

## **CHAPTER IV**

### **The Intervention of African Union toward Libya Crisis by using peacekeeping, peacemaking and peacebuilding mission**

The establishment of African Union marked by the Assembly of Head of State and Head of Government of the OAU, that was held in Zambia, July 2001, and adopting decision eight on the implementation of Sirte Declaration, including the merge of the other organ. Based on this decision and article 5 (2) of the Constitutive Act, which authorized the Assembly to create the organ that needed to fulfil its aimed, that the Peace and Security Council (PSC) of the African Union replaced the main organ from OAU that has objective to prevent conflict that happens in African area, called Management and Resolution, under the Cairo declaration established in 1993. Cairo Declaration adopted by the 29th general assembly, head of states and the OAU government. Cairo Declaration that has Management and Resolution to prevent the conflict shows the determination of Africa to solve their problem (Bakwesegha, 1993). The meeting adopted a Protocol that related with the establishment of Peace and Security Council among primes from the Assembly of the Union that was held in Durban, July 2002 and implemented in December 2003, after got the required ratification ( based on the article 22 (5) Protocol).

The Executive Council elected 15 members of PSC in January 2004. African Union Peace and Security Council adopted its Regulations of Procedure (RoP) in the mid-March, signed with the beginning of its operation. Because of the continental conflict, Peace and

Security Council has a responsibility to deal with some issues that focused on states. A Protocol that has been regulated in PSC encourage an expanded and comprehensive agenda for peace and security including conflict prevention, early warning, and diplomatic preventive, peacemaking, and peacebuilding, the encouragement, and promotion of democratic practice in Africa and intervention and humanitarian action and disaster management. The primary purpose of this protocol is the African Peace and Security Architecture (APSA), which is aimed to give the African Union instrument that needed to fulfill the responsibility that has been set out in the Constitutive Act and the Protocol established by the African Union Peace and Security Council.

APSA is the innovative structure in the field of peacemaking, peacekeeping, and peace-building operations, such as The African Standby Force, the Continental Early Warning System (CEWS) and the Panel of the Wise. These panels aimed to deliver comprehensive peace to the continent. "home-grown initiatives that are meant to put the destiny of the continent into the hands of the African People (Murithi, 2009)". When the crisis in Libya broke out, PSC was immediately seized of the matter because it is aimed to act as the collective security and the early warning instrument to give the practical response that emerges in Africa as the conflict and crisis.

Back to the OAU's principle, OAU failed to act in many conflicts that happened in Africa Continent at that time because of its principle about sovereignty and non-intervention in the internal affairs of its member states. That principle was the key object that made the decision-

making process at that time became paralyzed and prevented it from responding to some urgent problem happened in that continent (Akinyemi, 1972-1973). The aftermath of the failure of International Community in the 1990s in some serious issues such as genocide in Rwanda, and collapse of Somalia, African countries decided to make their solutions regarding with some issues that happened in Africa. This is becoming the root of the idea that known as "African Solutions to African Problems" which later became the main principle of the African Union. This idea was talking about the changing of the concept from 'non-intervention' to non-indifference,' means that all of African Union member state must be aware of all events that happen in their neighborhood. Thus, based on that idea African Union was created in the form of strong organ aimed to achieve all aspects such as the economy, social, and political aspects. When Arab spring started, it was hoped that African Union would be in the frontward of finding solutions regarding that event, including when the crisis of Libya breaks out.

The first meeting of PSC that held on February 23 discussed the crisis that happened in Libya. It resulted in one decision to urgently dispatch a mission of council to Libya to assess the situation on the ground; it is because based on the head of Peace and Security Council African Union lacked first hand to give a piece of information on the situation and mission to fill the gap. Even though, a military assessment mission was delivered to seek the situation on the ground. Moreover, obtain guarantees from Tripoli and Benghazi.

The next meeting of PSC was held on March 10 with the background of; first, Qaddafi Forces threatening

to attack rebels in Benghazi and second, calls to the United Nation Security Council from other regional bodies to implemented no-fly zone as the sanctions toward Libya, and protecting Libyan civilians. This is because many other organizations expected PSC faced with the worst situation in Libya in order to have decisive actions, by requesting the intervention of regional organizations, here African Union in order to restore peace and security. Faced this issue, African Union through Peace and Security Council took two important decisions which are, first, Peace and Security Council established roadmap in order to solve the crisis in Libya. It was included calling for urgent African actions to stop all hostilities, cooperation with the Libyan authorities to facilitate the timely delivery of humanitarian assistance to the needy populations, protection of foreigners in Libya, including African migrant that live in Libya, and adoption, implementation of the political reformation that necessary for the eliminations of the root of the crisis at that time (African Union, 2018).

