To the Graduate Council:

I am submitting herewith a thesis written by Olumide O. Okuneye entitled "Containment and Control of Conflicts Within the Organization of African Unity." I recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Arts, with a major in Political Science.

Gill C. Evans

Gill C. Evans, Major Professor

We have read this thesis
and recommend its acceptance:

Accepted for the Council:

L Evans Rock

Vice Chancellor
Graduate Studies and Research

Thesis
77
.O554
cop.2

# CONTAINMENT AND CONTROL OF CONFLICTS WITHIN THE ORGANIZATION OF AFRICAN UNITY

A Thesis

Presented for the

Master of Arts

Degree

The University of Tennessee, Knoxville

Olumide O. Okuneye

December 1977

1346255

ACKNOWLEDGMENT

The author wishes to express sincere thanks to his parents for their support. Thanks also goes for the efforts of Kayode Ojewale in making this possible.

ABSTRACT

The purpose of this study is to examine the activities of the Organization of African Unity (OAU) in containing and controlling conflicts among member states. To illustrate the activities of the OAU, four case studies will be examined. These are:

1. The Congo Crisis (1963-1965),
2. The Algeria-Morocco border dispute (1963-1970),
3. The Ethiopia-Somali-Kenya border dispute (1963-1970), and
4. The Nigerian Civil War (1967-1970).

The OAU relies on such resources as the resolutions of the Assembly of Heads of State and Government, the Council of Ministers, the Secretariat, the Commission of Mediation, Conciliation and Arbitration, its annual budget, and the prestige of the OAU itself in dealing with conflict among African States.

The assertion is made that the OAU is more successful in dealing with interstate disputes than internal conflicts. With regard to interstate disputes, the OAU receives more support from member states because there is a threat to infringement of sovereignty of the parties involved. Member states hesitate to become involved in the internal disputes of other member states. They use the rationale that such conflicts are domestic issues and should be reserved to the government concerned.

The OAU is limited with regard to what it can do in controlling conflict. It operates on a meager budget, it lacks adequate personnel, and adequate authority to impose solutions to African conflicts. Perhaps, the most important constraint is that it lacks enforcement powers.

TABLE OF CONTENTS


| CHAPTER | | PAGE |
|---|---|---|
| I. | SCOPE OF THE STUDY | 1 |
| | Case Studies | 1 |
| | Resources and Limitations of the OAU | 4 |
| II. | EVOLUTION OF THE OAU | 7 |
| | Historical Background | 7 |
| | The Formation of the OAU | 10 |
| | Aims | 11 |
| | Organs | 12 |
| III. | THE CONGO CRISIS (1963-1965) | 14 |
| | Background to the Crisis | 14 |
| | OAU's Involvement | 17 |
| | Evaluation of OAU's Role | 23 |
| IV. | ALGERIA-MOROCCO BORDER DISPUTE (1963-1970) | 25 |
| | Background to the Dispute | 25 |
| | OAU's Efforts | 27 |
| | Evaluation of OAU's Role | 32 |
| V. | SOMALIA-ETHIOPIA-KENYA BORDER DISPUTE (1963-1970) | 34 |
| | Background to the Dispute | 34 |
| | OAU's Role | 36 |
| | Djibouti | 39 |
| | Evaluation of OAU's Role | 43 |
| VI. | NIGERIAN CIVIL WAR (1967-1970) | 45 |
| | Events Leading to the Civil War | 45 |

CHAPTER PAGE

OAU's Involvement. . . . . 51

Evaluation of OAU's Attempts . . . . . 58

VII. CONCLUSION . . . . . 60

BIBLIOGRAPHY . . . . . 65

APPENDIX . . . . . 71

VITA . . . . . 82

# CHAPTER I

## SCOPE OF THE STUDY

### I. CASE STUDIES

The intention of this study is to examine conflict management activities of the Organization of African Unity (OAU). The case studies will allow some testing of the traditional claims of the advocates of regionalism.

Traditionally, regionalism has been viewed as an alternative to universalism, increased interest in the security activities of regional organizations has often been related to decreased faith in the United Nations. There is a growing interest towards regionalism as an alternative to unilateral action by the major powers. Despite the United Nations' efforts in a number of peace keeping operations, most of the burden for response to threats to peace and stability has been borne by the major powers.

