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Research article

**The African Peace and Security Architecture as a Tool
for the Maintenance of Peace and Security.
Part 2**

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Abstract. This study critically explores the extent to which the African Peace and Security Architecture (APSA) (such as the African Standby Force (ASF), the Continental Early Warning System (CEWS), Panel of the Wise (PoW) and the Peace Fund (PF)) have been successful in achieving their institutional objectives, as well as the degree to which they are able to contribute to the work of the African Union Peace and Security Council (AU PSC). The AU PSC as a key pillar of the APSA is the main decision-making body regarding issues of peace and security. In order to achieve its responsibility, the AU PSC shall be supported by the African Standby Force, the Continental Early Warning System, Panel of the Wise and the Peace Fund. APSA is the umbrella term for the key African Union (AU) mechanisms for promoting peace, security and stability in the African continent. More specifically, it is an operational structure for the effective implementation of the decisions taken in the areas of conflict prevention, peace-making, peace support operations and intervention, as well as peace-building and post-conflict reconstruction. APSA is envisioned as a means by which Africa can take a greater role in managing peace and security on the continent, with the objective of offering “African solutions to African problems”.

Keywords: African Standby Force, Continental Early Warning System, Panel of the Wise and the Peace Fund

The Panel of the Wise: Can it Make a Difference?

This pillar of the African Peace and Security Architecture (APSA) has so far registered some degree of progress. Since it was officially inaugurated in December 2007, the panel has made efforts along two lines of approaches: pre-conflict intervention (conflict prevention) and post-conflict (crisis intervention). There are

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circumstances where the panel has involved in activities prior to conflict eruption, while there are also other situations where the engagement of the panel has been witnessed following the outbreak of the conflict. With regard to pre-conflict intervention, the panel has undertaken several confidence-building missions to several countries such as: Central Republic of Africa, South Africa, Democratic Republic of Congo and others, in recognition of the fragility of the situation in these countries. In some cases, the panel has submitted a report on the need to organize an inclusive political dialogue involving all key stakeholders and while in some other cases prior to the election; political leaders of different countries were advised on the need to ensure violence-free elections. In relation to election, the Panel has urged the electoral commission and all other stakeholders to act “in all manners that would enhance confidence in the electoral process and consolidate the democratic processes” [1. P. 56; 2. P. 12; 3. P. 66–67; 4. P. 134; 5. P. 12; 6. P. 11].

With regard to post-conflict intervention, the Panel has undertaken several missions. This was largely done with the aim of expressing support for the efforts of the authorities and people of different countries in their resulting political transition and to assess the situation in these countries, in order to identify possible accompanying measures to be taken by the relevant stakeholders such as AU and others. In this respect, the Panel has pronounced itself on the situations such as Sudan, Somalia, Mali, Guinea, Guinea-Bissau, Madagascar, Zimbabwe, Tunisia and Egypt to mention a few [1. P. 56; 2. P. 13; 3. P. 67; 4. P. 134; 6. P. 11].

Regarding the approaches of the Panel, particularly its post-conflict visits, one may raise the question that why the Panel was unable to make earlier visits prior to the outbreak of humanitarian crisis. While this study did not get any possible answer from the literature, there are reasons which can be argued to show why earlier visits or activities were not possible. For example, in some cases such as Darfur and Somalia, the humanitarian crisis has already started to deteriorate prior to the official inauguration of the Panel. Another possible reason could be the spontaneity of the occurrence or the political nature of the events. As noted by Jegede [3. P. 67] for instance, the setting alight of a Tunisian street vendor which spurred the ‘Arab Spring’ was arguably unprecedented in its effect, even though it emerged in the historic context of injustices shared by the general public. Speaking of street vendors Mohamed Bouazizi was a Tunisian street vendor who set himself on fire on 17 December 2010, which became a catalyst for the Tunisian Revolution and the wider Arab Spring against autocratic regimes. It is believed that Mohamed **Bouazizi**’s event has helped inspire a wider pro-democracy protest movement in the Middle East and North Africa [7. P. 196].