Second, African Union established an African Union High-Level Ad Hoc Committee on Libya comprising five heads of State and government together with the head of the commission. Five states were named as Mali; Mauritania; South Africa; Uganda; and Congo-Brazzaville. The committee has the mandate to involve in all actors in Libya, and to assess the evolution of the situation happened in Libya continuously; facilitate an inclusive dialogue among all of the parties involved in Libyan crisis about the appropriate reformation; and engage all African Union's partner especially Arab League, Organization of the Islamic Conference (OIC), the European Union, and the highest International

Organization, United Nation to facilitate the coordination and seek the support in order to restore the crisis. (African Union, 2018).

**A. Peacekeeping Mission by Building a Consensus for a Comprehensive Solutions in Libya Crisis**

**Building a Consensus on the Elements for a Comprehensive Solutions**

**1. Establishment of African Union High-Level ad hoc Committee**

The 265th AU's meeting established the African Union high-level ad hoc committee in Libya through African Union Peace and Security Council that was held on 10 March 2011 in Addis Ababa, at the level of head of state and head of government among member states, met in Nouakchott, on 19 March 2011 (Hehir & Murray, 2013). Their excellencies presidents from some countries attended that meeting. President Mohamed Ould Abdel Aziz, from the Islamic of the Republic of Congo, the Ministers representing their president, Yoweri Museveni, from the Republic of Uganda, and Jacob Zuma, President of the Republic of South Africa, as well as by the chairperson of the African Union Commission, Dr. Jean Ping.

That meeting resulted in the opportunity to share the ideas among the member states in order to give the solutions toward the crisis that happened in Libya, as well as the modality to do

mandate from the high-level ad hoc committee, which consists of these following :

- a. To engage with all parties in Libya and to assess the situation happened in the ground
- b. To facilitate all of the inclusive dialogue among all of the Libyan parties regarding with the suitable reformation
- c. To engage all of African Union's partners especially for Arab League, Organizations of Islamic Conference, European Union, and the most prominent International Organization which is the United Nations in order to facilitate and coordinate peace and security efforts and to get support to solve the crisis.

The high level ad hoc committee realized that the meeting was held in the injured time in the crisis of Libya, marked by the continuation of fighting with the consequences of the humanitarian violence as well as by the commencement of the implementation of the relevant regulation from 1973 resolution adopted by the United Nation Security Council on 17 March 2011, consist of the sanctions delivered to Libya about no-fly-zone sanctions over Libya (United Nation Security Council, 2011). The committee in Libya was facilitating a dialogue to encourage the political reformation that needed

and to seek peace and sustainable solutions for the crisis.

Based on this context the high-level ad hoc committee tries to reiterate the African Union's deep concern on this situation and its humanitarian consequences that happened to people in Libya. It stressed the serious threat that this situation creates peace, security, and stability in a region as a whole. Then in the second meeting of the high-level ad hoc committee, the members create the roadmap for the solutions that will be discussed more in-depth in the next point. The high-level ad hoc committee expressed their regret of not being able to have a flight to Libya on 20 March. Based on the plan they have a flight to Libya on 20 March to meet with Libyan parties, that both of them have a deal with it. However, the United Nations based on resolution 1973 did not permit the members to have a flight to Libya regarding with no-fly zone sanction (Carish, Rickard, & Meister, 2017).

In order to contribute actively, to the seek for the early solutions and consistent with the resolutions that had been made, the high level ad hoc committee encourage and push all of related parties such as Libyan government and the National Transnational Council (NTC) to observe the crisis, comprehensive cessation of hostilities and took other steps aimed to decrease the tension and ensure the protection for civilians in Libya. In this matters, the committee agreed and immediately had the communication to these parties to positively respond to this appeal. Its

also for reaffirmed the relevance of the elements in the roadmap articulated by Peace and Security Council and inviting all of parties to have a meeting to discuss about the roadmap, especially for the establishment and the management for an inclusive transnational period that would lead to the political reformation that fulfill the aspirations of Libyan people about the requirement for African Union to held a meeting in Addis Ababa on 25 March 2011 with the highest representative from Arab League, Organizations of Islam Conference, the European Union, and United Nations and other African Union's partners and stakeholders in order to agree on some points that mentioned in the resolutions 1973 of UNSC.

Besides of making cooperation with some African Union's partner in the level of organizations, African Union has been decided to cooperate with Libya's neighboring countries to seek early solutions, Mainly remembered that the threat also poses to their security and stability, as well as to their development. Furthermore, the high-level ad hoc committee pursuing the African Union member state to provide logistic and humanitarian support to the people in Libya including the African migrant workers that were wishing to leave Libya, as well as to the neighboring countries of origin in order to facilitate the reintegration of these migrant workers.

