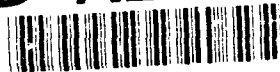


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RESEARCH REPORT

NEED FOR ORGANIZATION OF AFRICAN UNITY TO
DEVELOP A PEACEKEEPING CAPABILITY

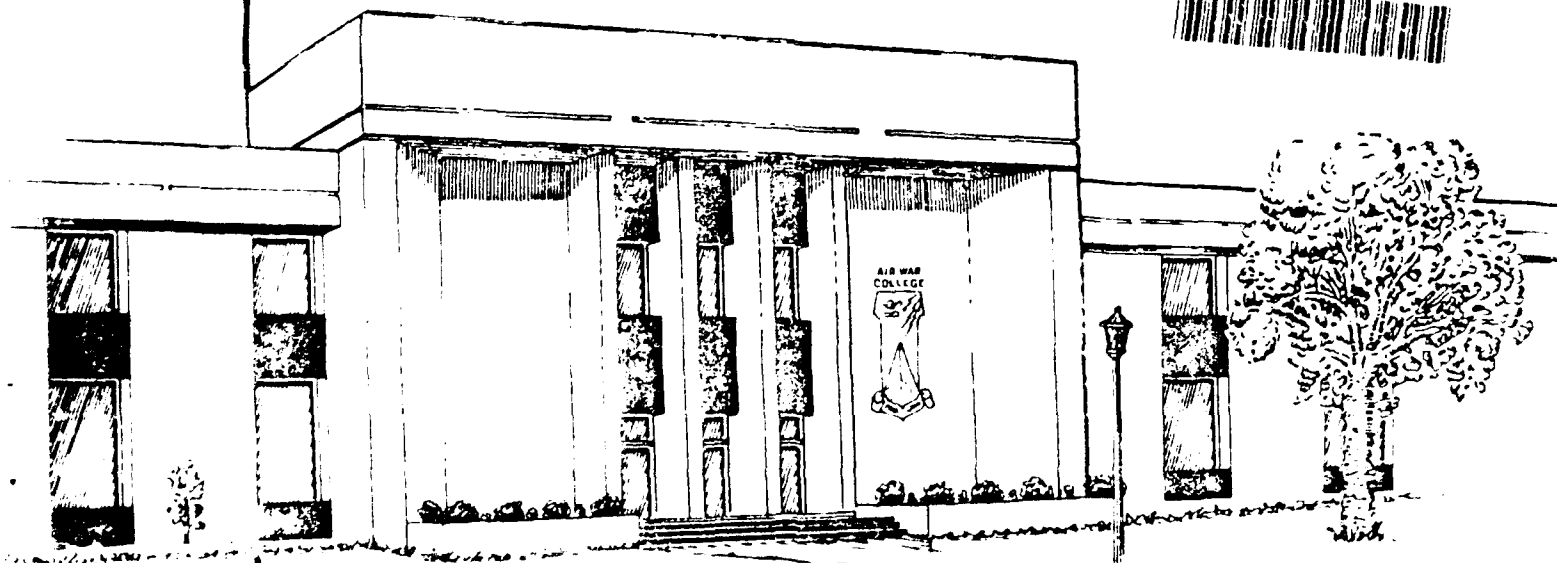
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AIR COMMODORE CARL A. DADA

NIGERIAN AIR FORCE

1990

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UNITED STATES AIR FORCE
MAXWELL AIR FORCE BASE, ALABAMA

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AIR UNIVERSITY

NEED FOR ORGANIZATION OF AFRICAN UNITY TO
DEVELOP A PEACEKEEPING CAPABILITY

BY

CARL A. DADA
AIR COMMODORE, NIGERIA

A DEFENSE ANALYTICAL STUDY SUBMITTED TO THE FACULTY

IN

FULFILLMENT OF THE CURRICULUM REQUIREMENT

ADVISOR: DR DAVID ALBRIGHT

MAXWELL AIR FORCE BASE, ALABAMA

MAY 1990

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BIOGRAPHICAL SKETCH

C. A. Dada was born in Lagos (Nigeria) on 7 June 1943 and enlisted in the Nigerian Air Force on 1 July 1964. He is a pilot and was commissioned in 1966. He has been a squadron pilot and instructor on various aircraft types; he also saw combat during the Nigerian Civil War. He has held various command and staff appointments. His service experience included taking part in international assignments like the UN peace-keeping operations in Lebanon (UNIFIL) and the OAU Peace-keeping Force (OAUF) in Chad.

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CHAPTER I

INTRODUCTION

The maintenance of peace in the world has become the central problem and preoccupation of nation states, international organizations, and regional bodies. In an increasing interdependent world, the search for peace has quite understandably and inevitably become a collective exercise.

Since the end of WWII, global efforts aimed at maintenance of peace have been carried out through the United Nations (UN). But as crisis areas increased all over the world, regional groups such as the Organization of African Unity (OAU) were required to assume new role of peacekeeping within their area.

The need for peacekeeping operations in Africa has increased significantly in recent years as a result of an increase in interstate and intrastate conflicts. The types of situations that have called for peacekeeping operations include border clashes, civil wars, and ethnic conflicts.

Past attempts by the OAU to manage conflicts on the African continent have been utter failures by any means. Nevertheless, to play this important role, there is today a need for the

organization to establish a new peacekeeping machinery to promote peace and stability among member-states and security on the continent. How can this be accomplished with the present setup of the OAU and the lack of political unity among the member nations?

The purpose of this study is to determine what type of military peacekeeping force can and must be developed within the framework of the OAU. The structure must be feasible and should assist in preserving and strengthening the organization, enhance the existing system of peacekeeping; and promote the evolutionary advance towards a continent of peace and stability.

This is no novel endeavor. The ground has been heavily traversed by scholars, politicians, lawyers, and the military.

After an initial examination of the history of the OAU, an appraisal of the organization's past experience in the conduct of peacekeeping missions will be made, in order to cast light on the future character and role of peacekeeping arrangements under the OAU. The study will not delve at length into the efforts of the organization at international conciliations, mediation, arbitration, or policing as such. It was found necessary in the course of the analysis however, to include, from time to time, a consideration of these methods of peaceful settlement in order to relate them to a peacekeeping corps.

The study will consider next, various alternatives for the various member states of the OAU to earmark peacekeeping units for the organization to call for their use. It will stress

practical and useful arrangements, what might be feasible in terms of the foreseeable political and financial realities.

Therefore, the general situations that have and could call for peacekeeping efforts in the future will be examined, and an analysis of the practical application of the peacekeeping machinery will be effected. Recommendations will then be offered on a feasible force structure. The study will conclude with some general and specific conclusions on the issue.

