REGIONAL RESPONSES TO INTERNAL WAR

The Fund for Peace "*Building Peace in the 21st Century*"

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FFP REPORTS

AFRICAN PERSPECTIVES ON MILITARY INTERVENTION

CONFERENCE SUMMARY

The Regional Responses to Internal War program is funded by the Carnegie Corporation of New York and is being carried out in partnership with the Stanley Foundation. The statements made and views expressed are solely the responsibility of The Fund for Peace. Future conferences will focus on similar issues, with perspectives from regional opinion leaders in the Americas, Asia, and Europe.

Table of Contents

Inserts

Mission Statement

The mission of The Fund for Peace
is to prevent war and alleviate
the conditions that cause war.

The Fund promotes education and
research for practical solutions.
It is a consistent advocate of promoting social justice
and respect for the principles of constitutional democracy.

Overview

Africa is showing new determination to resolve internal conflicts on the continent, according to a group of distinguished African opinion leaders meeting from October 7-10, 2001, near Warrenton, Virginia. There is strong interest in democracy, rooting out corrupt leaders, and facing up to the hard work ahead in achieving a peaceful and stable continent. In particular, the experts expressed new confidence in the potential of subregional organizations to make a difference. The subregional groups are seen as increasingly able to express the political will of their members. They are also seen as a source of political legitimacy and moral influence. Given appropriate resources, they could become the most effective organizations to field troops in an emergency to halt mass violence committed against civilians.

The Fund for Peace brought together Africans from nations across the continent--Botswana, Burundi, Ethiopia, Ghana, Mali, Mozambique, Rwanda, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Uganda, and Zimbabwe--to discuss the criteria for military intervention in internal war. They came from a variety of professions including the military, government, U.N. civil service, the press, academia, and non-governmental organizations (NGOs). Within two days, this diverse group of Africans reached sufficient agreement to issue a conference statement on the difficult decisions involved in military intervention in humanitarian emergencies or internal conflicts (see page 16).

Participants cited Secretary General Kofi Annan's estimate that, at this time, half of the deaths that are war-related in the whole world occur in Africa.[1] Refugees and internally displaced persons number in the millions. The 1994 Rwandan holocaust resulted in 800,000 civilians killed in a period of four months. Tens of thousands of civilians, including women and children, lost limbs and suffered other atrocities in West Africa's Liberian and Sierra Leonean civil wars. These conflicts, and the mass suffering experienced in Angola, Burundi, the Central African Republic, the Democratic Republic of the Congo, Somalia and Sudan, served as a backdrop to the group's discussions. It lent urgency and a strong desire to reach agreement on how military intervention to stop mass killings and atrocities can be carried out legitimately and effectively in emergency situations.

The Fund for Peace conducts a number of programs in the areas of conflict prevention, human rights and justice, and peace-building. But, with the Regional Responses to Internal War program, The Fund is looking at how different regions of the world are currently addressing the criteria for military intervention in internal conflict when preventive measures fail. Participants are being asked to identify the factors that make the use of force legitimate. The issue of military intervention for humanitarian purposes is hotly debated in U.S. policy circles as well as among government representatives at the United Nations. The Fund's purpose is to broaden the debate beyond Washington D.C. and New York to include views from a wide spectrum of experts and opinion leaders from different regions of the world.

In the African case, the first region to be considered by The Fund, regional experts divided the issue into four questions: Who should be able to authorize military intervention? When should military intervention be considered? Who should conduct it? And, finally, how should it be carried out?

[1] United Nations, "Secretary General Says Proposals in his Report on Africa Require New Ways of Thinking, of Acting," U.N. Press Release, SG/SM/6524.

Such subregional groups as the Economic Community of West African States (ECOWAS), the Southern African Development Community (SADC), and the East African Community (EAC) were seen as having potential in the security area. In response to a conference questionnaire, almost two-thirds of the participants (62%) said that they either "completely trust" or "mainly trust" the abilities of their subregional organizations to stop mass killings in African nations. By contrast, respondents expressed much lower trust levels in the U.N. (35%) and in the Organization of African Unity (OAU) (14%). But participants made clear in their remarks during the conference that the capacity of the subregional organizations needs to be strengthened in order for them to field forces that are interoperable and capable in terms of logistics, communications, and intelligence collection and analysis. In their responses to the questionnaire, participants were unanimous in citing "lack of financial resources" as an important factor in preventing regional and subregional organizations from using their members' armed forces to stop mass killings. More than 90% of the participants cited "leadership rivalries among countries" and "unwillingness to take national risks for regional stability" as two other inhibiting factors. During the conference, several discussants said that, while internal divisions within subregional groups still exist, they can be surmounted over time. In the discussions, there was very little said of fear of hegemonic countries dominating subregional organizations although, in their responses to the questionnaire, participants were equally split on the issue of whether "existing domination by one or two countries" was preventing regional or subregional organizations from stopping mass killing.

"We may have some suspicions of subregional and regional actors, but we must be realistic. Others will not come to solve our problems," one participant said. "We have to deal with what we have in Africa and improve on that."

