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"THE ROLE OF AFRICAN UNION IN MAKING THE AFRICAN
CONTINENT PLAY ITS RIGHTFUL ROLE IN ENCOURAGING
TRADE AND DEVELOPING AFRICA."

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"You can no longer see or identify yourself solely as a member of a tribe, but as a citizen of a nation of one people working toward a common purpose."

-Idowu Koyenikan

I. ABSTRACT:

Africa is the world's second-largest and second-most-populous continent, after Asia. It covers approximately 5% of Earth's total surface area and approximately 20% of its land area. Although it has abundant natural resources, Africa remains the world's poorest and least developed continent, due to many reasons. According to the United Nations Human Development Report in 2003, the bottom 24 ranked nations were all African nations. Poverty, illiteracy, malnutrition and inadequate water supply and sanitation, as well as poor health, affect a large population of the people who reside in the continent.

African continent on 9th September, 1999 established the African Union, a continental union consisting of 55 member states of Africa with the objective to help the continent play its rightful role in global economy and international negotiations along with promoting peace, security and stability in the continent. The article focuses on various steps which are taken by the Union for achieving its objective followed by the critical analysis of the steps which the Union is taking to achieve its goals. Africa has come a long way since the establishment of

the African Union and has collaborated with various international organizations for resolving issues which are a reason for hindering the growth and development of the continent.

<u>Keywords:</u> African Union, Global Economy, International Negotiations, International Organizations, Growth and Development.

II. CONSTITUTIVE ACT OF THE AFRICAN UNION:

The Constitutive Act of the African Union provides the framework within which all the activities of AU is to be conducted. It was entered into force after two thirds of the 53 signatory states ratified it. All 53 signatory states have ratified the Convention. A state becomes a member of African Union formally when it ratifies the Constitutive Act. Morocco and South Sudan are the only two states who have neither ratified nor signed the document. However, South Sudan is a member of AU even though it has not ratified the Act. ¹

II.I AIMS OF THE AFRICAN UNION:

The Constitutive Act of the African Union (Article 3) and the Protocol on Amendments to the Constitutive Act of the African Union lays out the aims of the AU:

- Achievement of greater unity and solidarity between countries and people.
- Defend sovereignty, territorial integrity and independence of the states.
- Acceleration of political and socio-economic integration of Africa.
- Promoting and defending Africa's position on issues of interest to people and the continent.
- Encouragement of international cooperation.
- Promotion of peace, security and stability on the continent of Africa.
- Promotion of democratic principles and good governance.

¹ https://au.int/en/constitutive-act

- Protection of human and peoples' rights. People's rights are the rights that the AU specifically grants to all the citizens of its member states. It includes social rights, cultural rights, etc.
- Establishment of conditions necessary for the continent to play its rightful role in global economy.
- Promotion of sustainable development at social, economic and cultural levels.
- Promotion of cooperation in fields of human activities to raise the living standards of people.
- Coordination and harmonization of policies for attaining the Union's objectives.
- Advancement in development of the continent by promotion of research in various fields.
- Eradicate preventable diseases and promote good health in the continent.
- Effective participation of women in political, economic and socio-cultural areas.
- Development of common policies on trade, defense and foreign relations.²

II.II PRINCIPLES OF THE AFRICAN UNION:

The Constitutive Act of the African Union (Article 4) lays down the principles of the AU:

- Member states of AU to have Sovereign equality and interdependence among themselves.
- Member states must respect the borders achieved at the time of independence.
- There must be participation of people of Africa in the Union activities.
- Establishment of common defense policy for the continent.
- Peaceful resolution of conflicts among member states of the Union through appropriate means as decided by the Assembly.
- Use of force or threat to use of force among member states of AU must be prohibited.
- Non-interference of one member state in the internal affairs of another member state.
- The right of AU to intervene in a member state pursuant to a decision of the Assembly in respect of situations, like, war crimes, genocide, crimes against humanity.