The intention here is not to develop an exhaustive treatment rather it is my desire to provide a base for further detailed research and action.

Essentially, this is a political power problem; however, its nature transcends politics per se with the diverse impact of international military economic and psycho-social forces. It should be remembered that a key goal in the pursuit of a vigorous and effective OAU is the preservation of peace. Over the next decade, the continent will be under tremendous political and economic strain, and the organization will remain the chief instrument available for building a genuine community of nations. (10:110)

The hope of establishing some form of collective security system in Africa was the prime motivation behind the formation of the OAU. Certain postulates related to this hope underlie this research paper. They are that, the realistic precedents for action in establishing a peacekeeping force, as an enforcement instrument, are traceable to the life span of the

OAU; that the OAU will continue to be an expression of effective continental will and purpose within the framework of its founding charter; that all the African nations will retain membership in the organization and will continue to effect actions therein supporting the ideals for which the OAU was formed. (14:10)

CHAPTER II

APPRAISAL OF OAU ATTEMPT AT REGIONAL CONFLICT MANAGEMENT (1963-1989)

Since the formation of the OAU in 1963, attempts at peacekeeping have been made in more than twenty seven actual or potential conflict situations. The precedents of the past shed substantial light in trying to chart the future course of peacekeeping. They indicate in what ways peacekeeping has been employed, what practices have resulted in success or failure, and what elements of this vast experience have the greatest potential for the future. (16:11)

The framers of the OAU Charter did not include a peacekeeping force in it, as they did not envisage situations where member states would be called upon to monitor or physically restore and maintain peace in the region. The new awareness is borne out of pragmatism and cooperation dictated by the exigencies of intractable crisis situations which assumed external dimensions. The substantive problem now is one of a multilateral military force that would be assigned on a permanent or ad hoc basis within the framework of the OAU. The

major concern should be how this force can be formed and sustained. (5:16)

Even though peacekeeping involves more than just interposing an armed or unarmed force to restore and maintain law and order, this paper is limited in scope to the military aspect of peacekeeping. It should be pointed out that this does not imply an alternative model of problem solving. The traditional use of mediation and conciliation to effect a definite settlement must go hand-in-hand with this ideal instrument. Nevertheless, if there is any hope of maintaining regional peace in the 1990's, improving the technical capability of the OAU, providing it with "teeth" and "muscle" to enforce peace where peace cannot be negotiated--in short, the idea of an OAU peace force--the key to the hope.

Nearly twenty-seven years of the OAU's existence have been concerned with attempts at conflict management. The pragmatic ad hoc approach which relied mainly on persuasion and negotiation for conflict resolution has become obsolete in recent times. This situation means that a new procedure by the organization is called for.

What does this portend for the future of peaceful settlement of disputes among African states? A brief examination of OAU's past efforts at peacekeeping, reasons for failures and some new strategies for peacekeeping may provide the answers. (10:117)

OAU - COMMISSION ON MEDIATION AND ARBITRATION

Since it is the performance of the OAU that is being evaluated in this chapter, focus will be on the organization's quest for a conflict management capability. It is however, relevant to recall in this context that the OAU was founded in May 1963 as a grouping of newly independent states of Africa to:

- (a) promote unity and cooperation among African states,
- (b) coordinate efforts to achieve political development of the people,
- (c) defend the sovereign and territorial integrity of its members,
- (d) and, eradicate all forms of colonialism from Africa and promote international understanding. (10:110)

The organization functions through four institutions, three special commissions, and numerous committees established to deal with specific issues or problem areas.

One of the four principal institutions provided for in the OAU Charter was the Commission on Mediation and Arbitration, which was designed as a means of settlement of disputes within the OAU framework. It consists of twenty-one judicial representatives from different member states. These representatives are nominated by member states, and elected by the Assembly of Heads of States and Government, for a five year term.

It should be noted however, that this commission has never been fully operational in the twenty-seven years of the

organization's existence. Instead, OAU members have preferred to adopt a more flexible approach to managing conflicts, largely based on cooperation and voluntary compliance among members. By this kind of crisis management, the organization has attempted to ameliorate potentially explosive crisis situations that would have internationalized certain African disputes. (10:112)

OAU - QUEST FOR CONFLICT MANAGEMENT CAPABILITY

The OAU has a dismal record in resolving inter-African conflicts and defusing tensions among states. It has become little more than a forum for mutual recriminations and denunciations by contending parties. The Charter and the numerous resolutions and decisions that emphasize the peaceful settlement of disputes are repeatedly and systematically violated, leaving Africans staggered by the tragic consequence of these conflicts.

One reason for this impotence is the fact that the charter enunciates the provisions for the peaceful settlements of disputes in great detail and clearest terms, but does not empower the organization, or provide it with the necessary wherewithal, to prevent such conflicts. This problem has its roots in the past failure of the founders of the OAU to agree on the formation and the shape of a peacekeeping force (African High Command). (11:69)

AFRICAN HIGH COMMAND

The need for a unified military command--which would have provided the foundation for a peacekeeping force--has generated a lot of debate since it was first bruited at a conference of independent African states in Accra (Ghana) in 1958 (even before the OAU came into existence). The issue has proved to be a very delicate one, touching as it does on the essence of African unity.

The idea of a collective arrangement for African security was the brainchild of Kwame Nkrumah (President of Ghana). He was subsequently encouraged to press for such an arrangement in the 1960s by fear of the withdrawal of the UN Peace Keeping Force in the Congo and a desire to provide an African solution to the problem. Though Nkrumah's idea gained support among African leaders, they held divergent views about the extent to which the African High Command (as it was called then) of the continental military force should be integrated. (11:176)

In 1965, at another Accra summit, a resolution calling for the creation of an African Defence Organization which would maintain peace and security on the continent was approved. The proposed arrangement was to be based entirely on voluntary cooperation among member states; the force was also to be supplied by African countries and could only be used at the express request of member states.

Yet, although it fell short of Nkrumah's ideal of an integrated continental force, the idea of the Defence

Organization never went beyond the stage of a resolution by the OAU. The member states remained extremely suspicious and worried about military cooperation, although the Charter had formally established the Commission on Mediation and Arbitration as a specialized agency of the OAU.(11.178)

Disagreement over Command and Defence Organization issues arose for different ideological and political reasons. In Africa, political problems in a country evoked contradictory responses from other countries. When a rebellion or a struggle for state power erupted, moral and sometimes active continental support was often split between the government and its people. (Illustrations can be found in contemporary histories of Nigeria, Sudan, Ethiopia, Somalia, Zaire, Uganda, and Chad).

