

Reforming the African Union: Path to African Ownership

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Abstract

20 years marks the constitutive act of the African Union. However Africa's progress towards political and economic integration remains elusive. This challenge combined with the persistence of instability and new forms of insecurity on the continent have been partially attributed to the incompetence and futility of the AU even by her own members. One has to admit that the AU has been plagued with a number of challenges, the most pressing being a lack of financial autonomy making it unable to address some of African's protracted civil conflicts in different parts of Africa. The reliance on international partners for the provision of funding undermined the AU's legitimacy and leadership in African's affairs. It is expected the reform will likely facilitate the realization of AU's Agenda 2063 which seeks to achieve an integrated prosperous and peaceful Africa driven by its citizen and representing a dynamic force in the international arena.

Keywords: African Union, Ownership, Reforms

Introduction

African continent continues to show remarkable resilience in weathering both global and regional security threats. However, consolidating peace remains the foundation for the continent continued progress and socio-economic transformation. It is of important to note there is no shortage of ideas within Africa on how to create prosperity for the people within the continent. There is huge deposit of potentials in the continent which can enhance development. Therefore utilization of these opportunities ahead will increasingly boast Africa's economies to empower its institutions to effectively perform their duties and ensure good governance. The position of the African Union is vital in this regard, but it needs to be more effective in discharging its duties. As President Paul Kagame notes we have a dysfunctional organization in which member states see limited value, global partners find little credibility and our children have no trust (Kagame, 2017).

The call and decision for the journey towards AU Reforms since 2016 dominated discourse on the continent especially among Researchers, think tanks, diplomats and even more so with

some Africa's external partners. This is not surprising because of the growing importance of the AU in global geopolitics and thus the need to reboot the institution to remain relevant and possible be more proactive and engaging with not just the government of its member states. Structural reforms of international and regional organizations are rare, difficult but not impossible to achieve. It is within this spirit that the African Union (AU) is undertaking its first structural reform since the continental body was established over a decade ago. The AU reform is inspired by the widening breath of socio-economic developmental as well as peace and security challenges. At the same time, the rising of regionalism in the wake of changing global political landscape has led to recognition and demand by national regional and some international stakeholders for the AU to exercise leadership in the affairs of the continent.

The former AU chair Dlamini-Zuma raised eyebrows at the beginning of her tenure expressed surprise at the continental body's excessive dependence on foreign donors. She noted in Johannesburg in December 2012. Over 97% of programmes in the AU are funded by donors .We should be more self-reliant. Over government must put more money there (Kotch, 2012). In 2013 \$155.4 million of the AU's \$278.2 million annual budget (over 50%) was funded by external donors (Jobson etal 2013). Donor aid is important but it should be contributing to what we are already doing. We cannot wait for the first dollar to come from outside .Our mindset needs to change (The African Report, 2013). Dlamini-Zuma therefore pushed for more rapid progress in the work of the AU High Level panel on Alternative sources of financing which was set up the African Union leaders in 2011 under the leadership of former Nigerian head of state Olusegun Obasanjo. At the AU summit in May 2013, the panel suggested ideas like a \$2 tax on hotel stays and \$5 level on continental flights which AU leaders did not support with many fearing a loss of vital domestic income. Reform is vital for every organization.

The world is changing, Africa is changing by the sector and there is the need for the African Union to adapt to the ongoing changes. The need for efficiency and effectiveness saw the task entrusted to it by the Heads of State and Government. The July 2016 Summit held in Kigali the Heads of State and Government entrusted President Kagame with the task of overseeing the reform of the African Union. This reform began with a diagnosis which was backed by concrete proposals and recommendations as presented by President Paul Kagame to his peers in January 2017. The Heads of State adopted decision 60 which is the benchmark

of the reform. It provided for the creation of an institutional reform implementation unit within the office of the chairperson of the AU Commission. The decision was made in the light of the past failures of the organization. One of the major causes of the failures of past reforms is the absence or weakness of an effective mechanism for implementing decisions made by heads of state and Government.