HIGHLIGHTS OF CONFERENCE CONCLUSIONS

- The U.N. Security Council is the preferred body to authorize intervention but, in cases where urgent action is needed, regional and subregional organizations may authorize intervention.
- Military intervention is legitimate when mass killings, mass atrocities, ethnic cleansing or genocide is occurring or is threatened.
- Military intervention is also legitimate when an internal war threatens the stability of a region or subregion.
- Military intervention may be considered when other means have failed to restore a democratic government that has been overthrown by force.
- Troops participating in military interventions in African nations should come from the region or the subregion where the problem is occurring.
- Troops from nations external to the region should participate in military interventions in Africa only under the auspices of the United Nations.
- Military interventions should be carried out in accordance with specific guidelines (see page 9) in order to be legitimate.

The Fund's conference took place in a closed two-day session at Airlie House near Warrenton, Virginia and in an Open Forum at the Brookings Institution, Washington, DC, from October 7 – 10, 2001. Members of the policy community, as well as members of the press and academic experts, were invited to exchange views with the African participants on the last day. The discussions at Airlie House were off-the-record with no attributions but the Open Forum was on the record. The Open Forum was followed by a private lunch with selected policymakers.

The Conference

Over the two days at Airlie Center, the dialogue was intense and lively but rarely confrontational. Differences of opinion arose continuously over both criteria for intervention and the specific language of the conference statement. Most were resolved through compromise and dialogue, under the co-chairmanship of retired Major General William L. Nash and Ambassador Cheick Oumar Diarrah, Mali's ambassador to the United States. A vote was required only on the very few occasions where discussion on a point had been exhausted and the group was still clearly divided.

Discussion began with the group arguing strongly that military intervention could not be considered in isolation. Participants argued that a willingness to intervene when necessary must be accompanied by a renewed commitment to address the root causes of internal war, which they saw as weak governmental institutions, inadequate education, poor health, and poverty. While progress on all those fronts has been made in individual countries, much more needs to be done with the continued support of the international community if peace and stability are to be achieved in the long term.

There was an early consensus that the use of force is only one tool in a continuum of measures designed to influence events and behavior inside a nation. The other means ranged from non-coercive diplomatic persuasion to such coercive economic measures as sanctions. Military intervention was seen as being at the far end of coercive measures and an action that should be taken only when it is determined that other instruments cannot be successful.

Several participants warned that military intervention is full of risks. "You cannot overlook the complexity of the situation on the ground, and the obstinacy of the actors and the salience of their grievances. When you intervene militarily, you become responsible and you can become part of the problem." Others warned that settling internal conflicts is a process that has to include prevention, management, resolution and post-conflict peacebuilding. In extreme cases, military intervention may have to be part of the management of a problem, but it is not and should not be the main focus of those pursuing peace and conflict settlement. One participant made the point that, in cases where military intervention does have to be taken, peacebuilding becomes a form of prevention, allaying the need to intervene a second time. But all participants agreed that addressing the underlying causes of internal war is both a requirement and a long-term process that military intervention, by itself, cannot accomplish.

There can be no fixed rules for intervention and whatever rules are developed cannot be applied rigidly, participants maintained. They agreed that each conflict in Africa has unique causes and will require unique solutions. That said, the group worked hard to come up with a general framework of criteria for intervention designed for dire circumstances.

"Once you have a template, or a set of criteria, they can serve as building blocks around which you can analyze a specific issue," one participant noted. "It is useful to consider what is the bottom line for us," another added.

Throughout the process, participants had to cope with the tension between facilitating military intervention where it is needed and preventing aggression and abuse. They clearly wanted to establish guidelines to make it easier for legitimate interventions to solve serious problems while making it more difficult for illegitimate interveners to pursue unrelated political agendas. They did so by breaking the question into four parts: Who can authorize military intervention? When is military intervention legitimate? Who should conduct it? And, finally, how should it be carried out?

WHO CAN AUTHORIZE MILITARY INTERVENTION?

Participants were well aware of both the moral and legal strictures underlying the current international system against the interference in the domestic affairs of sovereign states. One participant began the discussion by arguing that only the Security Council could authorize military interventions according to the U.N. Charter. Another participant, an expert in international law, cited the tension between the Charter, which focuses on state sovereignty, and international human rights law, where every signatory pledges to uphold human rights. Still another pointed out that the concept of sovereignty is undergoing a process of change whereby governments that do not carry out the responsibility of sovereignty should not benefit from the right of sovereignty. He paraphrased Secretary General Kofi Annan: "Frontiers should not be used to protect criminals."

Aside from the legal aspects, a number of participants cited the practical limitations of requiring that every military intervention be authorized by the Security Council:

- The U.N. Security Council has shown itself unwilling to deal with Africa in a number of cases.
- The U.N. Security Council is sometimes overwhelmed. "We wrote so many warning papers about Somalia, but the Secretary General never read them because he was too busy with Iraq," one participant stated.
- The United Nations takes ninety days at a minimum to react. By that time, it can be too late.
- "The Brahimi report[2] was upfront about U.N. limits. It is not prepared to do anything that is not consensual peacekeeping with a firm cease-fire on paper."

Nonetheless, even with its deficiencies, participants saw great value in U.N. authorization and participation in any military intervention. This is because, in their view:

- The U.N. provides the most forceful legal mandate.
- The U.N. Security Council has the responsibility for world peace and security and it should not be allowed to abdicate that responsibility.
- The U.N. has the resources and capabilities that are needed to conduct an intervention and, in particular, to mount a successful follow-up peacebuilding effort.