The African continent has undergone various forms of crisis since the 1960s, when most African countries became independent. This has led to the question of the ability of the OAU to enhance the security of the member states. For the OAU to meet this task a reduction in the rate of intra-African squabbles would be inevitable.

The cry for a peacekeeping capability has invariably recurred with the emergence of each conflict. Formation during the Shaba (Zaire) crisis of the so-called Pan-African Security Force by France and other Western countries further drove home the urgent need for a genuine African peacekeeping force.(11:180)

AFRICAN CRISIS AND OAU ATTEMPTS AT MANAGEMENT (1963-1989)

The conflict management institution of the OAU has been basically constrained by individual states jealous claims of sovereign rights. Mediation, conciliation, and negotiation have therefore remained the vital mechanisms for solving basic political problems. This is because mediation and "good offices" are relatively unstructured, informal methods employed by peace-seekers for achieving peaceful resolution of disputes. Such a mechanism of peacekeeping essentially involves the participation of distinct third parties, which OAU members have found to be a convenient and safe model for problem solving.

The OAU has achieved some successes, by using this process, in contributing to or directly settling disputes or ending hostilities between states. Some of these are:

- (a) Algerian/Moroccan dispute - 1963-64.
- (b) Rwanda/Burundi clashes - 1978.
- (c) Zaire/Congo Border Dispute - 1972. (7:85)

However, there have been many crisis situations in Africa, ranging from communal conflicts to border wars, that have provided tests of its peacekeeping approach as practiced to date. These crisis could have been settled, or the scale of hostilities reduced, if the OAU had had the capability to interpose peacekeeping forces between the belligerent. The following crisis afford good illustrations:

(a) Ethiopia/Somali War

The dispute between Ethiopia and Somalia has proven to

be beyond the mediation capability of the OAU. Somalia's claim to the Ogaden region of Ethiopia led to an outbreak of hostilities between the two countries in 1964. The OAU Council of Ministers appointed Sudan to employ its "good offices" to mediate the situation. Although an uneasy peace was achieved, it soon reerupted, and this time, multilateral mediation was proposed, which resulted in the establishment of an eight nation "Good Offices" committee. The OAU arranged for a cease-fire and the creation of a demilitarized zone along the border. The initial phase of the peace plan was implemented, but arrangements for a peacekeeping force to man the demilitarized zone failed. Somalia's effort to have the OAU send military peace observers to supervise the agreements was unsuccessful, and a protracted conflict broke out again in 1977.(20:599)

(b) Nigerian Civil War

The Nigerian civil and other conflicts have some similarities with regards to the OAU attempts to effect peace through mediation. In the case of Nigeria, this was the first time that the OAU, with the consent of a member state, intervened in the internal affairs of a country in order to preserve the unity and territorial integrity of that country--an implicit condemnation of secessionist attempts in Africa.

The OAU participated in the unique experiment in international observation that took place in this war. Beginning in September 1986, an International Observer Team, consisting of Canada, Poland, Sweden, and the United Kingdom,

was invited by the Federal Government to observe the conduct of Nigerian armed forces in their operations against the secessionist regime in "Biafra." Representatives of both the OAU and UN took part in these observation activities.

The OAU also established a six-member ad hoc Consultative Committee on Nigeria which met with representatives of both sides. At one of these meetings, "Biafra" proposed a cease-fire agreement to be policed by an OAU Peace Force. The Nigerian government itself, at one point, recognized the need for an "outside peace force" once the rebellion ended, in order to give the "Biafrans" a sense of security. Unfortunately, the OAU could not raise such a force, and its mediation effort could therefore not produce a reconciliation and peace between Nigeria and "Biafra."

However, it was the ineffectiveness of the OAU peacekeeping effort in Chad (1982) that brought into sharp focus the extent to which the organization lacked the capability to maintain peace, stability, and security in the region. The challenge posed by this failure strongly points to the urgent need to device a new machinery for conflict management strong enough to carry out the task of collective security espoused in the OAU Charter. (15:56)

CHADIAN CRISIS - HISTORICAL BACKGROUND

Chad, Africa's fifth largest country in geographical terms, has been engulfed by inter-cine strife, which has made unity and

stability in the country elusive in the last twenty-five years. The conflict broke out in 1965 as a northern protest movement against a southern-dominated government which proved insensitive and unresponsive to their demands. However, over the years, it metamorphosed from a purely ethno-regional feud to sheer banditry, in which selfish warlords engaged in dangerous and crude contests for political power, and later into a civil war. By 1979, Chad had become Africa's Lebanon, a country plagued perpetually by instability and disunity and having the potential for jeopardizing sub-regional stability.(17:8)

No other state in Africa, with the exception of Uganda, is so thoroughly lacking in even the most elementary attributes of statehood. None is more vulnerable to the twin dangers of foreign-linked factionalism and foreign intervention.

Chad's crisis is not reducible to any single set of circumstances; its roots lie in part in the sheer diversity of ethnic and cultural differences within its boundaries, in part in the very superficial impact of French colonial rule beyond the country's southern tier, and in part in the complex interactions after independence between various domestic groups and factions, on the one hand, and their wider geopolitical environment on the other.(17:11)

In the years following independence, from 1960 to 1975, the fundamental line of cleavage was between the predominantly Islamized north and the Christianized, Sara-dominated south. Until the fall of its first president, Tombalbaye, in 1975, the

country was dominated by Sara tribe.

By 1975, the north-south dialectic had given way to a more complex pattern of ethnic conflict. Coinciding with a struggle for power in Ndjamea among Sara elements, a bitter rivalry emerged among the insurgents (between Arabs and Tubus). This was followed immediately by an even deeper and long-lasting feud between two different segments of the Tubu cluster: one led by Hissen Habre and the other led by Goukouni remain to this day the leading protagonists in the Chadian crisis, they are by no means the only actors. By 1979 no less than eleven factions had emerged in the political arena.(8:242)

First Islam, then ethnicity, and intra-ethnic factionalism corresponded to specific moments in the process of polarization that has characterized Chadian politics.(8:243)

Several attempts by a number of countries and the OAU were made at peaceful settlement of the crisis. The most notable one was that undertaken jointly by the OAU and Nigeria in 1979. In a move to arrest the total collapse of Chad, the OAU and Nigerian summoned the warring factions to Kano and Lagos (Nigeria) for a series of conferences aimed at resolving the conflict. The outcome of these conferences was the establishment of the Transitional National Union Government (GUNT) as the most broad-based and representative of all Chadian governments since independence in 1960. This government, that was led by Goukouni, collapsed in 1982 as a result of the outbreak of fresh hostilities.