The reform contains the institutional and financial aspects of the continental organization. This in reference to the financial aspects in June 2015 summit held in Johannesburg, the Head of State decided that the Union's operational budget should be 100% financed by the union, the program budget at 75% and the peace support operations budget at 25%. The mechanism for collecting 0.2% tax on eligible imports by member states decided at the Kigali summit in July 2016. However the transformation of the African Union is contingent on a greater financial autonomy on the one hand and the effective and efficient functioning of the organs and institutions of the union. One of the five key areas of the reform was to connect the AU to the citizens of Africa better than before. The process was ongoing, important decisions were made by the Heads of state and Government in January 2018 with respect to the youth and women. One of the keys to the success of the reform lies in the full ownership of reforms by all stakeholders, foremost among them the member states. This presupposes the consolidation of the ongoing consultation process, broad inclusion of all and sundry and at the same time an unwavering faith in the merits of the reform in light of the exigencies of the day, when pan Africanism shall finally triumph.

This paper seeks to contribute to the understanding of the AU reform agenda by asking this question: What will a successful AU reform look like. This chapter is divided into four namely conceptual clarifications, secondly the historical antecedents of African Union Reform, Kagame Reform Committee, lastly conclusion.

Conceptual Clarification

To enhance the understanding of this paper, it is necessary to put the discourse in a conceptual context to provide a framework for analysis. Thus, we can proceed to clarify the concepts of African Ownership. Over the last couple of years 'African ownership' has become a source of discourse in many fields, Economic development initiatives such as the New Partnership for African Development (NEPAD) are based on it, partnership agreements

like the joint AU-EU Africa Strategy are built around it and its central concept of Africanisation guides virtually all external relations of the continent. African leaders insist on it, international organizations preach it and many non-African actors hide behind it.

For the purpose of this discourse, Ownership is defined as the de facto political control over an issue. Adebajo (2007) was of the view on the need for Africans must be able to charter its own institutions based on the principles of African solutions to African problems. It does not mean that African will not association with other global powers. The origin of African Ownership is linked and evolved from the philosophy of Pan African opposition to external domination and advocacy of self-centered development (Franke et al 2008). This implies the aspiration of Pan African struggle for African Independence from colonial subjugation, political acquiescence of independence for the African territories and ultimate total unification .The idea of African ownership intensified during upheavals of post-cold war era turmoil of dynamic global politics with the focal view of cooperation and harmonization of defence in the continent. According to Mo Ibrahim and several other high level participants at the 2013 Ibrahim forum “African governments must take full ownership of the continent’s institutions to drive greater integration and unity”.

The AU’s Ownership should be referred to member states themselves in a sense that AU is the Common socio-economic and political objectives of harmonization, cooperation and integration among them and toward pulling together on matters that states cannot achieve lonely especially in peace and security. The African ownership of the continent’s peace and security agenda can be autonomous when it financially free from external funds and blessed by its member states in a sense of oneness primarily focusing on strength political initiatives and willingness towards peace and security of Africa. Therefore the achievement of harmonization, cooperation and integration of the African continent towards peace and security implementation should be owned by AU member states and should be considered in the grand principle of African solution for African problem thereby and its operational policy and implementation requirements such as its finance and reform programs should be considered to effectively and faithfully secure compliance from AU member states.

Historical Antecedents of the AU Reforms

The AU has in the past launched several reforms which have not been implemented because of lack of commitment on the part of its members. The African Union had its fair share of reforms when it change from OAU to AU .The primary goal of the OAU was decolonizing the continent after a lengthy reform process over several years. The AU was formally launched on 9th July 2002 in Durban South Africa. The first was an audit review requested by the African union Assembly of Heads of State and Government in the Accra Declaration in July 2007(Report of the High Level Panel, 2007). It was conducted by a panel led by the late Prof Adebayo Adedeji which contained concrete proposals most of which were not different from those being proposed in current reforms events.