All in all, so far, the Panel has produced some thematic reports on issues relevant to peace and security such as: election related conflicts; non-impunity, justice and national reconciliation, **natural resource-related conflicts**, women and children in armed conflicts in Africa [8. Par. 1] As such, the most direct contribution of the Panel in matters of preventive diplomacy has been to alert the PSC and Chairperson of the AU Commission to the importance of the aforementioned thematic issues. The Panel has done this through the publication of reports. This suggests that to date the Panel’s reports paid more attention for the above themes. As

well articulated by Ewi [9. P. 24] the fundamental question that remains to be asked now is whether the Panel of the Wise, given its current mandate, structure, resources and geopolitical dynamics in Africa, would bring any significant contribution to peace and security on the continent, in a field already saturated with actors.

As highlighted earlier the AU has established the Panel as one of the pillars of its peace and security architecture gives it recognition as one of the main diplomatic instruments of the AU, aimed at preventing the escalation of conflicts on the continent [10. P. 73]. However, one should not lose sight of the fact that tension, conflict and humanitarian crisis still prevail on the continent where Sudan (Darfur) and Somalia are case in points. There are no empirical evidence exists on the causal link between the Panel's contribution and the reduction of tension, conflict and humanitarian crisis on the continent including the selected case studies. In the absence of clear empirical evidence and against the background of the analysis of the Panel's contribution to peace and security, this study focuses on four factors often determining the success of a high-level panel, in this context the PoW, these are task (mandate), process, context and structure [10. P. 73; 11. P. 290]. The first three ideas are adopted from the work of Gareth Evan and while the later one is taken from Van Wyk.

Firstly, as noted in the previous section the mandate of the Panel is clearly stated in article 11 of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union [12], and later the modalities for the functioning of the Panel was adopted by the PSC at its 100th meeting held on 12 November 2007. Hence, the Panel's mandate can be linked to Evans' [11. P. 289] idea of tasks which includes: raising awareness; innovation in conflict resolution; reducing tension or conflict about a particular issue; and contributing to governance. Despite the Panel achieving some of Evans' tasks, the Protocol and the *Modalities* limit the Panel to an advisory and supporting, thus, reactive role. This has resulted in criticism that the Panel is not engaging more situations to prevent conflict [10. P. 73].

Jegede [3: 67] also maintains that the Panel has involved in several missions on the continent which are actually part and parcel of post-crisis visits. Van Wyk [10. P. 64] notes that in these instances, the Panel's diplomatic practice was reactive, rather than proactive, a practice endorsed by the Protocol in Article 11. As indicted by de Albuquerque [5. P. 12] the fact that the Panel has written thematic reports on election-related violence, fighting impunity, women and children in armed conflict, and democratization and governance, yet, rather than forecasting future problems that could emerge, as originally intended, Panel publications have been released in response to *already* ongoing crises. Here the observation and assessment of Ewi [9. P. 24] is very important to take into consideration. For Ewi any assessment of the Panel should not lose sight of the fact that this pillar of APSA i.e. the Panel is essentially an auxiliary body of the PSC, consisting of only five (5) members who can only make recommendations rather than take decisive actions for the promotion of peace and security in Africa.

Secondly, according to Evans [11. P. 290] the second factor determining the contribution of a Panel in the promotion of peace and security is process. For Evans

process is equally critical: process refers to the way the Panel operates in terms of leadership, size and composition of membership, staffing, available resources, consultative process, the branding and packaging of its report and recommendations, and the quantity and quality of its advocacy and general follow up. According to Van Wyk [10. P. 73–74] since its inauguration, the Panel was occupied with the establishment and operation of the Panel and its Secretariat. Once this has been achieved, the Panel has expanded its diplomatic efforts. Moreover, the Panel has increased its awareness raising and achieved normative impacts.

With respect to staffing and resources, there is a common consensus that the Panel's current staffing and financial support is not satisfactory enough [2. P. 13; 3. P. 73; 4. P. 135]. The Panel requires a good budgetary allocation which depends on the political commitment and good will of the decision-making organ, and of course on the amount of funding available in the system for the fulfillment of its role. Without adequate human and material resources, it is difficult if not impossible for the Panel to improve on its performance [3. P. 73]. The Panel has been supported mainly through external partners. Indeed, to date, external funders have underwritten most of the panel's activities [2. P. 13]. This is not sustainable, since such an important organ of the APSA cannot continue to be funded by donors [4. P. 135]. As well stated by Williams [2. P. 13] without more serious staffing and resources, the panel cannot function as a dynamic and proactive advisory body. However, it should be noted that unlike other pillars of the APSA, the Panel is not the most expensive mechanism. Panel members require honorariums or allowances only when they are on mission or in session (at least three sessions a year) [9. P. 24].