CHADIAN CRISIS AND OAUF

The Organization of African Unity Forces (OAUF) in Chad was the culmination of an OAU peace process that began with the Chadian request at the OAU Summit in Librville to reconsider ways of restoring peace to Chad. The mandate of the force charged it with responsibility for:

- (a) maintaining law and order;
- (b) assisting in elections for a democratically elected government;
- (b) training and integrating the various Chadian factions into one national army. (18:94)

The OAUF was made up of military contingents from Nigeria, Senegal, and Zaire with General Ejiga of Nigeria as Force Commander.

From the outset, it was clear that the OAU had many problems. One was, staggered arrival of troops, due to poor organization and coordination. However prominent among the problems was the status of the force. The fact that the belligerent also interpreted the role of the force differently did not help matters, while the states contributing forces had different ideas. It was therefore clear from the beginning that no political consensus existed between the OAU, the contributing states, and the President of Chad as to what the OAU role should be.

When hostilities broke out again, neither the OAU, nor General Ejiga could give a clear answer as to what his mandate

was, citing merely the vague formulas about "support for the government without interference in Chad's internal affairs" and "responding to situations as they arise." These contrasting views expressed by the OAU, Nigeria, and the OAU Special Representative in Chad, raise the important issue of the precise legal status of the OAUF. (Such an issue, however, is beyond the scope of this paper.)

The next obvious problem was that the OAUF was badly organized. (Out of six countries earlier asked, only three provided troops). The OAU has no standing planning staff to organize peacekeeping efforts. Transport and communication facilities on the continent are generally too poorly organized to support the complex arrangements that peacekeeping operations demand, and few African countries could offer technical support as only few had real experience in peacekeeping. The OAU had to rely heavily on international logistics. (18:98)

A third problem was that of how to finance the operations in Chad. Of the three contingents, two (Zaire and Senegal) depended heavily on the US and France. There was the problem of how to allocate the \$160 million annual estimate between member states of the organization.

A fourth major problem was the size of the OAUF. The full complement was to be 6,000 troops, but only 2,500 were available. The OAUF was therefore not in a position to repel any attack from a better organized and disciplined force (i.e. Habre's army). It was also doubtful if Gen Ejiga, the Force

Commander, could depend on the loyalty of his forces to respond to instructions.

The paradox of the OAUF was that the OAU, which is vehemently opposed to foreign intervention in Africa, now found it could not maintain peace without outside help. (18:101-103)

CHAPTER III

GENERAL SCOPE AND SITUATIONS THAT CALL FOR PEACE KEEPING

General Scope

A peacekeeping operation should be a form of collective action to maintain law and order, prevent civil war or international conflict, and seek a solution to the controversy. Peacekeeping in concept and practice has been an international device which has come into usage since the end of World War II to denote international action to deter, discourage, prevent, or terminate threatened or actual hostilities. The concept may include closely allied or other responsibilities such as efforts to settle disputes (e.g., mediation or conciliation) or action based on the use of force to maintain law and order or to suppress or prevent the spread of hostilities.

Peacekeeping in its simplest form may not go any further than to direct the eyes of the organized international community to a situation which, if ignored, could endanger the peace of a region or perhaps the world. It assumes that the parties immediately and directly involved will be amenable to the

informed judgement of wide sections of the international community whose interests could be affected by a continuance of the conflict. It has been recognized since the end of World War I, in the League of Nations and UN, that such threatening situations can be called to world attention by outside parties without the initiatives being regarded as unfriendly.

Peacekeeping is a flexible instrument which rests on the mystique of a higher authority which states have agreed to obey. When observers have been interposed between hostile camps, they have usually been honored and not set upon, for to attack them has come to be regarded by world opinion as offensive as striking a police officer.

Peacekeeping may function through the presence of one individual representing the organization, or take the form of a large mission where the objective is to oversee armistice agreements and supervise a cease-fire or to check illegal infiltration of personnel or supply of arms or other materials across borders. Its purpose could also be to deter violence, which may be of a threatened and incipient nature, and the interposition of a peacekeeping mission is to deter the spread of violence and appropriately to resolve differences between antagonists.

The development of the peacekeeping concept has been pragmatic, depending largely on specific conditions and prevailing political circumstances. In the UN experience, one case has rarely been like another; therefore, flexibility in

circumstances become necessary. As many different patterns emerged, so were valuable lessons learned. At times, missions have succeeded not only in inducing or ending hostilities which was the main objective, but have usually engaged in conciliation or mediation, whether or not these functions were specifically mentioned in the terms of reference.

Peacekeeping missions to troubled spots have been dispatched only by invitation of the country or countries involved. Consent of one or more of the parties is very necessary. Even where this has been obtained, there have been instances in which one or the other of the parties has failed to cooperate or to assist the mission in carrying out its mandate. The strengthening and institutionalization of peacekeeping, including peace observation, would seem to be one of the indispensable devices in moving towards the control of evidence in the international community.

Peacekeeping should not be regarded as a complete instrument, but as a first step in the process of peaceful settlement. In appropriate circumstances, it must be accompanied or followed by other means such as reconciliation, mediation, or judicial settlement.

Situations

After WWII and the breakup of the colonial empires in Africa, Asia and the Middle East, areas became scenes of UN attention. Many of the boundaries in Africa are artificial

creations, often running through and separating existing communities and empires. These are now and will be in the immediate future, areas for hostilities (e.g., Ethiopia/Somalis, Mali/Burkina Faso, Togo/Ghana, Libya/Chad, Nigeria/Cameroon border conflicts). Internal stability in a number of the independent countries has also become fragile, and the threat of civil war always lies just below the surface. It must be expected therefore that the continent of Africa will continue to require close attention and need the assistance of peacekeeping operations, both regional and international.(13:17)

The prospect in the immediate future is that the UN, as it gets increasingly over stretched, will function as a last resort for peacekeeping in Africa and other regions. It has thus become necessary that regional peacekeeping machinery be developed as a last recourse.

The OAU has been cited by Africans as permitting them to deal with African problems to the exclusion of "outsiders." However, When an army mutiny took place in Tanzania in 1964 and internal instability broke out in Shaba province of Zaire in the late 1970s, Africa had to rely on "outsiders" to help restore situations to normal. Such instances have increased the interests of other countries outside the African continent, and especially the superpowers, in the affairs of Africa.(13:26-27) Moreover, this assertion of worldwide interests and concerns has the effect of carrying an issue beyond the scope of a regional organization.