[2] In March 2000, Kofi Annan created an international panel to recommend reforms in United Nations peacekeeping operations. In August 2000, the panel, chaired by former Algerian foreign minister Lakhdar Brahimi, issued its report, which has come to be known as the Brahimi Report. *Report of the Panel on United Nations Peace Operations, A/55/305-S/2000/809.*

The OAU and Conflict Prevention

by Secretary General Amara Essy (excerpt from Keynote Address)

Based on their legitimacy derived from Chapter VIII of the Charter of the United Nations, regional organizations have, especially since the United Nations decided to play a less prominent role, fully understood the role that they are called upon to play. The renewed dynamism of the Organization of African Unity (OAU) and the main African subregional organizations in the area of conflict resolution fits in with this new regional approach to collective security.

We should not indulge in self-congratulation for establishing the Mechanism for Conflict Prevention, Management and Resolution established by the OAU in June 1993 in Cairo. We all know its political, technical, financial and military shortcomings, and perhaps, even its drawbacks at the operational level. Nevertheless, it definitely represents a break from the heavily politicized approach that our organization had until then.

The 1993 Mechanism is indicative of a sense of greater responsibility with respect to the tragedy of civil wars and of an awareness of the need to transcend selfish national interests to deal with internal conflicts. Due to its political scope, the Mechanism has generated greater synergy between the different interventions of the United Nations and those of Africa's external partners.

For a number of years now, the OAU and the United Nations have been developing increasingly close cooperation in the area of conflict resolution. Apart from the strengthening of conflict-prevention activities (illustrated, for example, by the appointment of joint U.N. and OAU representatives or envoys), this new policy has led to many other initiatives. They include periodic meetings between officials of the two organizations, the establishment of a U.N. office at OAU headquarters in Addis Ababa and the dispatch of U.N. staff to assist officials of the operations room established at the OAU.

The institutionalization of such cooperation between the United Nations and the OAU has been extended to subregional organizations, as attested by the presence of U.N. and OAU observer missions alongside ECOMOG in Liberia.

Secretary General Amara Essy
Organization of African Unity/African Union
Airlie Center October 7, 2001

The major powers need to make a more concerted effort, both in terms of support for peacekeeping operations and assistance for the reconstruction of war-torn countries. There can be no lasting peace if we do not address the root causes of the scourge, to wit, economic underdevelopment, poverty, marginalization and AIDS.

In other words, conflict resolution requires a multidimensional approach: peacemaking and peacekeeping efforts cannot be divorced from economic assistance designed to restore confidence to people who, until then, have only known the dread of war and death.

In the end, participants chose to state that the U.N. Security Council is the preferred authorizing body for military intervention. They also added that both the OAU, soon to be the African Union, and subregional organizations are legitimate authorizers. One participant summarized the general view: "We cannot be dependent in Africa on whether the [Security] Council takes an interest or not."

The group agreed that the ideal situation would be for all three levels, the international, regional and subregional, to be focused and in agreement on action that had to be taken. For that reason, they required both regional and subregional organizations to inform the U.N. Security Council and to seek ex post-facto authorization should such organizations take the lead. In another compromise, the group agreed that the word "seek" was preferable to "obtain" in that sentence.

The most notable decision of the group was that subregional organizations have the moral and political authority, if not the legal authority, to intervene militarily. This represented a break from the traditional African view that the United Nations is the only legitimate authorizing body for military intervention.

NEW AND ONGOING CHALLENGES FOR AFRICA

BY STANLAKE SAMKANGE (EXCERPT FROM OPENING PRESENTATION)

While Africa's historical experience and geopolitical situation have largely shaped its underlying pre-disposition against intervention, new and ongoing challenges have in recent years prompted African states and institutions to move very significantly away from traditional non-interventionist approaches.

Failing states - In Somalia, the fall of the Siad Barre regime in 1991 was followed by intense infighting that led to the collapse of state institutions and the descent of Somalia into anarchy. The result was a complete breakdown of law and order, a humanitarian crisis of massive proportions, and a power vacuum in Somalia that some believed could have a potentially destabilizing impact on the subregion.

In response to the political crisis and humanitarian tragedy that was unfolding in Somalia, an ambitious intervention was authorized by the United Nations Security Council to address the humanitarian crisis in the country, and reestablish functioning state institutions. Although the intervention to address the war-induced famine in Somalia was widely supported, the broad support that the operation initially enjoyed dissipated when the military component of that operation became engaged in efforts to address the underlying political conflict in that country. The result was that the success in addressing the humanitarian aspect of the crisis in Somalia, was soon overshadowed by a political failure for the United Nations of substantial proportions -- an outcome that not only failed to advance the political prospects for peace in Somalia, but also proved a significant obstacle to efforts to rally international support to address other crises in Africa, including the genocide that began in 1994 in Rwanda.

Humanitarian crises - The shooting down in March 1994 of the plane carrying the Presidents of Rwanda and Burundi, set in motion a humanitarian tragedy of enormous proportions. Within four months up to a million people died in Rwanda as part of a plan of genocide. As the slaughter unfolded, the Security Council reduced rather than strengthened the UN presence in the country and appeals for intervention to stop the killing fell on deaf ears in the Council and elsewhere. Rwanda demonstrated both the most compelling need for intervention on humanitarian grounds, and the most compelling failure to meet that need.

Spillover - In Liberia, the ouster of President Samuel K. Doe's regime by insurgents led by Charles Taylor ushered in a period of factional fighting in Liberia that saw the collapse of virtually all state institutions and authority outside of the capital, Monrovia. The result, as in Somalia, was the near complete breakdown of law and order, and a humanitarian crisis of massive proportions. But the conflict in Liberia also had

WHEN IS MILITARY INTERVENTION LEGITIMATE?