In 2013 Chief Olusegun Obasanjo former president came up with two ways to generate funding: a\$2 levy for tourist stay in a hotel in Africa and a \$10 levy on flight tickets to and from the continent. In 2015 another levy was suggested: a \$0.05 fee on SMS . This did not come to reality due to lack of cooperation among members. Despite the various media platform .One doubt their active performance in the media space. Previous reforms ambitions underestimated the extent to which the historical institutions design of the AU could have impacted on its performance. In this regard scholars interested in the growth of regionalism took for granted the resilience of the state demise (Acharya and Johnston, 2007). On the contrary states acting on self-interested reasons design institutions purposefully to advice their joint or sometimes promote their interest (Acharya and Johnston, 2007). In other words the collective ambition and shared security culture especially among influential states within a multilateral organization could prove to be instrumental in reforming the organization. A decisive factor which led to the establishment of the AU was the request for reform of the OAU in line with the foreign policy interests of Nigeria and South Africa (Tieku, 2004). Indeed state cooperation and the promotion of collective ambition and shared security culture of a few dominant states have often laid important foundations for the reform of multilateral organizations.

The 2015 adoption of Agenda 2063, the AU's 50 year development vision, it provided an opportunity in restructuring the AU, its commission and other organs. The AU Commission led this effort and hired a consultancy firm Bain and Company to produce a report some of its recommendations particularly a revision of staffing rules and regulations as well as a review

of salaries. However recommendation were mere political in nature such as restructuring AU institutions and Organs were left unattended . However there is the need for African to overcome its current economic and political fragmentation to enable companies to tap these large opportunities. Currently, taking into consideration Africa has eight different regional trade zones which could be an advantage to the continent in the area of socio economic development of African's policies. The best performing blocs are the East African Community (EAC) and Southern African Development Community (SADC). It is interest to note the two blocs have been of value to their members within the continent. Regional fragmentation has hindered socio economic activities and creates a fragmented, unproductive business landscape.

The continent has few manufacturing and service hubs, which require the assistance of regional bloc to success. It has been observed large African companies are on the increase which suggests enormous potential for integration in the continent. It will raise competitiveness and productivity for the polity. This will create more formal jobs that the continent needs. The African Union's financial resources have reduced since 2010, partly due to the internal political challenges in Algeria, Egypt, Libya, Nigeria and South Africa. These five countries have been the major financial contributors to the AU and their weakened capacity has resulted in an increased dependence on external partners such as the European Commission. Presently it is expected that the AU should be self-sufficient. The AU receives 60% of its funding from external partners. This has compromised the AU's independence and the less influence it has had on how the funds received can be utilized. Consequently, it is obvious that the continent faces several changes as a result of inadequate institutional capabilities to run its affairs. This constitutes negative implications for AU especially on its activities as well as financial dependence on external partners. Therefore this calls for a reform on the African Union.

Assessment of the Kagame Reform Committee on the African Union

The AU Reform was inspired by the widening breath of socio-economics, developmental as well as peace and security challenges. It was observed with the rise of regionalism in the wake of changing global political landscape. This has led to recognition and demand by national, regional and some international stakeholders for the AU to exercise leadership in the affairs of the continent. It is based on this backdrop that the AU Assembly Heads of State and

Government decided during its 28th ordinary Session held in Addis Ababa from 30 to 31 January 2017 to embark on the Institutional reform of the AU.

The Assembly also designated President Paul Kagame of the Republic of Rwanda to supervise the implementation of the reform. We were made to understand President Kagame would work with two other Heads of State then president Idris Deby and president Alpha Conde the 2016 and 2017 Chairperson of the Union respectively. The reform decision combined with the leadership of this Reform Trioika” appeared to demonstrate a political commitment of AU member states towards an institutional re-configuration aimed at boosting performance.

The first imperative of the reform is to reduce and deepen the focus of the AU to key priorities with a continental scope. However the institutional reform agenda posits that the AU should focus on four main strategic priorities namely political affairs, peace and security, economic integration and Africa’s global representative and voice. The second aspect of the reform was to realign AU’s institutions. As at 2016 the AU Institution comprising of the Commission, Organs, agencies and committees area a complex web of broad, sometimes vaguely understood and disjointed organizational structures. The ongoing reform process has revealed that there are currently eight commission directorates, thirty-one departments and offices alongside eleven African Union organs thirty-one specialized technical Agencies (STAs) and twenty high-level committees. The fragmented nature of these institutions has led to duplication of efforts, waste of resources and limited optimization of staff capacities in an institution that is constantly characterized by a shortage of qualified staff. The AU’s reform process saw the need to increase organizational performance through an audit of institutional bottlenecks and inefficiencies as well as re-evaluate the size and capabilities of AU Commission structures.