Regionalists argue that "Regional organizations fractionate conflict and make peace divisible by isolating conflicts and preventing solvable local issues from becoming tangled in insolvable global issues."[1]

Another version of the regionalist argument is "that regional organizations are particularly effective because members are more likely

---

[1]J. S. Nye, Peace in Parts: Integration and Conflict in Regional Organization (Boston: Little, Brown, and Co., 1971), p. 129.

to understand the factual background of disputes and to share norms relevant to their settlement."[2]

For instance, President Julius Nyerere of Tanzania, has argued that

> Certain regional and ideological associations have an advantage over the U.N. As a means of preventing or settling disputes, talking is more productive and certainly easier, the greater the general feelings of sympathy and friendship among the participants.[3]

Although generalizations and prediction from the examination of one region and organization have obvious limitations, an analysis of the efforts of the OAU to control conflicts may prove useful as a base for speculation about whether regional organizations are likely to prove effective substitutes for an international organization such as the U. N.

In testing the regionalist propositions, Nye found in twenty-five cases examined that the U. N. played a role in dampening the violence though not necessarily in resolving the issues in six of twenty-three cases. This indicates that the U. N. had slightly less success (27 percent compared to 38 percent of regional organizations) in dampening conflict among members.[4]

The effectiveness of the OAU in controlling conflicts can be discerned through answers provided to the following questions.

1. Did it help isolate the conflict from non-African intervention?

---

[2] Ibid., p. 130.

[3] Ibid.

[4] Ibid., pp. 131-132.

2. Did it help abate the conflict for three years?

3. Did it help end fighting?

4. Did it help provide a settlement?

5. What is the status of the conflict?[5]

From the case studies which follow, it is obvious that the OAU was not an effective agent for controlling conflicts. Its limitations were clearest in internal disputes as revealed by the Congolese Crisis and the Nigerian Civil War.

However, the OAU was more successful in containing interstate conflicts from entanglement in more complex global disputes. The Algeria-Morocco and the Somalia-Ethiopia-Kenya border disputes attest to this. Finally, it must be stressed that unless the conflict control capacity of the OAU is increased, the result may be that many conflicts will remain unsettled.

The particular case studies (Congo Crisis, Algeria-Morocco border dispute, Somalia-Ethiopia-Kenya dispute and the Nigerian Civil War) are chosen because they represent some of the most important issues that the organization has attempted to deal with. Furthermore, the cases are well documented in the literature. The cases also represent types of armed conflicts which have arisen among the member states of the OAU. The Algeria-Morocco and Somalia-Ethiopia-Kenya border disputes represent perhaps the two major examples of this type of conflict. Similarly, the Congolese and Nigerian Civil wars constitute another type of conflict, that is, internal conflict.

---

[5]Ibid., pp. 154-160.

## II. RESOURCES AND LIMITATIONS OF THE OAU

This section will discuss the resources which are at the disposal of the OAU in controlling conflicts. At the same time, there will be a discussion on the OAU's inherent limitations.

The charter provides that the activities of the OAU are to be executed through its four principal institutions: the Assembly of Heads of State and Government, the Council of Ministers, the General Secretariat, and the Commission of Mediation, Conciliation and Arbitration.

As the supreme organ, the Assembly of Heads of State and Government adopts resolutions on issues which come before the organization. The implementation of such resolutions are then left to the appropriate subordinate organ. However, there is a severe limitation on the power of the assembly:

> Its decisions are only recommendations to the completely sovereign member states. No where in the charter is there a grant of authority to enforce decisions or to expell members for noncompliance with Assembly decisions.[6]

Like the Assembly, the Council of Ministers can deal with conflicts that arise. Problems can be discussed at its meetings and also attempts at solving them can be devised. The inherent weakness of the Assembly also plagues the Council. Its decisions cannot be imposed on any member state.

The Secretariat, under the supervision of the administrative secretary-general, could also aid in controlling conflict. It can

---

[6] David Meyers, "Intraregional Conflict Management By the Organization of African Unity," International Organization, XXVIII (Summer, 1974), p. 349.

disseminate pertinent information among warring states in an attempt to find solutions. However, the secretary-general has limited powers. He has to take directives from the Assembly, or risk losing his job. The Secretariat also has difficulties in recruiting adequate and qualified personnel.