In discussing this category of criteria, participants strongly agreed that while the conditions they listed "may justify" an intervention, they should not be read as constituting an "obligation" to intervene. There was wide consensus that the conditions that could trigger intervention should include mass killings, mass atrocities, ethnic cleansing and acts of genocide. But the group went further, once again, by stating that intervention may also be justified if any of these conditions "are threatening to occur." Not one participant argued against this more far-reaching formulation.

On the other hand and after much debate, the group did not include "gross and systematic violations of human rights" as a trigger for military intervention. "Even if they [human rights abuses] are systematic, they may justify condemnation or sanctions but not military intervention. Many countries have discriminatory practices," one participant argued. Another participant pointed out that both the U.S. State Department and Amnesty International list many nations as human rights abusers. "It is important to define the threshold of what we mean by "human rights" to avoid falling on everybody's lists and prompting military intervention

significant implications for other countries in the subregion, and the conflict soon spilled over into neighboring Sierra Leone and Guinea and threatened to draw in and destabilize still other countries in the subregion.

The importance of preventing the further spread of the conflict in Liberia and its destabilizing effect on the subregion added a broader dimension to the concerns that some had earlier expressed regarding the dire humanitarian crisis that had resulted from the civil war in that country. The need to try to contain the conflict in Liberia was a key reason why the countries of the Economic Community of West African States (ECOWAS) persevered over so many years despite the enormous costs and numerous setbacks -- and in sharp contrast to what happened in Somalia.

Threats to democratic processes - The issue of the use of military force to restore an elected government is not unique to Africa (there is the case of Haiti, for example), but in Africa the issue is especially strongly felt, and has been treated in a formal way by ECOWAS, SADC, the Organization of African Unity, and the new African Union. Military action in support of these principles has been taken by ECOWAS in Sierra Leone, and on behalf of SADC in Lesotho. The reasons for Africa's preoccupation with this issue are not hard to determine. In Africa, where democratization is still very much a work in progress and democratically elected governments sometimes feel threatened by armed groups operating within their own territories, the overthrow of an elected government anywhere on the continent is rightly viewed by many as a threat to all elected governments on the continent, and a threat to the democratic processes and institutions which many countries in Africa are striving to build and strengthen. The political, economic, social, and developmental setbacks suffered by many African countries as a result of the wave of military takeovers that occurred in Africa in the past make clear the high humanitarian and human rights costs to African societies and African peoples of again embarking down this path.

Failure to act - In 1994, Africa and the international community failed to respond to the genocide that unfolded in Rwanda. The impact of this failure has been felt in a number of areas. One clear and lasting lesson for Africa has been that the international community's interest in Africa is capricious and fickle in nature, and the costs of being dependent on others for action can be unacceptably high. It is a lesson reinforced by the experience in Liberia, where Liberians waited in vain for United States intervention -- discovering that in their hour of need it was to their neighbors in the subregion that had to look for effective intervention to help end the suffering and turmoil created by the civil war in that country. On Africa's agenda, therefore, must be the problem of how to ensure that action is and can be taken when action is needed.

Stanlake Samkange, Rapporteur
International Commission on
Intervention and State Sovereignty
Airlie Center, October 10, 2001

everywhere," he said. Others did not necessarily agree but felt that listing specific acts would be preferable so that they could be clearer about the kinds of human rights violations that would justify intervention. So the group kept the specific list, noted above, without adding the more general category of human rights violations.

The group divided almost evenly on whether to include forced mass displacement of people as a reason to intervene. Those who favored its inclusion argued that displacement was often the earliest and most measurable warning of killings and atrocities in the immediate offing.

"If one day, we see 6,000 to 7,000 people moving either internally or across a border, that is a red flag. You can't say let's wait and see if they are killed. You have to move to prevent more violence," one participant argued. Others opposed its inclusion, objecting that the need to repatriate immigrants or to remove citizens from sites of public works projects sometimes engendered accusations of human rights violations from non-governmental organizations, especially when the move was not voluntary. Military intervention should never be considered in those kinds of internal situations, opponents maintained. Various language formulations were tried to narrow the intent of the phrase but, in the end, none were found that adequately addressed the opponents' concern. A vote was taken that did show a one-vote majority in favor of inclusion, but the minority was strong in both numbers and opinion and the reference to displaced persons was not included on the grounds that there was not sufficient agreement.

There was little debate about including "when the stability of a region or subregion is threatened by internal war in a nation," although participants again noted that while military intervention could be legitimately considered, it did not have to take place nor was it even the preferred option in this case.

Considerable discussion surrounded the inclusion of "when other means have failed to restore a democratic government that has been overthrown by force." The group considered but dropped the phrase "democratically elected" with participants citing cases, such as Charles Taylor in Liberia, where governments that have been elected have subsequently lost their democratic credentials. Moreover, the group deemed as too vague and open to misinterpretation wording such as "when an elected government acts unconstitutionally or illegally" or "manipulates the constitution." One participant argued strongly that such situations should be dealt with through diplomacy and the threat of sanctions rather than military intervention.

WHO SHOULD CONDUCT MILITARY INTERVENTIONS?

Agreement was easily reached on the legitimacy of using subregional troops under the auspices of a subregional organization, regional troops under the auspices of the OAU, and troops external to the region under the auspices of the United Nations.