The OAU Charter, of course, provides that solutions should first be sought by the states directly involved, then if necessary with the help of the regional organization, and only finally through the UN. Yet the OAU has not been able to perform its assigned role creditably in many crisis which it has tried to solve. It did make an auspicious beginning in the Algeria-Moroccan Frontier dispute, and it still plays a role in the border dispute between Somalia and Ethiopia. Experience, therefore has not shown an altogether clear and generally acceptable result on OAU initiatives.

A study of disputes requiring international mediation shows that these cases mostly involved conflicting border and territorial claims; dangerous internal disorders; ideological and ethnic conflicts; minority grievances; and armed buildups. Most of these situations resulted from the breakup of old nations and the rise of new ones following the two world wars. Though several frontiers in Africa are in dispute or disturbed, there are fewer cases erupting than was thought would probably occur. However, internal instability and disorder have several times led to great power interventions, (Nigeria, Zaire, Chad, and Angola civil wars for example).

Despite the easing of East-West conflict, tensions arising from the ideological clash inherent in East-West competition will probably continue to be an active or potential threat as far as one can see into the future (e.g., Angola). Even if tension becomes less acute, dangerous situations will inevitably

arise where peacekeeping can be a factor in preventing the spread of conflict. (13:19-20)

Peacekeeping, as envisaged in this paper, is only possible in situations where the superpowers or smaller powers under their sway give their consent to, or at least do not actively oppose, such arrangements. Thus, the objectives of peacekeeping are not to impose, but rather to interpose; not to enforce a solution but rather to bring a cessation of hostilities, and create an atmosphere in which a temporary or permanent solution maybe found.

Another active or potential source of trouble is the existence of minorities within a state (e.g., Burundi) whose grievances are not redressed, and sometimes supported by irredentists in neighboring states. This state of affairs can make for instability, civil, and often international conflict. (13:24)

A sudden change in the arms position of country "X" as compared with country "Y" has frequently given rise to increased tension that has led to complaints of hostile intent being laid before an international body of which both countries may be members. Arms buildups are a symptom and a cause of existing bad relations, of distrust and insecurity whose roots are political and require a political solution. But in the absence of a basic understanding, there would be the danger of an arms race or direct action, and greater danger of a brush-fire war escalating into a full-scale one.

Peacekeeping has been and can be timely and effective both in reporting on the facts, often distorted, and in helping defuse an explosive situation. There are, however, situations where it would be inappropriate to use peacekeeping forces. A government may attempt to internationalize an internal conflict in an attempt to serve its own purpose. While some internal conflicts such as civil wars may hold dangers for the continent, the OAU should be on guard that its proceedings are not abused.

A special problem might be faced in an effort to use a peacekeeping corps. This is if the case is already being dealt with on a bilateral basis, or if one of the partners, in an effort to improve its position, takes the case before a wider international body like the UN. The latter situation in particular could cause some interjurisdictional misunderstandings between the regional body (OAU) and the UN.

East-West rivalry can have the effect of preventing or partially frustrating peacekeeping activity in situations where such would normally have been indicated. However, the improvement in relations between the superpowers is giving rise to a more cooperative approach in the handling of certain international disputes and regional conflicts. (13:54-55)

How can peacekeeping be institutionalized? Should there be a standing peacekeeping corps under the OAU, or should it create a corps on an ad hoc basis? Or, should there be an earmarking of peacekeeping officers by the various member nations, officers trained by these nations in cooperation with the OAU for this

special task to be placed at the disposal of the organization upon call? Should there be, in addition to the earmarked officers, a small OAU group of twenty-five to fifty officers, some of whom might form the cadre of a peacekeeping team? These various alternatives will be considered in chapters IV and V.

CHAPTER IV

PRACTICAL APPLICATION OF PEACEKEEPING MACHINERY

This chapter deals with the bases of authority of peacekeeping missions, and with assuring adequate terms of reference. It does not suggest the specific tasks which might be enumerated in the terms of reference, but merely an approach to be followed in authorizing the mission to carry out such tasks. First and foremost, it will be apparent that the specific grant of authority depends largely upon the circumstances of the individual case. On the other hand, there are certain generalizations applicable to most situations.

Initiative For Peacekeeping

Disputes which endanger the maintenance of international peace may be brought to the attention of the organization by either or both parties to the dispute, by a third party, or by the Secretary-General. It is suggested that regardless of who initiates the peace observation, both or all parties to the controversy and the Secretary-General should be consulted prior to establishing the mission or framing its reference.

Forum Before Which Initiative Is Taken

Peace missions may be established either by the OAU, the UN, or special arrangements involving the parties directly concerned and perhaps other interested states. The OAU should be used wherever the situation endangering international peace is confined to states which are members of the OAU, these states are willing to utilize it, and success of the understanding is within the control and resources of the OAU or a few member states.

Within the OAU, the Secretary-General should not initiate a mission without authority from the General Assembly except on occasions where:

(a) both parties wish the Secretary-General to assume the initiative, and the probabilities are that the mission will be successfully accomplished in a short time and with minor costs; or

(b) the emergency is such that the Secretary-General must act prior to the convening of the appropriate OAU organ.

In other circumstances, many member nations might repudiate the initiative of the Secretary-General with adverse results, even if the General Assembly later assumes responsibility.

Agreement of Parties

The setup of the OAU or even the UN is not in any way able to compel states to comply with its decision. Its authority will therefore depend on moral sanctions. Such sanctions are

the most effective if the parties to a controversy agree to permit the peacekeeping missions to operate within their respective territories. In this way, failure to cooperate will be a clear breach of the agreement. Thus the violator will be flouting both his own commitment and the recommendation of the regional organization.

It is fundamental that neither party shall be in a position to limit the mission's activities by revoking a part of the agreement to permit the mission to carry on its activities. Such a circumstance would place obstacles in the path of the mission.

Timing and Initial Grant of Authority

Most peacekeeping missions derive their authority from the original resolution of the organization. While it is always possible to increase or alter the authority of the mission after its establishment, it is generally better to grant adequate authority to the mission in its original terms of reference before the mission proceeds to the area. The parties are more likely to acquiesce to satisfactory terms of reference at the outset, when world attention is focused on the controversy.

Defining the terms of reference of a mission is therefore likely to be one of the first tasks of the OAU. The importance of this task underlines the necessity of careful study and negotiations with interested bodies.

Successful peacekeeping often depends primarily upon early

and speedy action. If the peace mission can get to the scene before conditions deteriorate too far, its chances of success are greatly enhanced.