Article XIX of the OAU charter pledges member states to settle all disputes among themselves by peaceful means. The Commission of Mediation, Conciliation and Arbitration "was designed as the principal organ for dealing with such disputes."[7] The Commission lacks the authority to compel disputing states to appear before it, or to enforce its resolutions on any state.

The budget of the OAU can also be listed as a two-fold resource. It has enabled the organization to implement some of its decisions. On the other hand, it has thwarted some efforts. Some members have been "deceptive and remained delinquent in meeting their fiscal responsibilities and there is no provision to bring strong pressure upon them to pay their arrears."[8]

Meyers also suggests other reasons why members fail to contribute regularly.

> Reasons for the OAU's financial difficulties include the general poverty of the African region, opposition by some members to policies or expenditures, and the circular problem of members not meeting their obligations because they have felt that the organization has not been serving their interests and the OAU in turn not being able to serve their interests better with substantial support.[9]

---

[7] Jon Woronoff, Organizing African Unity (Metuchen, M. J.: The Scarecrow Press, Inc., 1970), p. 332.

[8] Meyers, op. cit., p. 351.

[9] Ibid.

The prestige of the organization also acts as a source of strength. The presence of Heads of State at the summit conferences can add vitality to the organization. These leaders can use their good offices to bring pressure on warring states to abide by resolutions of the organizations as was evidenced by the role of the Sudanese leader in Khartoum in the Ethiopia-Somalia negotiations in 1964.

In addition to the shortcomings discussed in the preceeding paragraphs, the OAU has faced other problems. The continent is experiencing political instability. As a result, new leaders emerge at a frequent rate through military coups or other causes. These new leaders are more likely to be "pre-occupied with domestic issues."[10] In such circumstances, they are not likely to take an active interest in continental issues.

In general, the OAU is still weak in terms of control of material resources. The all-inclusive nature of the membership gave the organization salience as the proper place to bring regional conflicts. Finally, the increased reliance on the mediating efforts of the Heads of State such as the late Emperor Haile Selassie of Ethiopia, for example, are organizational resources that have been of major importance in the OAU's effort to control conflicts.

---

[10]Dennis Austin and Ronald Nagel, "The Organization of African Unity," World Today, XXII (1966), p. 528.

# CHAPTER II

## EVOLUTION OF THE OAU

### I. HISTORICAL BACKGROUND

It seems useful to give a brief account of the origins of the OAU. The survey will provide information about the principles and aims on which the organization was founded. The discussion will also provide a general picture of how the organization operates.

The most significant instrument of Pan-Africanism today is the Organization of African Unity. It has a deep root in the history of Pan-Africanism, a term that covers several different movements.[1] It arose at the beginning of the twentieth century as a protest movement of educated American and West Indian negroes. These include William Dubois, Marcus Garve and Claude Mackay.

According to these people, Pan-Africanism implied the establishment of negro rights and the oneness of African peoples. It suggested a determination to assert equality of Africans with other races of the world.[2] It connoted a deep-seated desire of African peoples to reach out for their past. It also meant the distinctively African contributions which the black race could make to the culture in the form of music and art of the world.[3]

---

[1]Colin Legum, Pan Africanism (New York: Frederick A. Praeger, 1962), pp. 13-15.

[2]Ibid., p. 25.

[3]Ibid., p. 26.

By 1945, young educated Africans like Kwame Nkrumah of Ghana, Jomo Kenyatta of Kenya, and Ahmed Sekou Toure of Guinea, had shown keen interest in Pan-Africanist movements and ideas. Under their leadership, Pan-Africanism became increasingly associated with the demand for self-determination, freedom from foreign rule, a resentment of colonialism, and a desire for political unity.[4]

In reference to the notion of self-determination, Nkrumah summed it up this way:

> The problem of Africa looked at as a whole, is a wide and diversified one. But its true solution lies in the application of one principle, namely the right of a people to rule themselves.[5]

Pan-Africanism became a vehicle whereby African countries could lend support and inspiration to another in the struggle for independence. It also manifested itself in the aspiration of Africans to speak with one voice at international conferences.