Agreement broke down, however, over the question of using "coalitions of the willing" that may act prior to receiving authorization from any organization. Some argued that, in extreme circumstances when a humanitarian disaster is taking place and all institutional mechanisms fail to provide the action that is needed, something must be done. In the case of the Rwandan genocide, action by any coalition would have been a welcome alternative to what actually happened, they argued. Opponents maintained that such a formulation "opens the door to all sorts of interventions for all sorts of reasons." "If you can't get an authorization from any of those bodies, why should we allow some countries to get

together and act?" one opponent asked. But proponents won out. They argued that the force that is being put together to go into Burundi to support the Mandela peace plan is a useful "coalition of the willing," a definition others disputed. After all discussion had been exhausted and there was no consensus, a vote was taken that showed a strong majority in favor of including *African* coalitions of the willing *in exceptional cases*.

How Should Intervention Be Carried Out?

There was wide agreement on the need to define the characteristics of a "good" intervention that is effectively implemented. Several participants said that a number of interventions in the past had been well-intentioned but had not always achieved the desired objectives.

Publicly stating the purpose of the intervention was a high priority. "I am concerned about lurking political agendas," said one participant, arguing in favor of complete transparency. A decision was made that, for practical purposes, it was not necessary or advisable to announce publicly rules of engagement, although a number of participants stated that they would like to see them published in advance. One participant saw compelling reasons on both sides: "You don't want your opponents to know when you can fire. But the rebels knew the rules of engagement in Sierra Leone which were to fire only when fired upon. If you don't state them in advance, the public feels a false sense of security and will be disappointed."

The other five points were dealt with easily. A military intervention must:

- do more good than harm
- be implemented in a way that is proportionate to its mandate and stated purpose
- be implemented in an even-handed way
- be undertaken in a way consistent with international law
- be properly resourced with financial and material support.

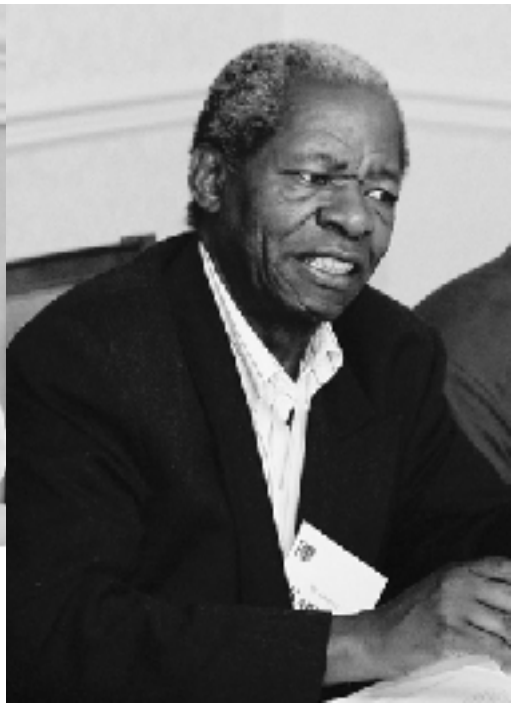
At one point, "even-handed" replaced "neutral and impartial" as a description of the way an intervention should be carried out, giving more flexibility to the intervening force to deal with "spoilers" and other forces opposing them and recognizing that neutrality is not always possible.

In their last point, the participants reiterated the view--contained in the preamble to the conference statement--that military intervention should be undertaken within a holistic framework that addresses the root causes and conditions of the conflict and builds peace and stability. They added, however, that such a requirement should not be construed as an obstacle to a rapid response to a crisis situation.

How Can the United States Help?

American policy toward Africa was discussed as a separate agenda item after the conference statement had been agreed upon. It was also a major topic of discussion at the Open Forum. In the questionnaire, the United States received comparatively low ratings in "solving previous security problems" in Africa and in "small arms trafficking policy" both of which were rated "poor" by 45% of respondents, while the remaining 57% rated them only "fair." Similarly, no one rated U.S. policy and programs as better than fair in their ability to prevent mass killings.

A number of participants cited America's lack of interest in Africa, but pointed out that U.S. interests would be well served by a peaceful and prosperous African continent.



Upper row from left: Julius Bio and Ambassador Cheick Oumar Diarrah; Dr. Leonard Kapungu;

Middle: Rich Mkhondo and Stanlake Samkange

Bottom: Agnes Nindorera and General Papa Khalil Fall

Top photo: Secretary General Amara Essy and Julius Bio

Middle: Patrick Mazimhaka, Colonel Festus Aboagye, and Dr. Ibrahim Wani

Bottom: Dr. Pauline H. Baker, Ambassador Joris M. Vos, and Ambassador General Mamadou Mansour Seck

"Whoever thought that Afghanistan could be a place where terrorism could be bred and organized to attack the United States: This is the most useless, disorganized place. Whoever cared about Afghanistan? The state had collapsed. A group of people organized themselves and pretended to be a government. Someone with a lot of money came in and became an important person. What is going to stop terrorists from organizing in Africa? When the African nations are working to restore order, democracy, and stability, it is in American as well as African interests," said Abdulrahman Kinana, Chairman of the Tanzanian Red Cross, in the Open Forum.