The third priority of the AU Institutional reform agenda is the imperative of connecting the AU to its citizens. It was expected to be achieved through the promotion of women and youth quotas in the recruitments, electoral processes and appointment across the AU system. It also involves encouraging the participation of the private sector to support the AU actively. However other progressive agenda has been proposed aimed at promoting continent wide public goods and services such as rolling out of the African passport to citizens as well as the

realization of free movement of persons as well as the establishment of a free trade area across Africa.

The fourth priority relates to the need to manage the business of the AU efficiently at both political and operational levels. Politically, there is growing emphasis by the AU Assembly on improving its working methods including through streamlining its agenda and through the recognition of improved coordination with the RECS. In addition, the role of the plethora of partners will continue to be requiring in achieving AU's aspirational goals. However, there is a political consensus amongst AU member states that the roles of Partner would need to be better coordinated, limited and more aligned with AU's needs. At the operational level, the internal governance structures of the AU Commission require rethinking. In this respect, the call to embrace a more rigorous merit based nomination process for the election of the AU Commission Chairperson, Deputy Chairperson and the commissioners pre-dates the current reform (Maru, 2012). There are several other promising organizational cultures characterized by some highly proficient, over stretched and under-remunerated staff with the AU Commission. The entire system remains weak in its bureaucracy; experiences limited staffing and have been criticized by its member state for deficient performance across all levels of the commission (Kagame, 2017).

The final and most important priority was the quest for promoting the financial autonomy of the AU. The aspiration for predictable and increased funding to the AU from its member state was a critical driver to the broader reform agenda of the AU. The financial over dependence of the AU on external donors is not a new discourse (Okeke, 2017). The multiplicity of Africa's challenges means that the AU alone may not always have the financial resources to address them solely. The over dependence on external donors have created an institution that lacks accountability to its members is exposed to the divergent and sometimes contradictory interests from donor states/partners and may have made the institution vulnerable to the risk of negative consequences including but not limited to possible espionage (Allison, 2018). The reform was to transform the AU into an organization that is built on relevant institutional design made of efficient bureaucrats. Firmly connected to its citizens and able to independently finance most of its activities above all the institution will be expected to achieve political consensus and support from its members.

The Kagame Committee commences work knowing full well that there were expectations from the citizenry of the continent wanted to see a working organization that is African driven. They propose and drove a new set of reforms which was intended to provide the necessary political clout behind the mooted changes to the functioning of the continental organization. In 2018, he made a presentation on some of the reforms. The scheduled for the implementation of the report covered three AU Summits and targeted the 32nd Summit for completion of all decisions. This summit took place in February 2019. Before the summit took place it was decided at the 31st AU Summit in the hosting of an Extraordinary Session of the Assembly on the AU institutional reform process. The session took Place on the 17th-18th November 2018 in Addis Abba. In total, the Kagame Report identified 19 recommendations across six reform areas. These included: focusing on fewer priority areas, ensuring a clear division of labour between AU and structures, making the AU Commission more effective and efficient, improving decision making and implementation following AU Summits, strengthening the current sanctions mechanism, addressing management and recruitment issues and implementing the Kigali Financing Decision.

However the AU made some progress in implementing some of the reform agenda. A political framework was created through the decision on the Institutional reform which has allowed for the establishment of structures in facilitating and sustains continuity in the implementation of the reform of the Union. Concrete examples given as the establishment of the Troika and the expansion it include the Bureau of the Union, the election of a chairperson of the union in advance, establishment of Reformed Implementation Unit (RIU) and the promotion of a continent wide Public goods and services (CFTA, SAATM and the protocol on free movement of persons). These represent important milestones in a positive direction. At the same time there are some grey areas that have to be addressed before realization of the reform agenda fully.

At the organizational which should serve as the engine room for implementation of these reforms? It reduced the number of Departments and Commissioners. The challenge will be recruiting new Department Directors. It There are quite number of current incumbents have been in interim positions for several years as at 2020. The transitional plan for the new organization, the Commission needed to fill 107 positions including 17 Directors at December 2021. The reform did not adopt any measures in increasing the authority of the Chairperson

of the Commission over other Commissioners along the lines of the European Union Model that would have given the chairperson a degree of autonomy in the management. In the same vein refocusing on some continental priorities (African Union,2020) .This had no real impact, as the reduction in the number of departments was more like a merge of existing bodies rather than a reorganization that led to the AU giving up on some areas of intervention.

