her full development (AU 2005).

THEORETICAL ARGUMENT

Fiscal sociologists argue that there is a robust relationship between resource dependence and government responsiveness to the needs of its citizens through a fiscal contract (exchange of resources in return for lawfulness and representation). They posit that resource dependence leads to the absence of participatory governance, because there is an absence of the social pressure that would usually be exercised through taxation. In many resource-rich societies the state relies on resource rents rather than taxation, while these resource rents are not seen as belonging to the population of the state in the same way as do income taken directly from them in the form of taxes. This creates a gap – a detachment – between government income and accountability (Ross 1999, 2001, 2004;

Moore 2004, Smith 2004; Campbell 1993).[4] Consequently, why would an old man in a cocoa plantation care about holding the government accountable as long as the gendarmerie (in the form of the tax collector) stop visiting him; after all, *la peur du Gerdarme est le début de la sagesse* (fear of the police) signals the beginning of wisdom]? Shambayati corroborates this argument in his statement that resource-abundant states are characterised by low levels of accountability and representation because of the low tax-dependent character of the state. Since the citizens pay little or no tax, they have no incentive to hold the state accountable for its actions (Shambayati 1994). Moreover, the low tax-dependent nature of the state means the state lacks credible information upon which to base sound economic policies (Chaudry 1989).

In an attempt to explain the nexus between resource abundance and political instability, Karl argues that fiscal reliance on resource rents weaken state institution accountability, which might culminate in political instability (Karl 1997; Yates 1996). According to Lane (1996) resource abundance leads to a destructive intrusion in state affairs by the privileged and interest groups who attempt to capture state power, again increasing the likelihood of political instability. This situation is worsened by the fact that resource revenues mostly accrue to the state and not the private sector. Consequently, in the absence of a viable private sector, politics become a contest for access to and control of such natural resources, resulting in corruption, intense and contentious elite competition for such resources, sometimes abetted by multinational oil companies. An extreme example of such a chain of events occurred in the RoC during the early days of its democratisation process. Against a backdrop of weak institutions and an economic crisis, elite competition for control of state institutions and, by extension, control of oil income, unleashed a series of violent political hostilities from which the country has still not fully recovered. Bienen (1983) argues that an increase in the contribution of oil to the GDP from one per cent to 90 per cent in Nigeria lead to the country becoming over-centralised and plagued by coups and civil war (also Omeje 2003). The point is that an oil boom does not ipso facto breed political instability, but in the absence of democratic institutions to manage elite interests and especially access to resources, violence becomes the only viable policy option to ensure political survival.

Within the context of weak institutions, resource abundance entrenches authoritarianism, corruption and patrimonialism. Mahdavy (1970) argues that countries endowed with an abundance of resources tend to be authoritarian and risk-averse

and irrationally optimistic about the future, while Yates (1996) is of the opinion that rentier states suffer from poor governance because state officials can use resource rents to attain unpopular or illegal objectives. According to Wantchekon and his co-authors (Wantchekon & Jensen 2000; Wantchekon & Iam 2002) and Bratton (1998:51–66; Bratton and Van de Walle 1997) resource abundance stifles democratic transition and consolidation because income from the resources are used to sustain patrimonialism, create fake opposition parties, buy off political opponents and increase the repressive machinery of the state. McMahon (1997) takes this argument further in his statement that behind the negative impact of a resource boom on governance and human security is the irreversibility of government expenditure informed by political rationalities rather than public good or good economics. For example, in a bid to placate urban consumers who are politically more threatening than their rural counterparts, resource rents are used to protect manufacturing industries, for import substitution strategies and to expand the civil service, all of which eventually become uncompetitive (Auty 1998; Bates 1981). What is important in this regard is this over-expenditure may at times be sustained by oil-backed multilateral and bilateral loans (Englebert & Ron 2004).

These theoretical suppositions seem to suggest that if an oil boom occurs in the context of weak institutions, it enhances and sustains patrimonialism and corruption and heightens or sustains the absence of participatory governance, leads to low elite creation and circulation (through long incumbency periods), ultimately leading to political instability. The policy implication of these theoretical arguments is that, against a backdrop of weak institutions, oil income is invariably directed towards regime security rather than enhancing human security. Indeed, the political survival of politicians does not on the whole depend on the welfare of their citizens, but rather on a handful of select elites. As the case of Cameroon will show, until there is a positive alignment between regime security and human security, any oil boom will continue to be a curse to Africans.

CAMEROON: OIL RENTS AND INSTITUTIONAL AND POLITICAL GOVERNANCE

> *La chèvre broute là où elle est attachée. Mais c'est là où le serpent vient la tuer.* [The goat grazes where it has been tethered. But that is where the snake will come to kill it]

In this section the impact of the first oil-boom decade (the 1970s) on institutional and political governance in Cameroon is assessed. It is based on the premise that if one can determine who gets the revenue from oil and who controls the way oil is developed, it will yield answers on the political governance climate of the country. Though institutional and political governance can be seen as normative rather than descriptive concepts, this section uses variables like corruption, patrimonialism, authoritarianism and political instability, to support the argument that the oil boom that Cameroon witnessed in the late 1970s and early 1980s exacerbated poor institutional governance in Cameroon, further weakening institutions and lessening the transparency and accountability of the state. Though there have been some improvements on governance over the past decade, these are rather cosmetic because they were never designed to constrain the maneuvrering space of the political leadership nor to change the fundamentals of the Cameroon polity. As a result, patrimonialism, clientelism and corruption still characterises Cameroon's polity despite these changes. It is within this framework that one can begin to assess the effect of the recent oil boom on human security in Cameroon.

OVERVIEW OF THE OIL SECTOR IN CAMEROON

Understanding the scope, size, management and relationship between the oil sector and various sectors of the Cameroonian economy is the first step towards comprehending the effect of an oil boom on institutional governance.

Cameroon is the sixth largest oil producer in Africa. In 2004 its reserves were estimated at 400 million barrels (Mbedi 2008). According to the national oil company, production in 2007 and 2008 amounted to 20 432 and 10 814 million barrels respectively (SNH 2008). The country also has gas reserves estimated at 110 billion cubic metres that are still unexploited (Mbedi 2008). Reserves are located offshore in the Rio del Rey Basin of the Niger Delta, offshore and onshore in the Douala/Kribi-Camp basins on Cameroon's western coast, and onshore in the Logone-Birni Basin in the northern part of the country (Cosse 2006. Although production is declining, improvements in technology, the prospect of discovering new fields, rising oil prices and a peaceful settlement of the Bakassi peninsular dispute with Nigeria mean that Cameroon is still an important oil player in Africa.

Cameroon's oil industry is divided into two sectors, namely an upstream and a downstream sector. The upstream sector is mainly concerned with exploration

and exploitation while the downstream sector is concerned with commercialisation of oil products. The upstream industry is dominated by Total (68 per cent of total production), Pecten/Shell Cameroon (23 per cent), and Perenco (nine per cent) (Cosse 2006). Cameroon's downstream oil industry is also an important sector of the country's economy. Consumption of liquid fuel products is currently in the region of 900 000 tonnes per annum (Mbedi 2008).

In 1979 oil accounted for 58,5 per cent of exports and 43 per cent of government revenue (Koutassila 2005). That number has risen, and at present oil accounts for about 4,9 per cent of the GDP and 60 per cent of exports (Gary & Karl 2003). In 2008, of a total budget of 2 276 billion CFA francs the contribution from oil revenue amounted to 610 billion CFA francs (Law no. 2007/005),which means that the oil rent contribution to government revenue is currently 27 per cent, making it the largest source of government revenue of the country. As far back as 1982 a report by the finance commission of the French Assembly (Rapport Vivien) noted that without oil, the trade balance of Cameroon would show a substantial deficit (Ndongko 1986).

Petroleum exploration, development and production activities in Cameroon are at present governed by the Mining Law (no 64-LF/3 of 1964) and the Fiscal Law (no 78/14 of 1978, amended in 1990, 1991, 1995, and 1998 to make it more attractive to investors) (Mbedi 2008). Production licences are issued in the form of either a concession contract or production sharing contract, and operators may choose which option they prefer (Mbedi 2008).

A concession contract is entered into prior to the granting of a hydrocarbons exploration permit. In terms of the concession contract the holder is responsible for financing the petroleum operations and is entitled to the hydrocarbons extracted during the period of validity of such contract, subject to the right of the state to collect royalties in kind. This means that once the oil has been extracted from the ground it becomes the property of the company, and the state of Cameroon accordingly has little influence over development, decisions, regulation or tax. Moreover, the absence of development in the oil sector inhibits the creation of an indigenous class that has a vested interest in the oil sector beyond rent seeking. However, the advantage of taking royalties in kind rather than in money is that as oil prices rise, the value of the royalty increases too.

In the case of a production sharing contract the state contracts the services of a holder, who explores, and in the event of a discovery, exploits the hydrocarbons. The holder is responsible for financing the petroleum operations and the

hydrocarbon production costs and revenues are shared between the state and the holder in accordance with terms set out in the contract. The holder receives a share of production as reimbursement of its costs and as compensation in kind (cost oil), while the remainder of the oil (profit oil) is shared between state and holder (Mbedi 2008). The petroleum contract may provide for a signature or a production bonus. The terms of the contract could include exemption from customs duties during exploration and reduced rates during the first five years of exploitation. The operator also usually has the right to a dollar accounting system and to remit profits and retain proceeds from sales abroad.

It has been argued that the difference between the two types of contracts is based on a political decision designed to create a façade of state control, rather than any practical differences (Muttitt 2005). Daniel Johnston (cited in Muttitt 2005) also argues that although the two types appear to be quite different, they serve a political rather than an economic function. The terminology may be different, but from a financial perspective concession contracts and production sharing contracts are not all that different.

In Cameroon the Ministry of Mines and Energy regulates the industry, through its national oil company, the Société Nationale des Hydrocarbures, which was created in 1980. SNH reports directly to the president through his secretary-general. This arrangement allows the presidency unrestrained control of the oil sector. SNH is responsible for promoting the development of the country's hydrocarbon resources, and management of the state's interests in any discoveries of oil and gas resources and awarding of contracts of exploration, exploitation and production. Until 1995 it was the sole supplier of crude oil to the state refinery, Société Nationale de Raffinage (SONARA). SONARA is a parastatal organisation created in 1982 and is the source for the country's petroleum products (SNH 2008).The government holds a 66 per cent interest in SONARA while TotalFina Elf, Exxon Mobil, Shell and Texaco hold the remaining shares (Republic of Cameroon 2006).

Before the 1990s, oil revenue in Cameroon was not reflected in the national budget and was deposited outside the state banking system. The former head of SNH, J Assoumou, argued that 'oil proceeds are above the understanding of ordinary Cameroonians' (Foncha 2005). The oil revenue was deposited in a foreign account controlled by the president from which expenditure could be paid and was listed as an extra-budgetary item ('hors budget') in the government accounts. In 1981 extra-budgetary expenditure amounted to twice

the reflected government expenditure. According to Benjamin and Devarajan (1986) the government reported only 45 per cent of estimate oil revenue in 1982. At present the management of oil proceeds is still shrouded in secrecy as the SNH reports directly to the presidency. Parliament has little knowledge about the finances of the oil companies in Cameroon. Parliament is only allowed to deliberate on what the government chooses to present as the oil contribution to the budget, but not on what the oil sector revenue actually amounts to. The extra-parliamentary finances recently came to light when Cameroon bought a presidential jet. The SNH paid US$31 million for the jet, but purchased it through Cameroon Airlines in an attempt to conceal the transaction, and especially to avoid attracting the attention of international financial institutions, as Cameroon was subjected to strict austerity measures (Pefok 2008).

CAMEROON'S POLITICAL DUTCH DISEASE

Understanding the effect of an oil boom on institutional governance in Cameroon necessitates an analysis of the power structure of the country. Cameroon has a presidential system reminiscent of a typical Gallic state. Power is concentrated on the president and centralised in one institution, *la présidence*. The power of the president is further enhanced by his control over the public service which is the largest employer in the country. Thus the president determines who and when one could become a teacher, nurse, doctor, and the like. In a nutshell, the president not only determine who gets what, when and how but also who lives or dies; a typical *etat gendarme*. With this power structure in place and a society which is socially fragmented, oil boom periods have in the past afforded state officials the maneuvrering space to entrench their power by consolidating patrimonialism and enhancing the advantage the incumbent party enjoyed in multiparty politics.

Cameroon is a classic example of a neo-patrimonial state. Much has been written on neo-patrimonialism in Cameroon (see for example Bayart 1985; Médard, F. 1977, van de Walle 1994 Gabriel 1999), and accordingly the focus here will be on how government used oil rents from past oil booms to strengthen regime security. This occurred mainly through import substitution policies which degenerated into inefficiency and corruption, and thus created an appalling human security situation.

Cameroon's fourth five-year development plan (1977-1982), geared at industrialisation, came in the midst of the oil boom. This period saw the creation of many (over 90) non-profitable government parastatal organisations (presumably from the oil boom) such as SONARA, Société nationale des Palmeraies (SOCAPALM), Cameroon Sugar Company (CAMSUCO), Cameroon National Produce Marketing Board and the Société d'Expansion et de Modernization de la Riziculture de Yagoua (SEMRY). Also during this period, financial institutions were created presumably to finance development projects, such as the creation of the Société Nationale d'Investissement (SNI) to finance joint ventures or partnerships, Fonds Nationale de Dévéloppement Rurale (FONADER) to finance agriculture, and Fond d'aide et de Garantie des credits aux Petites et moyenne Entreprises (FOGAPE) to finance small and medium sized enterprises. These financial institutions were financed almost entirely by the state. With oil being the principal source of government revenue, simple logic would suggest that oil rents were used to back these ventures.

Some of these parastatals were evidently unprofitable and uncompetitive, one example being the SNI, which was involved in 62 undertakings costing a total of 46 billion CFA francs (SNI 1981). Others were running at a loss that totalled 4,6 billion CFA francs during the period from 1977 to 1978 and five billion CFA francs in 1981 to 1982 (Ndongko 1986). The government was presumably able to sustain this loss because of the oil boom. Anecdotal evidence suggests that while SNI losses peaked at five billion CFA francs in 1982, oil revenue had increased from 12,8 billion in 1978 to 738,8 billion CFA francs in 1982, which provided the state with more than enough money to sustain these ventures. SOCAPALM's subsidies peaked at 336 million CFA francs in 1981, credit to FOGAPE reached a high of 29,63 billion in 1983, while FONADER intervened on behalf of 259 businesses requiring bank loans totalling 5,59 billion CFA francs in 1983 (Ndongko 1986 Willame, 1986).

Another aspect of importance at this juncture was that the Cameroon's increased expenditure was aided by oil-backed loans. By the early 1970s Cameroon's external debt amounted to more than 500 million CFA francs, by 1983 it had skyrocketed to more than US$2 billion and by 1996 it reached a staggering US$9,5 billion (African Recovery 1999; Willame, 1986). According to the World Bank, Cameroon's subsidies to mostly state parastatals peaked at four per cent of the GDP in 1985, while oil revenue peaked at US$862,3 million the same year (Benjamin & Devarajan 1986). This situation introduced the concept of an economic crisis into Cameroon's political and socio-economic lexicon.

The burning question is why Cameroon subsidised and sustained these parastatals, knowing that they were not economically viable and could not be redeemed? Despite the economic rationale put forward in support of inward looking economic policies, these ventures had a political motive which was aimed at exercising control over them and ensuring loyalty to the regime. The executives of these companies were appointed by the head of state, which meant that they were accountable to him only. This afforded the head of state a mechanism by which he could make the distribution of resources to these organisations dependent on their continued political support. This is supported by the fact that when Paul Biya took over from Amadou Ahidjo, and tension subsequently developed between them, Biya changed almost all the executives of government parastatals, positions that had up to that time been filled with supporters of the former president (Kofele-Kale 1986). Kofele-Kale argues that by removing some and retaining others, Biya was entrenching his power by distributing rents to politically dangerous opponents. According to Le Vine *le fidèle* or *l'intermediaire,* or selectorates were appointed to powerful government positions, like ministerial and governor posts and as heads of parastatal organisations (Le Vine 1986).

Cameroon's government has not only been spendthrift in maintaining uncompetitive parastatals, but has also created a huge and cumbersome bureaucracy (Willame 1984). It should come as no surprise that Cameroon has a minister of primary education, a minister of secondary education, a minister of higher education, and formerly a minister of technical and vocational education as well. All these departments used to fall under one ministry of national education. The only conclusion is that the government was able to afford such excessive spending because oil revenues enabled it to buy off political opponents with government posts, at the cost of political liberalisation.

Another mechanism through which oil booms have helped to strengthen the Biya's regime has been the use of oil revenue to limit political opposition at the dawn of political liberalisation. In the 1990s there were more than 102 opposition political parties, with some calling for the outright termination of the Biya's regime, but after the elections some of Biya's former enemies became cabinet ministers and even ministers of state. Examples include Bouba Bello Maigaei, the former prime minister who went into self-exile, Dakole Daissala and Augustin F Kodock (of the UPC) who all became cabinet ministers (Krieger 1994; Takougang 2003).

While the advantages of a government of national unity are obvious, it is an open secret in Cameroon that politics na njangui, a game of give and take or quid pro quo (Jua 2001). Thus, the rational for the appointment of a government minister is to ensure support for the president. In Cameroon, since the game of politics is determined by the lobbying capacity of the region, its elite plays a central role in canvassing for resources from the central government (Fonchingong & Fonjong (2003). It is not surprising, then, that the appointment of a minister is viewed as a reward to a particular tribe in return for their votes during elections. As Bayart (1993) puts it, when a government minister is appointed in Cameron, he is congratulated his tribesmen, presumably for securing a share of the national spoils for them. This is in line with reports that government officials warn their tribesmen not to vote for the opposition candidates because the president would then 'forget' them (Jua 2001).

Corruption has come to characterise the government in Cameroon. Transparency International has named Cameroon as the most corrupt country on two occasions. According to a 1989 fiscal study, corruption cost the government between 670 and 820 billion CFA francs, which equates to 18–22 per cent of the GDP (Van de Walle 1996). By 2005, because of widespread corruption in the ministry of finance, Cameroon was losing 1 billiion CFA francs ($2m; £1m) a month (BBC News 2005).

Despite the array of institutions put in place to fight corruption, Cameroon seems to have lost some the gains made over time (IRIN 2008, Nsom 2008). One could argue that the lack of political will to engage on a comprehensive fight against corruption can be found in the political rationalities of corruption in Cameroon. It has become a popular Cameroonian political maxim that a goat grazes where it is tethered. In other words, the government is aware that its survival depends on how much rewards it can dispense to its supporters. In some sectors of the public service corruption is thus perceived as a reward for government support. If the government were serious about curbing corruption, it would have to start by arresting its leaders. Consequently, political survival in the absence of strong democratic institutions depends on Machiavellian political maneuvers rather than sound economic policies. In view of how the state retains its power, and to whom it is accountable, it is not surprising that corruption has become a mechanism for distributing rents to deserving supporters, often by means of the state apparatus. Bates (1981) argues that African states retain bad economic policies because they benefit a politically threatening

constituency, such as the urban population. In Cameroon SEMRY is a case in point. Though SEMRY was economically unprofitable, Van de Walle (1991) argues that it was subsidised and maintained because of the perception that its collapse would lead to an increase in the price of rice, which is a staple food in especially the urban areas in the north where there was strong opposition to Biya (his former political foe, Amadou Ahidjo, was from the north).

By 1985 at the height of the oil boom in Cameroon, the CFA franc had appreciated by 30 per cent, partly due to the depreciation of the dollar against the French franc to which the CFA franc was linked (Koutassila 2005). This resulted in non-oil products such as cocoa and coffee becoming uncompetitive in the world market, a situation that was compounded by the fall in commodity prices in 1986. Despite the effect of such an overvalued currency on the economy, Cameroon and other former French colonies resisted calls by the World Bank for devaluation. Presumably the Biya regime maintained this high exchange rate (one French franc to 50 CFA francs) to protect the interests of its supporters, amongst them import agents and the urban population, who relied on imported luxury goods to maintain a lavish lifestyle. For example, this high exchange rate enabled Cameroonian elite to import five million bottles of French champagne during the 1980s (Van de Walle 1991).

One of the characteristics of oil-rich countries is political instability and elite infighting. Since all power is concentrated in one person and there is a near absence of a private sector, capturing state power is become the only avenue of accumulation open to the elite. Cameroon has had its fair share of political infighting, dating back to the 1984 attempted coup and the turbulence of the 1990s. Political instability and elite fragmentation and contests have manifested itself in a secession battle between Anglophone and Francophone Cameroon. Nyamjoh and his co-authors (1997) argue that the dissention is grounded in the belief that Anglophone Cameroonians are marginalised in the political and economic life of the country despite the fact that the bulk of the country's wealth, and especially oil, comes from Anglophone Cameroon. Political instability has also been aggravated by the border dispute between Cameroon and Nigeria over the oil-rich Bakassi peninsula (Ikome 2004).

One could also argue that the discovery of oil has enabled the government of Cameroon to become highly centralised. Cameroon became a one-party state in 1965, in 1972 the country changed from a federal form of government to a united republican form and in 1984 to yet another form, namely a republic

(Fonge 1997). (Incidentally, one wonders if the British would have allowed a federation if they had known about oil in Anglophone Cameroon and whether one of the reasons for the dissolution of federation was because the French knew about oil in Anglophone Cameroon (see Stark 1976).) Though the 1996 constitution calls for decentralisation, it is still not a reality and power is still concentrated in the president and centralised in Yaoundé.

The foregoing leads inevitably to the conclusion that a lack of transparency and accountability in the management of oil revenue in Cameroon, against a background of weak state institutions and poor leadership, has exacerbated poor governance in the country. It has been accompanied by corruption, patrimonialism and political instability. While corruption and patrimonialism has enabled the Biya regime to survive, he has done so by discounting the economic well-being of Cameroonians.

CONCLUSION

This paper set out to prove the argument that to understand how African oil-dependent countries will perform amidst the present oil boom, we need to understand how the first oil-boom decade was managed. The paper has shown that institutional governance is the most critical factor in turning an oil boom into sustainable human security. Couched within theoretical arguments and empirical evidence, the paper attempted to explain how the oil boom in Cameroon in the late 1970s and early 1980s helped the government sustain inward-looking economic policies in the name of self-reliance with the end result of entrenching poor institutional governance.

The conclusions may be based on anecdotal and speculative evidence, but they nevertheless point to a general trend which suggests that first, resource abundance per se is not a curse, but is in turn dependent on institutional governance. In cases where state institutions are weak and there is lack of accountability and transparency in the management of oil revenue, an oil boom will exacerbate poor governance, corruption, patrimonialism and elite infighting, leading to a weak human security situation. Second, where there is a close alignment between regime security and human security development or where regime security is determined by the improvement to human security, sound economic policies will almost invariably result in good politics. Third, in cases where ownership and control of oil rents are controlled by a few elites against

a backdrop of the private sector, the political contest for state control might turn violent. Thus the dispersal of ownership and control of oil might not only lead to the creation of an indigenous class of private capital interested in the oil sector beyond its rent-seeking attributes, but also a class that might act as a middle man between the ruling elite and poor citizens.

NOTES

1   Cameroonian proverb.

2   The resource curse is a phenomenon used to describe a situation where a country is rich in valuable natural resources yet it is very poor

3   See for example Alence (2004) and the NEPAD framework document.

4   This same argument has been used to examine the effect of foreign aid on institutional and political governance. See for example Feyzioglu et al 1998; Bräutigam 2000; Bratton 1998; Van de Walle 1997.

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Regional relations and human security in the Central Africa region

4 Regional relations and conflict situations in Central Africa

Yves Alexandre Chouala

INTRODUCTION

This paper seeks to address the issue of conflicts in the Central Africa Region from the perspective of interstate relations. It strives to assess the possibility that relationships are the root causes of conflicts or at least play a part in them due to their belligerent nature. Precisely because of their belligerent nature, such relationships might be self-destructive or could be a potential source of conflicts. This approach is interesting because it approaches conflicts in Africa from outside the stereotypical context of 'new conflicts' (Marchal & Messiant 2003:91–112; Kalyvas 2003:107–135). Rather, it tries to put them in a more realist and traditional context in which they are considered as 'state affairs' (Aron 1968; Clausewitz 1995). The Clausewitz approach to a conflict as being a 'continuation of a war by other means', or as a foreign policy instrument used by states, is important if there is to be a balanced perspective on the complex web of conflicts and security issues in Central Africa. This traditional yet realist analysis of conflicts lends itself to a more holistic assessment rather than an evaluation based on conflicts solely as adventurous and deadly raids carried out by 'armed groups on states' (Bourgi 2004:35–43). Without overlooking the

propensity of African conflicts for mutating and developing new dimensions, they nevertheless remain intricately linked to issues of major interest which are resolved through violence and bloodshed (Bouthoul 1986).

In Central Africa, states are either in conflict with one another or with criminal groups backed from several quarters. Because conflicts in the region can stem from both interstate relations and reasons, the paper addresses conflicts from the double perspective of interstate related factors and transnational factors.

REGIONAL INTERSTATE RELATED FACTORS

Relations in the Central Africa Region are characterised by a number of political and diplomatic practices and behaviours likely to escalate into, prolong or worsen the conflict situation. This does not mean that politics in the region are conflict prone, but rather that it is indicative of the weaknesses of certain provisions, positions and behaviour of the various states that are likely to degenerate into conflicts. Hence the traditional rhetoric of defending state sovereignty and territorial integrity, protecting state interests, defining status and roles – and the struggle for influence and power – might sometimes cause or fuel conflicts, particularly when they do not occur within a clearly defined multilateral setting. In Central Africa, however, there are several factors that unfortunately undermine state intercourse in the region, namely poor relations among neighbours, rivalry among states over status and roles, and the cynical practice of conflict exportation.

Neighbourly relations as a source of conflicts

Regional international relations in Central Africa are marked by mistrust, suspicion and xenophobia between neighbouring states (Choula 2005:155–175). The policy of good neighbourliness that should normally serve the interests of the region by promoting peace seems to be lacking in the daily interactions of the various states. Consequently, relations among neighbours are a source of open and potential conflicts.

In relations of this nature neighbouring states for the most part disregard territorial integrity of states, interfere in the internal affairs of others and violate their sovereignty or are marked by disputes over certain issues in which both have a stake. The behaviour of regional state actors is seemingly a source

of conflicts as well. The disrespect for states' territorial integrity can be blamed on the near common trend of disputes over colonial boundaries and the immeasurable craving to conquer more land, which some states manifest openly. Bearing in mind that the border demarcation process inherited from the colonial masters was never completed; territorial disputes now erupt at the whim of states seeking territorial expansion. Regional international relations are deeply entrenched in the intangible colonial borders and any attempt at altering them is likely to affect the regional structure and eventually spark trouble.

Hence the 'great war' of the Central Africa Region, or the 'war of the Great Lakes region', was triggered by the violation by Rwanda, Burundi and Angola of the territorial integrity of the Democratic Republic of Congo (DRC). They all claimed to have legitimate security reasons, including severing the roots of their respective rebel groups which could be traced all the way to eastern DRC, a part of the country that served as sanctuary and political and military stronghold for many a rebel group (Pourtier 1996:15–38). The security motives were compounded by a visible geo-political motivation, namely to return to the 'Great Rwanda' of pre-1884, a project initiated by Rwandan authorities as the country was crumbling under the weight of population growth (Chouala 1999:274). Similarly, Angola tried to unilaterally and forcibly alter its landside border with the DRC in order to claim a few Congolese villages with mineral-rich subsoil. The mutual territorial violations in Chad and the Central African Republic (CAR) by their respective rebel groups fuelled semi-civil and semi-transnational wars in the two neighbouring states. The common border between Chad and the Sudan has not been spared; it has been a source of conflicts within and between the two countries that share a border.

The violation of states' territorial integrity usually goes hand in hand with a desire to seize portions of land, particularly mineral-rich areas along the borders, in what has been dubbed an 'environmental war' – a war to conquer resources (Grandvoinnet & Schneider 1998). It is in this connection that Nigeria waged a war against Cameroon to claim mineral and maritime resources in the Bakassi peninsula for itself. Gabon and Equatorial Guinea have been fighting over the Mbanie Island in the common territorial waters of both countries. Rwanda is planning to take over a vast portion of the Congolese territory rich in natural resources and return Congolese citizens of Rwandan extraction to their homeland.