Participants were not asked to try to reach a consensus on U.S. policy. As a result, the recommendations listed below do not necessarily represent the views of the entire group, nor are they without some internal contradictions. Individual African participants recommended that the United States should consider strengthening its support in the following ways:

1. ENHANCE DIPLOMATIC AND POLITICAL SUPPORT

Through its role as a permanent member of the U. N. Security Council, the United States should actively support African initiatives. Diplomatically, it should gather allies and friends to provide political support when African peace efforts require it. The United States should also *make certain that Africa receives its fair share of U.N. resources for prevention, peacekeeping and nation-building*. "In the year 2000, the international community gave $8 per person to peace efforts in the Democratic Republic of the Congo while giving $207 per person in the former Yugoslavia," one participant said.

There is little faith that the United States understands what Africans need in helping to build a regional framework for economic progress and security. The United States should listen more carefully to Africa's agenda. In this regard, consideration should be given to

INTERVENTION GUIDELINES

BY RICH MKHONDO (EXCERPT FROM OPENING PRESENTATION)

Where, when, and how to intervene with military force present a truly perplexing set of questions. It is difficult to decide the best use of Africa's limited military resources. In this increasingly uncertain world, it is therefore imperative that African policymakers follow clear guidelines in deciding where and when African military intervention is most needed and how it can be most effective. Unfortunately, however, Africans have no such guidelines in place. Because of this, the OAU and SADC have been tempted to intervene militarily in peripheral areas of the continent. The result has been either failure or provisional, fragile, and reversible settlements. Moreover, African and public support has been very weak because it has been unclear to most Africans how these interventions serve the national interest.

African countries will continue to squander military resources on inconclusive and tangential operations unless governments and civil society organizations adopt a clear set of policy guidelines for where, how, and when to intervene. These guidelines must be flexible enough to address a wide range of military options, but they also must be constant enough to balance the projected benefit of any intervention against the costs to the African people.

Military intervention should strive to achieve goals that are clearly defined, decisive, attainable, and sustainable. Interventions must always be driven by objectives that will define success and support political and peaceful objectives.

Rich Mkhondo, Reporter
The Citizen, South Africa
Airlie Center, October 8, 2001

convening an international forum, such as the Asia-Pacific Economic Cooperation, that would include Africa, the United States, and Europe. It would meet at ministerial level to consider problems in Africa and focus on how to address them jointly.

The United States should *work harder to coordinate with other Western powers in pursuing programs in Africa*. While some efforts have been made to coordinate military training, there is still a sense that Western nations are competing and "dividing up the continent," deciding among themselves which countries will benefit from bilateral programs. This results in equipment that is not interoperable, and skills that are not uniform, making peace operations difficult.

The United States should also *designate an independent ambassador to African multilateral organizations*, including the newly created African Union and subregional organizations.

2. INCREASE SECURITY ASSISTANCE

Africans are trying to *strengthen the security capacity of their regional and subregional organizations*. Programs and consultations should, to the extent possible, be carried out through these institutions.

Africans would prefer that African rather than American troops be used for operations in Africa. But, to be successful, *they need assistance in the areas of logistics, intelligence, training and equipment*.

The Africa Center for Strategic Studies is doing important work in Africa bringing together military and civilians and listening to African concerns. *It should be expanded to include police, customs officials, and anti-terrorism experts*.

Operation Focus Relief, the European Command's training program for African participants in peacekeeping operations in Sierra Leone, is too narrowly focused and only temporary. *It should be expanded and made permanent.*

When possible, the United States should *promote more high-level staff contact with African military leaders though exchanges and visits.*

The United States should *provide military observers to U.N. missions and training operations.* It should be willing to put officers in key posts, like the Belgians have done in the Central African Republic.

3. BROADEN U.S.-AFRICA POLICY FRAMEWORK

The United States should *design a comprehensive strategy for Africa* with coordinated and complementary components. A focus on "professionalizing" the military would be one component to be coordinated with efforts to strengthen the civil service sector and the judiciary, and address the weakness of civil society, the level of poverty, and income distribution inequities. At this point, U.S. efforts seem fragmented.

The United States should make a more serious effort to *limit and regulate the illicit transfer of small arms to the African continent*, working with the United Nations.

African nations feel vulnerable to the threat of terrorism and are not equipped to deal with it. The U.S. should be *extending its coalition to Africa and be willing to share intelligence information with African governments* so that they can be full partners in the fight against terrorism.

Hopes For The New African Union

Secretary General Amara Essy gave the opening address (see page 5). Mr. Essy was elected in July 2001 to head the transition from the Organization of African Unity to the African Union. The new African Union is being organized along the lines of the European Union and will include an African parliament and a central bank.

In a wide-ranging discussion of this development, participants made clear that, to be successful, the African Union will have to avoid a number of pitfalls that have plagued the O.A.U. That organization, founded in 1963 at the time many nations gained independence, has had some success on the continent. It has served as a voice for Africans and given "a sense of identity to Africa." Participants pointed out that it has been helpful in solving a number of problems, such as apartheid in South African and, more recently, the Ethiopean/Eritrean war. But they also pointed out that it never achieved in implementation what its founders had envisaged. Some of its weaknesses have included:

Cronyism: "Member states have dumped unwanted staff at OAU headquarters." Also, "You have people working there because of connections."

Recommendations on the African Crisis Response Initiative (ACRI)

The African Crisis Response Initiative (ACRI) is a U.S. program that provides battalion-level peacekeeping training to selected African nations on a bilateral basis. Participants said that the program was having a positive impact. They had a number of suggestions for how it could play an even more constructive role in the future:

1. ACRI is an important program that could be improved if Africans felt a greater sense of ownership. They should be consulted regarding the content of the program, where it takes place, who carries it out, and who receives it.