Shortly after Ghana's independence on March 6, 1957, a significant step was taken. Dr. Kwame Nkrumah, Prime Minister of Ghana, summoned the 1958 Accra All African Peoples' Conference. Sixty-two nationalist organizations from different parts of Africa were represented.[6] This conference aroused greater political consciousness among those present. It was there that Pan-Africanism was proclaimed by African nationalists as a goal to be attained.[7] A resolution "in

---

[4]Ali A. Mazrui, Towards A Pax Africana (Chicago: The University of Chicago Press, 1967), pp. 3-6.

[5]Ibid., p. 14.

[6]Legum, op. cit., p. 42.

[7]Ibid.

support of the ultimate objective of a commonwealth of free African states"[8] was adopted. This "ultimate objective" was later manifested with the formation of the OAU five years later. The Accra conference was particularly important as the first occasion the leaders of the African countries had to define a common program, objectives and means of attaining them.

However, it was after 1960, when many African countries had become independent, that they sought a positive way to implement the Pan-Africonist ideas. Hence, the OAU was formed as a means through which these ideas can be achieved.[9] Thus the OAU is an off-spring of one element of Pan-Africanism.

In 1961, some African states formed themselves into large units. These included Mali Federation which comprised of Senegal and Sudan. This early attempt at the political unification of the newly independent states failed.

In spite of this initial failure, the notion of Pan-Africanism was still alive. The Monrovia Casablanca and Brazzaville groups soon emerged.[10] Members of the Casablanca group were Ghana, Guinea, Mali, Morocco, the United Arab Republic and Libya.[11] The Monrovia group consisted of Nigeria, Sierra-Leone, Ethiopia, Liberia, Tunisia, Somalia

---

[8] Ibid.

[9] Woronoff, op. cit., pp. 35-36.

[10] Vincent B. Thompson, Africa and Unity (London: Humanities Press, 1969), pp. 149-150. See, for example, Adekunle Ajala, Pan Africanism (Norfolk: Andre Deutsch, Limited, 1973), pp. 30-37.

[11] Ibid.

and Togo.[12] The Brazzaville group comprised the French-speaking states.[13]

The attitudes of the various countires to the Congolese Civil War was a primary reason for the emergence of these blocs. The Congo crisis created a rift among these states. At first, the African states in the United Nations worked as a group on the Congo situation. They forced the Security Council to launch an effective operation in the Congo. But when it came to recognition of the Conglese government, one group recognized the Kasavubu regime in Leopoldville, while the other recognized the Gizenga government in Stanleyville. The crisis itself centered on a secession attempt by the Katanga province of Congo.

But by the beginning of 1963, it had become evident that the division was not a permanent state of affairs. In the first place, there was a lack of cohesion within the Casablanca and Monrovia groups. In addition there was still an urge for a united Africa. In order to heal this division, a conference of twenty-one heads of African and Malagasy states was held in Lagos, Nigeria in 1962.[14] The conference marked a step forward on the road to African unity. The conference issued a charter and passed a number of resolutions aimed at greater cooperation among members.

## II. THE FORMATION OF THE OAU

The OAU was formed in May 25, 1963 when thirty-two independent African states signed the charter of the organization in Addis Ababa,

---

[12] Ibid.

[13] Ibid.

[14] Ibid., p. 173.

Ethiopia. This formally brought all the independent Africa states, except South Africa, into a single African organization.

In his opening address to the Assembly of Heads of State and Government, Emperor Selassie, chairman of the summit conference, referred to the goal of unity.

> Through all that has been said and written . . . there runs a common theme. Unity is the accepted goal. . . . We are determined to create a union of Africans. . . . It is our duty and privilege to rouse the slumbering giant of Africa, not to the nationalism of Europe, . . . not to regional consciousness, but to the vision of a single African brotherhood bending its united efforts toward the achievement of a greater and nobler goal. But while we agree that the ultimate destiny of this continent lies in political union, we must at the same time recognize that the obstacles to be overcome in its achievement are at one numerous and formidable.[15]

He also stressed the importance of the organization.