Such attitudes lead to large-scale violations of national sovereignty and the territorial integrity of states, the most current form being interference in the

domestic affairs of others. Regional relations can thus be said to be marked by interference expressed in various ways, including unilateral modification of borders; immeasurable craving for land; extension of the national security area beyond states' territorial borders; recurrent violation of state authority over resources; mutual support for rebel and dissident groups; ostentatious support to some political and military groups fighting for power within states.

Voluntary conflict exportation

The complex conflict situation in Central Africa can in many respects be blamed on a technique developed by some actors dubbed voluntary conflict exportation. This is a technique which does not favour neutrality in regional conflicts, but rather encourages collective chaos and widespread regional disorder. Conflict exportation has become a well-developed strategy implemented by governments which feel threatened and seek to hang on to power and ensure their political survival by any means.

Conflict exportation is quite common in Central Africa. In 1996, Rwanda exported its civil war to the eastern DRC (Pourtier 1996:15–38). After seizing the capital city of Kigali and pushing back the loyal forces to the borders with former Zaire, the new Rwandan leaders had to guard against the military and political reconstitution of the defeated forces by launching a major offensive on the Kivu region. Officially, this move was intended to ensure the country's security, but another reason given by Rwanda for voluntarily exporting its civil war to the eastern DRC was to track down the perpetrators of the genocide who had sought refuge in the Kivu Mountains. The outcome was the transformation of the Great Lakes Region into a major conflict zone involving Rwanda, Burundi, Angola, DRC and Congo Brazzaville (Republic of Congo).

Chad also exported its civil war to the CAR with the intention of destabilising President Ange-Felix Patassé, considered to be the main financial backer and ally of political and military groups hostile to President Idriss Déby Itno of Chad. Self-proclaimed 'liberators' from the Chadian army were involved in the military offensive officially led by General Francois Bozize all the way from Paris, which resulted in the toppling of Patassé and his government.

Chad and Sudan too have been trading civil wars on their respective territories, with the result that the wars in both countries have become inextricably and structurally linked. Both countries are faced with the same conflicts but

tailored to the socio-political realities of each. In similar vein, Angola for long time extended its civil war front to the two Congos because its rebel movement, the National Union for the Total Independence of Angola (União Nacional para a Independência Total de Angola (UNITA)) had established strategic strongholds and military bases in both countries with the blessing of their two governments. For this reason the government forces of the People's Liberation Movement extended their military operations to the two countries in order to destroy the base and military support of UNITA.

Rivalry and enmity among heads of state

Central African heads of state, 'brothers and friends' as might be, are in a perpetual state of rivalry and competition over various issues and challenges, including politics. In an environment where diplomatic relations are determined and dominated by heads of state, it goes without saying that any misunderstandings and differences among them would spill over and impact on the official relations of the various states. The expression 'rival heads of states, rival states', can certainly be applied here to describe relations in the region. Indeed, international relations in the Central Africa Region are marked by multifaceted rivalry among heads of state.

That the relationship among some heads of state is hostile is an open secret, and it does have a negative effect on state relations, too. For instance, the hostility between Omar Bongo of Gabon and Teodoro Obiang Nguema Mbazogo of Equatorial Guinea has had a considerable effect on the bilateral relations between the two neighbours. The deep-seated enmity between the two presidents is partly due to Equatorial Guinea's 'arrogance' and ingratitude as well as its growing condescension following the oil boom that has given the country substantial financial leverage. Furthermore, the oil-rich Mbanie Island has been a bone of contention between the two sides. One of the glaring examples of this enmity was Teodoro Obiang Nguema's absence from the ceremony in Libreville, Gabon, in 2007 to mark Omar Bongo's 40 years in power.

The personal conflict between Laurent Desire Kabila and Paul Kagame over the leadership of the Great Lakes region considerably and protractedly destabilised the region. The personal enmity between the two heads of state of the DRC and Angola has also greatly undermined relations in the region. The hostility between Pascal Lisouba and Eduardo dos Santos was so severe that

the latter did not hesitate to back the military rebellion that ousted Lisouba from power.

Idriss Déby Itno and Ange-Felix Patassé were involved in a media warfare in which they accused one another of plotting to destabilise their respective governments. Because of their mutual hatred, Déby provided arms and munitions to the political and military groups that stood against Patassé and finally ousted him in March 2003.

All in all, Central African heads of state are on the whole rivals and their rivalry manifests itself in deep–seated disagreements over political, economic and security issues in the region. This rivalry gives rise to relations that weaken and destabilise the various countries. As a consequence, international relations in the region have become highly precarious.

CHANGING THE POLITICS IN THE REGION

Politics in Central Africa is marked by the emancipation and aspirations of the numerous groups who have become part and parcel of the regional politics. The growing number and strength of non-sovereign actors who are diplomatically independent, have their own foreign agenda and substantial means to carry out their activities, contribute in making the region a fertile ground for conflicts. The unhealthy politics has lead to a growing trend which further compounds the precariousness of life in the region, namely the forging of alliances between states and private groups, the militarisation of criminal groups and the free movement of arms and weapons across the various borders.

Alliances between states and private groups

In Central Africa like everywhere else, diplomatic relations is no longer the preserve, business or prerogative of sovereign states. Increasingly, non–state actors are involved in the regional politics and have more political and financial leverage than some of the states themselves (Porteous 2003:307–320). With regard to conflicts, the age-old and realist belief that states alone or at least states predominantly, are responsible for regional conflicts has been challenged by a consideration of the number of non-state actors who are involved in them (Hugon 2006:64–74) and the socio-political realities on the ground which highlight relations of mutual assistance and competition between states, and private

and rebel groups (Reyntjens 1999). In some areas the state is under the yoke of private groups or simply dominated by them. It is equally worth noting the mutual defence and assistance agreements signed between sovereign states and rebel or private groups.

Consequently, some of the groups aspire to greater positions at the helm of the state and consider themselves to be on equal footing with state governments or to be a state's alter ego. Alliances between states and private groups are generally a tangled web of relations and connections that I can only try to disentangle in my analysis for the sake of clarity.

First, heads of state display a craving for power and influence (Chouala 2005: 288-306) which they satisfy by forging partnerships with private groups. The sole purpose of networking within and across states by these groups in their turn is to influence domestic and foreign policies. Consequently, the region now has a system of mutual interference, influence peddling and domination in the internal affairs of one another. It is against this backdrop that an alliance was forged between the government of Ange-Felix Patassé and the Movement for the Liberation of Congo; a rebellion led by Jean Pierre Bemba, which controlled the border area between the DRC and CAR. Rwanda and Uganda set up, armed and led rebel groups in eastern DRC, which led both countries to have considerable influence in the Congolese crisis (Bourgi 2004:35–43; Calas 2001:125–163). At present Rwanda and Uganda still remain key actors, or rather major protagonists, in the politics of the DRC (Katumanga 2000:89–103). Chad had transported groups of 'freedom fighters' to the CAR to take part in the establishment of a new political order in that country, who also 'imported' Chadian influence into CAR. Today, Chad and the CAR both have rebel group networks in their respective countries.

Second, the alliance between states and private groups can be explained by economic motivations, mainly plundering the economy of a state or engaging in criminal economic activity (Banfield 2003). Forging alliances with private groups in mineral-rich states make illegal transactions possible (Berdal & Malone 2000; Cilliers & Dietrich 2000). Hence, through the rebel groups which enjoy their support, Rwanda, Uganda and other neighbouring countries have illegally tapped the immensely mineral-rich wealth of the Congo.

Third, the state/private group alliances build on what Luc Sindjoun (1998) called 'affection based politics'. This entails building political allegiances based on ethno-cultural or close relationships in order to conquer or preserve

power (Chretien 1997; Amselle & M'bokolo 1985; Gazibo 2006:121–124). These are alliances that take advantage of the ethnic groups that live on both sides of the borders. Rwanda established very close ties with Congolese rebel groups of Rwandan origin, also known as the 'bayamulengues'. This large Rwandan community enables Rwanda to have an active say in Congolese politics. So, too, the Zaghawa people living on both sides of the Chad/Sudan border serve as a corridor through which both states influence one another.

Militarisation of gangs

Regional relations in Central Africa are characterised by two specific trends, namely the militarisation and trans-nationalisation of criminal groups. Both these trends fan the flames of conflict in the region.

This is in line with the phenomenon of organised crime which can be blamed on the widespread privatisation of the administrative machinery intended to combat crime. The reason for organised crime is that the state, which used to have the full responsibility for curtailing crime, has lost its prerogative due to the inability of national security forces to curb crime, the growing economic discrepancies and the correlated social fragmentation of populations, increasing urban development and unemployment. Like conflicts within states and arms proliferation, militarised gangs have gradually become one of the enabling factors of conflicts in the region. There is a rampant crime wave in some major areas, particularly with regard to drug trafficking and counterfeiting.

Drug trafficking: This is a flourishing trade in the region (Banbara 2000), linked to a major underground cartel with market outlets, bulk buyers, retailers, prospectors, intelligence agents and secret services usually more efficient than that of the states. In Cameroon, Chad, Congo-Brazzaville and Equatorial Guinea, drug trafficking is a flourishing business, making the region one of the linchpins in the business worldwide. Drugs are an element that is favoured in armed conflicts, for it opens doors to resources and could be used to 'motivate' combatants.

Counterfeiting: All forms of counterfeiting are rife in the region, particularly in the form of counterfeit money and forged documents, such as passports, bank documents and identification papers. However, even postage and revenue stamps are forged. It is a profitable business that can ably finance other activities, including the quest for power. Countries of the Central Africa Region are all affected by counterfeiting and piracy, albeit at different levels.

The transnational movement of persons, particularly as a result of conflicts, is a key factor in regional wars. It contributes to the export of crime and delinquency to the country that plays host to the displaced persons. Criminal records from the police department in Cameroon testify to the fact that Nigerians are the brains behind the Indian hemp business and fake bank documents in that country. Chadians for their part dominate the armed robbery and carjacking sector while Rwandans mastermind the trade in illicit arms and munitions. This amounts to the exportation or transnationalisation of crime and insecurity which could partly be blamed on the fact that the criminal activities, and particularly the drug business, flourish in times of trouble, border conflicts and civil wars and usually take root in a country as a result of arms trafficking. By the time peace returns to the country, the criminal groups are likely to have established links with the government they helped seize power. They then settle in and diversify their activities in an atmosphere of economic turmoil (Quentin & Joannidis 1999:63).

The militarisation of gangs has exacerbated crime in the region. Central Africa therefore has a common criminal environment which spreads with conflicts across borders.

The trans-border movement of and illicit trade in war arms

The illicit trade in weapons is central to the conflict situation in Central Africa. Almost every country in the region is both a source of and market place for arms. Consequently there is an uncontrolled flow of arms which fuels and sustains conflicts. This phenomenon is exacerbated by the porous borders of the countries. The border areas in the region are seemingly grey areas which receive very little attention from the state, and because the state control is virtually absent from the borders, the criminal groups are able to cross from one country to another at will and indulge in a lucrative arms business which eventually undermines the stability and security of states. Crime in Central Africa is a growing phenomenon and its transnational nature has given it some degree of uniformity throughout the region.

The transnational conflict relations in the Central Africa Region are marked by two major facts: first, it spotlights and confirms a form of non-military threat. The security of countries in the region is no longer defined in terms of a military threat posed by an external and well-known enemy. Rather, the enemy

has become invisible and is scattered around the region. Second, the traditional concept of collective security, an interstate responsibility which entailed having common national security policies, mutual non-aggression and defence pacts, and regional early warning systems, is itself being challenged (Mubiala 2003). This form of interstate security has very little impact on the society of today, mainly because states have shirked their security responsibilities.

CONCLUSION

All in all, regional relations in Central Africa have been characterised by conflicts due to a lack of trust among neighbours, the cynical exportation of internal crises from one country to another and the near-entrenched rivalry and enmity among regional leaders. In similar vein, 'co-operation to enhance peace in Central Africa' has become impossible, or at best, merely a power game to which leaders pays lip service. They are more interested in salving their consciences and re-inventing their images in the international community. The global changes affecting international relations in general and Central Africa in particular, have also contributed to the precariousness and vulnerability of peace in the region. Hence the growing number of private alliances, competition and rivalry among states, the militarisation of organised crime groups, the free movement and illicit trade in weapons which are current trends in the region, have all contributed in making conflicts almost inevitable.

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5 Peace and security in Central Africa

The role of international justice

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INTRODUCTION

Historically, international criminal justice has always been closely interwoven with armed conflicts. The justice of war has ranged from the first international trial of Peter von Hagenbach in 1474 for war crimes, through the foiled indictment of William II in 1919, to the international military tribunals of 1945 and to the three generations of international criminal justice of today (De la Brosse 2005). Today, the quest for justice is perceived as likely to contribute to the restoration of peace, if properly enforced.

Since the end of the World War II, the role of maintaining international peace and security[1] has been assigned to the United Nations General Assembly and Security Council, by the UN Charter, while withdrawing the right to wage war from states (Charvin 2003:6). At the same time, it established that any serious violation of human rights in times of peace is a threat to international peace and security.[2] Similarly, by adopting the Geneva Conventions on the laws of war (*jus in bello*), the international community established that the impunity

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of perpetrators of serious violations – whether in times of peace or during armed conflicts – also constitutes a threat to international peace and security. It was in a bid to put an end to such impunity that the International Criminal Tribunal for (the former) Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) were created in 1993 and 1994 respectively, because the Security Council was convinced that these tribunals would contribute to the maintenance of peace.[3]

Since then, the tendency to set up criminal tribunals during or in the aftermath of armed conflicts has developed alongside recognition that these courts are equally instruments for the restoration of peace. However, the systematic and often criticised rational linking (Laughland 2003) of peace and justice was reduced by the establishment of the International Criminal Court (ICC) in 1998. Without stating that peace was the prime objective of its actions, the Rome Statute of the ICC sets up the court on the premise that international crimes are so serious that they 'threaten the peace, security and well-being of the world' (ICC, preamble, par 3).

However, even in the absence of Security Council rhetoric, one senses that the reference to peace is not fortuitous, for situations in which the Court[4] can be seized show that its action to mete out justice will invariably merge with action in search of peace.[5] Moreover, no national reconciliation effort following a fratricidal war has ever truly succeeded because it was driven by a concern for justice. This vision is shared by both the Office of the Prosecutor and the registry of the ICC. According to Swaak-Goldman (2008), who is serving at the Competence, Complementarity and Co-operation Division (Office of the Prosecutor), the aim of the ICC is to act on the basis of the premise that 'lasting peace requires justice' and that prosecuting those guilty of war crimes 'can put an end to conflicts and discriminations' (Arbia 2008).

It is on the strength of this idea that the Central African Republic (CAR) decided in 2004 to turn to the International Criminal Court to clear the poisonous political atmosphere which prevailed over its territory. The country's political authorities felt that the prosecution, trial and sentencing of presumed war criminals might promote the return of peace in the country.

While CAR political authorities hoped that ICC procedures would be expeditious, it is not certain that their prime motive was justice. For its part, the international court was faced with the restrictions imposed by its own statute and the prevailing political climate in the CAR. The Court also had to bear

in mind the possible consequences of its ruling on the future of the conflict. Recent developments in the country, where hostilities have abated and dialogue is fostered among the protagonists in the crisis, have inevitably raised the issue of the timeliness of international criminal proceedings.

In the first part this paper focuses on the situation in the CAR. Although it has the characteristics of a conflict which falls within the jurisdiction of ICC, the actual start of criminal proceedings, which offers the hope for a return to peace, can be viewed from two perspectives: these will depend on whether one agrees that peace and justice are two complementary pillars on which national reconciliation must be built in the aftermath of political and military conflicts, or whether one considers them to be conflicting objectives of the Court. The application of international criminal justice is discussed in the second part of this paper.

THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC: SERIOUS THREAT TO PEACE, SECURITY AND WELL-BEING

The CAR has never really known stability since it gained independence in 1960. With six political transitions, it has experienced the greatest number of regime changes in Central Africa.[6] Furthermore, all these changes have been marked by persistent violence, not only in the country itself, but also in the region. The latter has added further destabilising ingredients to the country's domestic civil crisis. This complex armed conflict, which is accompanied by international crimes which justify calls for a return to the rule of law and justice, are discussed below.

A complex armed conflict

As in most political crises in Africa, the struggle to win and exercise and keep power is the cause of atrocities perpetrated on the population of the CAR. This civil war, which has been marked by the collapse of the state, has engulfed the entire region.

An endless struggle for power

Titley (2002:21) asserts that force is an instrument that legitimises power in the CAR. During the last ten years of its political history, there have been no

less than ten attempts to topple the government. The uninterrupted spate of rebellions ended on 15 March 2003 with the take-over by the current president, François Bozizé, a former chief of staff of ousted President Ange-Félix Patassé.

In 1993, during a near-perfect political transition, André Kolingba bowed out following Patasse's victory at the presidential election after years of 'foolery, tribalism and mediocrity in power' (Mboli 2003:19). Many nationals then cherished the hope of renewed peace and economic prosperity in the country, thanks especially to renewed confidence in France and the international community.

However, Patasse's decade in power proved to be just as calamitous. Economic disparities and ethnic divisions deepened in society, leading to a mutiny by the army in 1996. Despite the Bangui peace agreement, brokered through L'Francophonie solidarity,[7] and the dispatch of an international (African) mission,[8] stability never fully returned to the country.

Following an umpteenth coup d'état masterminded by Kolingba in 2001, chief of staff Bozizé, who was accused and dismissed on 26 October 2001, decided to rebel. The ensuing civil war was characterised by harassment of civilians. Bozizé finally succeeded in seizing power on 15 March 2003 after Patassé fled the country.

However, Bozizé's coming to power in no way ended the political crisis. In fact, since 2005 his regime has been burdened with an increase in rebel groups with interests, such as the formation of the rebel group dubbed *Union des Forces Démocratiques pour le Rassemblement* (UFDR (United Alliance of Democratic Forces)). Operating chiefly in the north-east of the CAR, at the boundary with Darfour and eastern Chad, the UFDR is an alliance of military forces[9] which have in common only their unappeased grievances and fierce opposition to the regime in power. The UFDR was formed in June 2006 and is composed of 'former freedom fighters' who brought Bozizé to power, rebels who remained loyal to former President Patassé, some who hailed from the Gula tribe and who were victimised because of their ethnic origin, and a Muslim community which suffered discrimination (Human Rights Watch 2007:88).

In the north-east of the country, the rebel group *Armée Populaire pour la Restauration de la Démocratie* (APRD (People's Army for Restoration of Democracy) was formed following the publication of the results of the presidential election in 2005 – an election which was described as democratic by the international community.[10] In fact, it was when the victorious President Bozizé was about to take the oath of office that the rebellion broke out, because

of discontent about the exclusion of Patassé and some of his supporters from the elections.

Apart from political claims, which have probably been blown out of proportion by the war and which also explain its excesses, economic factors also play an important role in the conflict in the CAR. The origin of this conflict lies in the entrenched poverty, which succeeding governments and the international community have failed to address in concrete and lasting ways. As the African Union acknowledged, the 'instability in the country's political and state institutions and its recurrent internal conflicts are above all an expression of a malaise whose origin lies in the loopholes and poor application of standards of good governance and the rule of law, especially: participation, transparency, accountability, equity, supremacy of law' (AU 2006, par 3).

All things considered, the predicament of the CAR is grounded in economic deprivation and beleaguered governance (UN 2002a).[11] Ranked 171st out of 177 on the UN Development Programme's human development index (UNDP 2006),[12] the country's economic situation is so bad and state authority so undermined that its territory has become a battlefield where the forces of violence commit all sorts of atrocities on the civilian population with impunity.

A civil war that has become international

In determining criminal responsibility in the CAR, the effectiveness of legal proceedings will largely depend on a proper understanding of the scope of the conflict. From that perspective the standard distinction between international armed conflict and non-international armed conflict, as reflected in the ICC's basis of jurisdiction,[13] just might not be in the interests of justice.

In fact, the complexity of the conflict in the CAR makes its classification difficult if based on the criteria by which international humanitarian law translates the current state of consensus among states. In their present-day form, conflicts are de-structured, international in scope and asymmetrical. In an effort to characterise conflicts, the legal instruction is therefore that courts should find a balance between the criteria and the outcome that should derive from the decision to prosecute. In other words, the courts should ensure that the abstract concepts of international humanitarian law agree with the concrete reality, as reflected in the atrocities committed against the entire population of the CAR.

The waning of state authority in the CAR certainly provided leeway for organised banditry, but the role played by Chadian, Sudanese and Libyan troops

and Congolese, Chadian and Ugandan rebels in kindling the unrest in the region, with a base or rallying point in the CAR, were contributory factors. In 2002 the chairman of the UN Security Council acknowledged with concern the interdependence between the crisis in the CAR and the instability in the region (UN 2002b).

The intervention of Chadian forces, whether rebels or government troops, in the conflict in the CAR explains why the crisis became international in character (Human Rights Watch 2007:78). For example, 'anti-Déby Chadian forces set up their bases in the CAR; and soldiers of the Chadian army carried out independent raids against CAR rebel groups … and also made incursions into CAR territory, perpetrating violent plunder, in some cases accompanied by rape of civilians'. The cases of violence reported at Maïtoukoulou village in January 2008 were identified as having been committed by Chadian soldiers acting with the consent of the CAR government (Human Rights Watch 2008).

In contrast to this support that Chadian forces gave the government of François Bozizé,[14] Sudanese support to the anti-Déby rebellion is also extended to the Chadian rebels stationed in the CAR. President Bozizé was in fact referring to Sudan when, in an address to the nation in 2006, he described the UFDR as 'blood-thirsty individuals and criminals … supported by hostile foreign powers'.

Apart from Chadian and Sudanese forces, Ugandan rebels also intervened in the CAR. In a working paper the UN reported that soldiers 'using the tactics of Ugandan rebels' took 150 persons hostage, including 55 children, in the villages in the eastern part of the country (cited in *Agence France Presse* 2008). According to the document, both male and female hostages were forced to carry foodstuffs and other plundered items. None of the 55 children, mostly under 15, was freed. Several women reported having suffered sexual violence from their assailants.

However, it serves little purpose to dwell, with regard to the role played by the ICC, on whether the CAR conflict was international or non-international. However, this dichotomy, much debated today, does show how humanitarian law has become politicised (Stewart 2003) instead of facilitating the effective deterrence of atrocities suffered by civilian populations, as occurred in the CAR, regardless of the nature of the conflict.

In May 2008 an international warrant was issued for the arrest of Jean-Pierre Bemba. He was the first person indicted in connection with the

situation in the CAR, and was arrested on 24 May by the authorities in Belgium and handed over to the ICC. He appeared before the Court on 3 and 4 July 2008. Perhaps in recognition of the complexity of the conflict in the CAR, the pre-trial chamber cautiously avoided describing the conflict as either intra- or inter-state. Indeed, the judges, in issuing the new arrest warrant, stated that 'this conflict may be described alternately as an internal or international armed conflict' (ICC 2008, par 14). However, this statement prematurely excluded the possibility that the conflict could be viewed from a global perspective, that is, cumulatively as internal and international. Nothing in fact stopped the court from opting for such an approach, although this was still during the preliminary stage of assigning responsibility. The various protagonists come from Chad, Sudan, the Democratic Republic of Congo (DRC) and Uganda, countries over which the ICC today has personal, territorial and substantive jurisdiction, though in various capacities. This after all is why a Congolese national could be indicted of international crimes in connection with the situation in the CAR.

Allegations of massive human rights violations

The existence of international rules on the conduct of war, whether intra- or inter-state, reflects a dual reality. On the one hand, these rules reflect the truth that conflicts are acts of society. On the other hand, they seek to curb the effects of such conflicts by forbidding disproportionate violence, attacks against civilian populations and property or indiscriminate military attacks.

In the case of the CAR, reports by international agencies which inventoried the international crimes committed enabled the Prosecutor to set a timetable for his investigation. These aspects are discussed in the paragraphs that follow.

Reports by international agencies

These reports are unanimous that during hostilities on the territory of the CAR since 2002, there was a deliberate disrespect for the basic rules of war. They further deplored combatants' lack of training on these rules, which caused the violence to escalate. The lack of effective supervision also contributed to the severity of the violence.

During his campaign against Bozizé between 2001 and 2003, the forces of Ange-Félix Patassé, now weakened and divided militarily, were supported by

Jean-Pierre Bemba's *Mouvement de Libération du Congo* (MLC (Movement for the Liberation of the Congo)), as well as by troops from Libya and Chadian mercenaries led by Abdoulaye Miskine (Human Rights Watch 2007). On his part, Bozizé could count on Chadian military support dispatched from Ndjamena or those joining on a voluntary basis.

The lack of any united military force, and command structure, was exacerbated by the inability of both groups to provide the troops with wages or adequate supervision. Consequently the troops resorted to gratuitous harassment of the civilian population and plundering. A case in point is the murder of a health worker belonging to *Médecins Sans Frontières*[15] by an APRD rebel, which paints the picture of a conflict without rules.

In 2006 the APRD blamed President Bozizé 'for a policy of ethnic division and all-out war which was the cause of crimes against humanity and war crimes in the north of the country'[16] and thus resumed hostilities. The people of this region consequently suffered widespread violence and in several respects became victims of international crimes.

Human Rights Watch (2007) reported that between 2005 and 2007 CAR security forces committed numerous incidents of abuse against the civilian population in the north-west of the country, alleging that hundreds of civilians were executed and close to 10 000 houses set on fire. In a related statement, *Médecins Sans Frontières* (2007) expressly referred to the 'climate of insecurity maintained by both the rebels and government forces … [through] violence and reprisals against civilians, kidnappings, threats and intimidation targeting the members of humanitarian organisations'.

Because of this violence the populations were forced to flee to the forest and to neighbouring countries. According to Caux (2007), close to 290 000 civilians in the north-west and north-east were forced to abandon their homes. According to Ron Redmond (2008), spokesperson for the High Commission for Refugees, the panic caused by the fighting was compounded by attacks perpetrated by bandits which, since early 2008, have resulted in about 14 000 CAR nationals fleeing to the southern border of Chad.

These facts that were reported by humanitarian agencies constitute violations of human rights for which there are diverse punishments under international humanitarian law. Attacks against civilians, including plundering and destruction of property, acts of retaliation and mass punishments, the recruitment and conscription of child soldiers, extrajudicial killings, as well as cruel,

inhumane and degrading treatments, and rape and sexual violence are among the crimes identified.

However, though these crimes are listed in the Rome Statute of the ICC, the Prosecutor is for legal reasons not bound by the statements in which they are reported. The statements by non-governmental organisations (NGOs) and inter-governmental organisations did nonetheless enable him to establish the scope of his investigation.

Scope of investigation defined by the Prosecutor of the ICC

The Prosecutor decided to open formal investigations in the CAR only in 2007. Notwithstanding the possible magnitude of the conflict he defined the frame-work of his intervention[17] in a statement in 2008. This meant that, with regard to the time and resources, he had identified the points on which proceedings had the highest chance of success.

Such an approach meant that a good number of crimes would certainly be ignored. However, here the Prosecutor was following the rules set out down in the Rome Statute for despite the genuine emotion expressed by NGOs because of the limitations, he had to frame his investigations in terms of section 53(1)(a) of the Rome Statute on the grounds that, inter alia,[18] 'the information available to the Prosecutor provides a reasonable basis to believe that a crime within the jurisdiction of the Court has been or is being committed'.

With regard to his statement ascertaining that 'violence reached its peak' in the CAR between 2002 and 2003, he also stated that 'the approach adopted by the Prosecutor of the ICC is to focus on the most serious crimes'.[19] He further said that while closely monitoring recent developments in the conflict, he in-tended by example to prove, in the case of Jean-Pierre Bemba, that the latter was criminally liable, jointly with another person or through the intermediary of other persons, for four categories of crimes, namely rape and sexual violence, torture, humiliating and degrading treatment, and looting (ICC 2008, parr 5 and 24). Such a solution is probably justified legally and it also addresses the urgent call by NGOs (including the FIDH (2006) which criticised the delays observed in the procedure) to address the matter without delay.

The Prosecutor's position, and whether a legal solution would be appropriate and timely in the conflict rocking the CAR, should be viewed in the context of the international criminal justice system and the prospects for peace in the Central Africa Region.

INTERNATIONAL CRIMINAL JUSTICE AND THE RETURN OF PEACE TO THE CENTRAL AFRICAN REPUBLIC

In the heat of events leading to his take-over on 15 March 2003, and while recognising their gravity in terms of the Constitutional Act (no 1 of 15 March 2003) suspending the 14 January 1995 Constitution, President Bozizé upheld the supremacy of international agreements to which the CAR is party. This decision was significant on at least two counts. First, the new regime did not intend to renege on its international commitments. More importantly, it guaranteed that the relevant international law would be applied, even though the Constitution which regulated liberties had been suspended.