Specific Enumeration of Tasks

The terms of reference should be broad enough to permit the peace mission to carry on all activities that are reasonably necessary for efficient peacekeeping. If the terms are too specific, the mission might exhaust the terms of reference without making a dent in the problem. In other instances, if terms of references are too indefinite, the parties in conflict would be in a position to contest the jurisdiction of the mission and hamper it on carrying out essential activities. The terms should also specify the anticipated activities of the mission in so far as they can be foreseen.

The nature of the mission may change radically during its operation. So far as can be foreseen, provisions for phasing the mission operations should be included in the terms of reference.

Relation of Mission to the Organization

It is clear that the terms of reference should provide expeditious access by the mission to the organization. There will be many occasions for such access--if either or both parties are hindering the activities of the mission; if there is a change in the political circumstances requiring the mission to

transmit progress reports, etc. The mission chief will normally report to the Secretary-General, who will take necessary actions. There should, however, be a right of direct access from the chief of mission to the organization. In summary, channels of reporting should be specified in detail in the terms of reference.

Termination of Mission

Wherever possible, a limitation should be set on the duration of the mission. In the absence of such a limitation, a mission may be unduly prolonged. The growth of vested interests in the status quo may arise not only within the mission, but also with response to governments of the parties to the controversy. In some cases, the establishment of a time limit might be an incentive for a peaceful settlement of the case. It must be recognized, however, that in many cases, the necessity for peace observation will continue after the expiration of the specified time limit.

The terms of reference could limit the duration of the mission in any of the following ways:

- (a) providing a specific time limit;
- (b) limiting the funds available for the mission;
- (c) providing for the termination of the mission upon request of both parties;
- (d) permitting the mission to determine whether its functions should continue beyond a specified time.

Despite the general desirability of indicating in the terms of reference the duration of the mission, no useful purpose is served in setting a termination date which cannot be met.

General Observations

For an effective result to be attained the following general guidelines are suggested:

- (a) The consent of both parties is desirable.
- (b) In some situations, such as border disputes, peace-keeping can produce helpful results even if observation is confined to one side of the border.
- (c) Where peace observation can be legally imposed under the charter of the organization, extensive use of this authority should be made.
- (d) Whenever possible, the consent of the parties should be obtained in advance of entry of the observers and should be sufficiently broad that the parties will be in violation of their agreements if they obstruct operations.
- (e) The initial consent should be buttressed, whenever possible, by status agreements dealing with methods of operations in detail.
- (f) Consent if possible, should not be revokable by either or both parties. However, if parties have any rights to terminate their consent, this should automatically end the entire mission, i.e., the parties should not

reap the benefits of peacekeeping and at the same time be permitted to obstruct the operation.

Relationship Between Peacekeeping and Mediation

The problem of the relationship between peacekeeping and mediation or efforts to effect a peaceful settlement of international controversies has arisen in connection with practically every controversy since World War II where peacekeeping missions functioned. The term mediation, for purposes of clarity, is used here to cover any method of peaceful settlement involving the use of an unbiased individual or group to obtain some sort of agreed settlement of an international dispute. This would include good offices, conciliation and even arbitration; it would also include peaceful settlement of political problems incidental to the major political issues, as well as peaceful settlement of major ones.

In some cases peacekeeping missions can be authorized to engage in mediation; in other cases it might be necessary to make a technical distinction between the peacekeeping mission and the mediating body. There are no guidelines as to whether the two should be combined or separated, but there are certain principles that could be considered. They are:

- (a) In general, where a political settlement appears impossible to attain in the near future, the peacekeeping functions should be separated from the

mediation functions. There is even more need for separation where a great deal of violence already exists in the area, for reduction of violence is the best hope of accelerating an ultimate political settlement.

- (b) The clearest case for combining the two is where the general principles of a political settlement have been agreed upon and the main problem is implementation of the settlement. The peacekeepers are often in the best position to suggest the methods of implementing the political settlement and will not lose the confidence of other party through their suggestions because the final objective has already been determined.
- (c) Where elimination of violence in the area is no more urgent than a political solution, it would seem advisable to authorize the peacekeeping mission to attempt to mediate at least localize political issues, though not the entire political controversy.
- (d) Where changes occur during the life of the peacekeeping mission, changes in relation of peace keeping to mediation may be necessary. Therefore, the terms of reference should be sufficiently flexible to facilitate such changes.

CHAPTER V

FUTURE OAU PEACEKEEPING MACHINERY

International crisis come suddenly and unexpectedly. Even when they can be anticipated, they do not develop as expected, and no two crisis ever present identical problems. Therefore, a certain amount of improvisation will always be necessary in meeting the crisis. Nevertheless, over the years, certain basic principles of action in the crisis areas entailing peacekeeping have emerged, the application of which has already somewhat reduced the improvisation that is required.(16:5)

The handling of a crisis and means available to facilitate its handling should at the outset be distinguished. While an international crisis may be hard to predict, the machinery for handling it should not and need not be subject to improvisation.

It is important that the machinery should be available and ready to function. A critical situation requiring peacekeeping generally requires prompt action. This lesson is amply borne out by the analysis of cases over the past four decades. It is therefore necessary for the OAU to recognize the need to take steps to systematize the machinery of peacekeeping within the

organization.

Given its lack of experience in peacekeeping operations, the OAU will probably not be sufficiently organized to eliminate the improvisation, even in a favorable international climate. The types of situations requiring peacekeeping are so varied and the areas in which missions operate are so different that it would, in all likelihood, be impossible, and certainly extravagant, to have immediately available and ready for assignment all the various types of skilled personnel and stock piles of supplies required for peacekeeping in all areas of the continent.