For Evans [11. P. 292] the optimal size for a deliberative Panel is twelve to fifteen (12–15) members and for him beyond that it is difficult to generate and sustain a group dynamic of strong common commitment. As vividly stated in Article 11 (2) of the PSC Protocol is composed of five (5) highly respected African personalities from various segments of society, which means the current AU Panel is two to three times smaller than Evan's suggested size. Evan's also recommends that a Panel's composition be, and be seen to be, sensitively weighted in terms of geography, gender, expertise, experience and desirably political outlook. For van Wyk [10. P. 74] although the Panel's members are representative of gender, experience, expertise and geography, the small size of the Panel undermines its efficiency. With respect to membership size, the number of members of the Panel which stands at five as argued by El-Abdellaoui [13. P. 10] and Jegede [3. P. 71] is inadequate and likely to undermine its performance.

Considering the small size of the panel, different approaches have been suggested as a coping strategy for the Panel. For instance, Pan-African Network of the Wise (PanWise) and Network of African Women in Conflict Prevention and Mediation (FemWise-Africa) have been established. However, it remains to be seen what significant impact and contribution would the FemWise-Africa and PanWise bring in the areas of peace and security. As already discussed previously the Panel has achieved some successes in its consultation and diplomatic processes, including fact-finding missions, reports, and briefings to the PSC and the Chairperson of the Commission (see for example, [9. P. 24–26; 10. P. 74; 5. P. 11; 6. P. 11]).

Another important aspect related to process is the nature, feasibility and implementation of the recommendations of a Panel. The Panel consisting of individuals with specific qualifications appointed in their personal capacity, it is also deemed to be independent and thus relatively free from political interference [10. P. 74]. Internal reports from AU indicated that the Panel has produced several thematic reports, however there are concerns that the reports are not always practical and realistic recommendations but with little traction in terms of implementation [14. P. 2]. As stated by [10. P. 74] in this respect, the Panel has repeatedly called on conflicting parties and states to implement and comply with relevant AU regulations, and to domesticate AU conventions and treaties. According to Evans [11. P. 296] one way to overcome this situation is to improve the branding and packaging of the Panel; its activities; reports; and recommendations.

In relation to process, the contribution of a Panel also depends on its activities and follow-up once a report has been released [11. P. 296]. With some exceptions, the track record of the Panel with regard to its follow up has been insufficient and very little of this has been achieved [10. P. 74]. Jegede [3. P. 72] also shares the idea of van Wyk and maintains that the Panel has not been effectively following up with its press releases, statements and recommendations on issues affecting peace and security in Africa. In respect of the Panel's follow up one may raise a question as to why little follow up has been achieved by this pillar of APSA. For Van Wyk [10. P. 74] this is, *inter alia*, due to the fact that the Panel is not as autonomous as it is perceived to be and does not have the required institutional setup. De Albuquerque [5. P. 12] and ISS (01 October 2014) also observe that despite the panel's distinguished place as a key component of the APSA, institutionally, it has largely remained isolated.

According to Evans [11. P. 290] the context within which a Panel operates, is a contributing factor to its success and can either be permissive or prohibitive. For Ewi [9. P. 24] any assessment of the Panel should not lose sight of the fact that it is operating in difficult geopolitical dynamics. Moreover, Van Wyk [10. P. 75] claims that any assessment of the panel should consider time factor i.e. the Panel has been established relatively recently in 2007. For Van Wyk, the dynamics and complexities of the continent's conflicts is also another variable that should be taken into account. In the views of Van Wyk, since its establishment, the Panel operated in a very tense and conflict-ridden continent; often with states and non-state actors' non-compliance of continental norms and legal provisions, adding to the complexity of the challenges the Panel faces.