By claiming legislative powers for himself, François Bozizé also conferred on himself the power to determine the regime of rights and liberties in article 6 of the Constitutional Act no 2 of 15 March 2003, which supplemented the first Act. However, the perception and description of his regime by the opposition[20] as dictatorial is in sharp contrast with his good relations with the international community, and especially his co-operation with the ICC.

Unexpectedly in view of Julian Fernandez's criticism that the late referral before the court rested on an improbable triptych (Greenawalt 2006), the junta expressed its adherence to the values enshrined in the Rome Statute and took advantage of its ratification on 3 October 2001 by the Patassé government to seize the international court on 22 December 2004.

This raises questions as to the real intentions of the CAR authorities, and the chances of success when legal action is taken in an unaccommodating national and international political context.

Political nature of referral before the International Criminal Court

The referral of the situation in the CAR to the ICC has clear political implications. It happened barely one year after President François Bozizé took over power. This sudden co-operation raises many questions when one considers that states perceive the intervention of international courts with apprehension. One therefore needs to know whether the choice of the CAR authorities was driven by a genuine concern to do justice to victims and bring back peace and security or whether it was a means of legitimising power wrested by force. The

answer to this conundrum will also answer the question of whether the referral decision was a violation of the provisions of the Rome Statute.

Referral of the situation to the International Criminal Court: a quest for justice or legitimisation of power?

The Office of the Prosecutor, followed by the Pre-Trial Chamber III which issued the arrest warrant against Jean-Pierre Bemba, has established that the worst atrocities against the Central African people might have been committed between 25 October 2002 and 15 March 2003. When Bozizé launched his victorious offensive against Patassé on 25 October 2002, this fell within the ambit of the Rome Statute, which had entered into force on 1 July. According to the Fédération Internationale des Droits de l'Homme (FIDH (International Federation for Human Rights)) (2006:44), the UN Human Rights Committee concluded after examining the July 2006 report on the CAR that during these clashes the belligerents robbed civilians, destroyed public infrastructure, burned down several villages and committed widespread rape and murder. Knowing that these acts also implicated his men and himself (FIDH 2006:29), Bozizé was not expected to mention the situation – not to a national jurisdiction of questionable independence, but particularly not to the ICC whose legitimacy is based on the assumption of impartiality and objectivity. In reality, referring the situation to the ICC is part of steps towards power legitimisation that Bozizé embarked on from 2004. A close examination of the steps taken in 2004 by the ruling junta reveals that it probably stemmed from a deliberate desire to cut off political adversaries.

Indeed, in December 2004, Bozizé began preparations for presidential and legislative elections which were essential for the return of the CAR to international circles from which it had been expelled for its lack of democracy. However, the successive decisions[21] of the 'transition president' showed that he had no intention of relinquishing power. Thus the correspondence dated 22 December 2002 by which the Central African Republican government referred the situation to the Prosecutor of the ICC can be interpreted as a sword of Damocles hanging over the heads of his potential opponents in the 2005 presidential race. The events that followed the opening of the electoral process aptly illustrate this.

Controversy began on 30 December 2004, when the Constitutional Court decided to allow only five candidates to the presidential contest. This included Bozizé and Kolingba, but excluded Patassé and his former ministers. In the face

of disapproval from the international community, François Bozizé defended the decision to sideline Demafouth, the former regime's defence minister, and Patassé on the grounds that they were being prosecuted (according to FIDH 2006:44)) for '*crimes de sang* [literally, blood felonies] and economic crimes'. This confirms that the referral to the ICC had been primarily a ploy to legitimise his actions and was in fact a malicious misuse of the provisions of the Rome Statute.

Provisions of the Rome Statute with regard to referral

Without prejudice to the fact that the ICC law now plays an important role in diplomatic decisions and serves as an instrument of 'external legal policy' (Lacharrière 1989), the CAR had the right, as party to the Rome Statute, to refer a case to the Court. This is one of three means of referral.[22]

Here again the approach by Bozizé's power structure reveals his political strategy. The *Rome Statute* of the ICC is considered to be a compromise between the movement towards the restriction of state sovereignty by providing international protection for the individual, and the conservative movement which continues to deny that normative state-centrism is obsolete (Giesen 1997). The agreement has resulted in a commitment to grant a pilot role to states within the court's functioning mechanism. In view of its excessive consideration for the principles of mutual agreement and voluntarism which characterise the Westphalian model of international law some authors, such as Eric David (2001), has serious concerns about the future of the Court.

Referral, according to the Rome Statute of the Court, is the first means by which the court exercises its jurisdiction. It means that a state party may refer a situation in which one or more crimes within the jurisdiction of the Court appear to have been committed to the Court, and request the Prosecutor to investigate the situation to determine whether one or more specific persons should be charged with the commission of such crimes (art 14(1) of the Rome Statute).

The fact that the Bangui regime used this confirms that it was largely burdened not with national political considerations, but with repairing its international image. The fact of the matter is that, at the time the decision was taken to refer the situation, another means of referral could have been used and the government was pre-empting a possible move by the Prosecutor or by the UN Security Council.

According to articles 13(c) and 15 of the Rome Statute, the Prosecutor may initiate an investigation on the basis of information he or she has received and the Pre-Trial Chamber then must authorise its commencement. The Prosecutor's decision to investigate is based on serious and reliable information on crimes committed within the Court's jurisdiction. This tight mission is facilitated by the Prosecutor's right to seek additional evidence to back his action from governmental, intergovernmental and non-governmental sources.

In 2004, when the CAR decided to refer the situation to the Prosecutor, several reports by international NGOs and other international organisations had already reached the Prosecutor[23] and in all likelihood the Prosecutor would have initiated an investigation in any case. This is confirmed by his statement in 2007 when he decided to open an investigation that the 'peak in violence had been reached' in 2002–2003.[24] However, it was unlikely that the UN Security Council would have adopted a resolution on the basis of Chapter VII, which earlier established that massive violations of human rights constitute a threat to peace and international security. The silence on the matter by the UN's main body is justified because the conflict in the CAR remained minor in terms of the world situation and compared to for example the situation in the Sudan, where the crisis was grabbing world headlines. These actions by the Security Council and CAR authorities confirm the view that international criminal justice could be used for political justifications, on the one hand, and the rule of law, on the other (Aptel 2007).

In any case, whether driven by worthy intentions or by a desire for revenge, the action of the Bangui government triggered a process that signified, with the arrest of Jean-Pierre Bemba, a step towards obtaining justice for the victims of international crimes in Rwanda.

Since 22 December 2004 rebellions have flared up again, increasing the number of victims and also leading to a collapse of the Central African judicial system due to the increase in the scope and complexity of the crisis. Thus the majority of Central Africans not only desire to see justice done, but are also hoping that the ICC will contribute to restoring sustainable peace and security. However, in view of the constraints imposed on it by the referral criteria for intervention, as well as the changing political situation both within and around the CAR, one might wonder how easy it will be for an international judicial organisation to fulfil this hope.

Solutions of the International Criminal Court to problems in the Central African Republic: situation analysis and prospects

Most observers, particularly human rights advocates, are waiting to assess the ICC's contribution to justice and restoration of peace in terms of the number of convictions. This, at least, is the feeling conveyed by the impatience expressed by organisations such as the FIDH, which have been particularly scathing about the delays in the Prosecutor's investigations.[25] Likewise, the CAR showed its commitment to speeding up the investigations, particularly in 2006[26] when the crisis worsened. However, it is unlikely that the relevance of the ICC's work will be determined by a measurement of the number of convictions. In 2003 Prost and Fouret (2003:192) had already pointed out that any relevant and full analysis of the role of the International Court of Justice must of necessity exceed a mere inventory of trial (or tried) cases and be coupled with a consideration of the qualitative dimension of the Court's activities.

Indeed, if the ICC's experience were to be assessed from a strictly quantitative point of view, the disappointment nearly seven years after its creation would be enormous. However, the court's contribution is evident in the de-escalation of the crises in Uganda, the DRC and the CAR. In the case of Uganda, for example, observers from the International Crisis Group (2006:1, 14) admit that arrest warrants against commanders of the Lord's Resistance Army (LRA) 'have been important in bringing the LRA to the negotiating table', and although 'the peace process was hopelessly moribund', the dissuasive nature of criminal justice and the fear of prosecution in several instances led to a decrease in violence. Like those of the Ugandan crisis, protagonists in the CAR crisis also realised that a peaceful settlement was the only way out, because like the International Crisis Group (2006:15) they too realise that 'if the talks fail, the ICC threat will still be there'. Clearly, too, everyone shares a deep conviction that peace is also a concern of the Court, together with the concern of justice for victims, which has only with the institution of the ICC become a common international concern.[27]

In the CAR, APRD rebels were obliged to reconsider the proposal of 'inclusive political dialogue' of François Bozizé after the Prosecutor had decided to open investigations. Although some authors such as Snyder and Vinjamuri (2003:1) are of the opinion that international criminal courts failed to stem

the perpetation of atrocities in the former Yugoslavia and in Central Africa, I share the opinion of the International Crisis Group (2006:16) that they contribute to making participants in peace negotiation processes aware of the fact that 'robust justice and accountability mechanisms are essential if the agreement is to be viable domestically and legitimate internationally'.

Judging from his prosecution policy, the Prosecutor of the ICC is fully aware of the high stakes of his actions. In his general policy paper the Prosecutor of the ICC (ICC OTP 2003) expresses a deep commitment to a conception of his mission which, contrary to fears expressed by critics of the Rome Statute, favours lesser intervention without undermining the interests of justice. The prosecution body has already announced that the 'effectiveness of the ICC should not be measured only by the number of cases submitted to the Court. On the contrary, the absence of trials by the ICC, as a consequence of the effective functioning of national systems, would be a major success' (ICC OTP 2003).

The question, however, is what the implications of such a statement are for the CAR, where the role of the ICC should be seen against the backdrop of a breakdown of the national judicial system. The Court's strategy in this case should be to find a balance between prosecuting persons who are responsible for atrocities and strengthening the domestic legal system. This general policy approach should, in my opinion, take cognisance of implications associated with the specific nature of the political context, which is fraught with tension.

A two-track intervention strategy

The situation was referred to the ICC on 22 December 2004, but it was only on 22 May 2007 that the Prosecutor announced his decision to initiate an investigation in the CAR, and the first arrest occurred a year later. Clearly the long delay is due to the legal constraints imposed by the Rome Statute. The prosecution body has an obligation to make sure that such allegations meet the criteria for investigation and prosecution, regardless of whether the information on the human rights violations is true, reliable and credible. One criterion is that the crimes should have been committed on a large scale,[28] which is one of the reasons why the Prosecutor could not pursue the cases against Venezuela[29] and Iraq[30].

The Prosecutor can furthermore only continue with prosecution after it is established that such a case is admissible by the judge. Admissibility here takes into account complementarity, a principle which grants priority in legal action

to states. This meant that only after the CAR was unable to take legal action could the ICC proceed, pursuant to article 17 of the Rome Statute.

The Prosecutor thus faced a double procedural challenge, first to ascertain the relevance of the evidence and second to await decisions on actions initiated by CAR courts since 2004. The 2007 decision to open an investigation was only taken after the 11 April 2006 judgment by the CAR *Cour de Cassation*[31] that the national legal system was unable to effectively investigate the allegations.

However, this should not lead one to conclude that the ICC is expected to replace the CAR judicial system permanently. The strategy defined by the OTP consists in directing its actions against presumed criminals who bear the heaviest responsibility. In that connection the ICC is following in the footsteps of international criminal courts which preceded it.[32] From a strict legal policy perspective and general policy perspective, such a measure would have concrete effects for justice, peace and security in the CAR.

Furthermore, not every person who was implicated in atrocities in the CAR will be tried by the ICC solely because the Central African judicial system is unable to conduct trials. The *Cour de Cassation* based its judgment on its inability to conduct investigations, but the Prosecutor of the ICC does not have unlimited capacity to do so, either. Its resources must be concentrated on the prosecution of the highest authorities. It is expected that prosecuting, judging and sentencing them will open real prospects for slowing down violence, if not permanently ending the hostilities.

However, this does not offer a way out for people who clearly participated in, but did not spearhead, the commission of crimes. Even though the CAR judiciary continues to declare its inability to prosecute, the OTP considers that for 'other offenders, alternative means for resolving the situation may be necessary: whether by strengthening or rebuilding national justice systems, by providing international assistance to those systems or by some other means' (ICC OTP 2003:8). In other words, in reality the division of work between the Court and the CAR judiciary based on the levelling of responsibilities may seem to be open to criticism. After all, regardless if the crimes are committed by a high-ranking officer or a 'lower rank' criminal – who would be the everyday neighbour – there is no doubt that any international crime produces the same results. Irrespective of the status of the offenders, they all participated in mass torture, rape or persecution.

Contributing, with various actors of the international community, to rebuilding the judicial system of a country, means that those victims whose cases

who will never go to The Hague will get a chance to find justice, too. It also brings international justice closer, for if trials were to take place only outside the territory in which the offences were committed, it would simply remain an abstraction. The ICC's prosecution of high-ranking officers gives hope, on a political level, that an escalation in violence will be curbed, while the prosecution of intermediate rank criminals by national judicial authorities complete and concretise this justice. In this sense, instead of a conflicting exercise of jurisdiction between national justice and international justice, the two systems work together and complement each other to avoid impunity gaps related to the shortcomings of each system.

It is evident that the success of the two-track strategy – prosecuting people who bear most responsibility for the crimes and helping national authorities to prosecute the lower ranking perpetrators – hinges on the adherence of all the protagonists to the common justice project. However, national and international political contexts may, at certain stages, present obstacles that the ICC has to overcome.

Vagaries of political conditions

The action of the ICC is not the sole commitment of the international community towards the CAR. In 1997, in the face of criticisms that international tribunals were inappropriate measures envisaged under article 41 of Chapter VII, which authorises the Security Council to adopt measures not involving the use of armed force, the ICTR responded that it was one solution among an array of initiatives considered for the reconstruction of Rwanda.[33]

The ICTR statement was justified, for one must acknowledge the scope of the consequences of a war regarded as a forgotten conflict. It would certainly take more than justice to rebuild the CAR, with the first step being to ensure peace and security for its people. The task of the international community is indeed immense considering the state of decline of the CAR. Determining priorities between restoring peace and security and administering criminal justice would be a delicate task for the ICC.

The ICC prosecution policy of targeting perpetrators with most responsibility for international crimes may conflict with the inclusive political dialogue plan. De la Brosse (2005:155) accurately sums it up in his statement that the political factor largely determines the conditions, positively or negatively, as the

case may be, under which initiatives that had taken in a whole century to set up to ensure an international criminal justice come to fruition.

In fact, under the aegis of the UN Office in Central Africa (BONUCA), the CAR government set up a preparatory committee for an inclusive political dialogue whose objective is to achieve national reconciliation. This preparatory committee which finally recorded the participation of the main political and military forces, concluded its preliminary proceedings on a satisfactory note. However, precisely this satisfaction may impede the initiatives of international justice, unless areas of responsibility are co-ordinated.

The seeds of discord between the dialogue project and the Prosecutor's action are indeed present in the demands made by participants of the planned inclusive political dialogue. Jean-Jacques Demafouth, once designated to head the APRD and who was initially being prosecuted (which is why he is taking refuge in France), announced that 'the APRD demands, as a prerequisite to dialogue, a cease-fire and general amnesty for its members' (*Agence France Presse* 2008). After this demand, delegates dispersed after calls for security provisions and the pronouncement of a prior amnesty to absolve the parties from the threat of prosecution by the CAR judiciary.

However, while there is no doubt that security and a ceasefire are minimum requirements for conducting dialogue and achieving justice, it is questionable whether such justice can be achieved by granting general amnesty to persons previously targeted for prosecution. In that regard, the resolve of the OTP is unshakable in prosecutions ranging from the issuing of arrest warrants for the warlords in Uganda to the submission of evidence indicting Sudanese President El Beshir on 14 July 2008. By virtue of the Rome Statute, the Prosecutor may take over when a state clearly lacks the will or the capacity to prosecute, with the sole aim of shielding offenders from justice. Consequently it is not easy to determine if the interests of justice as set out in article 53(1) and (2), provide reasonable grounds for a prosecution or not. This also pertains to the right conferred by article 16 on the Security Council to suspend proceedings for reasons of peace and international security without consideration, first, of the legitimacy and credibility of the Court, and second, of the timeliness and the political context of the case (Lovat 2006).

In the situation of the CAR and similar contexts, the nagging question is whether it was timely, at a crucial moment in the negotiations for reconciliation, to commence proceedings which could potentially implicate actors in

the dialogue. For that reason there is an urgent need to define the scope of the amnesty demanded by the APRD rebels. The concern they have raised revives the thorny issue of reconciling justice with the national reconciliation process in countries affected by serious political and military crises. As in Sierra Leone or the DRC, peace agreements to end these crises almost without exception grant amnesty as an incentive for reconciliation.

However, the spirit of the Rome Statute considers that owing to the grave, cruel and inhumane nature of international crimes, the granting of amnesty cannot be a means of making restitution. Consequently it is important to identify the limits of an amnesty scheme. In order not to jeopardise the national reconciliation process, of which the inclusive political dialogue is the envisaged instrument, political authorities in the CAR approved the adoption of a general amnesty law in successive agreements with the various rebel groups (in February 2007,[34] on 13 April 2007[35] and on 9 May 2008,[36] as well as in the global peace agreement of 21 June 2008).[37]

In order to reconcile justice with peace, the scope of such an act must be defined. Examples in Africa show that without sacrificing justice in the aftermath of political crises, concessions were made in such a way that justice would be an inseparable component of the national reconciliation process. This approach was used by the Truth and Reconciliation Commission (TRC) in South Africa. The 1993 provisional constitution limited the amnesty to acts, omissions or misdemeanours related to political objectives, and the amnesty committee examined the cases of 7 115 persons, refused amnesty to 5 392 and granted it to only 1 723 cases, according to the report of the commission (vol VI).

Similarly, Côte d'Ivoire, in implementing the Linas-Marcoussis peace agreement and the inter-Ivorian peace agreement of 4 March 2007 signed in Ouagadougou, has made provision (by an ordinance of 12 April 2007) for punishing serious cases of human rights violations resulting from the conflict which started in September 2002. In this last agreement, the belligerents undertook to adopt an amnesty law 'covering crimes and offences relating to high treason in connection with the upheavals that rocked Côte d'Ivoire and which were committed between 17 September 2000 and [l4 March 2007], excluding economic crimes, war crimes and crimes against humanity'.[38] Such a decision was taken with knowledge of the jurisdiction of the ICC, since Côte d'Ivoire, though not a state party, had decided to refer cases for international jurisdiction in April 2003.[39]

The nature of crimes has to be taken into consideration in any amnesty scheme. The political crimes pardoned in South Africa or Côte d'Ivoire cannot reasonably be perceived, contrary to crimes falling within the jurisdiction of the ICC, as 'most serious crimes of concern to the international community as a whole'. Consequently, short of pardoning these crimes, there is no inherent tension (Robinson 2003:503) between truth and reconciliation commissions or any other form of transitional justice and the objectives of the ICC.

However, in its reconciliation project the CAR government is on the verge of creating such a tension. In logical continuation of preparations for holding the inclusive political dialogue the draft amnesty laws which were supposed to foster this dialogue are dividing the protagonists. Tabled before the National Assembly on 1 August 2008, they immediately provoked the withdrawal of several political and military groups from the reconciliation process.[40] The three legislative enactments, which explicitly pardon perpetrators of crimes related to the events leading to General Bozizé's coup d'état and crimes of high treason committed by rebel troops since 15 March 2003, shall not be applied to acts committed prior to this date. Yet some of the protagonists, including Patassé, Demafouth and Miskine, are under prosecution for acts dating back to 1999. Similarly, the amnesty would be applied to crimes falling within the jurisdiction of the ICC for persons in the president's camp and not for the rebels, in glaring violation of article 2 of the Libreville global peace agreement of 21 June 2008 (FIDH 2008).

It would thus seem likely that it will be errors of judgement by the regime in power that will threaten the reconciliation process, rather than any arrest warrant issued by the Prosecutor of the ICC. The de facto moratorium related to the indictment of Jean-Pierre Bemba, a DRC national without any political influence in the CAR. That no CAR perpetrator has yet been accused by the ICC may be in the interest of the inclusive political dialogue, but this has been exploited by the CAR authorities. These authorities will have to reckon with the political and military opposition as well as the ICC, if its Prosecutor should establish that the acts perpetrated as from 1 July 2002 and related to the pardoned rebellion, constitute international crimes.

CONCLUSION

Reconciliation in the aftermath of civil wars today goes beyond the quest for a mere peace agreement. The reconstruction of peace, which has historically

extended to include governance, support to the democratisation effort and international financial and humanitarian support, extends even more to justice. The intervention of the ICC means that positive peace (Neethling 2007:92) does not end with the signing of a ceasefire, but that the justice component should be fulfilled. It must be accepted that justice is a condition for sustainable peace. Whereas a peace agreement is limited to determining power sharing among those fighting for it, justice brings to the real victims security and moral reparation without which they shall forever be haunted by the atrocities of war.

The ICC, in the context of the CAR, appears to be the de facto mechanism which offers the people this opportunity to obtain justice. It is even more so if one considers that the CAR is at present a state only in name, for it has lost all significant institutional capacity (International Crisis Group 2007), including the basic state functions such as the administration of justice.

All the protagonists should recognise, and therefore grant the Court an important place in the peace process, for at least two reasons. In the first place, and this is borne out by events on the continent in general, political compromise without any viable accountability mechanism has in all cases in the past failed to ensure lasting peace in Africa. Thus the beginnings of real stability in Sierra Leone came in some measure from the role played by the Special Hybrid Criminal Tribunal, created in 2000 by the government with UN support. Secondly, although it may be regrettable that trials and convictions are the only response to international crimes (Villavicencio 2000:205), the ICC does ensure, in the words of Henham (2007: 467), that 'legitimate aspirations for retribution … coexist with aspirations of victims and communities' by providing the mechanisms of participation and restitution for victims and affected communities.

NOTES

1   The Security Council ensures the maintenance of peace through international armed forces placed under the direction of a military staff committee to which UN member states contribute troops (see art 43–47 of the Charter)..

2   Security Council resolutions consistently establish that, in situations of international or non-international conflicts, humanitarian crises and widespread human rights violations, 'blind' attacks on civilians, rape, forceful displacements and acts of violence are threats to international peace and security.

3   In Resolution 955 of 8 November 1994 to establish the ICTR, the UN Security Council affirms its resolve to put an end to crimes committed in Rwanda by bringing perpetrators to justice, 'Convinced that, in the particular circumstances of Rwanda, the prosecution of persons … would enable this aim to be achieved and would contribute to the process of national reconciliation and to the restoration and maintenance of peace'.

4   This refers to the situation in Uganda, the Democratic Republic of Congo, the Central African Republic and Sudan.

5   It is important to note that this combination will not necessarily be harmonious. As was borne out by events in Uganda, the conduct of proceedings before the Court seemed contrary to the draft peace agreement between the government and Lord's Resistance Army. The object of the prosecutor's warrant, rebel leader Joseph Kony, had made his participation in the peace agreements conditional on the legal proceedings against him being ended.

6   David Dacko (1960–1966), Jean-Bedel Bokassa (1966–1979), David Dacko (1979–1981), André Kolingba (1981–1993), Ange-Félix Patassé (1993–2003) and François Bozizé since 2003 have successively been presidents of the CAR.

7   At the end of the France-Africa summit held in December 1996, a group of mediators composed of presidents Bongo of Gabon, Compaoré of Burkina-Faso and Idriss Déby was designated by their peers to assist the CAR in finding a peaceful solution. Eventually, after continued conflicts, the group helped to broker a peace deal among 24 political parties and associations and the government on 25 January 1997.

8   The peace agreement provided inter alia for the deployment of an African multinational force composed of Burkina Faso, Gabon, Senegal and Togo, to ensure its application.

9   The *Mouvement des Libérateurs centrafricains pour la justice* (MLCJ), the *Groupe d'Action Patriotique pour la libération de la Centrafrique* (GAPLC) and the *Front Démocratique Centrafricain* (FDC).

10   See UN (2005); see also the lifting, on 24 June 2006, of measures suspending CAR from the AU, taken by the AU Peace and Security Council.

11   While condemning the coup attempt against the Patassé government, the Security Council chairman declared that 'the members of the Security Council have noted that the fundamental problems of the Central African Republic remain rooted in economic poverty and the poor management of the affairs of the country'.

12   In 2000 the CAR was ranked 166th and in 2005 172nd.

13   Especially regarding war crimes, article 8, paragraph 2(b) and (c) reiterates the distinction between conflicts of an international character and conflicts of a non-international nature respectively.

14   According to Human Rights Watch, Bozizé's close security guards consist of a detachment of Chadian soldiers. Chadian soldiers also make up a sizeable proportion of the presidential guard.

15 In a statement to *Radio France Internationale* (RFI) on 19 June 2007, APRD spokesperson Captain Laurent Djimoué Bebity announced the 'unintentional' killing of a soldier responsible for death of the humanitarian worker.

16 Army for the Restoration of the Republic and Democracy, *Press release no 2: three years of dictatorship, bloody repression and desolation in CAR*

17 Office of the Prosecutor, Doc Off ICC-OTP-FS-CAR-2008.

18 In terms of article 53 (1)(b) and (c) the Prosecutor must also ensure that the matter is admissible with regard to complementarity and, given the interests of victims, that an investigation would not serve the interests of justice.

19 A summary of his statement is available online at http://www.icc-cpi.int/library/organs/otp/ICC-OTP-FS-CAR-20080121-FRA.pdf.

20 ANDP, Declaration no 18/ADPP/CEA/06 of 23 September 2006 concerning the lack of a culture of state management and the speedy return to a dictatorship in the Central African Republic.

21 This included the suspension of the Constitution and proclaiming a transitional constitution which granted him both legislative and executive powers.

22 Pursuant to article 13 of the Rome Statute, the other two methods for are referral of a situation by the UN Security Council and an initiation of an investigation *proprio mutu* by the Prosecutor.

23 See the ICC Prosecutor's information document of 11 June 2008, p 5/5. Available at http://www.icc-cpi.int/cases/RCA/c0108/c0108_bg.html.

24 See the general information document on the situation in CAR, 22 May 2007, online at http://www.icc-cpi.int/cases/RCA/s0105/s0105_b.html.

25 The matter was addressed in the following FIDH reports: War crimes in Central African Republic: When elephants fight, the grass suffers, February 2003; What justice for victims of war crimes, February 2004; Rule of law, respect for human rights, fight against impunity: the essential acts that still have to be taken, July 2004; The political transition closes against a backdrop of impunity: How will the International Criminal Court respond?, March 2005; Forgotten, stigmatized: the double suffering of victims of international crimes, October 2006.

26 On 27 September the CAR requested that the Prosecutor should 'provide information, within a reasonable time, on the absence of a decision … as to the timeliness of commencing an investigation (see ICC 2006).

27 In contrast to the UN ad hoc tribunals which do not offer a right of participation to victims, the Rome Statute allows them to assert their personal interests during proceedings (art 68(3)) and to claim reparations for prejudices they might suffered (art 75).

28 This requirement is set out under article 8(1) of the Rome Statute on the admissibility of a case in which war crimes are alleged to have been committed.

29 Pursuant to article 15 of the Rome Statute, the OTP received 12 allegations that crimes falling within the Court's jurisdiction had been committed by the Venezuelan government and associated forces during the April 2002 coup attempt against the Chavez government. In his response the Prosecutor stated that he did not have jurisdiction on the events because the Rome Statute only came into effect from 1 July 2002. He also referred to a 'lack of precision, as well as internal and external inconsistencies in the information'. The complete text of the Prosecutor's response is available online at http://www.icc-cpi.int/organs/otp/otp_com.html.

30 In response to 240 communications on the situation in Iraq, including the 2003 war conducted by the American/British coalition, the Prosecutor concluded that, although there were reasonable grounds to prosecute with regard to less than 20 persons, this was 'not sufficient for the initiation of an investigation by the International Criminal Court. The Statute then requires consideration of admissibility before the Court, in light of the gravity of the crimes and complementarity with national systems'. The response is available at http://www.icc-cpi.int/organs/otp/otp_com.html.