² https://au.int/en/overview

- The right of member state to request union to intervene to restore peace and security.
- Promotion of self-reliance within the framework of the African Union's.
- Promotion of gender equality so as to empower women and improve their status in the African society.
- Democratic principles, human rights, rule of law and good governance must be respected.
- Social justice must be ensured to balanced economic development in the continent.
- Sanctity of human life, condemnation and rejection of impunity and political assassination, acts of terrorism and subversive activities must be given respect.
- There must be condemnation and rejection of unconstitutional changes of government of any member state of the Union.³

III. AFRICAN CONTINENTAL FREE TRADE AREA (AFCFTA)

In its 10th Extraordinary Session in March, 2018 held in Rwanda, the AU Assembly launched the African Continental Free Trade Area Agreement. 47 members had signed the Kigali Declaration launching the AfCFTA Agreement while 44 members signed the AfCFTA Agreement, during its opening sessions. AfCFTA Agreement is one of the flagship projects of AU's Agenda 2063. The main aim of the Agreement is to increase intra-African trade by removing tariffs on them, so as to make it easy for the African business to trade in the continent and benefit the economy at large. It is expected to create one of the world's largest free trade areas.

It is estimated that the AfCFTA Agreement can boost intra-African trade by elimination of export duties and if non-tariff barriers are reduced, this trade can increase to double. It is expected that AfCFTA Agreement will benefit Africa's industrial exports, youth employment, small and medium sized enterprises, less industrialized and agricultural and landlocked countries of the continent. As on August 2018, forty nine member states have signed the Agreement and six have submitted the instruments for ratification including, Chad,

³ https://au.int/sites/default/files/pages/34873-file-constitutiveact_en.pdf

Ghana, Kenya, Niger, Rwanda and Eswatini. The Agreement will enter into force after thirty days of submission of the twenty-second instrument of ratification.⁴

IV. AGENDA 2063:

The states of the African continent have made attempts to find solutions to the problems the continent faced. However, all the attempts failed as a result of economically and politically weak position of Africa in the 20th century. Many states in Africa, even after independence form colonial rule continued to be influenced by them in matters of economy which manipulated fiscal, monetary and foreign exchange policies of Africa from outside. The end of the Cold War brought a new political and economic era to Africa. The states began to conduct democracy with regular elections which led to transparency of the government. On the economic front too, Africa showed impressive growth. Since 2005, six or seven of the fastest growing economies of the globe have been from African continent. So, the political and economic factors indicate that Africa is well poised to have a long term vision and also has the ability to achieve it.⁵

Agenda 2063 is a plan to convert Africa into future's global powerhouse with an aim of inclusive and sustainable growth and development. It is an action of the Pan-African drive for unity, self-determination, progress and freedom. The origin of Agenda 2063 was a need to shift from the focus of OAU which had been to struggle against apartheid and political independence of Africa to social and economic development, continental and regional integration, democratic governance, peace and security and other issues with an aim to change the position of Africa and make it a dominant player in global arena.

The Heads of the State and Government signed the 50th Anniversary Solemn Declaration in May 2013 and gave their consent to support Africa's new mission for attainment of inclusive and sustainable economic growth and development. Agenda 2063 is the action showing the intention of Africa to achieve its new mission in a period of 50 years from 2013 to 2063. The

⁴ https://au.int/sites/default/files/pages/31829-file-au handbook 2019 english.pdf

⁵ https://www.orfonline.org/research/africas-agenda-2063-a-document-of-hope/

declaration marked the re-dedication of Africa towards attainment of the Vision of Pan Africa. Agenda 2063 is built on some of the initiatives of the past and recent times which include the Lagos Plan of Action, the Abuja Treaty, the Minimum Integration Programme, and Program for Infrastructure Development of Africa, the Comprehensive Africa Agricultural Development Programme and even the New Partnership for Africa's Development. Agenda 2063 is however, different from the previous initiatives. It has been drawn up through extensive consultation and is expected to be driven by the voice of the common people of Africa. It provides of mid-term reviews of the courses and correction, as and when needed. It has brought, for the first time, all the continental and regional initiatives under one umbrella. It is undertaking a capacity assessment study to address the continental and regional institution's needs, which aims to later get extended to member states as well.