The high-level ad hoc committee reaffirms its determination to carry out on its mission, in the face of the worrying development in the



situation and the resource to an armed international intervention, calls for restraint and undertakes to spare no efforts to facilitate a peaceful solution, within an African framework, taking into account the legitimate aspirations of the Libyan people. Against the background, the high-level ad hoc committee will act within the framework of its mandate and in a manner consistent with and complementary to, resolution 1973 of the United Nation Security Council (UNSC). Accordingly, its appeals to the International Community as a whole to provide unreserved support to its effort. The high-level ad hoc committee convenes its second meeting that would be discussed about the roadmap of the African Union toward Libya Crisis.

## 2. Roadmap of African Union toward Libya Crisis

Conflict 2011 that happened in Libya makes African Union became a center of attention from other international community with the view to inspire peace and security in Africa. Faced with conflicts happened in the belt of North Africa create the opportunity for African Union to test and operationalize its security apparatus. At the 265th meeting of the African Union Peace and Security Council in Libya, there was two crucial decision, one of them is about the roadmap of African Union aimed to ease the crisis happened in Libya. African Union started to confidently and convincingly its interventionist efforts to decrease the crisis with its roadmap called as five-point

plan African Union resolutions (Harbeson & Rothchild, 2017). Explicitly, they promise to do the following plan :

- a. Protection of civilians and the cessation of hostilities
- b. The humanitarian assistance to affected populations in Libya and the migrant workers that came from Africa
- c. The initiation of political dialogue between conflictual actors in order to achieve the agreement on modalities to end the crisis
- d. Inclusive establishment and management of the transition period
- e. Adoption and implementation of political reforms necessary to meet the aspirations of the Libyan people.

The main reason for those five plan actions adopted by African Union was to avoid war. African Union, as regional organizations used diplomacy as the primary weapon and the use of force is always as the last options when all other options have been exhausted. One week after the establishment of Roadmap by African Union, The United Nation Security Council reported the resolution 1973 in 2011, that resolutions were discussed about the sanctions of Libya called as 'No Fly Zone' over Libya in order to protect civilians, stressed the need to intensify efforts to find a solutions to the crisis and in this

regard, the United Nations Security Council formally admit the role of the high-level ad hoc committee. The resolutions had the full support of all African members of the Security Council, who were pushed to protect the people in Libya. Thus, the African Union with the United Nation through the United Nations Security Council and other parties would hand in hand together in order to solve the crisis and had a big responsibility to protect.

## **B. Peacemaking Mission by The Implementation of The AU Roadmap And Creating New Momentum In Peace Efforts.**

### **The Implementation of the African Union Roadmap**

The first implementation of AU roadmap happened in 19 March when the high-level ad hoc committee had met, they had a plan to have flight in Libya in the following days in order to have some interaction with the Libyan parties in Libya, but the request was denied by the United Nation Security Council because related with the resolutions 1973 about 'No Fly Zone' over Libya (United Nations, 2011). On 10 and 11 April, 2011 two weeks after the establishment of African Union roadmap, the high-level ad hoc committee undertook a visit to Libya. In Tripoli, the Libyan authorities confirmed their acceptance of the African Union roadmap (McElroy & Gammell, 2011). In

Benghazi, the discussion between the committee and the leader of the Trans National Council focused on the needed of an urgent ceasefire. The ceasefire had the aim to ensure the effective protection for the people and to create conducive situations for the fulfillment of the legitimate demands of the Libyan people.

In the next level of the AU roadmap implementation, the African Union Peace and Security Council had met at ministerial level on 26 April 2011 in order to response the situation that happened in Libya. On the night when the committee has the meeting with Libyan parties, the African Union Peace and Security Council tried always to review the situations in Libya. One month after, the condition in Libya continued to deterioration, the Assembly of the Union convened an extraordinary session. It reiterated the need for the political solutions and called for an immediate end to all attacks against civilians and a ceasefire that would lead to the establishment for the consensual transitional period; thus it was culminating in elections that would enable Libyans to choose their leaders freely. The assembly stressed the obligations for all related actors to comply with the letter and spirit of the resolutions 1973. In the other hand, African Union has a responsibility to travel to foreign capital in order to explain the African Union roadmap and seek the support from more International partners (Roeder, Curran, Fraser, & Zuber, 2015).