The goal of establishing a mechanism in ensuring that member states implement the AU's decision had a mixed outcome. member State's opposition to any independent, coercive mechanism such as the Arusha-based Africa Court of Justice has resulted in a loose consensus that bodies representing in a loose consensus that bodies representing the member states (Assembly of heads of state and Government, Executive Council and permanent Representatives Committee) and the Commission should be responsible for monitoring the implementation of decisions (Progress report on the Status of Implementation of Assembly decision on the Institutional Reform of the African Union,2018) Yet ,the reform body's report to the states stressed that:

“The experience of other intergovernmental bodies has shown that political monitoring has its limits as member states are reluctant to sanction other states for non-implementation of decisions. Hence the use of judicial controls mechanisms. It is also strongly recommended that the African Union's court of justice, whose protocol is already in effect, be operational to assume these judicial control functions”.

However analyst concur that that this recommendation would have far-reaching implications for the AU as an intergovernmental organization ,as its members often refer to their sovereignty as basis not implementing decisions made at continental level. It will tell how prepared are members committed to the success of the union.Louw—Vaudran express her thoughts it is not the interest of member states to have a strong AU Commission in Addis Ababa that can dictate to them (Vaudran-Lpouw,2018). She adds to the discourse member states don't want the AU to be a supranational institution. Some of these reforms have failed because member states pushed back on issues that would give the organization some professional touch. A good example was at the 30th AU Summit in January 2018,Some SADC members raised concern about the transformation of the AU into a supra –national organization with limited accountability on the part of members.

It has been observed that the division of labour and clear delineation of roles and responsibilities between the AU and RECs/RM has not been resolved. There have been visits

on the part of the Commission to ECOWAS and ECCAS Secretariat in Abuja and Libreville respectively ostensibly as regarding exchange views on implementation of financing decision. Since the establishment of the Reform Implementation Unit, there have been some consultations of the RECs through heads of liaison offices in Addis Ababa. It becomes a fact of the absence of a political framework in engaging the REC in a structured and predictable manner. However it will interest you to note that the reform did yield some success such as the peace Fund that has raised US\$176 million as of June 2020 from a 0.2% tax on Imports (African Union, 2020).

The amount is below the anticipated USD\$400 million by 2021 which the fund was launched in 2016 (African Union, 2020). It should be noted this sum was raised despite reluctance from the main contributors such as South Africa, Algeria and Egypt. The AU main challenge is financing its various peacekeeping operations whose today cost exceeds the peace fund's budget while the UNSC is reluctant to increase its own contribution. However the reform had a positive dynamic in the area of the AU's financial autonomy. This was illustrated by the Africa Union's budget that was broken down into two parts: Operations and Programmes including peacekeeping operations as a separate item.

Since the Kigali summit in 2016, the share of partners in the African Union's budget has fallen from 73% for 2017 to stabilize at around 60%:58.53% in 2018; 58.90% in 2019;61% in 2020. A more in-depth review of the budget shows an even more complex state of affairs. , AU member state now fully funds the organization's operating budget. In the program budget, the share of external partners has reduced from 85% in 2017 to 62% in 2018, 55% in 2019, and 59% in 2020. It should also be noted that the Union's budget has decreased by 17% since 2017 in a sign of increased budget streaming.

Conclusion

The African Union has made efforts to see to it come with reforms that will make her more viable for the challenges ahead. However for it taking it effect will determine the political will of its members to walk the talk. Its six years the reform has been carried out. The reform planned by Kagame committee is being put to test. Several shortcomings in managing financial and human resources. The commission's ability to act on these depends on overcoming member states contradictions who want an effective commission.

Notwithstanding some progress have been recorded the reform has rather exposed fault lines between AU stakeholders than identify strong priorities for the organization. This could put the organization in uncomfortable of being constantly criticized by member states regard its function. It is also being vilified by African civil society for its lack of citizen engagement.

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