There was a need of a 50 year long trajectory of development for Africa so as to enable it to revise and adapt its target for development as regards to ongoing structural transformation, increase in peace and reduction of conflicts, new economic growths and progress in social fields, gender equality, youth employment and emerging development and business opportunities. Agenda 2063 wraps up Africa's hopes for the future and recognizes key flagship programmes to improve economic growth and development of Africa and its faster transformation. Flagship programmes are the initiatives which have been identified as necessary to improve growth and development of Africa. It aims to deliver quantitative and qualitative outcomes for the natives of the African Continent.⁸

IV.I ASPIRATIONS OF AGENDA 2063:

Agenda 2063 provides for certain aspirations which are as follows:

- An Africa with its prosperity based on inclusive growth and sustainable development.
- An integrated continent, politically united, based on the idea of Pan African.

⁶ https://au.int/en/agenda2063/overview

⁷ https://www.orfonline.org/research/africas-agenda-2063-a-document-of-hope/

⁸ https://au.int/en/agenda2063/overview

- An Africa having good governance, democracy, respect for human rights, justice and rule of law.
- A peaceful and secure Africa.
- An Africa having strong cultural identity, common heritage, values and ethics.
- An Africa whose development is people driven, relying on the potential of Africans.
- An Africa which is a strong, united, resilient and influential global player and partner.⁹

The First Ten Year Implementation Plan (FTYIP) of Agenda 2063 is from 2013-23, being the first in the series of Five Ten Year Implementation Plan of the 50 years' time frame of Agenda 2063. The FTYIP aims at selecting areas, keeping targets, making strategies and policies to implement FTYIP of Agenda 2063. ¹⁰

IV.II KEY TRANSFORMATIONS:

Agenda 2063 enumerates certain advantages to African citizens if the framework of development in FTYIP is properly implemented. The key transformations are expected in the following areas:

- <u>Living Standards</u>, increase in real per capita income, decrease in hunger amongst women and youth, more job opportunities for people, reduction in mal-nutrition as well as maternal, child and neo-natal deaths, safe drinking water, proper sanitation facility, electricity and internet connection to most of the population and more access of education for children.
- *Economies*, growth of GDP and generation of outputs by national funds, labor intensive manufacturing, emergence of fisheries, coastal tourism, marine biotechnology products, links of regional industrialization hubs to global value chain and commodity exchange by 2023,
- <u>Integrated Africa</u>, free movement of goods, capital and services, visa available to persons at the point of entry when travelling to any member state, increase in Intra-African trade to three folds by 2023, African skies to be open to all African Airlines,

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⁹ https://au.int/en/agenda2063/aspirations

¹⁰ https://au.int/en/agenda2063/ftyip

choice to youth to study in any university of the continent and work in any part of the continent.

- <u>Youth, Women and Children Empowerment,</u> women would have access to productive assets, hurdles related to women in owing or inheriting property or business, signing a contract, etc to be removed by 2023, control of gender parity, representation of women in the AU organs and RECs, reduction in all forms of violence against women, end of harmful norms and customary practices by 2023, child labor exploitation, marriages, trafficking and other kinds of harmful activities against children will end by 2023.
- Well Governed Africa, free fair and credible elections, impartial judiciary, independent legislature, and all gins will be silenced by 2023, setting up of local and national mechanisms for prevention and resolution of conflicts, the African Investment Bank, the African Guarantee Facility, the African Remittances Institute and minimum 2 Regional Stock Exchanges to be established and function by the end of 2023.¹¹

IV.III THE CHALLENGES:

The challenges in front of Agenda 2063 are mainly related to the prerequisites which are essential for achievement of the desired goals. Firstly, human resource development has not been specified in the aspirations and without investing in sectors such as education and health, the aspirations will be difficult to realize. For solving this issue, Africa has to move faster in Global Human Development Index so as to provide the environment for achievement of desired results. Another challenge Africa has to face is related to development of agricultural sector. Approximately, 60% of the world's arable land is in Africa yet its food import amounts to US\$35 billion annually. Agriculture in Africa is characterized largely by subsistence farming and factors like small farm size, lack of technological inputs, etc, affects it. The large scale corporate farming experimented in Ethiopia and Tanzania had mixed results. They helped in increasing exports, but failed to

¹¹ https://au.int/en/agenda2063/outcomes

contribute to food security and led to displacement and loss of livelihood of farmers. So, it can be inferred that agriculture is the most sensitive sector upon which Africa has to pay attention as it is also the base for sustainable development, jobs and livelihood of youth and poverty reduction. According to the 2010 McKinsey Report, by 2030 there will one billion people of working age in the African continent. If proper steps are not taken, this would result in a nightmare with high unemployment, illegal immigration and social unrest. The problem with Africa as pointed out in the Third India African Forum Summit held at New Delhi in 2015 was that it produces what it does not consumes and consumes what it does not produces.