Another fourth factor determining the contribution of a Panel is institutional design or structure. In the words of Van Wyk [10. P. 75] it is important to remind that the Panel is part of a complex structure i.e. the APSA where certain hierarchies occur formally and informally. Owing to its advisory and supportive role, rather than decision-making and implementation role, the Panel's authority and influence is lower when compared to other organs of the AU. For Van Wyk in this hierarchical power structure and it is further limited by the regular turn-over of Panel members; thus, losing institutional memory and personal relations. Moreover, the Panel is also

a parallel structure in respect of other APSA structures that have both a pro-active and reactive role; thus, affecting the agency of the Panel.

According to the ISS [12] report when it comes to peacemaking, the panel has played almost no major role. Based on the above report one of the factors that militate against the role of the Panel is its institutional design. The report indicated that the panel in its institutional structure is not a standing body and as such is not readily available to mediate or undertake peacemaking missions when conflicts break out. For de Albuquerque [5. P. 12-13] the Panel may be ill-suited to take on such a role in its current institutional design and format. De Albuquerque underlines that the Panel is not a standing body; in fact, its meeting has been very limited since it was created. In the opinion of De Albuquerque such circumstance suggests that it would not be well adapted to taking on the time-consuming and intensive work associated with preventative action and other related tasks.

The fact that the meetings and communications of the Panel has been very limited as stated above, however, the modalities for the functioning of the panel as adopted by the PSC at its 100th meeting held on 12 November 2007 allows the Panel to meet as often as the circumstances may require and in any event at least three times a year or at any time at the request of the Council or the Chairperson of the Commission. Moreover, the modalities states that in between meetings, the Panel shall maintain regular consultations among its members through appropriate technical means to facilitate the effective discharge of its responsibility.

The foregoing discussion set out to investigate whether the Panel of the Wise can make a difference in the African peace and security architecture. It is highlighted that since its establishment the Panel has undertaken several missions in different countries including Sudan and Somalia. The Panel has made efforts along two lines of approaches: conflict prevention and post-conflict intervention. There are circumstances where the panel has involved in activities prior to conflict eruption, while there are also other situations where the engagement of the panel has been witnessed following the outbreak of the conflict. In sum, the Panel's track record in respect of preventive diplomacy and reduction of conflict remains mixed due to various factors such as: geo-political dynamics, limited mandate, membership, and its institutional design.

The AU Peace Fund: Can It Reliably Fund Peace and Security in Africa?

The Peace Fund (PF) was established in June 1993 as the principal financing instrument for the peace and security activities of the Organization of African Unity (OAU). As one of the key pillars of the African Peace and Security Architecture (APSA) under the new African Union (AU), the PF's legal basis is set out under Article 21 of the PSC Protocol. It is meant to provide the necessary financial resources for peace support missions and other operational activities (mediation, preventative diplomacy and institutional capacity) which are in general related to peace and security [15].

There is no doubt that to date most of the necessary financial resources for Africa's peace support missions and other operational activities have been

generated from external sources/partners [5: 28; 16: 3; 17: 2]. This implies that external partners have significantly supported AU Peace Fund and still the Peace Fund is highly dependent on external sources. It should also be noted that the AU has shown relative commitment and improvement towards securing funding from its Member States though the contribution has not been enough [5. P. 28; 17. P. 3].

Despite the above efforts both from external partners and AU Member States, securing predictable, flexible and reliable financing for peace and security activities in Africa has not yet been resolved. The fact that the AU has been instrumental in deploying missions where the UN was unable to deploy a peace support operation in a timely manner due to lack of global political consensus, for example, the African Mission in Burundi (AMIB), the African Mission in Darfur (AMIS), the African Mission in Somalia (AMISOM), the AU Electoral and Security Assistance Mission to the Comoros (MAES) and the African-led International Support Mission to Central African Republic (MISCA), currently, financial contributions of major peace keeping operations in Africa are being reduced by international partners, highlighting the urgency of the AU to secure sustainable and predictable funding for such peace keeping operations. For example, in 2016, the EU announced it will be reducing the funding for the allowances of the troops in AMISOM by imposing a cap on the coverage of allowances to 80% of the total costs. The remaining 20% of the allowances is expected to be funded by troop contributing countries either through own resources or from alternative partner contributions [17. P. 2–3].