> What we require is a single African organization through which Africa's single voice may be heard, within which Africa's problems may be studied and resolved. We need an organization which will facilitate acceptable solutions to disputes among Africans.[16]

## III. AIMS

The "Charter of the OAU,"[17] adopted in Addis Ababa, made provision for the following:

1. To promote the unity and solidarity of the African states.

2. To coordinate and intensify their cooperation and efforts to achieve a better life for the peoples of Africa.

---

[15]Haile Selassie, "Towards African Unity," The Journal of Modern African Studies, I (September, 1963), p. 285.

[16]Ibid.

[17]"Addis and Africa," West Africa, May 18, 1963, p. 537. See Appendix also.

3. To eradicate all forms of colonialism from Africa.

4. To defend their sovereignty, their territorial integrity and independence.

5. To promote international cooperation having due regard to the charter of the United Nations and the Universal Declaration of Human Rights.[18]

It might be added that a basic principle alluded to in the aims is "the peaceful settlement of disputes by negotiation, mediation, conciliation or arbitration.[19]

## IV. ORGANS

For the realization of its aims, the OAU set up four main institutions. The highest of these is the Assembly of Heads of State and Government. The Assembly determines and coordinates the general policy of the organization.[20] Resolutions are adopted by two-thirds majority of the members.

The second major institution of the OAU is the Council of Ministers. It consists of foreign ministers or such other ministers selected by the governments of member states. The Council is directly responsible to the Assembly. It implements Assembly's decisions, as well as, coordinates inter-African cooperation under the directives of the Assembly and in conformity with the charter.[21]

---

[18]Article II of the OAU Charter in the Appendix.

[19]Article III of the OAU Charter in the Appendix.

[20]See the OAU Charter in the Appendix.

[21]Ibid., p. 125.

The Secretariat is the third major institution. It is headed by a permanent administrative secretary-general appointed by the Assembly. The Secretariat conducts all the administrative correspondence and financial duties of the organization.[22]

There is also a Commission of Mediation, Conciliation and Arbitration. This organ exists primarily for peaceful settlement of disputes that may arise among member states.[23] The composition and conditions of service of the Commission are defined by the Assembly.

The charter also makes provision for five specialized commissions. These are the Economic and Social Commission, the Educational and Cultural Commission, the Health, Sanitation and Nutrition Commission, the Defence Commission and the Scientific, Technical and Research Commission. The activities of these bodies are performed in accordance with the provisions of the charter and the Council of Ministers regulations.[24] In reference to the utility of the organs, Arnold Rivkin points out that "the OAU provides a structure and a framework within which to discuss and define problems . . . and hopefully, to reconcile differences and resolve disputes."[25]

---

[22]Ibid., p. 126.

[23]Ibid.

[24]Ibid., pp. 126-132.

[25]Arnold Rivkin, "The Organization of African Unity," Current History, XLVIII (1965), p. 193.

## CHAPTER III

## THE CONGO CRISIS (1963-1965)[1]

The Congo crisis was one of the major problems to confront the new organization (OAU). The OAU could hardly ignore the events occurring in the heart of the continent. The OAU was reluctant at first to become involved because it was essentially an internal affair, and it did not want to infringe on the sovereignty of the Conto. However, when it became obvious that events in the Congo were spilling over to its neighbors, the crisis could no longer be ignored. The Congo crisis was also the first internal conflict which the OAU attempted to resolve.

### I. BACKGROUND TO THE CRISIS

The crisis which erupted in the Congo after independence had not been resolved when the OAU became involved in September 1964. Shortly before independence, more than one hundred political parties formed, primarily on a tribal basis, joined together as alies. The rationale for this could be found in their desire to see the Congo become independent of Belgium. However, after independence on June 30, 1960, "it became apparent that the seeming unity among Congolese leaders had only been tied together with a common thread-independence."[2]

---

[1]The crisis actually started in 1960 shortly after independence. Since the OAU was not formed until May 25, 1963, it could not have dealt with this conflict.

[2]Addona, op. cit., p. 154.

Addona pointed out that this shaky alliance was bound to disintegrate.

> The Congolese achieved independence before unity. Once independence had been achieved, the loose coalition of so many diverse tribes and factions disintegrated. The lack of unity has been one of the major problems in the Congo, and one of the main courses for later discontent and violence.[3]

Within the first week following independence, tribal wars erupted. At the same time, the army experienced mutinies. Congolese soldiers rebelled against their Belgian officers. There was chaos all over the country.