A World Bank Study compared 5,500 firms of the 29 African States with those in Bangladesh for labour and capital costs, productivity and efficiency in manufacturing and found that Africa is more expensive for start and continuation of a business. Small firms in Africa have 33% premium over comparable firms outside the continent, whereas medium and large firms are 50% more expensive. South Africa particularly, has peculiar contradiction of high labour costs despite unemployment of 30%. Other costs affect manufacturing initiatives, due to poor infrastructure, unstable electricity, lack of proper transportation networks and low labour productivity. Standing today, AU has given recognition to 8 Regional Economic Communities. The Continental Free Trade Area will enable free movement of goods, services and people across borders which will require national, regional and continental efforts. If this can be achieved successfully, industrialization will be boosted thus creating wealth and new job opportunities. Recently, a meeting held was in Chad, comprising of six countries-Cameroon, Equatorial Guinea, Central African Republic, Congo-Brazzaville, Gabon and Chad, where visa requirement for one another citizens was lifted.

Good governance, democracy, human rights and rule of law has largely been neglected and hence is a critical issue for the continent. In the last decade, there have been considerable improvements in many of the states of the continent. AU took the decision that in case of any military coup d'etat in any state will result in immediate expel of it as a member of AU. However, democracy is still weak in Africa. There is an urgent need to strengthen the

democratic institutions. The positive development in this regard is that due to regular elections, government is more accountable and transparent. Peace and security is one of the basic conditions for growth and development of African continent. In today's time, there are no inter-state wars, but mostly intra state wars arising due to ethnic or religious differences, lack of opportunities, etc. There is a need of strong socio economic initiatives to curb this issue. Peace not only means absence of conflicts but it includes within its ambit all the possible factors which could lead to conflicts. Islamic terrorism today is one of the biggest threats to peace in the continent. Africa has established African Standby Force (ASF) in January, 2016 to maintain peace in the continent. However, military actions on its own will not be sufficient to ensure peace and security in the continent, parallel action on social and economic fronts has to be taken as well.

The emphasis of Africa is to be a strong, united and influential global partner and player. Africa, for centuries, was marginalized and decision on global scale affecting Africa was not taken in its presence, when it was under colonial rule. Even after gaining independence, situation did not improved much and they were unable to improve larger decisions as were weak, both individually and collectively. The colonial powers did not wanted Africa to have a voice in multilateral forums. But, in today's world, critical issues; like climate change, trade laws, global taxation policies, which affect most of the countries, are decided in multilateral forums. Therefore, it is important, in order to protect one's own in interest, to have influence. Africa must be in a position of rule maker. With the increasing emphasis of Africa on Agenda 2063, the international engagement and partnership's nature is expected to change. Africa's partners have to put their efforts within the overall approach of the Agenda 2063. Africa, after centuries today has resurgence politically and economically. It is the correct time for the African continent to achieve its goals and aspirations and fulfill its wish of a peaceful and prosperous Africa. The previous pan African vision is being revived and is clear in Agenda 2063 which is full of hopes of the natives of the continent. Given the seriousness of nations towards this new vision, if not all, most of the targets as laid down in Agenda 2063 will be attained.12

12 https://www.orfonline.org/research/africas-agenda-2063-a-document-of-hope/

V. AFRICAN UNION REFORMS:

In 2016, it was realized that there was an urgent need of institutional reforms so as to enable Africa to play its role towards achieving the goals of inclusive economic growth and development as was the vision of Agenda 2063. The Assembly of the Head of the State in July 2016 mandated the President of Rwanda, Paul Kagame, to lead the process of institutional reforms. A Pan-African advisory team was appointed to assist the President.