2. The United States should consider consulting with Africans and carrying out training on a multilateral basis, working with subregional organizations. A focus on interoperability on a subregional basis would be helpful and would encourage members of the subregional groups to pool scarce resources.

3. ACRI should be more inclusive, carried out in a larger number of countries.

4. ACRI should also include training in intelligence analysis and assistance in logistics and communications. Transportation is especially difficult and vehicles are in short supply.

5. African troops should be trained and equipped so that they can perform well in a hostile environment under either U.N. Charter Chapter 7 authority or under subregional authority. In general, U.S. military training should enable African forces to successfully execute complex and multifaceted tasks linked as directly as possible to current or upcoming operations. The focus should be on capabilities that have presented special challenges in the field – needs that can best be identified jointly with the African militaries.

6. ACRI is assisting in the development of professional armies in Africa, armies that are "lean but not mean," a participant noted. Its goal should be armies that are trained to serve civilians and to safeguard the interests of the nation. Too many armies in Africa serve the interests of one group or one party. More ACRI would be better than less.

Financial weakness: "Fifteen countries could not pay their dues at the last O.A.U. summit and could not participate in the discussion on the creation of the African Union."

Disproportionate influence: Libya finances much of the O.A.U. and pays dues for some of its members, thereby influencing too many member nations' votes.

Doctrinal inflexibility: "It has been blocked by a mantra on the sanctity of sovereignty and the inviolability of borders."

Bureaucratic procedures: Decision-making, when and if it happens, is slow.

Insulated from problems: "The O.A.U. seems as far away from us and our problems as the U.N. does."

Any organization of fifty-three countries as diverse as those found on the African continent will face a number of difficulties. One approach that the new African Union might take would be to work with subregional organizations, one participant suggested. "We can work to strengthen the capabilities of subregional organizations so that the regional organization will be more efficient," he said. Another suggested that the African Union itself should put greater emphasis on organizing subregionally. In the end, participants seemed to voice more hope than confidence. "The essential element is political will. It is too early . . . we must wait to see if they will put their best people and resources first," commented one participant who clearly yearned for a successful and efficient African Union. In the end, "the O.A.U. represents our weaknesses and our strengths," said one participant.

CONCLUSION

In the Open Forum, participants pointed out to the American audience that the majority of African countries are doing well, good governance is being established, democratization has taken root, and economies are liberalized. Internal wars, however, have continued to plague the continent and hold it back. Africans are organizing themselves to pursue the entire gamut of solutions, from addressing the root causes of war to conflict prevention, and military intervention when required. They are not looking to the international community to solve their problems, but they are hoping for assistance that follows their own lead and strengthens their individual and collective capacity. Despite problems of poverty, disease, and instability, conference participants expressed determination that Africa will be able to overcome the obstacles that seem to loom over the continent today. One participant summed up the thread of commitment that seemed to gain force throughout the conference: "We will see peace in our lifetime in Africa. We didn't think we would have peace in South Africa or Mozambique ten years ago. We need to work more and believe in our collective imagination."

Conference summary prepared by
Mary Locke and Jason Ladnier

CONFERENCE STATEMENT

In Africa, each conflict has unique causes and will require unique solutions. A case-specific approach will have to be taken in addressing internal war. This implies that though the criteria defined below may justify a decision to intervene militarily, they should not be read as constituting an obligation to intervene. Military intervention should also be considered an instrument of last resort, to be applied only after it has been established that diplomatic instruments cannot be successful. None of the criteria listed below should be misused by any nation as a justification for pursuing its own political objectives. Military intervention should be undertaken in a holistic framework of building peace and stability. While no rigid set of rules can be applied, military intervention should be guided by a general framework of criteria that follows international law and regionally acceptable processes and norms. While unanimity on every point was not achieved, African participants in the October 7 – 10, 2001, Fund for Peace conference in Washington DC reached sufficient agreement to offer the following framework for Africa.

Criteria for military intervention in internal war:

1. The U.N. Security Council is the preferred authorizing body for military intervention.
2. In emergencies in which urgent action is needed, military intervention may be authorized by the O.A.U. (the African Union) or subregional organizations but the Security Council must be informed and ex post facto approval must be sought. Subregional organizations must likewise inform and seek approval from the O.A.U. (African Union).
3. Military intervention is legitimate when mass killings, mass atrocities, or ethnic cleansing are occurring or are threatening to occur. This includes genocide or acts of genocide.*
4. Military intervention is legitimate when the stability of a region or subregion is threatened by internal war in a nation.
5. Military intervention may be considered when other means have failed to restore a democratic government that has been overthrown by force.
6. Military intervention in Africa can legitimately be carried out by troops:
    a. From the subregion under the auspices of the subregional organizations
    b. From the region under the auspices of the O.A.U. (African Union)
    c. Under the auspices of the United Nations
7. In exceptional cases, military intervention may be carried out legitimately by an African coalition of the willing provided that any such coalition immediately seeks ex post facto authorization from the U.N. Security Council, the African Union, or from the relevant subregional organization.**
8. A military intervention:
    a. Must have a clear purpose, mission, and mandate that is publicly stated in advance
    b. Must do more good than harm
    c. Must be implemented in a way that is proportionate to its mandate and stated purpose
    d. Must be implemented in an even-handed way
    e. Must be implemented in a way consistent with international law
    f. Must be properly resourced with financial and material support
9. As stated in the preamble, military intervention should be undertaken within a holistic framework that addresses the root causes and conditions of the conflict and builds peace and stability. This should not be construed as an obstacle to a rapid response to a crisis situation.