31 Following an appeal lodged by the Prosecutor of the Bangui Court of Appeal on 16 December 2004 in the case involving Ange-Félix Patassé, Martin Koutamandji alias Abdoulaye Miskine a Jean Pierre Bemba, the *Cour de Cassation* decided that 'recourse to international co-operation in this case remains the only means of avoiding impunity'.

32 In resolution 1503(2003) on the completion strategies for the ICTY as well as in resolution 1534(2004), par 5, the Security Council '[C]alls on each Tribunal, in reviewing and confirming any new indictments, to ensure that any such indictments concentrate on the most senior leaders suspected of being most responsible for crimes within the jurisdiction of the relevant Tribunal'. Article 1(1) of the Statute of the Special Tribunal for Sierra Leone of 16 January 2002 equally stipulates that 'The Special Court shall … have the power to prosecute persons who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the territory of Sierra Leone since 30 November 1996'.

33 Ruling of the *Chambre d'instance* of 18 June 1997 in the matter of the *Procureur contre Kanyabashi*. Read comments by Stern 1999.

34 Under the aegis of Libyan President, Colonel Kaddafi, the CAR government and FDPC rebel leader signed a peace agreement in Sirte in Libya.

35 This agreement was signed with the UFDR military commander. It was contested by the Political Bureau in declaration no 001/08UFDR signed in Lagos on 25 May 2008.

36 The Libreville peace agreement signed under the aegis of Gabonese President Omar Bongo between the CAR government and the APRD provides, in article 4, 'the cessation of all legal proceedings before Central African courts ... by the adoption of a general amnesty'.

37 The Libreville comprehensive peace agreement involves the CAR government and the three rebel movements: the APRD, UFDR and FDPC (the latter has not yet signed it) and guarantees an 'amnesty for all the fighters, for acts related to the rebellion' according to a statement made by the government representative to *Agence France Presse* on 21 June 2008.

38 Ouagadougou peace agreement of 4 March 2007, par 6.3.

39 Côte d'Ivoire accepted the ICC jurisdiction on the basis of article 12(3) of the Rome Statute which stipulates that, 'If the acceptance of the Court's jurisdiction by a state which is not a Party to this Statute is required … that state may, by declaration lodged with the Registrar, accept the exercise of jurisdiction by the Court with respect to the crime in question'.

40 See *Agence France Presse* of 2 August 2008, Central Africa, which announced that APRD rebels were withdrawing from the peace process. Also see the press release of its leader, Jean-Jacques Demafouth, of 1 August 2008 (available at http://www.seleka.org/APRD_aout2008. htm). Likewise, the *Union des Forces Vives de la Nations* (UFVN), a coalition of opposition political parties, had decided, as from 31 July 2008, to suspend its participation in the inclusive political dialogue. Its declaration is available at http://www.lindependant-cf.com/index. php?action=article&numero=379.

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Regionalisation in Central Africa

6 ECCAS or CEMAC

Which Regional Economic Community for Central Africa?

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A common and widely shared vision of regional integration has emerged in Africa. It was inspired by the 1991 Abuja Treaty which envisaged the creation of an African economic community. In such a community regional integration would be a powerful instrument for growth in countries, whether considered individually or collectively, which would provide a powerful, national level cushion against all shocks, threats and problems, and which would offer all kinds of opportunities alongside the benefits of globalisation. The consolidation of existing regional groupings, which distinguishes this new approach from those that obtain on other continents, stems from a political option and a desire to eliminate any threats that current groupings which are linked to efforts to strengthen regional integration in Africa, would be dissolved. In fact, the Abuja Treaty promotes what is referred to as second generation regionalism, which is in line with economic integration. The Lagos Plan of Action (LPA), in contrast, promotes first generation regionalism, because it is based on the implementation of strategies for import substitution and for disconnection from the world market, as advocated by Raoul Prebisch and the United Nations Economic Commission for Latin America.[1]

In Central Africa, co-operation and integration agreements mainly sought to reduce economic inequalities and create an integrated regional area. Agreements such as those to institute the Customs and Economic Union of Central Africa (UDEAC), Central African Economic and Monetary Community (CEMAC) or the treaty to institute the Economic Community of Central African states (ECCAS) sought to eliminate the problem of small-sized national markets, to ensure optimal conditions for opening up and creating a larger area capable of facing market competition resulting from globalisation.

However, there are discrepancies between the goals, organisation, functioning and resources of regional economic communities (RECs) in Central Africa, such as ECCAS and CEMAC, and the challenges that globalisation imposes on the region. Due to a plurality of integration and co-operation systems and structures, countries in the Central Africa Region belong to various RECs which are at different stages of integration or implementation of certain programmes. This has produced a number of technical problems and even resulted in inefficiency and stagnation in the integration process, owing to the dispersion of scarce diplomatic, economic and human resources. Consequently, one is forced to observe that Central Africa's identity is yet to be defined.

Central Africa may be perceived as a concept, a historic construct, an economic and political reality and a geo-political entity. The main problem lies in attempting to objectively delimit the area referred to as Central Africa: which states form this specific area? Indeed, as yet there is no unanimously agreed method that provides an objective and unambiguous response. On examination, one finds a plurality of configurations which does form the main core of the *Afrique Equatoriale Française* (AEF (French Equatorial Africa)) region.

The issue of the identity of Central Africa is equally due to the absence of a major power. No undisputed leader has emerged in Central Africa, capable of serving as a vector for regional integration and of promoting and defending the interests of this area.

The absence of a true identity is a factor that seriously destabilises Central Africa. In fact, one of the classical problems is that when the centre fails to act as a pole of attraction, it ends up being pulled to the periphery. In effect, centres are relentlessly subject to the forces of attraction of the periphery (Ntuda Ebode 2004).

The bilateral or multilateral co-operation and integration agreements concluded between Central African states concurrently assign economic and

political objectives to the signatory states. The economic objective seeks to further unite and develop the economies of the region by adapting and harmonising industrialisation policies, ensuring a fair distribution of community projects and co-ordinating development programmes in the various production sectors. Concerning the political objective, it is essential to establish an increasingly stronger union of the peoples of member states, with a view to enhanced regional solidarity and security.

Although the treaties to establish RECs in Central Africa were signed at different periods, their objectives are all based on a common guiding principle, that of seeking the convergence of policies and harmonisation of development programmes, based on the principle of endogenous and self-reliant development contained in the Lagos Plan of Action and Final Act.

With regard to co-operation between member states, certain similarities equally exist at the level of priority areas of intervention. The four groupings are active in the agriculture and industry; transport and communications; natural resources and energy; trade and customs sectors. They are equally interested in monetary and financial issues. Overall, it could be said that the process instituted through co-operation and integration agreements in Central Africa has failed to produce the expected results some 50 years after independence. The problem of co-ordinating the activities of ECCAS and CEMAC is more than ever a topical issue, with a view to revitalising, stimulating and reforming the integration process in Central Africa.

But which modalities should be followed? Which 'road map' would make Central Africa portray itself as being more efficient at a time when its international commitments (with the World Trade Organisation, European Union-Africa Caribbean Pacific partnership, African Growth Opportunity Act, etc) and the 2025 target set by the Abuja Treaty and its derivative institutions (such as the African Union and New Partnership for Africa's Development (NEPAD)) require our states to make great strides towards regional integration? This remains a major unknown factor as, on the one hand, the reform of CEMAC has been announced and, on the other hand, the rehabilitation of ECCAS has equally been declared (Ntuda Ebode 2008).

This paper begins with a synopsis of the integration dynamic in Central Africa, as implemented by CEMAC and ECCAS, followed by a presentation of the major outlines of what, in my view, is a suitable option for a less dispersed Central Africa.

CENTRAL AFRICAN ECONOMIC AND MONETARY COMMUNITY (CEMAC)

At the beginning there was the AEF region, an area comprising the Republic of Congo (RoC), Gabon, the Central African Republic (CAR) and Chad. On the eve of its break-up it gave rise to the emergence of states at the political level and, on 23 June 1959, to the establishment of the *Union douanière équatoriale* (Equatorial Customs Union (UDE)) at the economic level, which Cameroon joined in 1961. Cameroon formally joined the group in Brazzaville, on 8 December 1964, to form the UDEAC and was joined by Equatorial Guinea on 1 January 1985. UDEAC, the oldest of all integration bodies in Africa, was replaced by CEMAC after the signing of the N'Djamena Treaty on 16 March 1994 which entered into force in June 1999 at the Malabo Summit.

The changes that marked the history of UDEAC/CEMAC are related in particular to the severe crises of 1966, 1968 and 1984 caused by the withdrawal and return of the CAR and Chad; the successive economic crises of the 1980s and 1990s, characterised by the inability of states to honour their (especially financial) commitments, and which caused UDEAC to suspend payments; the rise of the neo-liberal logic and of the 'Washington consensus' following the end of the Cold War; and the speeding up of globalisation and its corollary regional blocs, all of which led Africa, in the early 1990s, to 'modernise' its vision of the issue of regional integration.

In general, the need for Africa to achieve integration is recognised by the donor community, and in particular the World Bank (which published a report on the subject in 1989), the European Union through the Lome and Cotonou agreements and United States of America with the Clinton initiative for Africa. This explains the numerous treaties on the issue signed since 1991 throughout the entire continent and, especially, within the Franc Zone. These include the Abuja Treaty, the OHADA Treaty (aimed at harmonising business law in Africa[2] and developing a common law on commerce and accounting for all countries in the Franc Zone), the CIMA Treaty (Inter-African Conference on Insurance Markets)[3] and CIPRES Treaty (Inter-African Conference on Social Welfare),[4] the ARSO Treaty (African Regional Organisation for Standardisation), the AFRISTAT Treaty (Economic and Statistical Observatory of Sub-Saharan Africa), the tax and customs reforms adopted by UDEAC, and regional pools for the training of financial services and defence forces staff. With this

momentum, UDEAC was replaced by CEMAC. However, since the sixth (held in Malabo from 29–30 June 2005) and seventh (held in Bata from 14–15 March 2006), summits mainly on the initiative of Equatorial Guinea, and barely six years after the entry into force of the N'Djamena Treaty, member states engaged in a reform process of CEMAC.

The analysis that follows focuses on two important aspects, namely the achievements of CEMAC with the launching of the reform process in 2005/2006 and prospects from the ongoing reform.

Gradual emergence of an institutional dynamic within CEMAC

Certainly, as stated above, a process to reform CEMAC has been under way since 2006. However, there was also the gradual emergence of an institutional dynamic which portrays the progress made by this REC. In fact, the deployment of CEMAC specifically coincided with the (timid) appearance of a new generation of leaders, (inconstant) return of economic growth and democratisation in the region and the (aggressive) emergence of constraints inherent in globalisation. In such an economic and political regional and international context, member states had no other viable alternative than to gradually acknowledge the role of integration bodies. And since then there has been a gradual establishment of a self-driven dynamic which is distinct from the desire of the states and which has influenced the integration process. This is marked by the adoption of new instruments which are more binding.

These more binding instruments stem from member states' adherence to the principle of primacy of the community law and their efforts to provide the regional institution with a self-financing mechanism, following the institution of a community integration tax (Taxe Communautaire d'Intergration (TCI)) in December 2000.

CEMAC member states have a common currency and monetary policy. In order to establish a solid economic base for such a monetary union, CEMAC engaged in a wide-ranging programme for the streamlining and convergence of macro-economic policies of member states to a multi-lateral surveillance mechanism.

The free trade area and the customs union in the CEMAC zone were officially established in 2000. Member states decided to gradually implement the

tax and customs reforms adopted by UDEAC in 1994. The common external tariff is applied on the basis of a harmonised nomenclature, a common regime for customs values and CEMAC rules of origin. With regard to indirect domestic taxation, a harmonised value-added tax has been applied since December 1998. States have equally initiated reforms in the area of direct domestic taxation, such as company tax.

In addition to establishing the customs union and with a view to a common market, CEMAC has devised a transit system and adopted community regulations on competition and investment. Regarding the free movement of persons, which is already effective in four of the six member states (Cameroon, RoC, the CAR and Chad), CEMAC has revived a treaty which was adopted by UDEAC in 1972, instituted a common passport and harmonised laws governing the activities of certain professional occupations and service providers, as well as student admission requirements to public or public interest higher education establishments in the region. CEMAC has started to examine the issue of liberalising certain services that have a direct impact on production costs, notably telecommunications, air transport and financial services. Concerning the free flow of capital, a regional stock market was created with its headquarters in Libreville, under the control of the Central Africa Financial Supervision Commission (COSUMAF).

CEMAC countries are members of OHADA, CIMA, CIPRES, ARSO, AFRISTAT and the African Intellectual Property Organisation. These regulatory frameworks were adopted to provide legal safeguards and create an enabling environment for private sector development to complement the actions of CEMAC.

In brief, as it now operates, CEMAC represents an economic union (Central African Economic Union – UEAC) and monetary union (Central African Monetary Union – UMAC). CEMAC has various operational bodies and specialised institutions.[5] CEMAC equally personifies community regulations, policies and projects.[6] Lastly, there is a gradual emergence of an institutional dynamic within CEMAC which has enabled it to progressively and steadfastly play a political and diplomatic role and to address the peace and security issues which impede integration and development in Central Africa. In this connection, mention should be made of security measures taken in the sub-region to enhance the fight against transnational crime. The Executive Secretariat of CEMAC provided assistance to the Central Africa Police Chiefs Committee

from its creation in April 1997 and engaged in co-operative ventures ranging from sponsoring the signing of a co-operation agreement on criminal intelligence between states in the region in April 1999 to the conclusion of a co-operation agreement between the secretariat-general of INTERPOL and the executive secretariat of CEMAC. Other actions include

- Deployment of the CEMAC Multi-National Force to the CAR (FOMUC) in October 2002 with especially the aim of securing the border between Chad and the CAR and 'accompanying the transition process towards national reconciliation', as well as removing Libya from this zone
- Recognition in Libreville, on 2 and 3 June 2003, of General François Bozizé's government, though it stems from the coup d'etat in 2003, in contradiction with the doctrine formulated by the Organisation of African Unity at the Algiers Summit in 1999 and which ruled out any possibility of recognising any government which overthrows a 'democratically elected' head of state
- Granting Bangui, in June 2003, financial assistance amounting to about five billion CFA francs (Ntuda Ebode 2006a).

In addition in 2003 CEMAC heads of state convinced the entire AU membership to refrain from suspending the CAR. This explains the conspicuous presence of a CAR delegation led by the then Minister of Foreign Affairs, Karim Meckassoua, at the deliberations of the third summit in Maputo. And yet, until this case, CEMAC faithfully upheld its rule which condemned governments that forcefully seize power.[7] CEMAC equally inspired the Economic Community of West African states (ECOWAS) in the handling of the crisis in Guinea Bissau, which stemmed from General Verissimo Seabra Correa's overthrow of President Kumba Yala during September 2003.

Materialisation of the principle of supremacy of community law

In CEMAC, the principle of supremacy of community law entailed setting up control agencies and the adoption of a pragmatic approach marked by a gradual loss of sovereignty. The expected completion of the process to establish CEMAC institutions was symbolised by the establishment of the Court of Justice and the Inter-Parliamentary Commission in April 2000 in N'Djamena and June 2000 in Malabo, respectively. In fact, apart from the two unions that compose it and the various organs that manage CEMAC, it also has two other organs

with a supervisory role, namely a community parliament[8] and community court of justice with two benches (a judicial and an audit bench).[9] Compared to UDEAC's institutional organisation, these represent two major 'innovations' instituted by the basic instruments of CEMAC. The creation of the community court of justice will ensure legal certainty within CEMAC, while the purpose of the community parliament is to ensure democratic control of CEMAC institutions and organs.

The establishment of CEMAC follows a pragmatic approach and is marked by a very limited loss of sovereignty in the short term. Certainly, the implementation of CEMAC objectives depends heavily on member states. Indeed, in many areas CEMAC only defines the objectives by adopting framework laws and directives, leaving the states to select the means. Member states and their peoples are therefore key players in the integration process. CEMAC does not intend to replace states in conducting national policies, but in accordance with the principle of subsidiarity it is responsible for carrying out programmes for which collective approaches are more effective. For areas within the province of the community, the states freely accept to cede part of their sovereignty, as deemed necessary, for the implementation of common objectives. For its part, CEMAC carries out its activities through its own organs.

However, the preamble of the additional protocol to the treaty to institute CEMAC affirms the desire to create an organisation with its own jurisdiction and organs, within the limits of the powers granted it by the basic instruments. This reinforces the principle of the supremacy of community law over national law. As such CEMAC has a legal personality[10] and legal capacity as a body corporate in each member state.

To show its legal personality, CEMAC can issue legal acts which may be classified, in descending order, as supplementary acts, regulations and framework regulations, directives, decisions, notices and recommendations.

As mentioned earlier, CEMAC seeks to preserve the national identities of the people. However, drawing lessons from the past and in signing the treaty, states have freely decided to submit to community rules, which entails honouring commitments and, where necessary, accepting sanctions in case of failure to honour such commitments.

Apart from judicial, budgetary and parliamentary control over CEMAC activities, the basic instruments also instituted multi-lateral surveillance as a control measure and mechanism. This is based on compliance with certain

convergence criteria for purposes of economic and budgetary discipline: an external currency ratio (ratio between the gross foreign assets of the Bank of Central African states (BEAC) and demand liabilities) of at least 20 per cent; three criteria relating to the state budget (positive primary budget balance, negative or no variations in outstanding internal and external debts, lower variations in the public wage bill than in budget revenue). Though no figures are stipulated, the Council of Ministers of UMAC (the convergence council) may review or tighten these criteria.

It should be stated that one of CEMAC's priority actions is ensuring coherence in macro-economic policies, in accordance with conventions governing the UEAC and UMAC. In conjunction with the executive secretariat of the UEAC and external development partners, BEAC started undertaking the activities of the multilateral surveillance mechanism as from the 2001 fiscal year. The Bank handed over those activities to the executive secretariat of CEMAC, in accordance with a schedule agreed upon by both parties and with specific practical measures. In fact, by participating in the conduct of multilateral surveillance, UMAC contributes to policy convergence as well as to enhancing budgetary, monetary, banking and financial performance.

For multilateral surveillance purposes, the council of ministers adopts certain regulations, in conjunction with the governor of the central bank. In case of failure to abide by the convergence criteria, the state concerned is bound to take corrective measures or apply those decreed by the council, failing which it shall be subject to the sanctions of the council.

Value-added of Community Integration Tax

Prior to the adoption of the TCI mechanism, countries made provision in their budgets for the functioning of community institutions. Subsequently, contributions from the states were paid through their public treasuries. This system turned out to be ill-adapted, as member countries failed to honour their commitments. This resulted in a series of problems that helped to cripple the UDEAC and the union was closed in February 1998 by the conference of heads of state. When CEMAC was launched in 1999 and in view of the failure of previous mechanisms, the principle of TCI was therefore adopted to ensure financial autonomy for financing the activities of CEMAC.

TCI applies to imports from third-party countries (non-community members) and at a rate of one per cent. The TCI mechanism was adopted by a supplementary

act in December 2000 in N'Djamena and reviewed by a supplementary act adopted in Yaounde in December 2001. It was consolidated by a supplementary act adopted in Brazzaville in January 2004. TCI resources are intended to cover recurrent expenditure of CEMAC organs and institutions (a secretariat and specialised organs and institutions, which totalled 15 in November 2005). TCI equally provides resources for the *Fonds de développement communautaire* (FODEC (community development fund)), the establishment of which is stipulated under section 77 of the convention governing the UEAC. In fact, in view of the current regulations, 30 per cent of the TCI should be allocated to recurrent expenditure of CEMAC institutions and 70 per cent to FODEC. With regard to FODEC, 40 per cent of its resources should go to offsetting customs revenue losses incurred by certain states following the implementation of the common external tariff and 60 per cent should be earmarked for financing integration projects.

The implementation of TCI significantly improved the financing of institutions, in comparison with the situation during the UDEAC period. For example, while UDEAC staff had worked up to 14 months without wages, no such situation has occurred since the launching of CEMAC. Similarly, some specialised institutions have acknowledged that, with the institution of the TCI, resources for recurrent expenditure have improved (ECDPM 2006:27–29). In 2004 the TCI revenue collected by states amounted to about 14 579 800 000 CFA francs, while the running expenditure of CEMAC organs and institutions was estimated at 9 269 000 CFA francs. Therefore, provided the mechanism functions properly, TCI yields are sufficient to enable running CEMAC expenses to be met. Since 2002 total contributions (including arrears) have totalled 32 billion CFA francs (ECDPM, 2006:27–29).

However, much remains to be done. CEMAC could do better. Most players and observers believe so, and this explains the on-going reform process.

CEMAC reform players, issues and challenges

Certain adjustments have to be made to tailor CEMAC to the new diplomatic configuration of the region (marked especially by the failure of its twin leaders, Cameroon and Gabon, and Malabo's claims to CEMAC leadership), as well as the appearance, at the global level, of the regional integration conditionality (symbolised by the key role CEMAC plays, on behalf of Central Africa, in the negotiations with the EU on economic partnership agreements).

Equatorial Guinea's claim to geopolitical status and to economic and political power

Equatorial Guinea, which is composed of both insular and continental land areas, now enjoys increased strategic and diplomatic importance (Owona Nguini (2006). Previously an isolated and underrated country located at the meeting point between the Gulf of Guinea and the western part of Central Africa, it has seen its value rise because of its new status as an oil-producing country with claims to regional leadership. The new oil wealth has reshaped the territorial and geopolitical status of this country, whose international image was previously one of a failed state. In this new strategic and diplomatic context, Malabo even appears to be an economic and political power in Central Africa.

The importance of the role played by Equatorial Guinea was acknowledged during the phase preceding the entry into force in June 1999 of the N'Djamena Treaty at the Malabo summit. Both during the sixth and seventh summits in Malabo in June 2005 and Bata in March 2006, respectively, Equatorial Guinea raised the issue of CEMAC reforms. Yet Malabo had for a long time maintained dependence relations with Yaoundé and Libreville. Indeed, Cameroon and Gabon helped their neighbour to gain independence in 1968 and guided this country's first steps as a new state.

The change observed in Malabo's diplomatic style is a recent development and seems to have started with the launch of oil exploration in the 1990s. It is marked by a strong desire to move from a position of dependence to one of leadership (Awoumou 2006). President Obiang Nguema's personality has greatly contributed to this. That is why, barely six years after the launch of CEMAC and while a community dynamic is still developing, this country is already pressing for changes, to the extent of displaying an assured all-out quest for regional leadership.

Equatorial Guinea affirmed its claims to regional leadership in a series of escalating moves. Malabo first used the 'financial diplomacy' weapon, by extending financial support first to the CAR and then Gabon in 2002 (Geslin 2002). Next Equatorial Guinea authorities withdrew their troops from FOMUC in 2003, while at the same time President Obiang Nguema and his associates began to underscore the 'urgent need' to 'modernise CEMAC' through different media.[11]

Finally, at the sixth CEMAC summit President Obiang Nguema appealed to his peers for 'more equity in assigning positions'. To that end he requested and obtained approval for a legal and financial audit of CEMAC institutions.[12]

In other words, Malabo called for a reform of the functioning of sub-regional institutions, and particularly

- the adoption of the principle of rotation of member states to head community institutions and the abandonment of the 'Fort-Lamy consensus' by virtue of which the governor of BEAC and assistant executive secretary of CEMAC would be Gabonese, the vice-governor of BEAC and president of COSUMAF Congolese, the secretary-generals of BEAC and COBAC (the Central African Banking Commission) Chadian, president of BDEAC (the Central African States Development Bank) and director-general of the regional stock market Central Africans, while the executive secretary of CEMAC and vice-president of BDEAC would be Cameroonians
- equal staff quotas in community institutions
- more equitable remuneration for national funds lodged with BEAC.

The results of the audit were presented at the seventh summit of CEMAC and a steering committee, chaired by President Obiang Nguema, was set up with a two-year term (2006–2008) to review the community's statute and principles.

Equatorial Guinea had a legitimate grievance, but its actions were guided more by strategic thinking. For this country that entails affirming itself as a force to be reckoned with henceforth in Central Africa. With reference to BEAC, for example, President Obiang Nguema said bluntly that he who pays the piper calls the tune *(Jeune Afrique/L'intelligent* 2005b:70). Malabo also envisaged that Equatorial Guinea would be designated as one of the countries to represent Africa as a permanent member of the Security Council (*Jeune Afrique/L'intelligent* 2005a:39).

Obiang Nguema's influence was soon felt: he declared that Equatorial Guinea had joined an organisation that was exclusively composed of former French colonies, but the colonial era was now past and that he did not understand why one country (Gabon) should have the privilege of occupying the post of governor of BEAC permanently (*Jeune Afrique /L'intelligent* 2005a:38, 2005b:70). At the end of the eighth summit of CEMAC which held in N'Djamena in April 2007, Jean-Félix Mamalepot was relieved of his duties as governor of BEAC.

Equatorial Guinea's main concern thus does not appear to be Central Africa's integration or revitalisation of CEMAC. Rather, Malabo sought to obtain a redistribution of roles which will establish it as the 'economic leader in Central

Africa', the 'engine of CEMAC', and 'pillar of regional monetary equilibrium' (*Jeune Afrique* 2006a:I-IV). Such claims will certainly have repercussions in the region, should the reforms announced in Bata lead to a review of the CEMAC statute and principles.

Equatorial Guinea should be credited for triggering discussion on substantive issues concerning the future of CEMAC. Malabo demonstrated a sense of initiative, which should be characteristic of leaders. This role should have been played by Cameroon and Gabon, twin leaders. If the latter failed to act, Cameroon should have assumed its responsibilities as the 'natural and legitimate leader' of CEMAC.

Major dysfunctions identified by the audit reports

The reforms announced in Bata in March 2006 and confirmed in N'Djamena in April 2007 should have led to the revision of the community's statute and principles and to a redistribution of roles between the various stakeholders in the integration process within CEMAC. In fact, at the Malabo summit two consultancy firms, namely Performance Management Consulting (Senegalese) and Deloitte (French) were commissioned to conduct a legal audit and a financial evaluation of CEMAC organs respectively. The results (*Jeune Afrique/ L'intelligent* 2005a): confirm that there were still obstacles to free movement of goods and people, customs and non-tariff barriers, delays or even duplication in the execution of integration projects and discrepancies in the distribution of posts in BEAC and the executive secretariat of CEMAC. According to the reports, with the exception of financial stabilisation, regional bodies failed to play their roles and operating rules were far from being equitable.

Assertion of control organs still expected

The CEMAC audit report (*Jeune Afrique/L'intelligent* 2005a) pointed out that eight years after the official inauguration of the community Court of Justice, this court's enforcement powers remained limited in practice. Its output seemed small, as it had made only 17 judgments and given five opinions in its five years of existence. National courts had never referred any preliminary question (application for interpretation of community law) to the chamber, nor had any member state or the executive secretariat ever referred matters of legality of national instruments, in the light of community treaties and conventions, to it.

The low number of judgments and opinions is due especially to a failure to popularise the community law: community organs and employees, who know the prerogatives of the judicial bench of the Court, are almost the only ones that have approached the Court so far. National courts are not well informed about the prerogatives of the judicial bench or of the state of community law. Furthermore, high costs hamper referral to the Court and it is feared that under present conditions, costs would continue to hinder referral to the judicial bench, even if large-scale efforts were made to popularise it.

In terms of instruments the judicial chamber cannot in its present state pass judgment in cases of failure to fulfil obligations. According to article 14 of the convention regulating the court of justice of CEMAC, referral is open to any member state, to CEMAC organs and any individual or body corporate for cases of violation of provisions of CEMAC treaties and ensuing conventions. However, the convention does not provide for a pre-litigation procedure, that is, the possibility of reprimanding a state that does not apply community provisions. In addition, the convention does not provide for sentencing or sanctioning of member states who contravene community laws.

The limitations on the judicial chamber's enforcement powers are mainly due to the fact that no cases are referred to it, which prevents the chamber from 'emerging' as an inevitable control organ in the community institutional machinery at this stage. Furthermore, the absence of a genuine procedure in respect of failure to fulfil an obligation, which is backed by penalties for non-compliance, prevents the chamber from meting out punishment where community or national acts fail to comply with community conventions and treaties.

As for the community parliament, the CEMAC audit report underscores the need to provide clarifications on some aspects relating to the organisation and functioning of this community organ, which has limited resources. Those aspects are, notably, its legitimacy, given the low level of a parliamentary tradition in the countries of the region, and the indirect voting procedure for electing its members, as well as its real place on the regional stage.