The effort to set up a machinery for peacekeeping is likely to be in the direction of reducing improvisation. In general, four alternative methods of dealing with the problem of peacekeeping are possible. (16:9-12)

First Alternative - Peacekeepers

Assembled on Ad Hoc Basis

The first alternative is the creation of a distinct peacekeeping group for each individual crisis as it arises. This is the ad hoc method which is the main one the organization employs at present. While improvisation has been somewhat reduced through advance knowledge of the types of personnel and logistic support that would be required, the OAU under this method has still had to improvise to obtain most of its requirements of personnel and logistic support. Furthermore, it cannot be assumed for the future that experienced personnel will always be

available in existing missions for transfer to new situations.
(16:17-19)

Second Alternative - Peacekeepers Earmarked by
Various Member Nations

Under the second method, various member states would identify officers (five to fifty) in their own military establishments to be specifically trained for peacekeeping duties and placed at the service of the organization as the occasion arose. Under this method the OAU, in the event of need, emergency or otherwise, would know what to count on and could plan accordingly. At the same time, the cost of maintaining these earmarked officers would be borne by various member states, and not until they were brought into the service of the OAU would any sizable OAU expenditures be included, with the possible exception of a small increase in the size of the OAU secretariat in Addis Ababa to service this system and perhaps provide a certain amount of OAU training for the earmarked officers. (16:26)

Third Alternative - Earmarked Officers
and a Small Cadre of Peacekeepers at OAU Headquarters

The third alternative involves earmarking and training peacekeeping officers in the military establishments of various member states plus providing a small number of enlisted men recruited and trained by the OAU Secretariat, as international

civil servants who could act as cadres in peacekeeping missions. The formation of such cadres would require some expansion of the civilian element of the OAU Secretariat. It would therefore involve greater expenditures than the previous alternative.

However, the existence of a small, permanent OAU group concentrating on peacekeeping and linked to the earmarked officers in various states would be a major step toward avoiding the haphazard and improvised direction that has marred the operations of a number of missions, and toward assuring the speedy and efficient organization of missions as the need for them arises. The cadres would soon acquire the skills, techniques, and above all the attitude so necessary for successfully handling the delicate situations that constantly and inevitably arise in peacekeeping missions. The existence of such a cadre would also facilitate the organization of specific missions as intermingled groups, rather than separate national units, a teamwork that has many advantages.

It may be that in the existing political environment, this is the maximum step forward that would receive the necessary support from the membership of the OAU. (16:28)

Fourth Alternative - A standing OAU Peacekeeping Corps

A fourth, however, if it were financially and politically feasible, might produce the best results. This would be the establishment of a standing OAU Peacekeeping Corps (known as the "African High Command" in the present lexicon of the OAU). Its

personnel would be international civil servants, recruited, trained, and financed by the OAU and under its full control all the time. (16:29)

The Corps could change from 500 to 1,000 men. Even if the larger figure were attainable, this probably would not be sufficient to cover the personnel of two or more missions operating simultaneously. However, if such a body were formed, the Secretary-General could far more rapidly and efficiently supplement the corps in order to set up further missions.

This particular Corps would receive its charter from a basic resolution, preferably of the General Assembly, outlining in broad terms the range of its functions and activities. Its commander would be appointed by the Secretary-General (but approved by the General Assembly) and responsible to him. However, the specific terms of reference of any mission utilizing the Corps would be laid down by the General Assembly. The Secretary-General would arrange to dispatch the Corps to the area under a Chief-of-Mission appointed by him. The Corps would fly the OAU flag, wear distinctive OAU uniforms, and mark its equipment with the OAU insignia.

The estimated costs of the Corps should cover allowances of the members, major equipment purchase costs and the annual operating costs. They should also include costs of civilian personnel accompanying the mission, such as the political adviser, public information officer, legal adviser, and others. (16:31-34)

It would be wise to authorize the Secretary-General to set up an advisory committee--composed of representatives of OAU member states--with which he would consult on the planning and operation of the Corps. This would be in addition to the advisory committee working with him on specific missions.

The existence of the Corps would permit far more extensive and specialized training than would be possible under other alternatives. The tasks of a peacekeeping mission are both quasi-political and quasi-military; therefore, the training curriculum, in addition to the more usual military instructions, would include such matters as the role and philosophy of the OAU in maintaining international peace; the relation of an international group to a host country; the problems of negotiation and conciliation, and the technique of fact-finding and reporting. In this light, the OAU should establish a Training and Research Institute that would provide a focal point for the training and indoctrination of the peacekeepers.

The establishment of such a corps would require the existence of a small permanent OAU military staff at the organization's headquarters. Likewise, arrangements should be made to equip the corps for specific missions as they are formed.

Under this method it would be possible for the OAU greatly improve the effectiveness of its peacekeeping operations at a minimum costs. It would be desirable to follow this method, if the continents political conditions would allow proposals along

this line to receive the necessary support from the membership of the organization. (16:34)

Advisory Committee

An Advisory Committee should be formed, made up of representatives of member states and chaired by the Secretary-General. The Secretary-General could then consult with it on the operation of the corps. In this way, the member states would participate in the planning and operation of the corps.

The institution, which could be supplemented with other committees for appropriate missions, would prove a helpful and highly useful method of consultation. The size of the group would need to be small to be effective, yet large enough to reflect an equitable geographical distribution. Membership might be limited in duration, thus permitting rotation among various states.

With each peace mission, the Secretary-General would negotiate a status agreement with the host countries or country regarding the stationing of the mission, its privileges and immunities required to fulfill its responsibilities, the inviolability of its premises, freedom of movement within its area of operations, its right to access, and the like. (16:44)

OAU Military Staff

The success of a peacekeeping mission would depend in

considerable measure upon the effectiveness and efficiency of the OAU Secretariat and the support that the mission receive from it. Centralized direction both in the field and at OAU Headquarters is important and indeed necessary. Direction and logistics support must be provided to the mission by the military staff working under the Secretary-General.

Experience derived from UN peacekeeping efforts leads to the conclusion that in addition to the political direction given to peacekeeping missions, there must be a military staff at the organizations headquarters to advise the Secretary-General in his capacity as "Commander-in-Chief" of the peacekeeping missions in order to ensure the proper execution of the responsibilities given him by the General Assembly. The role of this body should be advisory, but it should also focus on planning and direction of operations. The planning should relate to such problems as transportation both to and from the area of operations; communications with headquarters; personnel administration; status of forces and equipment. The body should be headed by a military man but would not be part of the chain of command of the corps. (16:42-49)

Initially the military staff should be of modest size, and its development should take place in light of experience. A large and full-blown apparatus at the outset might encounter resistance. The officers of the staff should be engaged for short periods of time in order to ensure a balanced rotation from among the various member states and thus avoid developing

and OAU military oligarchy.

Equipment

The OAU Peacekeeping Corps, when created, would be assembled at an international base, trained for work in peacekeeping, and equipped with the necessary standard equipment of peace observers. To move a unit and its equipment to an operational area, commercial land, sea and air charter arrangements should be planned in advance. A peacekeeping group must be prepared to be self-sufficient for a time, for it may operate in areas where the required equipment and supplies would not be readily available.