The study of the AU team conducted by this team showed that Au faced many challenges including fragmentation into many focus areas, lack of accountability, poor decision making and inefficient working methods due to limited managerial capacity, its being financially dependent on partner funding and limited coordination between AU and RECs.

The team was of the opinion that in order to achieve the goals of Agenda 2063, there is a need for AU to reposition itself and ensure requisite institutional capabilities and capacities in today's time when economic, social and political needs of the Continent are evolving.

The result was identification of few focal areas which were expected to be the key for transformation of the Union which required urgent actions, such as, focusing on fewer priority areas with continental scope, reviewing structure and operations of AU and ensuring Institutional Realignment for better service delivery, connecting with African citizenry, becoming efficient and effective while performing its mandate, implementing sustainable financing to reduce dependence on developed partners.¹³

V.I CONTINENTAL PRIORITIES:

It was recommended that the AU's agenda should be more focused on few areas of priority which have an overall impact on the continent. The focus areas of AU should be in relation to political affairs, security, peace, economic integration and reinforcement of Global Voice of

¹³ https://au.int/en/aureforms/overview

Africa. Also, there must be collaboration between AU, Regional Economic Communities, Regional Mechanisms, Member States and Continental Institutions.¹⁴

V.II INSTITUTIONAL REALIGNMENTS:

There is a need for AU to realign its institutions to deliver against continental priorities. This will require conducting a professional audit on inefficiencies that impede services, reevaluation of size and capability of the structure of the Commission for ensuring that agreed priorities are delivered, establishment of a performance oriented leadership at the AU Commission, reviewing and updating the mandate and structure of the organs and institutions of AU and improvement in service delivery.¹⁵

V.III CONNECTING WITH THE CITIZENS:

AU needs to identify and provide set of assets as common public goods and services across the continent which will be valued by member states and citizens. It also needs enhancement of youth and women's role and establishment quotas for youth and women in its institutions, identifications of ways so as to ensure full participation on part of the private sectors, facilitating cultural exchanges between member states.¹⁶

V.IV OPERATIONAL EFFECTIVENESS AND EFFICIENCY:

The business of the AU must be managed effectively and efficiently, at both political and operational levels. On political management, AU has been given recommendations to reform the current or entering AU Chairpersons, while on operational management, recommendation has been given to AU to enhance the process of selection of the Chairperson of the Commission, recruit and reframe the role of Deputy Chairperson. In order to ensure

¹⁴ https://au.int/en/aureforms/priorities

¹⁵ https://au.int/en/aureforms/realignment

¹⁶ https://au.int/en/aureforms/connect

alignment with agreed priority areas, reviewing structure, needs and conditions of service of the Commission must be undertaken.¹⁷

V.V SUSTAINABLE FINANCING:

The current financing of AU is in an unpredictable, inequitable, unaccountable and untenable. It depends upon the funding it receives as donations from developed partners, like EU and from its member states to its budget where, more than 40% states do not pay annual contributions to the institutions. There is limited involvement of member states in setting the AU's budget. The Commission also lacks strong oversight and sound accountability mechanisms to ensure effective and prudent use of resources. There is a need for AU to finance its operations and programmes sustainably and with full ownership of member states, by expediting implementation of 0.2% levy on imports so as to enable Africa to finance itself in the long run and adopting measures to reinforce the Kigali Financing Decisions. For example, Nigeria assessed contribution per year as US\$1 from 0.2% levy. It collects US\$5 per year. So, from US\$5, it deducts US\$1 and remits to AU. On the other hand, from US\$5, Nigeria is obligated to deduct the amount levied on it to contribute to Peace Fund.