The TCI – haunted by the UDEAC syndrome of non-compliance

This mechanism, which was designed in 1999, has been eroded mainly by the same factors that led to the failure of UDEAC, including partial and late payment of contributions by member states. In this specific case, Cameroon and Gabon

set the bad example, although Libreville has generally always made up for this failure by paying its arrears. This has not been the case with Yaounde. Thus, Cameroon has been only the third largest contributor to CEMAC, far behind Gabon and RoC (which is the only country that complies strictly with the financing mechanism in place) since 2002. Similarly, 20 billion or 61,7 per cent of the total of 32,8 billion CFA francs contribution in arrears accruing from 2002 to October 2005, is thought to be owed by Cameroon. The TCI mechanism was launched in January 2002 and the arrears of this period were not fully assessed. Cameroon and Gabon did not apply the mechanism in 2002, but continued to pay their dues through their respective public treasuries. The issue is therefore first what was actually owed and second what was to be settled. According to the financial statements published by the CEMAC accounting office for the 2002 financial year, the arrears owed by member states, which total 5 622 000 000 CFA francs, are made up as follows:

Country	Amount
Cameroon	71 300 000 CFA francs
Central African Republic	615 100 000 CFA francs
Equatorial Guinea	3 276 600 000 CFA francs
Chad	1 659 000 000 CFA francs

Source: ECDPM 2006:34.

On the whole, and as indicated in the final report of the CEMAC audit, the payment to the executive secretariat of CEMAC of the TCI revenue collected by states has been partial and late. It was established that states paid in only 19 per cent of the TCI in 2002, 41 per cent in 2003 and 37 per cent in 2004.

TCI implementation efforts within member states have highlighted the following problems

■ Refusal to collect TCI separately at the customs barrier
■ Refusal to transfer the TCI deductions effected
■ Refusal to authorise TCI proceeds to be automatically debited
■ Refusal to automatically debit TCI proceeds
■ Misappropriation of part of the TCI funds collected

It is deplorable that incorrect accounting statements on TCI are presented and that in some cases there are no statements to show the distribution at the executive secretariat, following prior jointly accepted principles, of TCI amounts collected and which distribution should be in proportion to the budget weight of each institution, organ or specialised institution. The UDEAC syndrome of non-compliance with rules of the financing mechanism is still active. In the first three years since the TCI was instituted, total arrears (TCI and equal contributions) increased fourfold from 8,2 billion CFA francs in 2002 to 32,8 billion CFA francs in October 2005.

Obviously, financing the functioning of institutions cannot be the raison d'être for a regional integration dynamic, but one can deduce that this situation, if allowed to continue, would cast a shadow over the CEMAC horizon. The adoption of the TCI mechanism showed member states' intentions to put in place an adequate and enduring financing method for the new organisation. About 30 per cent of the funds would have been sufficient to enable the institutions to function, while 70 per cent would have offset revenue losses and financed integration projects (in other words, solidarity and development). However, collected funds have only been used to cover operating expenditure. The resources that should have replenished FODEC had not been set aside, except in April 2005 when the executive secretariat allocated one billion CFA francs to FODEC. In order to make this allocation possible, the executive secretariat had to withhold allocations to specialised institutions that also depend on TCI for resources. Integration projects are yet to be initiated. By the same token, member states who felt that they had lost tax earnings because of the implementation of a zero rate general preferential tax, have not received the expected amounts in compensation. This situation brings into question the solidarity principle underlying the CEMAC project and could lead some member states to question whether membership of this community has any benefits for them.

Not only did the executive secretariat fail to receive the full amount of required budgeted funds, but the fund transfers made by states also arrived late. During the first 11 months of 2005, CEMAC institutions received about 8,2 billion CFA francs in TCI funds, whereas the annual budgeted expenditure was estimated at 12,7 billion CFA francs. During this same period, the total monthly budget of CEMAC institutions (1,06 billion CFA francs) exceeded actual TCI contributions, except for July (1,5 billion CFA francs), September (1,3 billion CFA francs) and November (1,6 billion CFA francs).

As a general rule contributions are paid late, as outstanding dues are often settled on the eve of summits to avoid possible sanctions. Out of 32 billion CFA francs in contributions paid by member states since 2002, half of the amount was paid in as outstanding dues. The executive secretariat is therefore obliged to disburse funds as and when contributions from member states are received, with funds that are often short of the amounts needed by various CEMAC institutions. The executive secretariat is therefore forced, on a day-to-day basis, to decide which activities should be pursued and which must be deferred. This hinders a coherent implementation of the CEMAC plan of action and budget. Furthermore, this situation has generated mistrust between the executive secretariat and other institutions whose funding depends on TCI proceeds on the issue of a fair distribution of resources: some institutions suspect that the executive secretariat serves itself first from inadequate resources received from the member states.

Propects of reforms announced by CEMAC

The Steering Committee of CEMAC's institutional reform programme examined the audit reports submitted at meetings held in Yaounde in November 2006, Douala in January 2007 and Bata in February 2007. The most important outcome of those meetings is that by 2010, CEMAC should develop into

- A stronger, more coherent and responsible community mechanism, notably through a strong and independent commission, a well-equipped court of justice, a democratic parliament, a single union (to replace UMAC and UEAC) and with a more assertive presidency
- A jointly managed and mutually dependent CEMAC, through an equitable and dynamic sharing of responsibilities on a post rotation basis, which will permit states to take turns to head at least one of the following institutions: the Commission, BEAC, BDEAC, COBAC, COSUMAF, the community court of justice and the parliament. The aim is to generalise rules of good governance to all community organisations, so that each of these organisations would, for example, publish an annual statement of accounts and would be subject to the judicial control of the audit bench
- A community with a secure financing system
- A community with enhanced dialogue on a shared vision, based on dialogue between institutions and officials at various levels, which involves the private

sector, civil society and local and regional authorities, and above all, with wide-ranging communication with the general public on CEMAC actions and achievements

Following the approval by heads of state and delegations of the major directions of the progress report of the reform steering committee at the N'Djamena summit, the following decisions were taken:

- To set up a commission composed of one commissioner per member state and headed by a president, in lieu of an executive secretary. The commission will comprise sectoral commissioners in charge of integration domains like transportation and trade. The rotating presidency of CEMAC will be maintained, with the onus of revitalising projects being on the presiding head of state
- To expand BEAC management by creating three positions of director-general, and raising to 12 the number of central departments. The decision-making method in BEAC will henceforth be collegial. A monetary policy committee will be set up with staff appointed by each member state.[13] Two representatives of each state will sit on the board of directors, while the status quo will be maintained for the college of auditors (Cameroon, France and Gabon).

In addition, CEMAC has embarked on the formulation of a regional economic programme. The general objective is to formulate an economic programme (for the period 2008–2015) that will unify development actions in the region in a bid to strengthen efforts towards building the community space to improve living conditions of the population. More specifically, the aim is to define the strategic areas of development and identify priority actions for achieving strong, lasting, diversified and shared growth.

Although the eighth summit of CEMAC reaffirmed the maintenance, till further notice, of the Fort-Lamy consensus, inopportune affirmation of claims to regional leadership by one of the countries, which could stifle the dynamic of the Central African integration process, could occur.

It should be noted that President Obiang Nguema had had been assigned the duty of heading the strategic committee in charge of drawing up and steering the reform programme recommended in the audit reports. The committee has two years to set up the new CEMAC architecture. However, there are some unresolved issues such as whether the steering committee has the authority and

powers to commit states or whether it will still be necessary to resort, for each hurdle, to a consensus position of the heads of state. One wonders if the two years will suffice under such conditions.[14]

Furthermore, the emergence of Equatorial Guinea as an important actor on the regional stage could progressively erode Gabon's standing (as shown by the unusual dismissal of Jean-Félix Mamelepot from the post of governor of BEAC)[15] and probably that of Cameroon. Many twists have marked the history of the relations between Libreville and Malabo as well as between Yaounde and Malabo (Ntuda Ebode 2006a). The relations between Equatorial Guinea and the leaders of the region, namely Cameroon and Gabon, will follow divergent trends, mostly because of the changed diplomatic style Equatorial Guinea, which has gone from timidity to aggressiveness.

Already, within the context of negotiations on CEMAC reforms, Cameroon would be seeking a redefinition of decision-making processes so as to take into account the actual weight of each state in the region. To obtain agreement, Yaounde should adopt an ambitious and bold diplomatic approach. In fact, the report by the performance management consulting firm (ECDPM 2006) states that 'Cameroon's failure to assume leadership is a major obstacle to CEMAC' (*Jeune Afrique* 2006b:32) and reaffirms that Cameroon, who is responsible for 61,7 per cent of the outstanding payments to CEMAC, does not play its key role of leader. The constraints of CEMAC are due in part to this failure to assume leadership. A fresh start is possible only if Cameroon, and all the other countries, ensure greater compliance with community rules (*Jeune Afrique* 2006b:128).

However, as a whole CEMAC has enviable assets that only need to be reinforced and developed; the situation of ECCAS is entirely different.

ECONOMIC COMMUNITY OF CENTRAL AFRICAN STATES (ECCAS)

In 1971 Zaire called for the establishment of a new organisation known as ECCAS composed of UDEAC member states and those of the Economic Community of the Great Lakes Countries (CEPGL) (*Marchés tropicaux*, 2 December 1977). Nothing came of this proposal, and Gabon again mentioned it four years later. This time the perspective was more ambitious, and included Angola, São Tomé and Principe, as well as Equatorial Guinea, in addition to the states previously mentioned. This plan was endorsed by the 1980 LPA. At the

UDEAC summit of December 1981, the five member states agreed in principle to expand the Economic Community of Central African states. The LPA was implemented in Central Africa in October 1983 with the signing in Libreville of the treaty establishing ECCAS. ECCAS became operational in 1985.

Dormant ECCAS

In the long term, ECCAS was expected to comprise the following institutions: a conference of heads of state and government, a council of ministers, a court of justice, a general secretariat, a consultative committee and specialised technical committees. The secretary-general would have three assistants, who would be responsible for a human integration, peace, security and stability department (DIHPSS); a physical, economic and monetary integration department; and a programme, budget, administration and human resources department.

The objective of ECCAS is to achieve economic integration and regional co-operation. To that end it pursues several missions, including the promotion of peace, security and stability, which was added only in 1999 when it was 'revived' after a period of hibernation.

Hibernation and revival of ECCAS

ECCAS actions in respect of integration have yet to produce concrete results. From 1992 to 1998, which is the darkest period of its existence, ECCAS was characterised by amongst others non-operational headquarters,[16] paralysed community institutions, almost no contributions from states[17] and suspension of payments,[18] a low level of commitment by the host country (Gabon),[19] and withdrawal by Rwanda.

The main factors that led to the breakdown in ECCAS activities include

- Crises and armed conflicts in most member states (seven out of 11)
- Institutional dysfunctioning, especially as far as a lack of a regional mechanism for conflict prevention and management was concerned
- The non-involvement of national economic actors and civil society
- A low level of commitment by member states due to financial problems and national conflicts

Some lessons can be learnt from this phase

- ECCAS was in every respect 'economic', since it was set up in the wake of the Lagos Plan of Action and Final Act
- ECCAS was the concern of experts and plenipotentiaries of member states
- There was no ownership of the integration process at the grass roots level or by its representatives (civil society, parliaments)
- There was inadequate UN assistance to member states

In February 1998, after six years (1992–1998) of complete inactivity, the decision to 'revive' ECCAS was taken in Libreville. Subsequently, the Malabo summit of June 1999 adopted the ECCAS 'recovery and revitalisation programme' based on four main areas, including the development of physical, economic and monetary integration. The tenth summit in June 2002, which took place in Malabo, confirmed the determination to revive ECCAS and accordingly adopted the protocol relating to the establishment of a Reseau des Parlementaires de l'Afrique Centrale (REPAC (Network of Parliamentarians in Central Africa)), Conseil de Paix et de Securite de l'Afrique Centrale (COPAX (Council for Peace and Security in Central Africa)), Commission pour la Defense (CDS (Defence and Security Commission)), Force Multinationale de l'Afrique Centrale (FOMAC (Multinational Force of Central Africa)) and the Mecanisme d'Alerte Rapide pour l'Afrique Centrale (MARAC (Early Warning Mechanism of Central Africa)). After renewing its membership, Rwanda was also officially welcomed. The tenth conference instituted, in particular, the Community Integration Contribution (CCI), the rate of which was fixed by the Council of Ministers on 25 July 2003 in Brazzaville. By the 11th summit held in Brazzaville in January 2004 the protocol relating to the establishment of COPAX had received the required number of ratifications to enter into force. The summit also adopted a declaration on the implementation of NEPAD in Central Africa as well as a declaration on gender equality, and particularly defined conditions relating to the free trade area. The 13th summit, also held in Brazzaville in October 2007, validated the new formula for establishing contributions by states selected by the council of ministers. It decided to set a date from which CCI arrears of member states would be calculated and the sanctions regime for the non-payment of contributions by member states.

The main set-back for this revival came from Rwanda which informed ECCAS of its withdrawal (the second) from this REC in 2007. Rwandan

authorities explained that this was due to difficulties it faced in managing its membership in four RECs (COMESA (Common Marked for Eastern and Southern Africa), ECCAS, CEPGL (Communaute Economique des Pays des Grands Lacs (Economic Community of the Great Lakes Countries)) and the EAC (East African Community)), and furthermore a minimum of 20 per cent of Rwanda's external trade was conducted with the EAC.

The view in this paper is that Rwanda will sooner or later again identify with Central Africa, because the Rwandan population is mainly French-speaking, the Rwanda's economic structure makes this country lean towards the east of the Democratic Republic of Congo (DRC), and the quest for living space due to its high population density has established close ties between Rwanda and the DRC.

The international community as a source of legitimacy for ECCAS

ECCAS legitimacy does not come from its achievements, but rather from the determined support of its international partners. In that connection, the UN Economic Commission for Africa (UNECA) plays a vital role. Its sub-regional office in Central African appears to be a centre of choice for designing the regional integration vision for this area. Central Africa itself is yet to successfully develop, through a dialectical and dynamic action by its various sociological components, an endogenous and collectively accepted vision of integration in this region. Regional integration still does not appear to be a priority for all.

In any case, thanks to ECA's action, particularly since the 3rd preparatory meeting of the Economic and Social Council (ECOSOC) in June 1999, ECCAS was selected as the pillar of the African Economic Community. In October 1999, ECCAS signed the protocol on relations between ECA and RECs. On 11 January 2001, Resolution 55/22 on co-operation between the United Nations and ECCAS was adopted by the UN General Assembly. The next day, 12 January 2001, the same body by Resolution 55/161 granted ECCAS observer status at the United Nations. On 10 July 2002, a memorandum of understanding was signed between the Office of the United Nations High Commissioner for Human Rights and ECCAS relating to co-operation in the areas of human rights and democracy.

Consequently, ECCAS was designated as a focal point for NEPAD in Central Africa. A regional co-ordination office to implement and monitor NEPAD

activities in Central Africa was designated in 2004 by the AU conference of heads of state and government.

In a bid to provide the general secretariat of ECCAS with institutional support, a project was initiated in response to the request of 6 May 2003 addressed to the African Development Bank. It was approved by the board of directors of the bank group in 2004 and the grant agreement was signed between ADB and ECCAS for the amount of 2,59 million UA, or 91,5 per cent of total project cost. ECCAS would finance the balance, that is 240 000 UA. The project began in April 2006, but two consulting firms were only recruited for this purpose in January 2008. The purpose of the project is to build the institutional capacities of the general secretariat of ECCAS in a bid to give impetus to the process of regional integration and co-operation in the areas of human integration, physical, socio-economic and monetary integration, implementation of NEPAD, and development of analytical and multilateral trade negotiation capacities.

The African Capacity Building Foundation involves ECCAS in its events and provides it with funds. Thus, in addition to inviting ECCAS to participate in the second Pan-African Capacity Building Forum held in Maputo, Mozambique in August 2007, the Foundation made a four-year grant to ECCAS amounting to US $1,5 million to finance the capacity building project for REPAC.

The European Union provides multi-faceted support, consisting mainly of assistance in setting up peace and security structures of ECCAS. In June 2006 the two parties signed a financial agreement for the ECCAS Support Programme for Peace and Security in Central Africa (PAPS-CEEAC) for €4 million Euros (2,6 billion CFA francs). A PAPS team was sent to Libreville in 2007 to assist ECCAS, and in particular DIHPSS, to fully play its role in the prevention and management of crises and conflicts in the Central Africa Region. Its focus is further on establishing MARAC and capacity building for ECCAS to mediate in conflicts involving member states and their communities. The project also seeks to enhance the capacity of the ECCAS secretariat to help member states to implement their commitments in the fight against long-term causes of conflict, such as the proliferation of light weapons, trans-border crime or illegal natural resource exploitation. Lastly, it is expected to help ECCAS to establish and develop ties with civil society actors who are able to support its mission to serve peace in the region.

A further important support initiative was a financing agreement, signed in 2006, for the programme for the integrated management of trans-border basins

in Africa – a Lake Chad component – with the European Commission delegation in Gabon. Within the context of the EU water initiative, the EU confirmed its support for the integrated management of water resources in trans-border basins with a contribution of €10 million. The Lake Chad Basin will receive €3,5 million over a two-year period to design and operationalise a technical and institutional tool for facilitating basin water resource planning and management. This project, which is supervised by ECCAS and Chad, will be implemented by the Lake Chad Basin Commission. Its objectives are to design an operational technical and institutional tool for planning and managing the basin's water resources, strengthening regional policies and regional institutional mechanisms, as well as setting up a technical framework for integrated water resource management. The EU was the first institution under international law to accredit an ambassador to the secretary-general of ECCAS.

Following this example, France designated a high representative to ECCAS. In addition to RECAMP cycles, France is involved in training troops for the standby regional brigade, particularly at the *Centre d'Aguerissement d'Outremer*, which is located some 30 km from Libreville.

From the above it is clear that the international community made a tangible contribution to ECCAS activities. The question that remains, particularly with regard to the financing of ECCAS activities, is what role do the member states and the CCI contribution play?

Physical, economic and monetary aspects of integration

With regard to economic integration ECCAS, which is yet to produce significant results, seem to have focused on the short term, and the community has mainly undertaken preparatory studies.

Aware of the progress in its integration dynamic, ECCAS used manipulation to have some institutions placed under its supervision

- The Central African Power Pool. It was set up in April 2003 in Brazzaville and serves as the specialised body of ECCAS in charge of energy issues.
- The Central African Forestry Commission (COMIFAC). The decision by heads of state to give COMIFAC the status of a specialised body of ECCAS was taken at the 13th conference held in Brazzaville in October 2007. Institutions within the COMIFAC Treaty include the Organisation for

Wildlife Conservation in Central Africa, the International Agency for the Development of Environmental Information, the Network of Protected Areas in Central Africa, the Conference on Ecosystems of Dense Humid Forests in Central Africa, COMIFAC, and the African Timber Organisation.

■ The Regional Fisheries Committee for the Gulf of Guinea. It also became a specialised body of ECCAS after the 13th conference.

THE COUNCIL FOR PEACE AND SECURITY IN CENTRAL AFRICA (COPAX)

In broad terms, key information relating to COPAX, the peace and security architecture of ECCAS, is as follows:

Stages of creation

■ December 1991: Adoption of resolution 46/37b of the UN general assembly in favour of ECCAS member states
■ May 1992: Establishment of the UN Standing Advisory Committee on Security Questions in Central Africa (SACSQCA)
■ July 1996, Yaounde: Adoption of the Pact on Non-aggression by SACSQCA[20] member states
■ January 1999: Decision by ECCAS conference of heads of state and government to revive ECCAS
■ February 1999, Yaounde: Establishment of COPAX
■ June 1999, Malabo: Broadening of the scope of the mandate of ECCAS to include peace and security issues and decision to integrate COPAX into ECCAS
■ February 2000, Malabo: Signing of the protocol to integrate COPAX into ECCAS and the mutual assistance pact between ECCAS member states

COPAX components

These are made up of COPAX institutions and operational instruments

COPAX institutions

■ Conference of heads of state and government
■ Council of ministers

- Defence and Security Commission (DSC)
- Committee of ambassadors
- General secretariat of ECCAS is the permanent management organ of COPAX
- Assistant secretary-general in charge of peace and security serves as its secretary

COPAX operational instruments

- FOMAC, which is co-ordinated by the regional command post and is in charge of pre-operations planning, organ command and operational control under the mandate of the secretary-general
- MARAC, which is responsible, on a permanent basis, for collecting and analysing information for the prevention of crises and conflicts in the ECCAS region. Together with FOMAC it constitutes one of the two main instruments for action at the service of COPAX. Its functions are outlined in the COPAX protocol (art 21) and are detailed in the internal rules and regulations
- The Department of Political and Diplomatic Action, which was set up in March 2007. Its mission is to support the crisis and conflict prevention and management efforts of ECCAS through political and diplomatic channels. It promotes the interaction of ECCAS with regional, continental and international structures for that purpose, monitors the commitments made by member states with regard to conflict prevention, and develops ties with civil society organisations likely to support the action of ECCAS.

Integrating COPAX activities into those of the AU

ECCAS was reinforced in its role as pillar in the peace and security architecture of the AU. In that regard, the logic was to integrate the peace and security activities of ECCAS into those of the AU. The main activities are the AU border programme, the FOMAC standby forces and the Union's peace facility programme.

It is against this background that the ECCAS secretary-general took part in a meeting held in Algiers in January 2008, which brought together representatives of the AU, RECs and regional mechanisms. The purpose of the meeting was to analyse and adopt the memorandum of understanding between the AU and regional communities and mechanisms with regard to areas of peace and security, which was to be signed in Addis Ababa during a summit of the AU. One of the topics relating to security on the continent that was reviewed was

the status report on two components of the AU peace and security architecture, namely the continental early warning system and the African Standby Force.

There are in essence four immediate challenges

- The transfer of authority from FOMUC/CEMAC to FOMAC/ECCAS in the CAR
- The placement of decentralised correspondents in priority areas
- The strengthening of diplomatic ties between member states
- The issue of competence in priority areas

COPAX prospects related especially to

- The role of CSOs in supporting the political and diplomatic actions for crisis/conflict prevention, management and resolution
- The role of parliamentarians in adopting, executing and monitoring community acts relating to peace and security issues
- The gradual take-over of peacekeeping and peace building activities
- The development of interactions with other RECs and the AU

Ongoing projects under COPAX

In view of the implementation of MARAC and the Department of Political and Diplomatic Action, ECCAS started to increase its staff strength, before embarking on staff capacity building. Four eminent early alert experts from various parts of Africa exchanged information and shared experiences with the newly recruited staff of the DIHPSS and regional command post during a seminar in 2007 that led to the identification of a series of work avenues to be taken into account by the MARAC team. PAPS organised a workshop to explore possibilities of collaboration between African CSOs and ECCAS in matters relating to conflict prevention and peace building in Libreville, in September 2007.

The summary of these deliberations was examined during a seminar/workshop for member states and CSOs on the establishment of MARAC operations, organised by ECCAS in Kinshasa in December 2007, with the assistance from PAPS and the Centre for Conflict Resolution in Cape Town, South Africa.

The Kinshasa seminar achieved four main objectives, namely to present MARAC's operational development guidelines, which were designed by the

ECCAS secretariat general, to member states and CSOs; to develop a common language among stakeholders on the basic concepts of conflict prevention and early warning; to determine MARAC observation priorities as well as levels and forms of response to risks; and to identify a number of practical modalities for establishing interaction between the secretariat general, member states and CSOs in view of the functioning of MARAC.

The next stage in the schedule announced by ECCAS should be the organisation of a seminar for developing MARAC indicators.

Alongside the 26th ministerial meeting of the UN Standing Advisory Committee on Security Questions in Central Africa, a conference was held in Yaounde in September 2007 on cross-border security issues in Central Africa. At the close of the conference, ECCAS was mandated to prepare a programme of action to curb cross-border insecurity and for monitoring and co-ordinating the Yaounde Declaration on cross-border security in Central Africa.

In conjunction ECOWAS, ECCAS is engaged in the implementation of the multilateral co-operative agreement to combat trafficking in persons, especially women and children, in West and Central Africa, on the one hand, and on political resolution and the joint plan of action, on the other hand, which is the result of the workshop held in Abuja, Nigeria in July 2006.

In October 2007 ECCAS for the first time condemned the attack against the AU mission to Sudan in Darfour. On 14 November 2007, following an attack perpetrated in the Bakassi peninsula which resulted in the death of about 20 Cameroonian soldiers and injury to many others, ECCAS's support to Cameroon was firm when it called on Nigeria, ECOWAS and the AU.

ECCAS also undertook to send international election observation missions to member countries and did so in Burundi, the CAR, Gabon, the DRC and São Tomé and Principe.

However, it should be noted that ECCAS is the only REC not to have adopted a clear stance on the issue of the United States Africa Command.

LESSONS LEARNT FROM THE DECEMBER 2007 REGIONAL SEMINAR IN KINSHASA

Various key players in international relations (such as Western powers, the EU, UN, AU and ECA) appear to have agreed that ECCAS should play a more

significant role, especially with regard to issues of peace, security and stability in Central Africa.

This hypothesis is confirmed by certain events, such as a peace facility and a PAPS being set up by the EU, accreditation of ambassadors of the EU and France to the ECCAS secretariat general and reconfiguration of the missions of the French military base in Libreville, the headquarters of ECCAS, further strengthened by the appointment of a general and not a colonel as commander of these troops, with a view to making it amongst others a point of contact with the regional command post chief.

In this regard it should also be noted that the 13th ECCAS summit mandated the committee of ambassadors to study all modalities for the transfer of authority between CEMAC and ECCAS in connection with the peacekeeping mission in the CAR. It would thus seem as if a transition from FOMUC to FOMAC is expected to take place.

In fact, in the light of the overlap and duplication of efforts as a result of the multiplicity of regional integration institutions in Central Africa, the 13th ECCAS summit decided to set up a steering committee to accelerate the process of harmonisation and co-ordination of policies, programmes and integration and co-operation instruments of RECs and to propose that a single REC should be the long-term aim for Central Africa. In the wake of all this, the meeting held in Douala in November 2007, under the auspices of the ECA through its Central African sub-regional regional office, adopted a multi-year CEMAC/ECCAS programme. The programme was established on the basis of a working document and study conducted at the initiative of the ECA and discussed by experts of the two institutions, meeting as a task force.

As presented, the project looks attractive and the ECCAS concept does in fact seem viable. However, the implementation of the scenario may be rendered difficult by at least four obstacles:

- The low capacity of ECCAS to make its decisions binding
- Financing of the various announced projects is essentially external (outside the region), which exposes them to manipulation by third-party powers; it also means that there is no ownership of the projects by member states and their populations
- Outdated practices continue to mark the behaviour of the various stakeholders in integration processes in Central Africa

■ Possible resistance from other RECs, including CEMAC, which have a stronger institutional dynamic than ECCAS

In addition, ECCAS, which seems to be shaped to fit the DRC, may face difficulties in taking off as long as that country remains beset by political and economic problems. In fact, as Justin Balley Megot, Minister at the Congolese Presidency in charge of sub-regional integration and NEPAD, stated during the ECCAS experts' consultative committee meeting in Brazzaville in May 2007, this REC still has a poor performance record. The participants of the consultative committee meeting of 23 October 2007 also admitted as much.

Eight years after the provisional date set for the end of the transition phase leading to the revival of ECCAS (1999–2008), the balance sheet of activities is in a bad state: ECCAS can still not claim any concrete achievements in terms of integration. Even COPAX is yet to take off.

Twenty five years after its establishment (1983–2008), ECCAS is still not effective. The problems that continue to undermine its existence are still the same, the main ones relating to finances, such as a persistent discrepancy between its missions and the resources available for achieving them and the unreliability of member state contributions to finance activities of the secretariat general. The days of Central Africa are numbered, for we are only 17 years away from the 2025 target adopted by ECCAS. However, peace, stability and regional integration increasingly appear to be far-off prospects, conditional on a number of eventualities.

Also, inasmuch as one can agree with the October 2007 Brazzaville summit on the need to harmonise and co-ordinate the activities of Central Africa RECs, the major issues that remain are how this should be achieved and on what modalities it should be based.