Another devastating blow was added to the already volatile situation on July 11, 1960, when Moise Tshombe declared the mineral-rich Katanga Province "a sovereign and independent state,"[4] and appealed "to the free world and asked all to recognize in us the right of every people to self-determination."[5]

President Kasavubu and Premier Lumumba appealed to the United Nations for a peace-keeping force in 1963. In January 1964, the Katanga secession was finally crushed by the United Nations Troops, and the central government was able to exert control over the country once again.[6]

An attempt to bring the Congo back to normalcy was made. A new constitution was to be written and elections conducted. The parliament

---

[3] Ibid., p. 155.

[4] Crawford Young, "The Politics of Separatism: Katanga 1960-1963," In Gwendolen M. Carter (ed.), Politics in Africa (New York: Harcourt, Brace and World, Inc., 1966), p. 167.

[5] Ibid.

[6] Howard M. Epstein (ed.), Revolt In the Congo 1960-64 (New York: Facts on File, Inc., 1965), pp. 144-149.

was closed while all powers were reserved to the government. He also declared a state of emergency.

The situation deteriorated again early in 1964 when fighting broke out between the Armee Nationale Congoliase (ANC) and local guerillas. Initially, the ANC was able to contain this revolt, but it suddenly spread to Stanleyville. Cyril Adoula resigned as Premier because he could no longer cope with the situation.[7]

In the meantime, Moise Tshombe, who had been in exile in Spain, returned. He claimed that he was the only man who could restore order in the country. On July 5, 1964, he was installed as Prime Minister. He toured various parts of the country to increase his popularity and to legitimize his government. He also wanted to use this opportunity at reconciliation with potential opponents, mainly the Lumumbuists. All these attempts did not yield fruitful results. On the contrary, unrest escalated. In an attempt to save his government, Tshombe "was forced to turn from reconciliation to repression."[8]

Tshombe reinforced the ANC with American military aid and mercenaries that had taken part in the Katangese secession attempt.

The rest of Africa remained silvent on the Congo crisis until the impace of the crisis filtered into neighboring states, specifically, Congo Brazzaville and Burundi. Congolese refugees fled into these countries.

With the continued exodus of refugees into Congo Brazzaville, the Brazzaville government was accused of playing host to dissident elements

---

[7]Woronoff, op. cit., p. 363.

[8]Ibid.

on its territory.[9] At the same time, Congo Brazzaville, launched a counter attack at Tshombe. He was accused of harboring Youlou[10] elements in Leopoldville. President Massamba-Debat of Congo Brazzaville specifically charged that the Tshombe government was smuggling arms into Brazzaville as part of the plot to overthrow Massamba-Debat. Tshombe warned Brazzaville to "stop its subversion in the Congo."[11]

Similarly, in the Province of Kivu where fighting was serious, the kingdom of Burundi felt the impact of the Congolese war. Refugees and rebels sought asylum in Burundi.

In July 1964, the ANC foiled an attempt from Brazzaville aimed at invading Leopoldville. The National Liberation Committee (CNL), operating from Brazzaville, was blamed by Tshombe for this attempt. Tshombe announced that he had found on Colonel Pakassa, leader of the CNL army "in controvertible proof of African support for the rebellion."[12] With this revelation, Tshombe issued a stern warning against Brazzaville and threatened to expel its nationals and those of Burundi if they did not refrain from giving aid to the rebels.

## II. OAU'S INVOLVEMENT

Most African leaders resented Tshombe when he assumed power as Prime Minister of the Congo. For this reason, he was prevented from

---

[9] Ibid., pp. 364-365.

[10] Fulbert Youlou was the former President of Congo Brazzaville. He had supported Tshombe during the Katanga secession.

[11] Woronoff, op. cit., p. 364.