* All expressed a concern with the violent uprooting and displacement of massive numbers of people through the use of terror and some argued that it should be a criterion for military intervention.

** This criterion did receive majority approval but was argued against by a minority.

Participants

Co-chairs
Ambassador Cheick Oumar Diarrah, Ambassador from Mali to the United States

Major General (retired) William L. Nash, Director, Center for Preventive Action, Council on Foreign Relations, USA

Participants
Colonel Festus B. Aboagye, Senior Military Expert, Organization of African Unity, Ghana

Henrique Banze, Deputy Defense Minister, Mozambique

Julius M. Bio, Former head of the Sierra Leone Armed Forces

Dr. Francis M. Deng, Co-Director of the CUNY Graduate Center-Brookings Project on Internal Displacement at the Ralph Bunche Institute for International Studies, Sudan

Carlos Dos Santos, Permanent Representative of the Republic of Mozambique to the United Nations

Brigadier General Papa Khalil Fall, Secretary General, Accord of Non-Aggression and Defense Matters, Senegal

Lieutenant General Louis Fisher, Commander, Botswana Defense Forces

Dr. Leonard Kapungu, Executive Director of the Center for Peace Initiatives in Africa, Zimbabwe

Abdulrahman O. Kinana, Chairman, Tanzanian Red Cross; member of the East African Legislative Assembly

Mark Malan, Head of Peace Missions Program, Institute for Security Studies, South Africa

Patrick Mazimhaka, Special Envoy of the President of Rwanda

Rich Mkhondo, Reporter, *The Citizen*, South Africa

Abdul Mohammed, Chairman, Inter-Africa Group, Kenya

Agnes Nindorera, Reporter, Studio Ijambo, Burundi

David Shorr, Program Officer, Stanley Foundation, USA

Stanlake Samkange, Rapporteur, International Commission on Intervention and State Sovereignty, Zimbabwe

General Mamadou Mansour Seck, Ambassador from Senegal to the United States

Dr. Ibrahim J. Wani, Academic Dean, Africa Center for Strategic Studies, Uganda/USA

Cross-regional Representatives
Rodrigo Donoso, Counselor, Permanent Mission of Chile to the United Nations

Joris M. Vos, Ambassador from the Netherlands to the United States

The Fund for Peace Staff
Dr. Pauline H. Baker, The Fund for Peace President, USA

Mary Locke, Program Director, Regional Responses to Internal War Program, USA

Jason Ladnier, Program Officer, Regional Responses to Internal War Program, USA

Krista Hendry, Intern, USA

The Fund for Peace

Regional Responses to Internal War Program

Perspectives on Who, When, Where and Why

Military interventions in internal conflicts raise legal, moral, and practical questions that the international community is still struggling to address. The United Nations and other actors in Africa, Asia, Europe, and the Americas have had uneven success in dealing with internal disputes and self-determination conflicts that threaten regional stability. Some interventions have conformed to, and reinforced, existing international law and procedures while others have been more ad hoc in nature. Some interventions have been successful while others have been deeply flawed. Still others that, on hindsight, might have been successful in saving thousands of lives never materialized at all.

The program is probing regional views on military intervention criteria, regional capabilities, and international assistance in dealing with internal war. It identifies areas of convergence as well as divergence within regions, drawing comparisons between regions to explore the unique mix of cultural, political, and security issues that are influencing decision-making. The program is focusing particularly on the experiences of the last ten years and how they have influenced opinion.

This program is intended to enrich the global debate on the issue by providing new insights into the trend toward regional responsibility in peacekeeping, with a focus on where the crises have been occurring. The program is also assessing the implications of these findings for the United States as it debates its own foreign policy role and responsibilities in addressing humanitarian crises and self-determination disputes. Specifically, The Fund for Peace is probing regional views on five unresolved sets of issues:

- **Legitimacy and Agency:** Should there be new criteria and agents or organizations to authorize legal military intervention? How would emerging norms relate to current international law and how would new agents work with the United Nations?
- **Hegemony:** How are norms of intervention affected by the dominance of one or two powers in a region or by concerns about an emerging power with regional ambitions?
- **Changing Sovereignty:** Has the question of military intervention to protect abused minorities and stop widespread violation of human rights created new concepts of sovereignty? Do these concepts differ among regions?
- **Resources:** What resources in each region are available or allotted to intervention? Are new mechanisms needed to increase capability and allocate resources in a more effective and equitable way?
- **Regional Role:** Can and should regional actors and multilateral institutions play a more significant role in responding to internal wars? How do uneven capabilities among regions affect the ability to act?

The program is sponsoring three more regional conferences in Washington, D.C. before October 2002 that will bring together some 35 participants from the Americas, Asia, and Europe to discuss views on military intervention. In each instance, the program will again organize an Open Forum where conference participants can exchange views with American experts and practitioners. It will also work to bring the complex components of this difficult issue before the American public.

Regional Responses to Internal War Program

Program Director: Mary Locke
mlocke@fundforpeace.org Ph: x212

Program Officer: Jason Ladnier
jladnier@fundforpeace.org Ph: x235

The Fund for Peace
1701 K Street, NW – 11th floor Washington, DC 20006
Phone: (202) 223-7940 FAX: (202) 223-7947
www.fundforpeace.org