THE ISSUE OF RATIONALISING CENTRAL AFRICA'S RECS

Central Africa's integration dynamic centres on the key issues of co-existence of many RECs with a common purpose and of ensuring the well-being of the people, their development and their security by achieving stability in the region. In addition, the magnitude of actions to be carried out in member countries requires, on the part of these organisations, collaboration and harmonisation efforts to avoid duplication of tasks, overlapping and even incompatibility. These issues are amply illustrated by the following examples: Article 7 of the Libreville

Treaty of 1983 to establish ECCAS provides, inter alia, for setting up of a court of justice, a court which effectively exists within CEMAC by virtue of article 2 of the Treaty of 1994 to establish CEMAC; second, the adoption by ECCAS of a protocol to create a network of parliamentarians for the region, whereas (by virtue of the abovementioned article 2), the process to complete the establishment of a community parliament was officially initiated in Malabo in 2000 with the creation of the CEMAC inter-parliamentary commission; third, the creation the CCI within ECCAS in 2003 after the TCI was instituted by CEMAC in 2001; fourth, the finalisation of the CEMAC passport project together with the implementation of the protocol on the free movement of property and persons, especially with regard to the adoption of the free movement booklet and card as well, alongside the creation of ECCAS control posts in airports, seaports and frontier posts of member states; and fifth, a decision by ECCAS on the control of drugs, money laundering and organised crime, whereas CEMAC had set up the Action Group against Money Laundering in 2001.

The issue of co-ordinating the actions of ECCAS and CEMAC necessitates an examination of the leadership problem, the absence of an endogenous regional vision, the need to deepen and enlarge CEMAC, and the proposition that RECs in the Central Africa Region should specialise.

The leadership issue

Central Africa suffers from an absence of a driving and rallying force capable of asserting itself as the undisputed leader, by virtue of its influence both within and outside the region, and which is able to oppose any greedy actions within the region. Central Africa is the only African region with such a vacuum. For a long time this role was assigned to the DRC, but it was one the country was never able to fulfil with success. There is a need to find an alternative.

The strategy that Central Africa could adopt to promote and defend its interests would comprise two tactics: one organised around CEMAC, under the reaffirmed twin leadership of Cameroon and Gabon; and the other conducted by the Yaounde-Luanda-Kinshasa axis, within the framework of ECCAS, with redefined functions.

Because of their historical role within CEMAC, Cameroon and Gabon have distinguished themselves as the twin driving forces within this REC. A final analysis would reveal that of the two, Cameroon is the one which can naturally

and legitimately aspire to singly assume the leadership role. However, it does not have the resources to stand alone before the other African regional powers (South Africa, Nigeria, Egypt and Kenya). Cameroon is handicapped by a number of shortcomings: timid diplomacy, an average-sized army, a relatively low population, an embryonic economic fabric, as well as under-used scientific and technical research capabilities. It therefore needs a reliable associate with whom to form a harmonious and influential partnership in a Central Africa Region which can handle the challenge of integration on the African continent.

At the level of ECCAS, the region should have a collegial leadership, as a single leader would face problems of legitimacy. The most appropriate solution appears to be a Yaounde-Luanda-Kinshasa axis, for neither the arguments in favour of the leadership of the DRC nor those in favour of Angola are validated by the realities of the region.

The possibility of the DRC as the diplomatic leader of the region depends on the success with which it is able to accomplish its political, economic and social reconstruction. The other country that could exercise regional leadership is Cameroon.

Angola is often mentioned as a substitute leader and on the strength of its oil and diamond resources as well as its military might, Luanda intends to play a diplomatic role commensurate with its potential. However, if Angolan authorities fail to take the necessary measures on the domestic front, the 'strength' of their country may fail to be realised. The government needs to build a state, a nation and the economy as well as the Angolan society. This entails re-establishing government services especially in areas previously occupied by UNITA, reintegrating displaced persons and ex-combatants confined in camps, restoring peace in Cabinda, fighting corruption within the political and military hierarchy, diversifying the economy, reducing the management staff shortages, improving relations with development partners, repairing infrastructure and combating the rise of racism in the country, which is a legacy of the ethnic and racial opposition which underpinned the Angolan civil war.[21] The social restoration of Angola also presupposes combating the diseases which are eroding the country's fabric. These include sleeping sickness, malaria, tuberculosis, chicken pox and AIDS.

Although its enormous potential means that it would be suited to such a responsibility, Cameroon is an insular country which is unlikely to assume such a role in the present circumstances. Therefore the presence of Yaounde in an axis

involving Kinshasa and Luanda is likely to legitimise the leadership. The major rival for leadership in Central Africa seems to be France. Paris is concerned with preserving its zone of influence and is striving to contain the slightest attempts at influence and leadership inside and outside the region. A possible regional leadership by Luanda would hardly receive the blessing of Paris, as relations between the two countries have been strained. Angola is pushing for US influence against France and Cameroon's presence may therefore reassure France and other countries outside the region. However, for such an axis to be constituted, it would have to meet certain requirements, including improved relations with each other. It would require intensive co-operation particularly between Cameroon and Angola, two countries which have largely ignored each other so far.

Developing an endogenous vision of integration in Central Africa

As was pointed out above, the ECA and especially its Central Africa sub-regional office appears to be an almost exclusive source of inspiration for developing and validating the logic behind integration in Central Africa. This institution unquestionably has the necessary expertise to bring this about, as its historical role in the integration of the continent testifies.

However, there the ideas put forward by the ECA, with financing and the expertise of its partners selected on the basis of various modalities, and the dynamics in the field seem to be incompatible. This is clear from the fact that none of the populations in the Central African countries have taken on board the approaches proposed over several decades. Both CEMAC and ECCAS are developing and growing essentially because the proposals of the ECA are defended by actors from outside the region. For example, in January 2003 the EU signed a financial agreement with ECCAS and CEMAC which contains the requirement that the two RECs merge into a single organisation, with ECCAS specialising in issues of peace and security.

The likelihood of success of such a venture is uncertain. The main question is whether it is viable for an REC with an emerging institutional dynamic (CEMAC) to be absorbed by a shaky REC (ECCAS)? If it took ECCAS 25 years to take off, how much time will it take to achieve monetary integration, for instance, given that the 2025 target is 17 years away? Would it not be better to

make the different sociological components (political parties, parliament, government services, media houses, the business community, trade unions, civil society and epistemic communities) of the region the effective driving forces behind integration in their zone?

I am thus of the opinion that a merger will only come to fruition in the long term. Meanwhile, before CEMAC can become a specialised organ serving as a co-ordination mechanism for Central African RECs it should be popularised and enlarged.

The need to popularise and enlarge CEMAC

CEMAC has enviable achievements on which it needs to build and consolidate. The first step would be that the members should reach consensus on the principles of supremacy of community rules, of subsidiarity and of a set of common disciplinary rules accepted by all. In effect, CEMAC should develop a regional identity which would make it attractive to countries which are still hesitant about integration (Angola, Burundi, the DRC and Rwanda). On a practical level this will entail promoting the institution of a forum for dialogue which will encourage the transition from national identities to regional identities, bringing the populations to accept a regional integration dynamic, and conferring on CEMAC a political and diplomatic role on the African scene. The region should make its position on major issues of interest to Africa known.

To achieve this goal, it should start by systematically popularising the emblems and other symbols, such as flags, anthems, organisation charts and organic instruments, of CEMAC. CEMAC summits should become events that occupy centre stage in national media and its objectives, projects, achievements and problems should be the subject of a popularisation and sensitisation campaign. The summits should be used to promote a common vision and a feeling of belonging to a community shared by all the people of the six member states.

At regional level weeks devoted to the promotion of CEMAC should be organised, during which programmes on CEMAC should receive priority on radio and TV broadcasts, and in columns in the print media. During events to mark respective national or independence days of the six member states, banners, placards and radio and TV spots bearing messages on regional integration should be displayed and troops from the five other states could take part in celebratory military parades. In addition, information on CEMAC should be

included in the civic education programmes; inter-school and inter-university cultural and sports exchanges be promoted; CEMAC clubs be created at colleges and institutions of higher learning; departments or other micro-structures be created devoted to research on regional integration at universities; national branches to foster proximity with the populations and various partners in the integration process be set up; and a reliable website be developed. Each member state could accredit an ambassador or resident representative to the president of the CEMAC commission with residence in Bangui; a committee of ambassadors accredited to CEMAC could be set up; a CEMAC delegation be sent to some international negotiations (ACP, NEPAD, etc); and ambassadors of member states be accredited to partner institutions in Europe, America and Asia to undertake concerted and integrated action, initiatives and negotiation and form pressure and interest groups for CEMAC. In other words, CEMAC must be effectively and actively present at all major events organised by/in each member state (summits, symposiums, forums, trade fairs).

Given that the inefficiency of CEMAC is sometimes a result of the competences in charge of monitoring the regional integration dynamics, there should be an element of competition in procedures to designate officials of the integrated organs. Heads of state should appoint heads of community institutions (executive secretary or president of the community, commissioners and directors of ancillary institutions) and proceed with the recruitment of senior officials through a call for candidates and the selection on merit of the best candidates, shaped by an effort for fair distribution among member states. In that regard, a status of international civil servant should be created and each staff member should realise that his career in the institution will depend on how well he serves it and not on the goodwill of the government of his country of origin. The authority of the heads of such institutions should also be reinforced.

Possibly each head of state should present his programme of action at the beginning of his term of office as chairman of CEMAC, which will allow an assessment to be made of the contributions of each one. During his term of office, the current chairman should be obliged to tour the other states to mobilise his peers and public opinion, and thus overcome obstacles to the integration process. Such an action could lead to emulation that would contribute to making CEMAC a platform for dialogue, tolerance, co-operation, solidarity, peace and development.

The logical consequence of such a general popularisation approach is that CEMAC would have to be enlarged. In its current composition CEMAC is not

really viable, for the majority of CEMAC states are small in size with low populations and low average incomes and are heavily dependent on international aid. On the economic front, for instance, CEMAC is not yet a very attractive market for investors, based on its human potential and the purchasing power of the populations. The CEMAC zone is the only African region with a population of less than 100 million inhabitants.

This lack of viability also extends to political viability and strategic depth. In effect, these cumulative weaknesses in the CEMAC zone increases its vulnerability compared to that of other African regions. The lack of democratisation processes, the acuteness of problems of good governance and the endemic and epidemic nature of certain conflicts are distinctive traits which contribute to its marginalisation in the African diplomatic arena.

From a legal point of view it would be possible to enlarge CEMAC (CEMAC Treaty 1884, art 6). The aim should be to selectively attract countries that could become part of Central Africa. Any African state which shares the same ideals as those of the founding members and which solemnly declares its attachment may seek membership. However, such a state can be admitted only with the unanimous consent of the existing members.

Obviously the purpose of an enlargement process must be to give the CEMAC zone more geographical, economic and political coherence and weight with regard to the other blocks. It should also add to its geo-strategic depth (by opening it to the other four regions of Africa), and in so doing make it an economic and demographic power, capable of holding its own against its strongest partners. With ten members, CEMAC would have about 113 million inhabitants and would cover a surface area of 6,7 million km². If transformed into a free trade zone, it would attract more international trade and foreign investments.

However, consolidation of achievements should remain the highest priority. In other words, members should ensure that the enlargement process does not lead to a weakening of CEMAC. This will entail ensuring that all states in the community, from the smallest states to the biggest ones and from the least unstable to the most unstable, benefit from the enlargement and strengthening initiatives. The process should begin with São Tomé and Principe.[23]

During the transition phase CEMAC should mobilise the other RECs, intergovernmental organisations, consular chambers, employees' unions, private and public sectors and civil society organisations to promote and support the integration and co-operation process in Central Africa.

Specialisation and co-ordination of activities of Central African RECs

With regard to its co-operation with the EU, it should be noted that Central Africa is involved on two fronts, firstly ECCAS is involved in issues of peace and security and CEMAC in negotiations for economic partnership agreements. This specialisation already proves that these two RECs could play complementary roles. An effective division of labour would be an essential ingredient for efficiency. The guiding principles underpinning the integration process in Africa as set out in the 1980 LPA should be respected by Central Africa, and should direct the specificities.

In order to minimise duplication and waste of resources and to maximise skills use and develop comparative advantages in accordance with the approach to consolidation based on the achievements on regional integration in the region, strategic alliances and modalities for partnerships and subcontracting should be developed and be extended to other countries of the region, based on their capacity and will. It is within this context that strategic, partnership and subcontracting initiatives should be set in motion between RECs, intergovernmental organisations, the business community, universities and other research and development institutions and private consultancy firms capable of fostering such integration.

Such alliances should make it possible to choose the REC, intergovernmental organisation and leading country best suited to a specific area. For instance, CEMAC could possibly assume leadership in the area of customs, trade and monetary co-operation. Through the regional Institute for Multi-Sectoral Analysis and Applied Technology and the Higher Institute of Statistics and Applied Economics, CEMAC could also take the initiative in the areas of capacity building for analysis, management and strategic planning. The Livestock, Beef and Fishery Resources Economic Community, another specialised institution of CEMAC, could work at marketing of the region's livestock farming products. ECCAS, on the other hand, could be the key institution in the area of peace, security and stability, as well as in issues relating to conflict management, resolution and prevention and the promotion of physical integration in Central Africa. The International Centre for Bantu Civilisation could play a key role in the area of culture. The Gulf of Guinea Commission should be reconfigured so that it could concentrate on issues relating to oil, mines and those under

the law of the sea, without excluding the possibility of broadening its scope of competence to related topics. It would be appropriate to make this Commission a specialised AU institution that could cover an area which goes beyond the initial framework. The Commission would thus be a lever for the AU. Such a change should be accompanied by a change in name.

In the final analysis, ECCAS, on the one hand, is a viable concept (integration of ten countries, peace and security mechanism) but remains a virtual institution, void of visibility. On the other hand, CEMAC is gradually and firmly acquiring its own dynamics (supremacy of community law, autonomous financing) but still has a questionable geo-strategic and economic viability. In view of the national, regional and international constraints burdening our countries, a non-complacent diagnosis of the ongoing process inspired by the concern for pragmatism should lead us to consolidating what works well and, in the medium term, defining a platform for the co-ordination of all these institutions. Only at a much later stage would it be relevant to envisage a merger into a single REC, which will not necessarily be referred to as ECCAS or CEMAC. For a Central Africa handicapped by its lack of identity, this may be a useful development. The integration of Africa will not be effective if that of Central Africa (the heart of the continent) fails.

NOTES

1   The LPA is Africa's reaction to the failure of the United Nations Programme for Africa (1960–1970) which emphasised interdependence and international aid as a means of catching up with developed countries. The LPA is therefore an African response based on a strategy of collective autonomy of African countries. For further information see OAU (1991:143).

2   The OHADA Treaty was signed in Port Louis on 17 October 1993. It was ratified by Cameroon on 5 September 1996 and its permanent secretariat is located in Yaounde (Cameroon).

3   The CIMA Treaty was signed on 10 July in Yaounde (Cameroon) by 13 Franc Zone African countries.

4   The treaty to institute CIPRES was signed in Abidjan, Côte d'Ivoire, on 21 September 1994 by ministers of the 14 African states of the Franc Zone.

5   These include the Bank of Central African states (BEAC), Central African States Development Bank (BDEAC), Central African Banking Commission (COBAC), Action Group against Money Laundering (GABAC), Economic Community, Livestock, Beef and Fishery Resources (CEBEVIRHA), Sub-Regional Institute for Multi-Sectoral Analysis and Applied Technology (ISTA), Higher Institute of Statistics and Applied Economics (ISSEA), Inter-states Customs School, Court of Justice and Parliament.

6   Such as the priority integration road network, tax and customs reform, multilateral surveillance, passport, pink card and investment charter.

7   The Algiers doctrine was implemented at the same time without any concession, in the Comoros Islands, Côte d'Ivoire and Madagascar.

8   Section 2 of CEMAC Treaty.

9   Section 25 of Supplementary Act and Section 9 of the Convention on the CEMAC Court of Justice.

10   Article 35 of the Supplementary Act to the Treaty to institute CEMAC.

11   For example, in an interview granted to *Jeune Afrique/L'intelligent* (2005a:38), President Obiang Nguema declared that he had already discussed the need for a major reform of their common structures with his peer heads of state. The present reality was however that they had only changed the name, UDEAC is now called CEMAC, but they continued to function with the old instruments which were no longer suitable and that it was in fact a status quo.

12   Obiang Nguema believed 'Equatorial Guinea had received no benefit from the huge amounts it has deposited in BEAC coffers and occupied no management position at BEAC'. This idea was taken on by Equatorial Guinea's Minister of Finance, Marcelino Owono Edu, who denounced 'inequity' and 'injustice' in the distribution of management positions at BEAC, demanded a fair remuneration of Equatorial Guinea's assets and called for the review of CEMAC management (*Jeune Afrique/L'intelligent* July 2005b:70).

13   The monetary policy committee was set up and has convened twice at the headquarters of BEAC in Yaounde since the beginning of 2007.

14   With regard to negotiations relating to the organic texts of CEMAC a plenipotentiary committee of four ministers per country, whose members were given a mandate authorising them to commit their states, was set up. This committee was assisted by a group of experts, under the co-ordination of the secretary-general of UDEAC and the governor of BEAC.

15   In this regard, this comment by Pascal Airault is rather telling: 'In Bata, Omar Bongo Ondimba and Denis Sassou Nguesso agreed to embark on the reform path. However, in private, they do not hide their annoyance against their host who is shaking up the established order. To them, Obiang Nguema forgets a little quickly the services his peers provided him at the time when there was no oil on the shores of the Island of Bioko' (*Jeune Afrique* 2006b:40–41).

16   On 24 May 1997 Gabon assigned the old headquarters to a national institution (the Economic and Social Council of Gabon). Owing to the withdrawal of the building, the secretary-general no longer had access to the records of the general secretariat. The records available from 7 January 1999 are hardly useful due to the poor conditions under which they were preserved during the two-year period, as the bailiff's reports attested.

17   By 31 December 1998 only Congo had paid all and Burundi a part of their contributions. Indeed, despite the renewed commitment of heads of state and government in 1998 during their extraordinary summit in February 1998 in Libreville, only 17,08 per cent of the

announced budget of one billion had been collected by 31 December 1998. This 1998 rate was far below the average of 47 per cent observed during the period 1985–1997. It remained insufficient to enable the launching of planned activities to revive ECCAS.

18 For example, employees failed to receive wages estimated at 213 million CFA francs and unpaid housing allowances amounted to about 48 million CFA francs in 1998.

19 The withdrawal of the building housing its headquarters on 24 May 1997, huge contribution arrears estimated for the 1985 to 1997 period at US $3 639 177,62.

20 This non-aggression pact was adopted on 9 September 1994 in Yaounde, after five days of meetings and deliberations between ministers and servicemen.

21 In May 1996 a majority of parliamentarians of the MPLA voted in favour of an amendment to the law on the new national identity card in order to include the mention of race.

22 Countries of this zone have in fact already decided to establish a free trade agreement between CEMAC and São Tomé and Principe, and authorised the executive secretary of the community to initiate related negotiations as soon as possible.

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7 Up to the task?

Assessing the ability of the Economic Community of Central African States (ECCAS) to protect human security in Central Africa

Christine MacAulay and Tony Karbo

OVERVIEW OF THE REGIONAL DIMENSION OF SECURITY CHALLENGES IN CENTRAL AFRICA

Central Africa has been one of the most volatile of Africa's regions, plagued by civil war and political strife, corruption, endemic poverty and resource-fuelled conflicts which often have regional dimensions. States in the region have both fuelled conflict in their neighbouring states and dealt with the fallout, making it impossible for states to ignore the political dynamics of their neighbours. It is widely recognised that cross-border, regional security threats call for the use of different strategies than those traditionally conceived under a state-centric security model.

In recognition that war, violent conflict and other security challenges undermine economic growth and development, and that the regional context can be an important starting point for addressing such conflict, Africa's five regions have emerged as a central component of the African security architecture and serve as building blocks or stepping stones for a larger project of creating African unity (Söderbaum & Shaw 2003:xiii). Such is the case in Central Africa, where the regional organisation, the Economic Community for Central African

States (ECCAS) has since the late 1990s adopted security mechanisms to deal with security challenges in the region. However, as in other parts of Africa, the relevancy of the regional organisations has generally been subordinated to the demands of state maintenance and the survival strategies of individual rulers (Khadiagala 2006:144). Regional fragmentation and low state capacity to address political, economic and social needs have hampered regional developmental and security objectives (Khadiagala 2006:145). Further, the competing identities of Central African states lack of a regional hegemon, and the membership of some states to multiple intergovernmental bodies have resulted in further confusion about priorities, commitments and obligations.

As contemporary security concerns pose a risk to human development and call for an analysis of non-traditional security threats, there is a need for a critical examination of regional organisations and their ability to contribute more widely to the promotion of peace and human security in Africa. This paper examines ECCAS and its capacity to protect human security in Central Africa. The paper begins by analysing how regional organisations have been conceived to protect security/human security, particularly in Africa. This is followed by an examination of ECCAS's regional security apparatus and its successes and failures in promoting security. The paper concludes by assessing whether ECCAS is properly equipped for an effective and adequate response to the region's human security challenges as well as what is needed to strengthen ECCAS's capacity to protect human security.

THE SECURITY ROLE OF REGIONAL ORGANISATIONS AS ENVISAGED IN THE UN AND AU CHARTERS

The incorporation of security roles by regional organisations has occurred in tandem with wider international and continental-wide discussions about regional responses to conflict. The idea that regional and sub-regional organisations should be the 'first resort' for dealing with local conflicts and disputes and trans-border issues is enshrined in the United Nations Charter. Chapter VIII of the Charter posits that regional organisations should aim to solve problems within the regional context before going to the UN and other international organisations (UN 2008a). The justification for this provision is that neighbouring countries are often in a better position to comprehend and act to prevent regional-level conflicts, such as those related to the environment, migration,

refugees, trans-border crime and border disputes, than distanced external actors (Møller 2005:5).

In Africa, the adoption of security roles by regional organisations has come about gradually following growing recognition of the need for common defence and security arrangements to protect collective economic interests and ventures (Soremekun 2006:188). In 1980, in response to calls for increased economic integration and co-operation at the regional level,[1] the Action Plan of Lagos set forth measures for the creation of regional structures in Africa to promote the creation of an African common market (Aboagye 2007). These Regional Economic Communities (RECs) were conceived as vehicles to engage states, regularise interests, develop and enforce regional norms and facilitate the integration process (Soremekun 2006).[2] However, in pursuing regional economic objectives it was increasingly felt that the protection of economic and industrial interests should not be left in the hands of states, many of which were weak and had internal challenges to contend with. Increasingly, as Khadiagala (2006:144) describes, the trade customs and economic RECs were submerged in a 'cacophony of peace-keeping, peace building, and security collaboration'.

The Organisation of African Unity, recognising the need to address insecurity and conflict in order to achieve broader integration objectives, in 1993 created the Conflict Prevention, Management and Resolution Mechanism to more effectively manage and prevent conflict in Africa. The OAU encouraged the RECs to embrace, as a core mandate, conflict prevention, management and resolution (Juma 2006:18). However, the Mechanism was guided by principles of sovereignty and non-interference that hampered its ability to effectively respond to conflict (Juma 2006:2). The more 'robust' mandate of the OAU's successor, the African Union, through its Peace and Security Council, gives the AU the ability to intervene in situations of conflict deemed to constitute significant threats to peace and security, such as crimes against humanity (AU 2002/2003, art 4h). The AU embraces 'a newer, multi-dimensional notion of security' that includes issues of human security such as political participation, protection against poverty, access to health and education, freedom from gender discrimination and protection against environmental degradation (AU 2004). The AU Peace and Security Council Protocol also formally institutionalises the security role of regional organisations, establishing them as essential collaborating and implementing partners of the Council and a central component of its peace and security architecture (AU 2002/2003, art 16).

In practice, however, the adoption of peace and security functions by regional organisations has met with varying degrees of success and begs the question as to whether such organisations are adequately equipped to address the myriad traditional and non-traditional security challenges that presently confront African states. Interrogation of the requisite structures of Africa's regional organisations and their successes and challenges in promoting peace and security can provide important insights regarding their effectiveness and suitability for the momentous peace and security tasks they face. The remainder of this paper examines such issues with particular regard to ECCAS and the protection of human security in Central Africa.

THE EXPERIENCE OF ECCAS IN PROMOTING HUMAN SECURITY IN CENTRAL AFRICA

The resurgence of ECCAS in the late 1990s and its adoption of a more robust security architecture marked, at least on paper, increased commitment to develop and strengthen political and security co-operation and capacities in the region (Mwanasali 1999:90). At the same time, ECCAS and its security components remain operationally weak and it is questionable whether the necessary conditions, resources and political will needed for ECCAS to function effectively do exist. An analysis of security concerns in Central Africa over the last decade shows that member states have more often looked to actors outside the region, such as the UN and other African states and regional bodies, than to themselves for support and assistance in responding to conflict. An examination of three of Central Africa's most turbulent states, the Central African Republic (CAR), the Democratic Republic of Congo (DRC) and Burundi, confirm that while Central African states have an important role to play in conflict responses, they have also relied heavily on external actors and support to actualise these roles.

The Central African Republic

The CAR has been one of Africa's most volatile states and long plagued by political instability, a weak economy, social fragmentation and high levels of insecurity. However, it will not be possible to resolve the security situation in the CAR, including the proliferation of small arms and light weapons, without taking into consideration the regional context. These include CAR's contentious

relations with fellow member states such as Chad and Sudan, who were accused by the CAR of backing the rebel movement (ISS 2005). In recent months the Lord's Resistance Army (LRA) from northern Uganda has penetrated parts of the country and has launched attacks from the CAR in both southern Sudan and northern Uganda. Tensions between Chad and Sudan have exacerbated the situation, with thousands of refugees flowing into the CAR during recent border crises. In responding to conflict the CAR has consistently looked for assistance outside of the region, appealing amongst others to the Community of Sahel-Sahara States (CEN-SAD), Communaute Economique et Monetaire de l'Afrique Centrale (CEMAC (Economic and Monetary Community of Central Africa)), the AU and UN, to restore stability and security (AU 2004). Most recently the CAR has pursued increased military co-operation with South Africa, which has sent personnel to support the country's presidential guard (UN Security Council 2007).

ECCAS has experienced limited success in bringing state actors together and forging regional co-operation and consensus on conflict in the CAR. At the same time, national and international initiatives have not been very successful either, because the socio-political context has not been stable enough to address security issues and facilitate the finding of solutions (ISS 2005). It could be argued that the CEMAC presence in the CAR was to a large extent an attempt by France not only to disengage its military forces from the country and the conflict there but also to remain relevant in CAR domestic politics under the cover of a multinational force composed of countries with whom France has close relationships (International Crisis Group 2007).

The Democratic Republic of Congo

The DRC provides another example of a Central African state that has suffered from prolonged conflict. Although the DRC once had the potential to be Central Africa's dominant state, the state's 'incoherence' and weaknesses, including a political system based on institutionalised corruption, a poor infrastructure, lack of government services, an alienated populace and political stalemate, inhibited it from ever assuming that role (Deng et al 1996:143–44). As in the case of the CAR, conflict in the DRC has notable regional dimensions. External parties have supported and sustained conflict through direct financing or the sale of natural resources to outsiders. The challenge of dealing with the

situation is complicated by regional competition over scarce resources, opportunistic politics and a predatory government desiring resource control (Clover 2004:9). The role of a regional body such as ECCAS in confronting insecurity is complicated by the direct involvement of its constituent members in the causes of the insecurity.

ECCAS has also shown limited ability to promote democracy more broadly. In the run-up to the internationally sponsored elections in the DRC, it was largely the UN and other external bodies that pressurised the government to pass laws and get the electoral progress on track, particularly after the transitional government missed the deadline for the organisation of the national elections (Vircoulon 2006). On 25 April 2006 the UN Security Council adopted resolution 1671 (2006), which authorised temporary deployment of European Union forces to support the UN Mission in the DRC (MONUC) during the elections there (Langinvainio & Reyes 2006:34). South Africa provided key logistic and air units for MONUC and committed itself to playing a leading role in disarmament in the Kivus provinces (Vircoulon 2006). An assessment of the pre- and post-election situation in the DRC shows not only the absence of ECCAS as a viable security body, but also the confusion that can result from dual memberships (the DRC is a member of SADC as well as of ECCAS).

Burundi

South Africa, in particular, has played a leading role in peacekeeping in Burundi. With AU backing, South Africa spearheaded an ambitious and sensitive mission in Burundi to restore peace (Berman & Sams 2000:24). Ghana, Nigeria and Senegal also pledged troops to send to Burundi, and no country from Central Africa contributed. Burundi has expressed interest in leaving ECCAS for the East African Community, which is indicative, at least in part, of disillusionment with ECCAS's ongoing weaknesses as a regional and security body. At the same time the recent efforts by Burundi along with the DRC and Rwanda to revive the Economic Community of the Great Lakes Countries show that there is continued interest and desire for an effective regional body that will be able to address the region's security and economic challenges.