### **Creating New Momentum to the Peace Efforts**

On the Malabo summit July 2011 and following the commitment of Col. Qaddafi not to be a part of the negotiations process, the Assembly reviewed and endorsed the proposals for a framework Agreement

submitted by the ad hoc committee. This proposals clearly explained about there should be a transfer of power to an interim government, to be put in place immediately after the result achieved from the national dialogue. In the middle of July 2011 and the beginning of August, African Union met all of the Libyan parties to share ideas and aspiration about their reaction to that proposals.

On August 2011, when efforts of African Union were underway, the National Transitional Council fighters entered Tripoli, and they extended their control to the entire country. On the high summit level held in Addis Ababa on 26 August, African Union Peace and Security Council noted these new developments. It pushed all stakeholders to accelerate the process to the creation of the new inclusive transition government that would take power in Libya (Karim Mezran, 2017). On September 5, the leader of African Union at that time, Jean Ping, received the letter from the leader of NTC, that letter stressed about the strategic orientation of the African policy, also about the commitment to protect all foreign migrant workers, including all African workers.

On the other hand, the high-level ad hoc committee on the summit held in Pretoria September 14 stressed the sustainable relevance of many regulations in African Union roadmap. The committee committed to working together with NTC and all Libyan stakeholders. It also indicated that African Union had been recognized NTC as the representative of Libyan people while they form an inclusive transitional government. Next, Peace and Security Council of AU recalling the assurances formally provided by the NTC and taking into account the uniqueness of the situation happened in Libya. Thus

the committee authorized the current authorities to occupy the seat of Libya in the African Union. They also decided to build the office as the connector of African Union in Tripoli, in order to help the AU's efforts to stabilize the situation in Libya and promote the national reconciliation and facilitate the process of transition in the government level in Libya.

### **C. Peacebuilding Mission by Rebuild the Nation, Address the Implication of Crisis, and Deepening Democracy in Libya.**

#### **Rebuild the Nation and Addressing the Implications of the Crisis**

All initiatives mentioned above was the stable expression of the African solidarity toward Libyan People. They have real commitment to do everything that could facilitate the dialogue with the Libyan people, ensure that they might have solutions to the crisis that happened at that time, aimed to avoid further suffering and create the conducive situation to the peaceful transition. African Union was also aware of the risk that continued fighting in Libya posed to the stability and security at the regional level.

Despite the challenges that faced by African Union and lack of support from some important actors member in the International Community, African Union was always struggling with their efforts. It acted within its framework means that is based on its own decisions and still relevant to the United Nation Security Council resolutions 1973. It deliberately chose to overcome the crisis and has been counting on the immediate and long-term challenges that might be happened (S.Chivvis &

Martini, 2014). All of the solutions offers have no other agendas than the interests of Libyan people.

Issues raised by African Union from the beginning of the crisis remain as valid today as they were yesterday. African Union was steadfast in seeking the political solutions to Libya. Thus, it will support the process of the transition and accompany the efforts of Libyan stakeholders. Because of that reason, the African Union will intensively work together with NTC. It was because Libya is a full-fledged member of an African family. The fate of Libyan people is inseparable from that of the rest of their African brothers and sisters. A stable and democratic Libya will be a hilarious asset for the continent. However, an unstable Libya will affect its African neighborhood and beyond.

African Union also needs to contend with the regional dimensions of the crisis in Libya. African Union as the regional organizations has continuously attracted the attention to the proliferation in the region of weapons that came from Libyan military depots. For some people, these concerned seemed exaggerated when they were first expressed. Thus there was growing the ideas from International Community of the gravity of the threat posed by that situation and the need for concerted International actions to address it. This is all more urgent especially in some countries in the Sahelo-Saharan belt, because that area is the fragile one, that has to deal with latent rebellions and terrorist groups (Lounnas, 2018).

In this point African Union was also at the forefront of the migrant workers, calling for the concrete steps to guarantee their security and safety, facilitate all evacuations for those who want to leave Libya and

support their socio-economic reintegration into their origin countries (Wehrey, 2014).

### **Asserting Africa's Leadership and Deepening Democracy**

Asserting Africa's leadership will require that, African people do not shrink from the decisive actions to overcome the challenges that confront the continent, no regional conflict will be considered out of the bounds of African Union. Where the conflict happened in the African continent, African Union will be the first actor to condemn and to take action, consistent with the letter and the spirit of the Constitutive Act of the African Union and other relevant instruments (Mandaleo Policy Forum, 2016).

The military conflict in Libya has now ended with the demise of Qaddafi and Libya is turning in a new page of life. The African Union responsibility aftermath was to help Libya address some challenges. The new authorities have to engage all stakeholders in order to rebuild the nation and start the reconciliation process that needed. African Union will not work alone, they will cooperate with Libyan people, the United Nation, and all related International Communities, as Libyans started to build a new nation.