In order to minimize dependency on external partners and increase ownership of peace and security activities, the AU launched an initiative to increase Member States' assessed contributions and to seek alternative ways to finance the AU, including its peace support operations [17. P. 4]. Hence, in June 2015, the AU Assembly¹ adopted a decision on assessed contribution of member states, which targets to finance 25% of AU-led peace operations out of its own budget and the rest 75% to be financed by UN. The fact that the UN welcomed the AU Assembly's decision to fund 25% of AU peace support operations, discussions for the UN to finance this 75% cost of missions have not yet been resolved. This new 25:75% co-finance formula proposed by AU has not yet been fixed. There is still a continuous debate on the (25: 75% formula) between the AU and UN on financing the peace support operations in Africa. See Cedric de Coning [18] can the AU finance its own peace operations, and if so, what would the impact be? 28 March 2017. First, both AU and UN have been unable to reach a clear understanding of how the 25: 75% split will work in practice, especially regarding the AU's ability to meet its financial obligations. Secondly, Security Council members continue to question whether AU missions financed through UN assessed contributions would comply with both international human rights law and the UN's financial transparency and accountability standards. Finally, there are disputes about which institution should have overall force command.

¹ The AU Assembly's decision on the scale of assessments and financing of the African Union was held from 14–15 June 2015, Johannesburg, South Africa.

AU is aiming to finance its peace and security activities i.e. 25% by 0.2% import levy. In July 2016 a Progress Report to the AU Assembly of Heads of State and Government Retreat on the Financing of the Union on the margins of the 27th Ordinary Session of the AU Summit that was held in Kigali. The Report had proposals on how to finance the African Union as a whole and reinvigorate the Peace Fund and proposed the use of a 0.2% import levy to finance the AU to be imposed on imports. At the 27th AU Summit, the AU Assembly considered the report of the High Representative's new proposal and Assembly decided to "institute and implement a 0.2% import levy on all eligible imported goods into the continent to finance the African Union Operational, Program and Peace Support Operations Budgets starting from the year 2017". According to de Albuquerque [5. P. 31] if working according to plan, the levy would most likely result in African Union member states being able to contribute enough funds for them to reach the 25% African funding target for AU peace operations. This would be a great step towards making the AU less reliant on international donor aid and should be applauded. For Apiko and Aggad [17. P. 7], the AU came up with such new burden sharing (co-finance) formula on the assumption that financing peace and security in Africa on a sustainable basis is not only a continental priority but a global strategic imperative, given the complex and interconnected nature of threats to international peace and security.

The AU peace and Security Council in its 502nd Meeting held on (29 April 2015) has noted that peace and security should be viewed as a strategic partnership with the UN based on consultative decision-making, division of labor and burden sharing. In its Common African Position (CAP) on UN Review of Peace Operations, the AU PSC acknowledges the role of the UN in maintaining global peace and security but also highlights that African peace operations represent local responses to global problems and effective African peace operations thus represent a significant contribution to the global common good.

While on one hand the AU acknowledges its funding gap and seeks international partners to continue financing peace support operations and other operational activities on the continent. On the other hand, the AU requires Africans to own their peace support operations and other related peace and security activities. This implies that AU seeks financial support from its international partners but at the same it demands operational autonomy during its actual peace support missions on the field. For example, the AU PSC in May 2017, in its 689th meeting on the AU Peace Fund and AU-UN partnership for predictable funding of AU peace and security activities highlighted that African ownership is the key factor to the success of peace efforts on the continent².

While AU's target to fund 25% of AU-led peace support operations provides an alternative funding for peace support operations missions on the continent, there is a concern that this target may not be achieved in the short term given its track record. For example, at the time of writing this study the Peace Fund is not fully operational and expected to be fully functional in 2020.

² The Meeting was held on 30 May 2017, Addis Ababa, Ethiopia.