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ECCAS seems to be notably absent from theatres of major conflict in the region, and states experiencing insecurity have more often than not relied on

the support of states and bodies outside the region for support. It is important to note that intervention by such external actors is not without problems. For instance, SADC intervention in the DRC not only exacerbated regional tensions but also created new tensions (Berman & Sams 2000:24). This makes a strong argument for increasing the capacity of the regional organisation, to enable it to confront its own security challenges. However, first it is necessary to understand why ECCAS has so frequently failed to address the region's most pressing peace and security needs.

CHALLENGES FACED BY ECCAS IN FULFILLING ITS MANDATE

Two types of challenges are frequently cited as impediments to the effective operation of ECCAS. The first type is largely operational and pertains to the inputs, including financial resources, technical ability and political will, necessary for ECCAS to function effectively in its current form. The second category is primarily structural and concerns whether ECCAS has a structure appropriate for its tasks. Critics such as Hussein Solomon (2006) question whether regional organisations such as ECCAS should be charged with ambitious peace collaboration roles, or whether they should instead stick to their original mandate of economic and regional integration.

With regard to operational challenges, ECCAS has to date been largely incapacitated due to a lack of political will and financial resources, low technical ability and logistical weaknesses (Cosme & Fiacre 2001). According to the AU (2004) there has been a notable 'lack of consistency' between the AU and certain RECs on issues such as unconstitutional changes in governments in for example the CAR. The AU notes that if RECs are to contribute to the continent's security architecture, decisions taken at continental level should be upheld by regional mechanisms (AU 2004). However, internal political strife and competing priorities have challenged the ability of ECCAS to be an effective collaborator and implementer of the AU peace and security priorities.

Another challenge that Central Africa faces in operationalising its security organs is the lack of a hegemon that can lead the way in holding member states to their stated peace and security commitments. The presence of regional hegemons in southern Africa (South Africa) and West Africa (Nigeria) has been, arguably, an important element of successful conflict management and

peace-keeping in these regions (Soremekun 2006:200). Deng and his co-authors (996:164–66) argue that regional organisations can assist in managing conflicts by institutionalising norms and procedures regarding conflict management but this alone is not enough to reduce internal conflicts. Responsible states are needed to serve as the 'fulcrum' of regional security and co-operation. However, in Central Africa states do not have a good track record when it comes to being responsible and co-operative neighbours. ECCAS faces the challenge of maintaining its relevancy in the eyes of member states, many of whom do not benefit from ECCAS spending and membership (ISS 2005).

Malan (1999) argues that there is a danger at a structural level that regional security organisations such as ECCAS may take on 'utopian ideals and complex institutional mechanisms' at the expense of more manageable efforts towards resolving on-going conflict. While ECCAS has adopted structures similar to that of some of its more active counterparts, such as SADC and ECOWAS, it has largely lacked the capacity to operationalise them. For example, little attention has been paid to how the ECCAS secretariat will service the peace and security structures, how the structures will co-operate with one another, and how they will operate (Berman & Sams 2000:28). Accordingly the ECCAS secretariat is ill-equipped to handle the demands placed upon it (Berman 2002).

At a deeper level come questions about whether Africa's regional organisations can be realistically expected to be promoters of peace and security. Some critics have argued that these organisations are not properly equipped to assume the mandate of protecting regional security and that resources should instead be expended on strengthening the AU's security capabilities (Khadiagala 2006:144). Examples from other parts of the continent, such as ECOWAS in West Africa, suggest that conflict management systems based on the principles of sovereignty and non-interference, as well as 'anchored on the increasingly outdated assumption that inter-state warfare constitutes the dominant threat to peace and security', are not versatile enough to respond to changing patterns of conflict (Soremekun 2006:191). This includes intra-state ethnic and political conflicts that can pose significant threats to human security. An examination of SADC suggests that while inter-state structures based on the principles of sovereignty and inviolability of borders can be effective in preventing inter-state conflict, it is questionable whether the same principles can be applied to intra-state conflict (Ngoma 2006:214). Ngoma argues that there is a limit to state sovereignty when challenges and conflicts in one country begin to spread

to others. This may indeed require what may appear to be intervention in sovereign matters of a single state (Ngoma 2006:221).

Given a mandate that does not allow for intervention in the case of intrastate threats, even when such conflicts are a primary source of insecurity in the region, the question is whether ECCAS can foster accountability and security or whether it simply serves to insulate some of its more irresponsible members. While pacts of mutual assistance and non-interference can be important measures for building confidence and trust, they become problematic if they serve to insulate state actions and governing structures at the expense of human security.

Given its inability to control member states, mandating ECCAS to adopt a comprehensive framework to address human security issues, such as good governance, human displacement, environmental protection, and health and education, remains an elevated goal rather than a practicable reality at present. However, the myriad human security challenges currently confronting the Central Africa Region, which transcend national borders and impact directly on human freedom and well-being, mean that would be inhumane, and even counterproductive, to move forward on economic objectives without due consideration of human security and well-being in the region in general.

MOVING FORWARD

In moving forward, it is important to assess the conditions and structures that ECCAS needs to enable it to assume a more proactive, interventionist role in protecting human security. There have been some positive developments in this regard. For instance, the aim of a partnership between the European Union and ECCAS is to provide support to ECCAS's Department for Human Integration, Peace, Security and Stability and to increase the ability of ECCAS to mediate member state conflicts, including those pertaining to resource exploitation, cross-border crime and arms trafficking. The project also aims to establish and co-ordinate a Central Africa civil society network to advise and support ECCAS (Alusala 2007).

At the same time, as RECs such as ECCAS are being called upon to develop new institutions and instruments beyond their capabilities, there is need to scale down expectations and focus on realistic action plans (Aboagye 2007:xvi). ECCAS should refrain from having an overly ambitious agenda and instead

focus on smaller, realistic efforts that can help it to establish its credibility. Emphasis should be on 'simple but reliable structures' for security co-operation that can stabilise relations, prevent the spill-over of conflicts, secure emerging common values and, perhaps, lay the foundation for nascent security regimes (Malan 1999). For instance, the establishment of a resource-intensive early warning mechanism or efforts to secure funding for joint peacekeeping exercises should be secondary to developing and strengthening the ECCAS secretariat and COPAX (Berman & Sams 2000:28). Less resource-intensive regional agreements which could advance human security should also be pursued. At present, promising programmes and agreements include a regional programme for food security and its implementation plan; a policy concerning gender questions and an action plan to implement this policy in member states; and an action programme against HIV/AIDS in Central Africa which provides a strategic framework for fighting AIDS (Alusala 2007).

Strengthening ECCAS's capacity to promote peace and security in Central Africa also requires action at the regional, state and continent levels. At regional level organisations need to address issues of membership and organisational focus and structure (Malan 1999). ECCAS must address the dual memberships of some members with other inter-governmental bodies, which to date have caused confusion about roles and priorities. Steps should also be taken to harmonise the capacity and planning of RECs at regional level with that of the AU and UN (Cilliers 2004:118). In Central African relations between civil society and the government have traditionally been hostile. In moving forward, it is essential that all segments of society, including parliamentarians, youth, women, teachers, students, researchers, civil society organisations and the private sector, become involved in peace and security efforts and to make sure the voice of civil society is reflected in ECCAS decision making (Cosme & Fiacre 2001). Examples of ECOWAS peacekeeping in West Africa, which was supported by the West Africa Network for Peace-building, shows that civil society and non-governmental organisations can play a crucial role in promoting peace and security.

At the member state level, which poses perhaps the most significant challenge to the effective functioning of regional organisations such as ECCAS, there is need to reinforce democracy, good governance and pro-development policies and reward and reinforce success. As Cilliers (2004:118) points out: 'No amount of tinkering at the regional level can ultimately compensate for the absence of

functional governance at the national, provincial and local levels … [Leaders in the region must] promote and institutionalise deeper co-ordination and collaboration among themselves', as well as be proactive leaders in promoting co-operation within regional and sub-regional bodies. The leaders of member states must look first to themselves to uphold the protocols passed by regional bodies and the AU. One leader cannot expect to hold another accountable for human security when he or she does not uphold the principles of human security, peace and stability. Responsible leadership in member states is a necessary prerequisite for sustainable human security in the region.

At the level of the AU, there should be harmonisation and close co-operation with regional organisations to ensure that decisions taken at the continental level are upheld by regional bodies (Van Nieuwkerk 2006:224). Currently there is a multiplicity of inter-governmental bodies that aspire for roles in security maintenance and conflict management in Africa, many of which have overlapping memberships.[3] Therefore the AU must define procedurally which organisations have priority in conflict situations (Franke 2007). In order to more systematically engage RECs in promoting peace and security, they should take part in the debates of the AU Peace and Security Council and there should be institutionalisation of direct contact procedures between the AU and RECs, perhaps by establishing AU liaison offices at each of the regional organisation headquarters. Ultimately, it is the responsibility of the AU to complement the RECs where capacity and resource gaps exist in the implementation of peace and security initiatives (Cilliers 2004).

In the longer term, ECCAS should focus on developing greater financial self-sufficiency, as experience from other regions shows that missions can suffer significant setbacks or be terminated when international donors withdraw support (Berman 2002). On the other hand, both member states and the international community must remain committed to providing the AU with the resources and support needed to enable it to build meaningful continental security (Franke 2007). International donors need to go beyond rhetoric and commit to supporting regional organisations with a secure financial base so that they have the opportunity to live up to their potential (Berman 2002). Past experiences in the region show that regional organisations cannot be expected to undertake large-scale, multi-faceted peacekeeping operations without substantive assistance from the AU, UN and the international community (Berman & Sams 2000:24).

CONCLUSION

Strong arguments can be made in favour of regional approaches to conflict management and peace and security promotion in Africa, as is reflected in the charters of the UN and AU. Indeed, in Central Africa, where neighbouring states have instigated conflict as well as felt its repercussions, sustainable peace necessitates regional buy-in and co-operation. However, ECCAS has to date been hampered by a lack of financial and logistical resources, an understaffed and poorly equipped secretariat and a peace and security mandate that stretches the organisation's limited resources too thinly, as well as a lack of political will. These factors have negatively impacted on the ability of ECCAS to make a meaningful contribution to the management of conflict and promotion of human security in the Central Africa Region. While addressing issues of human security in the longer term may require member states to re-visit the notions of sovereignty and non-interference principles embedded in the ECCAS protocol, in the short term member states would do well to strengthen their structural capacity and continue efforts to implement and monitor agreements in areas such as arms trafficking, HIV/AIDS and other diseases, natural resources, food security and other cross-border agreements.

Though the history of conflict in Central Africa makes it an ambitious context in which to pursue regional co-operation, the end of civil war and waning of violent conflict in some of its key member states do provide a prime opportunity for moving forward on regional objectives. While there is, justifiably, some cynicism about the ability of ECCAS to effectively contribute to human security promotion in Central Africa the organisation has, due to limited resources and political will, arguably never had a real opportunity to work towards fulfilling its mandate. This will only become possible if ECCAS receives considerable support from the AU and the international community, and most importantly, the co-operation and active participation of its constituent members.

NOTES

1   Regional groupings in Africa were first delineated by the Economic Commission for Africa of the UN in the 1960s

2   The RECs recognised by the AU include ECOWAS (Economic Community of West African States), COMESA (Common Marked for Eastern and Southern Africa), IGAD (Inter-Governmental Authority for Development), EAC (East African Community), ECCAS

(Economic Community of Central African States), AMU (Arab Maghreb Union), CEN-SAD (Community of Sahel-Sahara States) and SADC (Southern Africa Development Community). Of these, five RECs – ECOWAS, IGAD, ECCAS, AMU and SADC – are the 'building blocks' of the AU's peace and security architecture. In this paper the terms regional economic communities and regional organisations are used interchangeably.

3   For example, of 53 countries, six have membership of one regional community, 26 are members of two, 19 are members of three, and two (DRC and Swaziland) are members of four.

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8 Politics of regional integration in Central Africa

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INTRODUCTION

It should be acknowledged that regional integration dynamics in Central Africa have been lagging far behind that of western, eastern and southern Africa where important advances have been made over the last decade in the promotion of regional co-operation. Taking the Democratic Republic of Congo (DRC) as a case study, this paper analyses the politics of formal regional integration in Central Africa and argues that it is a two-level game. It supports this argument with an overview of the different dynamics of regional integration, and by evaluating the DRC's role in regional organisations.[3]

The DRC was a deliberated choice. It is generally agreed that stabilisation and pacification of the DRC as well as its economic development strongly rely on regional developments. Arguably because of its geographical position on the continent, the DRC simultaneously belongs to four Regional Economic Communities (RECs), namely CEEAC (Communauté Economique des Etats de l'Afrique Centrale, or Economic Community of Central African States), SADC (South African Development Community), COMESA (Common Market for Eastern and Southern Africa) and CEPGL (Communauté Economique des

Pays des Grands Lacs or Economic Community of the Great Lakes Countries). In addition to these organisations, the DRC participates in several other regional bodies.

Given its demographic and economic potential, it could be expected that the DRC would become a major actor in these organisations and a key player in a regional integration process in the Central Africa Region, similar to for example Nigeria, South Africa and Kenya in their respective regions. However, this has not been the case. From the early 1990s onwards, regional and national political instability as well as violent conflicts have turned the Great Lakes Region into what has been described as a regional 'war complex' and a number of countries into military adversaries. Despite efforts to promote peace that have eased tensions and created new opportunities for regional integration, the DRC has not been able to strengthen its regional position. This can be ascribed to a lack of political vision, political will, human and financial capacities as well as the overall regional climate. Moreover, its current endeavour towards regional integration is not the outcome of a well-defined policy but rather of opportunistic short-term strategies.

This chapter is divided into two parts. The first part analyses the particular position of the DRC within regional organisations and discusses how internal and external dynamics have influenced the process of regional integration. The second part deals with the prospects and challenges of regional integration in Central Africa.

THE DRC AND REGIONAL INTEGRATION: BETWEEN OPPORTUNISM AND PASSIVITY

This section deals with the politics of regional integration as a two-level game (Putnam 1988), and considers the national dynamics as well as the external settings that influence the process. Regional integration is shaped by internal logics (domestic demands and interests, including those of the decision makers) and external forces (at regional, continental and international levels). It is the entanglement and tension between the two levels that result in a governmental policy or general position towards regionalism.

In this regard, the role of global geopolitics and international actors must not be underestimated. The regional integration processes in (Central) Africa must be contextualised in a broader past and current international agenda. The

colonial legacy is clearly manifested in certain regional bodies such as CEMAC (Communauté Economique et Monétaire de l'Afrique Centrale or Economic and Monetary Community of Central Africa), the CEPGL or the East African Community (EAC). Moreover, continental endeavours towards integration that contain important ideological elements – the 'African unity' discourse – as well as regionalisation trends on a global scale – including the European Union model – continue to play an important role. The globalisation and market-driven dynamics have also influenced the shape of the African regionalisation experience.

The involvement of international actors such as the EU or the UN to foster both security and economic regional integration in Africa therefore appears to have had a significant influence on the processes. That is why it is necessary to avoid putting too much emphasis on the 'choices' made by the DRC government with regard to Congolese involvement in regional processes. Such choices are strongly dependent on global pressure and sometimes appear as donor-sponsored initiatives rather than the result of actual internal, political dynamics. Constrained by external and internal factors, the state adopts reactive approaches and positions to the detriment of pro-active policies. This not only applies to the DRC, it is a phenomenon that affects many states with weak institutional capacities and can create challenges of ownership of the regional processes as well as some of the wider policy dimensions.

The strategy, which consists of an attempt to increase the number of alliances through regionalisation processes, provides a useful mechanism for state security/power reinforcement when the state's survival is at stake (Clapham 1996). As an instrument of foreign policy, regional integration is employed as a lever to gain legitimacy and external support or patronage while facing an internal or external threat. As the following analysis will demonstrate, during a period of weakness regional integration has been a channel by means of which the DRC could garner external economic, political and military advantages. In contrast, Mobutu's Zaire used regional integration as a mechanism for controlling its neighbours and securing its allies during a period of relative regional hegemony. The end effect is that it allowed Kinshasa to benefit from various advantages resulting from its multi-memberships of regional organisations, to increase its donor attractiveness, and to activate different leverages depending on particular circumstances.

From this perspective, this section discusses how regional power structures and dynamics have influenced the course and current state of the integration

process in Central Africa. This is illustrated by considering alliances, rivalries, personal power policies as well as the struggle for leadership in Central Africa. This section also looks at the DRC's strategies for participation in four regional communities (CEEAC, CEPGL, SADC and COMESA) taking into account internal and external constraints, including the economic factors. From our analysis it appears that the DRC's political decision to join different regional bodies have been mainly driven by short-term and incidental political logic and alliances, and not by taking into account long-term interests. This is in line with the problematic nature of governance in the DRC.

The politics of regional integration in Central Africa

The DRC occupies a singular position in Africa. Its economic potential, its vast natural resources, as well as its geopolitical significance make it a key player in the heart of the continent and provide an important focal point for its direct neighbours. The relationships between the DRC and most of the sub-Saharan states are characterised by a mix of resistance and attraction, so that it is not surprising that the DRC is a member of four RECs and a multitude of regional intergovernmental bodies.

The DRC and the central region

During the Mobutu era, the Congo/Zaïre progressively reached the status of a pivotal state in Central Africa. Soon after Mobutu's rise to power and the consequent stabilisation of the country, regional integration was one of the instruments at the disposal of Mobutu to develop his power politics in Central Africa. With the aim of reshaping the regional process and influencing the region, he succeeded in getting Chad and the Central African Republic (CAR) to agree to the creation of a 'Union of the Central African States' (UEAC). Officially founded in April 1968, this initiative clearly rivalled the already established UDEAC (Union Douanière et Economique de l'Afrique Centrale or Central African Customs and Economic Union) from which Chad and the CAR had resigned after long-lasting tensions between these landlocked states and the coastal ones (Gabon and the Republic of Congo (RoC)). However, without the participation of the latter two, this body had very limited economic impact. In December 1968, shortly after the establishment of this union, the CAR, probably under French pressure, quit the organisation before rejoining the UDEAC

in 1971 (Meyer 2006). This signified the end of the project. In 1977 President Mobutu tried to launch a new organisation under the banner of an 'economic community of the central African countries' which would have consisted of CEPGL and UDEAC member states, but again without success (Ndaywel è Nziem 1998). Some years later a similar initiative has been again proposed by Gabon, but in a completely different framework, namely the 1980 Lagos Plan of Action which advocated the creation of an African economic community. The Lagos Plan became a reality with the signing of the CEEAC founding treaty in 1983 in Libreville (Awoumou 2003).

From the above it is clear that politics played a deeply formative role in the shaping of CEEAC and continues to define its functioning today. CEEAC – and the same applies to the evolution of CEMAC – is suffering from a diversion of interests and internal rivalries. The organisation is seriously hampered by struggles for influence and leadership between Gabon and Cameroon, not to mention the rising tensions between the oil-rich Equatorial Guinea and these two countries. As the most senior member of the 'President's club' of the region and former arbitrator in several regional disputes and conflicts, President Omar Bongo of Gabon is trying to retain his political position in Central Africa while President Biya's Cameroon, as the most successful economic state of the region, would like to play a more prominent role that is consistent with its status. President Bongo for his part remains a key player of the French policy in sub-Sahara Africa and wields considerable influence in the so-called 'French-African village'.

The relatively low profile of Angola within the framework of CEEAC is noteworthy in the sense that its accession to CEEAC in 1999 can be seen as a clear bid to re-orientate its strategy towards the Gulf of Guinea. Luanda believes that it can dominate a community in which other hegemonic powers, such as South Africa, would not challenge its leadership (Oxford Analytica 2007). Despite some concrete efforts – the strengthening of its diplomatic presence in the region for instance – Luanda does not appear to have the necessary will to move beyond the wait-and-see stage at present. Angola has already demonstrated that it is able to influence the geopolitical situation of Central Africa inter alia through its decisive interventions during conflicts in the RoC and the DRC.[4] Despite recent tension with the DRC, Angola remains a key ally of President Kabila. Luanda remains a major military power in the region and continues to increase its economic position through oil exploitation and a savvy policy towards China, Brazil, the United States and Europe.

The intervention of FOMUC (Force Multinationale en Centrafrique or Multinational Force in the CAR deployed by CEMAC at the end of 2002) clearly reveals the Central African alliances. Initially the aim was to ensure the political survival of former President Patassé, but then the countries in the region collaborated to bring him down through a rebellion led by the current President Bozizé. The key ally in this shift was Chad, who maintained a considerable military presence to protect Bozizé. The DRC was also involved in this episode of the violent political history of the CAR. Patassé was an ally of former rebel leader, Jean-Pierre Bemba, who used it as a rear base for his own rebel movement. He deployed troops in support of Patassé – also backed by Libya – which explains why the fall of Patassé put additional pressure on Bemba to accept the power-sharing agreement in the DRC.

The DRC and the eastern region: CEPGL

The history of the CEPGL is also a perfect illustration of the dominance of political objectives over economic ones. Its creation goes back to 1976 and is mainly the result of Joseph Mobutu's attempts to maintain its regional pre-eminence, for which regional integration was a useful strategy. The CEPGL's objective of mutual economic development was an ideal instrument by which Zaire could keep its small neighbours under scrutiny and advance internal and external security concerns in the Great Lakes Region.[5] Moreover, Rwanda and Burundi could be useful political and strategic allies in Mobutu's quest for regional leadership – notably against Uganda and Anglophone Africa. At the same time Mobutu needed to secure the support of these countries against internal dissension, including Laurent-Désiré Kabila's Parti de la Révolution Populaire. In this regard, the strong personal and political relationship that Mobutu maintained with the Rwandan President Juvénal Habyarimana was crucial for Kinshasa, making Rwanda a key ally of the Mobutu regime in the region. However, relations between both Zaire and Rwanda on the one hand and Burundi on the other were tense. Border incidents as well as alleged involvement of Kinshasa and Kigali in Burundi's internal political situation created a climate of distrust between the CEPGL partners and hindered the overall functioning of the community.

Despite these problems the CEPGL had some successes, such as achievement of the freedom of movement in the Great Lakes thanks to the so-called 'CEPGL card', the building of the Ruzizi II dam and agricultural programmes. However,

from an assessment of the process during this period, it is obvious that the CEPGL was used as an instrument to serve the political and strategic interests of Zaire. The organisation never went beyond a club of heads of state who all used it as a tool to protect the status quo in their respective countries. The envisaged security served more to protect the rulers' chances of staying in power than to benefit their populations. However, the CEPGL did facilitate the cross-border traffic of people and goods, which gave impetus to the development of largely informal regional trading networks and connected local markets in Rwanda, Zaire and Burundi to each other.

The start of the Rwandan war in 1990 and the renewed civil war in Burundi in 1993 plunged the CEPGL into stagnation. Several attempts have been made to resuscitate the organisation: After an unrealistic failed attempt in 1994–1995 during the Mobutu era, Laurent-Désiré Kabila initiated a conference in 1997 but this never took place (Mwaka Bwenge 2006). The latest attempt dates to 2004, following the end of the second war in the DRC, and eventually succeeded in April 2007 mainly due to considerable financial involvement and political lobbying by the international community. In this sense it should be noted that the international community attaches more importance to the CEPGL than does its members. Several countries have stressed the need for a renewal of this organisation, yet, as will be illustrated below, seemingly the CEPGL member states do not share this need.[6] The effective revival of the organisation today is hindered by a lack of political will, weak institutional capabilities and political divergences between its member states. With the same causes producing the same effects, it seems doubtful that the CEPGL can be effectively restored without a fundamental change in political positions of its member states. The lack of political will is in part the result of the Congolese wars. The issues between Rwanda and the DRC have not yet been fully resolved, as it remains closely linked to the prevailing unstable situation in the Kivu provinces.

The sluggishness of the revitalisation process as well as the current stasis also indicates that regional political and security obstacles that are extremely difficult to overcome. Indeed, the same analysis about the political motivations of the member states applies to the present situation, but in reverse. Rwanda especially seems to favour the idea whereas the DRC, despite official statements, seems to be rather reluctant. The ensuing advantages for Rwanda would indeed be significant, mostly for its economic sector. The country is suffering particularly from energy shortages and therefore would be more than eager to

reinvigorate the projects around the Sinelac and the hydro-electric generators on the Ruzizi River.[7] Moreover, Rwanda could take advantage of broader access to the Kivus market as well as of joint exploitation of shared resources such as the methane in the Kivu Lake.

The DRC, however, is not keen to collaborate on common economic projects with a state that is still widely regarded as an enemy. Kinshasa perceives the revival of the CEPGL as a convenient instrument at the disposal of the Rwandan government which would allow it to retain its influence on the economic and security issues within the eastern provinces of the DRC. Furthermore, some in the DRC fear the progressive incursion of Rwandans and that they would settle in the eastern provinces. In this regard, the issue of double citizenship plays a role. In order to prevent the organisation from focusing too much on Great Lakes issues and Rwanda from using it as a tool for its own political and economic purposes, the DRC intends to extend CEPGL activities to the whole country.

For its part, Uganda seems to be hesitating between two options, despite pressure from the current member states and the international community that it should form part of the community. On the one hand, Uganda sees the CEPGL as a redundant body which could become a competitor of EAC, but on the other hand, Kampala would like to collaborate in certain areas and benefit from the energy programmes.

The DRC and the southern region: SADC

The case of the DRC's SADC membership is particularly relevant when looking at internal constraints and dynamics determining an integration choice. The DRC became a member of SADC in 1998 shortly after Laurent-Désiré Kabila's rise to power and a couple of months before the outbreak of the second Congo war.[8] This decision was based on a purely political and immediate survival rationale. Because of deteriorating relations with his former mentors – especially Rwanda – Kabila needed to gather support elsewhere, since CEEAC could not provide him with any support – the community was at this time rooted in profound lethargy and Rwanda was still one of the member states.

The DRC accession to SADC – mainly supported by Zimbabwe and Angola – opportunely allowed Kabila to demand the activation of the SADC security mechanism in his favour when the rebel movement started its military campaign in eastern DRC. The Congolese appeal for SADC military assistance

caused dissension within the organisation and SADC leaders could not reach a final consensus on a common approach to the crisis. In August 1998 Zimbabwe (then chair of the Organ on Politics, Defence and Security), Namibia and Angola decided to intervene 'on behalf of SADC' – outside a clear and unquestionable SADC mandate – and to provide Kabila with military assistance against the rebel groups supported by Kampala and Kigali. They did so by concluding a Mutual Defence Pact (Ngoma 2005). This direct intervention in the conflict effectively saved the Kabila regime by stopping a direct attack on Kinshasa. The troops from Zimbabwe, Angola and Namibia remained in the DRC until 2002. Angola remains militarily involved in the DRC and is also a partner in the different security sector reform programmes. Kabila's political opportunism echoes the political and security motivations behind the intervention of the 'SADC allies'. It gave them an opportunity to ensure the protection of their economic and political interests in the DRC as well as to prevent the accession of an unfavourable regime in Kinshasa.[9] Moreover, the Congo conflict could have had a spill-over effect and jeopardised peace in the entire region.

Nonetheless, it must be pointed out that the current level of DRC involvement in SADC seems relatively low despite strong economic relations between the Katanga province and the SADC countries. We could therefore question the actuality of its membership in the southern community. SADC has concluded protocols (such as the trade protocol) that the DRC has neither signed nor ratified (Jakobeit et al 2005). SADC is more engaged in the political and security field, such as a mission to support the implementation of the Nairobi and Goma processes.

Political economy of regional integration

Beyond the political motivation, it is important to underscore the economic factors that have also played a significant role in the Congo's efforts to strengthen its regional ties through REC memberships. The DRC economy is predominantly based on three major trans-border economic basins around the Katanga, the Bas-Congo and the Kivu provinces. However, these basins are poorly connected with the rest of the country because of a lack of efficient communication and transport infrastructure. In this sense, the DRC can be considered to be a semi-landlocked country. As Pourtier (2003a) points out, 'the DRC's territory is constructed on the peripheries around an inaccessible centre'. The result is that

most of the merchandise is directly exported via neighbouring countries: from the two Kasaï and Katanga towards southern Africa; from the Oriental Province towards Uganda and Kenya; the Kivus towards Uganda, Rwanda and Burundi; the Bas-Congo towards the ocean, Angola and northward towards Douala; and the Equateur towards the CAR. Through informal trade flows, investments and emigration, the economy of the Katanga, which is the DRC's most industrialised region, is relatively well integrated into SADC markets. The same applies to the Kivus and the COMESA economies, which explains the DRC's accession to that REC (Pourtier 2003b). From this perspective closing of the border with Rwanda for instance would be particularly harmful for the Kivu provinces and have severe socio-economic repercussions.[10] Regional economic integration therefore constitutes an important stake for the DRC and its economic development. The Congolese government's lack of capacity to exercise control over its borders and trade flows largely explains why these are still controlled mainly by informal networks.