Y.YI PEACE FUND:

As the principle financing institution for the peace and security activities of OAU, the Peace Fund was established in 1993 and was officially launched in November, 2017 at the Headquarters of AU. The Assembly of the Head of the States and Government in 2016 decided to give the Peace Fund \$400m in member state contributions to be drawn from 0.2% levy, initiated to finance overall AU budget. A Board of Trustees consisting of 5 African Members representing 5 Geographical Regions of African Union, and European Union and United Nations as the two international partners was established. The role of the Board is ensuring strategic coherence and enhanced governance, financial and administrative oversight of the Fund. An Independent Evaluation Panel has the task of regularly reviewing impact and

¹⁸ https://au.int/en/aureforms/financing

¹⁷ https://au.int/en/aureforms/efficiency

effectiveness of the Fund. A Fund Manager manages finances and Secretariat, day to day operations of the Fund. It is expected that the Fund will cover more than just the peace support operations and enable AU to finance mediation and preventive diplomacy activities and maintain a crisis reserve facility and meet its commitment to finance 25% of its peace operation budgets.¹⁹

VI. IS AFRICAN UNION FULFILLING ITS MANDATE?

During the annual summit of African Union held in February 2019, the AU leaders faced tough questions regarding the success of the AU in different spheres.

• Democracy:

AU was launched with "Promotion of Democracy, its Principles and Institutions" as one of its main objectives. But AU was in an awkward situation during the December 2018 elections when in the Democratic Republic of Congo, results were disputed. AU claimed serious doubts against the result of the vote and decided to suspend the final results but was not allowed to do so which was followed by deadly violence.

• Corruption:

Africa loses an amount equivalent to a quarter of the continent's average gross domestic product due to corruption, annually. However, AU has decided to remove corruption and even the bloc's summit of 2018 had a theme of fighting against corruption. If proper actions are not taken against corruption now, then the goal of a self-sustaining and prosperous Africa will not be achieved.

• Security:

AU, after its formation, had agreed to create an African Standby Force, to help at the time of crisis and maintain peace in Africa. However, conflicts still affects many countries of the African Continent.

¹⁹ https://au.int/en/aureforms/peacefund

• Reforms:

AU, till date, faces financial crisis and it has become a major challenge in the way of its goals and pledges, including Agenda 2063. Approximately, external partners of AU funds AU's budget to 72%.

• Free Trade:

An area where the bloc saw success was the plan on creation of a Continental Free Trade Area. Till 2018, nineteen countries by signing the agreement have made it a domestic law. South Africa, being the second largest economy of the continent has signed the agreement. However, continent's largest economy Nigeria is yet to sign it. The agreement, in order to take effect, at least needs twenty-two countries to sign it.

• Voice against Sexual Harassment:

Sexual harassment is a major issue to the working women of Africa as well. According to a report launched in May 2018, it was found that interns and short term staffs were sexually exploited in exchange of jobs.²⁰

VII. CONCLUSION:

African Union had directly contributed and collaborated with the international community to minimize and settle disputes in some of the regions such as the Sudan's trouble spot. AU, unlike OAU, does not follow the doctrine of non-interference in internal affairs of its member states and through its Peace and Security Council, ensures promotion of peace and protection of democracy in the member states. The Peer Review Mechanism of AU encourages democracy and good governance as experts from other states assess member states individually. AU in collaboration with the UN has made progress towards better coordination and harmonization of development policies. Some of the Regional Economic Communities are quite actively exploring all the possibilities to harmonize budget and fiscal policies. Despite of signing a number of policies and documents for the purpose of

²⁰ https://www.aljazeera.com/news/2019/02/african-union-fulfilling-mandate-190210082945436.html

facilitating free flow of trade and movement of people across borders, the record of trade barriers between member states of the union is not so impressive. The major obstacle in the way of expansion of Intra African Trade is the myriad of non-tariff barriers due to delay at borders and increase transaction costs.

Yet another challenge for AU leaders is the job and livelihood aspirations of youth population who account for approximately three quarters of labour forces in member states of AU who have studied from schools and universities with a hope to contribute productively to the state and the society but ended up being unemployed. The rising level of unemployment among youth made Heads of State in Malabo to adopt a 'Declaration on creating Employment for Accelerating Youth Development and Empowerment'.

AU has taken China's continuous presence in Africa as a positive factor for international development cooperation. China as a "Gift to Africa" made the AU headquarters in Addis Ababa a multi-million dollar complex. However, natives of some member states of AU are apprehensive about the consequences of such growing presence of China on their livelihood and personal well-being.

There is a need for AU to adopt a strategy so that it can manage international cooperation in today's world of globalization and come up with some relevant ideas which will help its member states to complement national development efforts.