As per AU's target the 25% of the peace support operations budget is expected to be phased over five years from 2016 where this target is expected to be achieved by 2021. However, on 6th November 2019 AU's Directorate of Information and Communication Press Release indicated that in demonstrating their commitment to ensuring predictable and sustainable financing for peace and security activities in Africa, fifty AU member states have just contributed 131 million US Dollar since 2017. The amount is expected to gradually increase to 400 million US Dollar by 2021. This implies that AU's ambition to finance 25% of the peace support mission and other operational activities may not be achievable as planned. Above all, as well identified by de Albuquerque [5: 31] though AU is currently aiming to provide the remaining 25% of the budget, yet, the risks of relying on the international community for 75% of the remaining funding means that financing is likely to continue to pose a great obstacle to the continued development of the institutional framework for the foreseeable future.

In sum, to date, the AU Peace Fund has had to rely on its partners to finance the bulk of its peace and security activities. However, relative considerable capacity has been also developed by this pillar of APSA. The AU's ambition on financing its Peace Fund with the imposition of a 0.2% levy on imports will, if fully implemented, significantly change the AU's means, which in turn should have important implications for its independence, agency and effectiveness. On the other hand, if the AU fails to implement the import levy decision it will seriously undermine the credibility of the AU. The fact that the financial commitment of AU's capacity has been improved, as highlighted above still the Peace Fund is not progressing well as expected. Hence, it is unlikely for the AU Peace Fund at least in the short term to reliably and predictably fund peace and security activities in Africa.

Conclusion

This study has looked critically at the extent to which the African Union Peace and Security Council (AU PSC) support structures (such as the African Standby Force, the Continental Early Warning System, Panel of the Wise and the Peace Fund have been successful in achieving their institutional objectives, as well as the degree to which they are able to contribute to the work of the AU PSC. Some of the critical points explored in this study can be summarized as follows: The African Standby Force's potential as a tool for the maintenance of peace and security on the continent depends on various interrelated issues. These include political consensus (political buy-in) and predictable sources of financing. It is indicated that while Continental Early Warning System has a good record of strong analysis, the challenge is translating their analysis into action.

The study emphasized that there is a weak linkage between early warning and early response. The conflicts analysis and early warning to be channeled to the political decision-making organs is missing. The Panel of the Wise is often misunderstood as being a mediating body, whereas it is more of an institution intended to bring issues of certain timely importance to the attention of the PSC and Chairperson of the Commission. The chapter indicated that geo-political dynamics,

limited mandate, membership size (being small) and its institutional design has undermined the role of the Panel. Lastly the chapter highlighted that the effectiveness of the APSA depends on predictable and sustainable financing. It is emphasized that to date the Peace Fund has had to rely on its partners to finance the bulk of its peace and security activities. The fact that the financial capacity of AU has been improved, still the Peace Fund is not progressing well as expected.

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Научная статья

Африканская архитектура мира и безопасности как инструмент их поддержания. Часть 2

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Аннотация. В статье критически анализируется эффективность Африканской архитектуры мира и безопасности (ААМБ) (в которую входят Африканские резервные силы (АРС), Континентальная система раннего предупреждения (КСРП), Группа мудрецов и Фонд мира (ФМ)) в достижении своих институциональных целей. Также автором оценивается потенциальный вклад структур ААМБ в работу Совета мира и безопасности Африканского союза (АС СМБ). Совет мира и безопасности как ключевая опора Африканской архитектуры мира и безопасности является основным директивным органом по данным вопросам. Для выполнения своих обязанностей Совет мира и безопасности Африканского союза будет поддерживаться Африканскими резервными силами, Континентальной системой раннего предупреждения, Группой мудрецов и Фондом мира. ААМБ – это общий термин для обозначения ключевых механизмов Африканского союза для содействия миру, безопасности и стабильности на африканском континенте. В частности, это оперативная структура для эффективного осуществления решений, принятых в областях предотвращения конфликтов, миротворчества, операций по поддержанию мира и вмешательства, а также миростроительства и постконфликтного восстановления. ААМБ рассматривается как средство, с помощью которого Африка может играть более активную роль в управлении миром и безопасностью на континенте с целью предложить «африканские решения африканских проблем».

Ключевые слова: Африканские резервные силы, Континентальная система раннего предупреждения, Группа мудрецов и Фонд мира

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