The DRC can count on vast natural resources and its economic potential has long been depicted as one of the most promising of the continent. Congolese natural resources remain at the heart of regional politics, as was illustrated during the past conflicts, when these resources were mainly exploited by regionalised, informal and illicit networks. This regionalism 'from below' included trans-border and clandestine networks and involves a multitude of state and non-state actors, all aimed at illegally exploiting and profiting from the Congolese natural resources (MacLean 2003; Taylor 2003). Natural resources have not only helped to shape the power strategies pursued by the warring parties but have also offered opportunities for local and international actors, both legal and criminal, and have provided an important livelihood for rural populations – who were unable to continue their agricultural activities due to insecurity during the war.

With the ongoing stabilisation of the country, foreign investors are increasingly eager to develop trade and economic activities. Economic actors of neighbouring countries have found formal regional integration to be a suitable tool for facilitating the import of raw materials and reaching the DRC market. There are also huge energy stakes: The hydro-energy projects around the Inga III dam (3 500 MW) as well as the 'Grand Inga' and its huge energy potential (39 000 MW) are of interest of its direct neighbours and beyond. The 'struggle' to link the African national electric networks to Inga has already become a

reality. Among the most interested partners are the countries of the PEAC (Pool Energétique de l'Afrique Centrale or Central Africa Power Pool),[11] a specialised organ of CEEAC as well as the Southern African Power Pool (SAPP) whose purpose is to connect SADC member states into a single power electricity grid. In October 2004 five members of the SAPP – the Congolese SNEL, the South African Eskom, the Angolan Empresa Nacional De Electricitade, the Namibian NamPower and the Botswana Power Corporation – set up a joint venture called WESTCOR (Western Power Corridor) which will pool regional energy resources and commercialise the projected Inga III hydro-electric project. This is of strategic importance particularly to Pretoria since South Africa is currently experiencing chronic power shortages. The interconnection of networks through the Inga hydro-electric projects serve as an important integrative booster for the continent.

PROSPECTS AND CHALLENGES

In this section the prospects and the challenges that the DRC is facing in terms of regional integration are analysed. Compared to previous periods, the DRC now appears to be placing greater emphasis on integration within the 'core' of the Central Africa Region. This is not to say that the DRC is putting all its eggs in one basket by putting aside its commitment to other regional organisations. It is important for the DRC to be able to maintain close ties with eastern and southern Africa both for economic and political reasons. This evolution goes in hand with an ongoing effort to consolidate the integration processes in Africa. Yet serious weaknesses such as a lack of political leadership and appropriate institutions hinder the integration of the Central Africa countries. This section concludes by asserting the need for the establishment of a clear, comprehensive and coherent strategy from the DRC with regard to regional integration.

Refocusing on its 'central' integration?

Some developments indicate that the DRC is currently turning its attention towards a northern/western integration – and thus a more 'central' integration. In 2005, in the framework of the Economic Partnership Agreement (EPA) negotiation with the EU, Kinshasa quit the eastern and southern African bloc which then consisted of 16 of the 19 COMESA member states. The purpose of this

move was to enable the DRC to join the CEMAC group, consisting of CEMAC countries and São Tomé and Príncipe – the so-called CEMAC+ group.[12] The Congolese Minister for Trade and Economy, André Philippe Futa, recently confirmed this intention (Buakasa 2008). This is a significant development, since the deepening of regional integration is one of the key principles guiding the EPA's negotiations. One must nevertheless recognise that this stated objective presents serious challenges: as mentioned in a joint Overseas Development Institute-European Center for Development Policy Management report (Stevens et al 2008), there is currently little harmonisation between the EPA agenda and the regional integration process in Africa. Still, when each of the regional bodies achieves a customs union – COMESA scheduled its completion for 2008 whereas SADC foresees that it will be completed in 2010[13] (Qobo 2007) – the DRC will have to choose which union it will join, as individual countries cannot participate in more than one customs union.

The aforementioned reorientation might therefore indicate that the DRC favours an economic integration with its 'central' neighbours – even if this may not be a definitive, long-term policy. The positive economic benefits could be significant; there is important potential for developing a regional integration axis and a trans-border economic basin around the Congo and Ubangui rivers. This river basin is particularly well endowed with natural resources (hydro-energy, forests, agricultural resources, oil, etc). A rehabilitation and development of the waterways could provide a unique opportunity for economic development and regional co-operation.

However, in view of its relatively important trading links with the southern and eastern African areas, it would have been logical based on purely economic grounds, for the DRC to have focused its integration efforts both on SADC and COMESA. The current intra-trade level within the CEMAC+ region is especially limited[14] and does not offer the same economic opportunities as the other groupings. This has been confirmed by a recent survey on regional economic potential, which was carried out at the request of the DRC government. It concluded that COMESA integration represents the best option in terms of economic development.[15] The Federation of the Enterprises in Congo also appears to prefer negotiations within the framework of the SADC or the ESA format (Buakasa 2008). Therefore it would seem that the decision to join CEMAC+ has been driven both by external and internal political factors. First, it should be noted that some of the CEMAC countries as well the European

Commission played a considerable role in integrating the DRC in the negotiating group. Second, its relations with its eastern neighbours remain volatile. Finally, Kinshasa has progressively been gaining self-confidence after years of conflict and now appears to want to play a greater and more pivotal role in 'central' integration. In this position it would not compete with the hegemonic powers such as South Africa. This interpretation is reinforced by the fact that the DRC, in 2008, is occupying the CEEAC presidency, which could be taken as a sign of renewed interest by Kinshasa in its 'central' neighbours.

Towards a gradual rationalisation/consolidation

The integration dynamics in Central Africa are in a gradual process of rationalisation; CEEAC and CEMAC are coming progressively closer as a result of co-ordination initiatives and co-operation programmes in various areas. The process started in April 2005 after the signing of a co-operation agreement in Libreville between CEMAC, CEEAC and the regional office of the UN Economic Commission for Africa, and has already resulted in some interesting decisions (made at the Douala experts meetings in November 2007), such as the application of the same common external tariffs and the harmonisation of commercial laws. In fact, CEMAC could in the future function as a sub-group of CEEAC[16] which could possibly eventually culminate in full assimilation. This notion is in line with the conclusions reached at the CEEAC Brazzaville summit in October 2007, which called on the president of the CEMAC commission and secretary-general of the CEEAC secretariat to develop, through a steering committee, a framework for the harmonisation of the policies, programmes and activities of the two organisations.

The ultimate goal is to let these bodies give way to a unique community in charge of the integration of the whole region.[17] However, important political divergences between the Central African leaders could prevent the fulfilment of this ambitious objective. At this time it remains uncertain whether the situation will ultimately be to the advantage of CEEAC or CEMAC. It is true that CEEAC has gained a more prominent stature in comparison to CEMAC within the framework of gradually realising continental integration. At the 2006 AU Banjul summit CEEAC was confirmed and designated as one of the eight recognised RECs, while CEMAC was not (AU 2006). This dynamic could neverthe-

less speedily reverse in favour of its 'sister community' as a result of a changed outlook of the heads of states.

Such an integration would be in line with a general trend towards consolidation which is taking place at the continental level. Encouraged by the international community – the EU among others – and continental endeavours towards the Abuja objectives,[18] the South African Customs Union and SADC as well as COMESA and the EAC respectively are making overtures to each other to harmonise their programmes and rationalise their memberships (Qobo 2007). In line with this a joint summit is being organised in October 2008 in order to start negotiations for a grand free trade area between the EAC, COMESA and SADC.

Rationalisation and consolidation also affect the integration dynamics in eastern Africa. There are indications that Burundi and Rwanda are increasingly oriented towards their eastern neighbours. Both countries recently joined the EAC which is becoming more dynamic than other RECs. They rely strongly on the EAC member states for land-based transit and foreign trade (Pourtier 2003a). The advantages of the eastern community apparently outweigh that of the adjacent organisations of Central Africa. This gravitation towards eastern African organisations is confirmed by the fact that Burundi has recently applied to join EASBRIG while Rwanda has been a member of since its inception (Cilliers 2008).

Searching for regional leadership and political vision

The current weaknesses of the 'central' integration project are intrinsically linked to an absence of balancing mechanisms which could overcome problems with collective action when trying to reach and promote a co-operative integration (Mattli 1999). This relates to the difficulties in realising integrative attempts, even when regional integration is rationally desired by all actors because of the economic and political mutual benefits that would flow from it. In reality, the central African countries do not play either a purely competitive or co-operative game. The policies on integration generally contain both competitive and co-operative elements. Basically, there are two kinds of impediments to co-operation: first, the problem of free-loaders and the self-interested behaviour of those hoping to obtain short-term gains and second, the issue of co-ordinating common objectives. In Central Africa states tend to consider regional integration as a zero-sum game, in which there are winners and losers, determined

by whether a member state manages to maximise its own security, political or economic gains, at the expense of that of another state. The commitment to regional integration seems limited. Regional (geo)politics and the interests linked to regional integration have not always matched, to the detriment of progress towards integration.

To overcome these dilemmas, one or more states must take the lead to facilitate the resolution of collaboration/co-ordination games. Moreover, it requires strong institutional mechanisms which could monitor and compel the states to implement joint decisions. The Central African region lacks both for it on the whole does not have appropriate follow-up and enforcement mechanisms. The executive secretariats or the courts of justice are not sufficiently empowered with the adequate and decisive authority required to drive the process. In fact, integration efforts are characterised by marked inter-governmentalism and accompanying challenges, such as fragile institutions, inadequate transfers of power to supranational entities, states' primacy in the decision-making process, concentration of the competencies in the conferences of heads of state, limited financial and human involvement from the member states, and a recurrent lack of enforcement of the common legislation (Meyer 2006).

Perhaps more importantly, there is also no driving force which could stimulate the integration and foster the reform agenda. There are currently no clear leader(s) who could take up this role and develop a long-term vision on regional integration. The DRC could in principle take the lead but is at present a political and military dwarf which does not have the capacity to lead on the strategic and security policies of Central Africa. Furthermore, its recovery could create renewed tensions and indeed become problematic for the deepening of regional integration. In a sense, regional integration in Central Africa is facing a paradox: on the one hand neighbouring countries do not have any interest in seeing the emergence of a giant at their borders. On the other hand, if the DRC does not play a greater role, it could jeopardise the whole process. Neither Gabon nor Cameroon is big enough to take up this role single-handedly, and will only play a significant role if they succeed in reducing their rivalries and act in concert. As for Angola, it still has to deal with considerable internal economic and social constraints, which at present prevent it from accepting greater regional responsibility in Central Africa despite its military and financial means.

From a Congolese national perspective, it is difficult to identify any long-term political vision. As we saw earlier, the DRC is simultaneously a member

of a number of regional bodies (which are in some cases redundant). In reality this multi-membership places seriously constrains on the DRC and has several drawbacks, among them high costs, membership arrears, division of meagre diplomatic, economic, human capacities and energies, conflicting interests and a lack of external credibility.

Accordingly, a strategy designed to rationalise this multi-membership policy could prove fruitful. Indeed, the DRC will ultimately have to prioritise one regional organisation or another in order to avoid committing itself to conflicting measures or policies that could arise if the different communities achieve full integration. The DRC strategy should be integrated into a long-term and comprehensive policy regarding regional integration. It should be comprehensive and clearly define obtainable and sustainable objectives, which should be based on an in-depth and realistic analysis of long-term economic and political interests. It should be supported by sufficient financial and human resources and specific instruments, including tailored training for diplomats on relevant issues and the development of a placement policy for Congolese officials to be integrated within regional institutions.

CONCLUSION

Since the middle of the 1990s, the traditional conception of security – seen as the absence of any military threat against the state – has been challenged by a human-centred definition of security. Yet major threats to human security have a regional/transnational nature. Environmental disasters, diseases, protracted conflicts and their spill-over effects do not usually stop at the border of a country. A state acting unilaterally is ill-equipped to deal efficiently with such threats, even more so when the state in question is a fragile one. Moreover, the conflicts which have agitated a number of Central African states in recent years and have had disastrous effects upon the local populations, have demonstrated the patent incapacity of those states to ensure a secure environment for their citizens. Thus, some parts of human security would appear to be better handled through a regional channel. Several regional organisations in Africa have recently tried to expand their capacities in the field of security – partly because internal conflicts were one of the main roots of their prolonged lethargy – and also to provide an institutionalised framework for co-ordinated and multilateral actions, including for the collective management of security risks. However, these regional integration efforts

have not yet delivered the economic, political and security benefits that may have been expected when the different agreements were adopted years ago. Compared with the integration dynamics in other parts of Africa, the poor results of the Central African experience are particularly striking.

The lethargy of the Central Africa Region can be explained by several political and economic factors. One element is the regional (geo)politics of antagonism and alliance, which have largely shaped the process of integration. A second element is the lack of leadership and political will as well as the absence of adequate institutions empowered with an appropriate level of monitoring and enforcement authority. Moreover, common characteristics of Central African states, such as over-centralisation and concentration of power in the hands of a very small elite, as well as their related shortcomings have been reproduced at the regional level. As Qobo (2007) rightly notes, '… Africa's regional integration project as well as its slow and tortuous integration into the global economy is an integration of incomplete states'. In Central Africa fragile, state-centred regional structures focusing on the short-term safeguarding of national economic, political and security interests have been the main characteristics of integration processes. For most of the Central African regimes, regionalism has been an instrument they could use to pursue their own agendas and further their short-term interests and/or to enhance prestige and their regional diplomatic profiles. The Kinshasa Extraordinary Summit on the Chad crisis in February 2008 corroborated the accuracy of this statement. It allowed President Kabila to play a more prominent role on the regional scene and to gather regional support for Deby's allied regime.

In view of the all these elements it is not surprising that regional organisations in Central Africa find it difficult to move beyond simple co-operation agencies and mutual reinforcement mechanisms for state security. Countries in the region continue to favour a traditional military approach to crises, as the analysis of the protocol on the establishment of COPAX (Conseil de Paix et de Sécurité de l'Afrique Centrale or Peace and Security Council of Central Africa) or even the FOMUC intervention in CAR demonstrates: the operation has not really taken into account either the root causes of the conflict or its human dimension (Meyer 2006). Although several recent developments, including the launching of ICGLR, are encouraging in this regard, a greater involvement of non-state actors and the private sector, as well as the strengthening of the role of the regional parliaments in the integration dynamics, could contribute to a more comprehensive approach which also takes into consideration the human dimensions of security.

In this overall process, the case of the DRC is especially relevant. From our analysis it can be concluded that both political motivations and economic incentives have played a major role in the DRC's efforts to strengthen its regional ties through REC memberships. This is not to say that the DRC's integration policy is the result of a well-defined and well-designed strategy. The CEEAC presidency of the DRC illustrates the lack of vision inherent in the DRC regional policy. In fact, this presidency is supported by neither a real political project nor a clear programme of action. Several factors have contributed to this situation. First, the DRC is a fragile, post-conflict state that still has to deal with serious internal security challenges. Simply stated, Kinshasa currently lacks the financial and human capacity to deal efficiently with regional integration processes. Second, there is a lack of political will coupled with shortcomings concerning the ownership of the decisions taken at the regional level. This is among others linked to a certain sensitivity regarding the issue of sovereignty. The governmental policy towards regionalism is fundamentally marked by distrust as it can imply interference and delegation of powers to a supranational authority. Furthermore, lack of consistency within the government hampers the development of a consensual policy. Lastly, the constraints related to the critical role played by its provinces (Katanga, Kivus, Bas-Congo) at the borders in the definition of a national position regarding the regional integration issue should not be underestimated. A definitive choice concerning the integration in a unique regional body would at this time be difficult to make: Kinshasa has to take into consideration the sometimes contradictory economic interests of these provinces.

Nevertheless, it should be noted that there are recent interesting developments in this field that can be regarded as steps towards a greater commitment of the government to regional integration. Apart from the CEEAC presidency, the DRC is chairing the Nile Basin Initiative for one year from July 2008 onwards after having paid its long overdue contribution. Moreover, the DRC is currently in a process of joining the Organisation for the Harmonisation of Business Law in Africa. Finally, Kinshasa will host the next summit of heads of states of the ICGLR in December 2008.

Overall, it remains to state that any analysis of this process will necessarily conclude with the impression that the DRC's policy towards regional integration is driven mainly by a combination of opportunism and passive and reactive behaviour.

NOTES

1 Thomas Stevens and Hans Hoebeke are researchers at EGMONT – Royal Institute for International Relations (Brussels).

2 Koen Vlassenroot is the Director of the Central Africa Programme of Egmont and Professor of Political Science at the University of Ghent (Belgium).

3 The analysis of the processes of multiform informal regional integration offered by a multiplicity of non-state actors, including civil societies, transnational corporations, cross-border small-scale traders and illicit networks, is beyond the scope of this paper. However this dimension – the 'new regionalism approach' – has a particular resonance in Central Africa. As most of the Central African states are to be considered fragile, with limited control over their territory and weak capacities in the delivery of basic services to their population, a multitude of non-state actors have come to the fore and have established informal regional and cross-border networks that have resulted in a 'regionalism from below'. The context of protracted conflict has offered particularly propitious conditions for the development of such networks, be it licit or illegal.

4 Angola's initial reasons for intervention in this country were based upon its domestic war with UNITA (União Nacional para a Independência Total de Angola or the National Union for the Total Independence of Angola) and the need to secure the oil-rich Cabinda enclave.

5 The safe-guarding of state security was incidentally at the core of the CEPGL project. Article 2 of its founding treaty states: 'La Communauté a pour objectifs: 1. D'assurer d'abord et avant tout la sécurité des Etats et de leurs populations de façon qu'aucun élément ne vienne troubler l'ordre et la tranquillité sur leurs frontières respectives' (CEPGL 1976, art 2).

6 The re-launch of CEPGL is benefiting from considerable regional and international attention. As preliminary funding, €50 million have been put forward by the European Commission. Donors such as Belgium, the Netherlands and South Africa have also showed an interest in strengthening the organisation and in co-operating to further its development. At regional level, CEPGL has been designated as a priority in the framework of International Conference on the Great Lakes Region (ICGLR).

7 Rwanda and Burundi are heavily dependent on hydro-electric dams for the provision of electricity. One of the priorities of the reinvigorated CEPGL is therefore to rehabilitate and refurbish the Ruzizi II dam as well as to connect the electric networks between the three countries. The erection of a new hydraulic dam, Ruzizi III (82 MW), on the river by the year 2012 is also foreseen (CEPGL 2007). Feasibility studies have begun for a fourth dam on the same river which will have about a 205 MW potential.

8 As Ngoma (2004) rightly pointed out, 'it is notable that the SADC regional grouping refused to accept Zaire into the organisation and yet later accepted Laurent Kabila's "Democratic Republic of Congo", which was democratic in name only'. Besides, it appears that the accession of the DRC into SADC increased tensions between Kabila and Museveni to a point of no return (Clark 2001).

9 Some analysts, such as Ngoma (2004, 2005) do not share this point of view.

10 In this sense, it was observed that the Kenya crisis in the spring of 2008 also affected the eastern DRC's economy. One example is the regional trade in petrol; because petrol no longer arrived from the Mombasa port, fuel shortages occurred in eastern DRC

11 The DRC is also part of the Eastern Africa Power Pool aimed at strengthening the connection between the countries' power grids. The participating states are the DRC, Burundi, Rwanda, Kenya, Sudan, Ethiopia, Tanzania and Egypt.

12 The EPAs were due to be signed by 31 December 2007. However, to date no agreement has been concluded between the Central Africa Region as a whole and the EU. Cameroon is the only state in this group that has signed an interim EPA, though limited to goods. Negotiations are therefore continuing. The DRC currently benefits from the 'everything but arms' initiative thanks to its status of least development country. This means that Kinshasa has duty-free and quota-free access to the EU. With regard to the ESA side, Kenya, Tanzania, Uganda, Burundi and Rwanda have signed an interim EPA with the EU as a bloc. The Comoros, Madagascar, Mauritius, Seychelles and Zimbabwe concluded another one while the rest of the ESA members have not agreed to any accord (Stevens et al 2008).

13 In the treaty establishing the community (art 27), a customs union is also meant to emerge from the CEEAC but in view of the current state of affairs, this seems a remote objective whose point of achievement has been postponed constantly.

14 The exports and imports within the community represent 0,8 per cent and 1,4 per cent respectively of the total trade (Fontagne et al 2008).

15 Interview with a government official in April 2008.

16 A division of labour could be easily envisaged, in which CEMAC could focus on economic and monetary issues while CEEAC could take charge of peace and security issues. The handover of FOMUC by FOMAC in July 2008 points in this direction.

17 CEEAC 2007. This new dynamic is in line with a financial agreement concluded in January 2003 between the EU and CEEAC/CEMAC, which is conditional on the merger of the two organisations.

18 See for instance the Accra Declaration (AU 2007); the Protocol on Relations between the AU and the RECs (AU 2008a); and the draft report (AU 2008b).

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Policy options and recommendations

9 Policy options and recommendations

CHRYSANTUS AYANGAFAC

The following policy options and recommendations are not sacrosanct. Rather, their intension is to stimulate a debate and in so doing engender a process whereby integration in the region is not aimed an enhancing state and regime security, but at encouraging and sustaining human security.

TO MEMBER STATES IN THE REGION

- *Improve institutional and domestic political governance:* An overwhelming conclusion that flows from the papers in this monograph is that any robust and sustained regional integration in the Central Africa Region is contingent on overcoming the problems of domestic political security, time consistency, information flow, and policy monitoring and implementation. As the papers have showed, overcoming these problems to a large extent depend on good domestic political governance. It thus seems that poor domestic political governance has been replicated at the regional level in the form of poor integration.
- *Strengthening the security capacity/defence policies of member states to ensure human security:* There is little doubt member states are the most important

links in the chain of regional security mechanisms. Thus any robust regional security mechanism is contingent on how prepared and able its members are to respond to regional security threats. A study of the security apparatuses of member states in the region reveal that, while armed forces and other security elements can provide a sizable number of personnel, they are either poorly trained or ill equipped or both. The most worrying aspect is that the army and security apparatuses of the region reflect the fact that the principal function of any state security apparatus is regime security. The result is that professionalism has given way to political rationalisations: invariably the presidential guards are the best equipped and best paid sections of the army forces of the countries in the region. This will have to change to reflect a focus on the security of the peoples, and of the region.

TO ECCAS AND CEMAC

- There is need for a clear vision and message about the objective, mission and design of both institutions.
- CEMAC should be used to fast-track integration, aside from its structures; its benefits could be use as incentives for further integration. This will entail streamlining and specialisation of both, with particularly specialisation being based on the comparative advantage of each community. For example, CEMAC should focus on economy and customs, while ECCAS should focus on the political dimension. Specialisation might help overcome the problem of overlapping membership by rationalising and creating an incentive for accession.
- Implementation of decisions could be enhanced by creating benchmarks for measuring compliance.
- Diplomatic visibility should be an imperative and should be achieved by undertaking activities with quick returns. If used as a diplomatic incentive, the quick returns could in turn serve to mobilise further integration, thus building on their potential benefits.
- ECCAS should develop a comprehensive defence and security policy aimed at operationalising and implementing the African Union common defense and security policy. Apart from strengthening the security apparatus of the different states, there is need to develop a robust and comprehensive security policy in the region which is lacking at present. Arguably, there is hardly any country

in the region with a white paper on its defence and security apparatus. While taking into consideration the need for national security, it is however imperative that the capacity and preparedness of member states to respond to conflict be properly assessed. This must go beyond joint military exercises, as the development of a comprehensive security and defence policy based on the needs, capacity and resources of the region could serve as a unifying factor. It will also go a long way towards making a positive contribution to the development and operationalisation of the African Standby Force.

■ Peace and Security in Central Africa (COPAX) should create a database on experts in post-conflict reconstruction, thus making a start on the alleviation of the obstacles surrounding a lack of capacity. Our view is that there is no shortage of capacity, but that the problem is an absence of planning and lack of co-ordination.

■ ECCAS should create a peace fund.

TO THE AFRICAN UNION AND UNITED NATIONS

The AU and UN should place the Central Africa Region high on its agenda.

TO THE DONOR COMMUNITY

■ The community needs to apply political pressure to bring about better domestic political governance.

■ Anti-corruption measures should be strengthened, rather than being used to achieve or further political goals.

TO CIVIL SOCIETY AND RESEARCH INSTITUTIONS

■ Robust research should be instituted on CEMAC and ECCAS, and there is need for sustained research on regional integration in Central Africa. This can be done by creating a journal or research portal that is exclusive to integration on the continent. Such a portal will act as a one-stop reference point for both scholars and policy makers who are interested in integration on the continent.

■ There should be broad-based advocacy, backed by robust research, for deeper integration. There is little doubt that civil society in the region, though still

extremely weak, is becoming a viable political constituency. As argued in the analysis, integration can be a reflection of the increased power of a domestic political constituency and civil society could be a powerful force to bring such integration about. It is however essential that their advocacy be based on sound research findings.

CONCLUSION

This monograph aims to contribute to the broader debate on integration. In an attempt to enhance the AU conflict prevention strategies, it set out to interrogate regional integration in Central Africa as a policy response to human security problems in the region. Anchored in analytic narrative, the monograph argued that integration in the region is a two-level game that is invariably influenced by perceived potential costs and benefits. Accordingly, domestic political security needs to be understood, as such an understanding is required for comprehension of the dismal state of integration at the next, the regional, level. The paper has showed that the poor human security is a function of a skewed political process that prioritises the state, and regime and state security over human security. In ensuring their relevance, influence and political survival, politicians in the region discount the future as they placate a few powerful political constituencies. Within this context corruption, patrimonialism and prebendalism within the framework of presidential systems, have been characteristic of politics in the region. This is epitomised by the fact that despite its enormous wealth, the region is faring badly on all counts of human security.

The monograph has also shown that the skewed domestic politics at state level has replicated itself at the regional level. Since regime and state security is the overriding paradigm in the security discourse in the region, ECCAS has over time been relatively successful in ensuring stabilisation rather than ensuring sustainable peace through addressing issues of governance.

Though these assertions might be anecdoctal and speculative, they are nevertheless valid indicators of a general trend which suggests that first, resource abundance per se is not a curse, because use or misuse depends on institutional governance. Where state institutions are weak and there is lack of accountability and transparency in the management of resources, such as for example oil revenue, an oil boom will exacerbate poor governance, corruption, patrimonialism and infighting among elites, which will in turn intensify the poor human

security situation. Second, where there is a close alignment between regime security and human security development, or where regime security is assured by improving human security, sound economic policies will consistently equal good politics. Third, where ownership and control of for example oil rents are controlled by a few elites from the private sector, the political contest for state control might turn the situation into one of violent conflict. Fourth, is thus that spreading ownership and control of resources might create not only an indigenous class with private capital interested in a certain resource sector beyond the rent it offers, but also a class that might act as a middle ground between the ruling elite and ordinary citizens. Fifth, because political security is at the heart of regional integration, where there is positively alignment between regime and human security, there is political incentive for regional integration. Good political governance can overcome the problem of time consistency.

ISS MONOGRAPH 155

Regional Economic Communities (RECs) have been heralded as the building blocks of the African Peace and Security Architecture. However, while other regions of the continent have made laudable progress towards economic and political integration, Central Africa is facing a human security and integration crisis. What explains the sad reality of human insecurity in the region? Is regional integration a policy imperative that would redress the human security situation of the region?

Drawing insights from new institutional economics, the monograph argues that until there is a positive alignment between political security and human security, the region will continue to face a human security crisis. Borrowing from comparative political economy it argues that states in the region view regionalisation as an extension of domestic politics. As such, they must maintain a precarious balance between the potential long-term gains of regionalisation and the perceived short-term political cost to their survival. Thus, regionalisation has become a mechanism more often than not used to enhance regime security rather than human security.

As a policy response, the monograph calls for political convergence, that is improved domestic political and economic governance, to form the building blocks of the RECs and the African Peace and Security Architecture.

ISS Monograph No 155
Price R30,00

ISBN 978-1-920114-57-2

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