Public Information

At Headquarters, a unit which could provide information on such matters as terrain and climate in various parts of the continent would be important. In the field, a peacekeeping mission should be equipped with special communications personnel to give out as well as collect information. Rumors and propaganda have become significant factors in escalating disputes. Accurate information about what is going on is important, as is nailing down rumors and lies. To secure facts and supply them to the Secretary-General or General Assembly is a basic requirement of peacekeeping missions. (19:9)

Role of the Secretary-General

The Secretary-General should have an increased role in the initiation and application of peacekeeping functions. Acting under the Charter of the OAU and supported by the reigning President of the Organization, he should be able to initiate fact-finding and peacekeeping missions himself. Ordinarily, however, he would not act without the consent of the organization except when requested to do so by all in a conflict. Even in that event, he would not act without consulting the current President or "polling" members of the Organization unless the mission was small in size, no financial drain on the organization, and limited in duration. The Secretary-General might also act in dire emergency where it is necessary to dispatch personnel to an area before the appropriate OAU organ can take action. (19:11-13)

Financing Peacekeeping Operations

Methods of financial support should be: (a) through the OAU's budget; (b) special contributions by the organization's member states; (c) through reimbursement of the organization by parties to the conflicts. While it is difficult to ensure long-term financing of a peacekeeping mission through any of the above methods, there should nevertheless be guidelines to minimize the danger of a mission's being cutoff financially before the completion of its tasks.

It is suggested that where the mission is to be financed

through the organization's budget, there should be some agreement among the nations that not only should the mission be established, but that it should be financed in this manner, at least for a reasonable length of time.

Where some member countries are willing to acquiesce in the establishment of the mission but are unenthusiastic about it, the mission should probably be financed through special contributions by the organizations members. If this decision is made at the outset, the special contributions will probably continue at least during the entire period of the crisis.

Where the parties to the conflict agree to defray the costs of the mission, the probability is that financial support will continue as long as necessary. Particularly with this type of financing, the considerations leading to the perpetuation of the operation of a mission come into play.

It is suggested that if the mission is financed by the contributions of both parties and they decide to withdraw their financial support, ordinarily this would be good and sufficient reason to terminate the mission. Serious problems could arise for a mission financed in this manner only where one of the two parties decided to withdraw its contribution. (5:22-24)

Bases for the Peacekeeping Corps

Generally, OAU members could grant any degree of consent for the use of national bases, right of passage, deployment and withdrawal of troops, or status of forces. A primary mission

for the Planning Staff at OAU Headquarters, on activation, would be to establish the minimum standards for each form of advance agreement. Once the skeleton organization existed, OAU members might draw closer than they are now to the optimum condition--open competition for the right to participate and be represented.

Although land bases and training areas can be secured for the force through advance agreement, this need not constitute any serious problem. As envisioned, the Corps is designed to be a completely mobile and self-contained entity.

Bases for the OAU "quota" force should also not pose any problem. All elements would be stationed in their home countries, under national control until called to active service by the General Assembly.

Reserve elements could be summoned for duty under four conditions. These would be to perform readiness training for a scheduled period under OAU control; to provide rotational replacements for a small element of the standby force; to serve as a component for an operational "consent" force; and to serve as a component of a "quota" force needed to sustain or enhance the stability achieved by interim deployment of the standby force.

Action by the planning staff would ensure that basing, under any of these conditions, was accomplished strictly in accordance with the reservations in advance bilateral agreements. (5:36-41)

Political Will

It is time to focus briefly on the inherent political weaknesses of the OAU. The organization which is vehemently opposed to foreign intervention in Africa, now finds that it cannot maintain peace on the continent without outside help.

Without going into any details, it is obvious that there are many legal and political constraints that made the organization an ineffective agent of conflict management.^(19:16) A great obstacle is the lack of a concerted political will to get things done. No matter how detailed the Charter provisions are, adherence to them depends on the political attitudes of member states.

The OAU needs to redefine its concept of "non-interference." Even though this is a notion of sovereignty, it has proved the biggest hindrance to the OAU's resolution of conflicts because of the unduly, restrictive interpretation adopted by member states. Africa's political unity may depend on, and indeed may be safeguarded only by, some concessions to the notion of absolute sovereignty (e.g., EEC); local African conditions do not warrant the adoption of so rigid an interpretation of the doctrine of non-interference.

It is my belief that a breach of or threat to continental peace and security should override the domestic-jurisdiction clause to the extent necessary, to ensure a restoration of continental peace and security. After all, the European nations have now accepted the principle of limited sovereignty or super-

nationality as the most effective and efficient process of collective security. (19:18-19)

Time and again, the OAU has failed in its role as agent of conflict management. There is, therefore, the need to give a fresh soul to what has become the carcass of an organization. The central issue to tackle in this respect is that of evolving a proper constitutional relationship between the OAU as Africa's supreme political organ and the African states as member units. To this end the OAU must develop effective means of tackling the impediments standing in the way of continental unity. (3:52)

CHAPTER VI

CONCLUSIONS

This paper assumes that the maintenance of peace in the world has become a central problem that will continue to occupy the attention of nation states, international organizations, and regional bodies. Though in the immediate future, the most important instrumentality for peacekeeping will continue to be the UN, regional groups such as the OAU will take on increasing roles in their area.

The need for peacekeeping operations in Africa has increased significantly in recent years as a result of an increase in interstate and intrastate conflicts. The types of situations that would require peacekeeping operations would continue to be areas of border clashes, disputes within states which could endanger international peace, grievances of minority parties; ethnic conflicts, and arms buildups which might upset the local or regional balance of security.

In the realm of general conclusions, it is necessary and feasible to devise new instrumentalities for an OAU Peacekeeping system. The immediate requirement, a definite outline of what

instruments are needed to bring about a realization of this capability. This has three dimensions:

First, it should be realized that systemizing the existing OAU organs and capabilities will allow the potential machinery to begin to take form. This action encompasses all elements from the General Assembly itself down through "consent" type forces that are now used during conflicts.

Second, a truly professional and volunteer military staff, organic to the OAU Secretariat is mandatory. This new agency is absolutely essential for planning and advisory support to the Secretary-General.

Third, a well integrated and highly mobile armed force is needed on continuous standby for employment. This could be a small contingent force created to provide the organization with flexible response to the day's needs. Whether contributed through national contingent agreements or manned by volunteers in advance of the dictates of crisis, such a force could prove invaluable on two counts. It would stand as an immediate responsive agent of either the Secretary-General or the General Assembly, and it could serve as a catalyst for requisite action by the total peace force.

With the ground thus prepared, the forming of an OAU "reserve" force could be achieved through resultant "quota" force agreements. In this manner, the profile of the OAU peacekeeping capability would assume definite shape.

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