[12] Ibid.

attending the July 1964 Cairo Summit Conference of the Assembly of Heads of State and Government. There have been contradictory points of view about Tshombe. The question was raised among African leaders whether:

> Tshombe's regaining power in the Congo should be taken as an accomplished fact, being an internal affair of the Congo, into which nobody has the right to interfere, or as the political rehabilitation of a politican, whose neo-colonial reputation is well known in Africa, and should be regarded as a danger, not only to the political independence of the Congo, and detrimental to the political morale in Africa, but in the long run, as a danger to the very development of the struggle for full independence of the African countries.[13]

President Bourgiba of Tunisia, for example, stated that "Tshombe is the man to fight and beat in Africa."[14]

The OAU modified its views about Tshombe by September 1964 when it became obvious that the "Congo crisis had deepened with increasing American and Chinese involvement and the arrival of South African mercenaries."[15]

In the meantime, relations between Congo Leopoldville, on the one hand, and Congo Brazzaville and Burundi on the other, continued to deteriorate. The worsening relations reached a low point in August 1964, when Tshombe ordered the expulsion of all Brazzaville and Burundi nationals from Leopoldville.

---

[13] L. Ervin, "Crisis of African Unity, Review of International Affairs, XVI (1965), p. 15.

[14] "The OAU's Congo Impasse," West Africa, February 20, 1965, p. 193.

[15] George W. Shepherd, Jr., "Tshombe at the OAU," Africa Today, VIII (1964), p. 8.

Even at this point, the OAU was still reluctant to intervene in what was regarded as the internal affairs of the Congo. The OAU did not want to infringe upon the sovereignty of Congo.[16]

The Council of Ministers met in an extraordinary session from September 5-10, 1964 in Addis Ababa. The Council adopted a resolution urging the Congolese government "to stop immediately the recruitment of mercenaries and to expel as soon as possible all mercenaries of whatever origin."[17] The Council also called for "national reconciliation."[18] In addition, it established under Prime Minister Jomo Kenyatta of Kenya an ad-hoc ten-member Commission consisting of Ethiopia, Ghana, Nigeria, Guinea, Cameroon, Upper Volta, Tunisia, the United Arab Republic, Somali Republic and Congo Brazzaville.[19] The Commission was charged with a two-fold task:

> 1. To help and encourage the efforts of the Government of the Democratic Republic of the Congo in the restoration of national conciliation, and
> 2. To restore normal relations between Congo Leopoldville and its two neighbors, Congo Brazzaville and the Kingdom of Burundi.[20]

Finally, the Council of Ministers appealed to all member states "to refrain from any action that might aggravate the situation in Congo Leopoldville, or worsen the relationship between Congo and its neighbors."[21]

---

[16] Shepherd, op. cit., pp. 8-9.

[17] Immanuel Wallerstein, Africa: The Politics of Unity (New York: Random House, 1967), pp. 86-87.

[18] Ibid.

[19] "Resolution of the OAU Foreign Ministers On The Congo," Africa Report, IX (1964), p. 39.

[20] Ibid.

[21] Ibid.

On September 11, the Commission agreed that a cease fire between the government and the rebels be declared. The cease fire was crude in many ways. There was no specific time limit nor were any agreements made to supervise the call. The Commission expected that both sides would abide by it. The Commission met again in Nairobi, Kenya on September 18, 1964. Moise Tshombe was invited to state the concerns of his government. He made a brief appearance before the Commission. He left abruptly because the rebels had also been invited. Following Tshombe's sudden departure, the Nairobi talks ran into a temporary stand still. However, it resolved to send a five-member team, headed by Kenya's foreign Minister Joseph Murumbi, to Washington in order "to persuade President Johnson to withdraw United States men and military equipment from the Congo."[22] In a swift response, President Kasavubu protested "solemnly and unequivocally" against the organization's "manifest interference"[23] in the Congo's internal affairs.

Kasavubu contended that the OAU "called the Congo's independence into question by seeking to prevent the execution of agreements which the Congo, as a sovereign country and in accordance with international law has made with friendly countries."[24] He made it abundantly clear that Congo would no longer abide by OAU's decisions. In a show of support, the United States announced that President Johnson would not meet with the OAU delegation.

---

[22]"Congo Break with OAU," West Africa, September 26, 1964, p. 1075.

[23]Ibid.

[24]Ibid.

In the meantime, renewed fighting broke out in Stanleyville. The rebels had proclaimed a People's Republic of the Congo in Stanleyville and were determined to overthrow Tshombe's government. Christoper Gbenye was proclaimed as Premier of the new "republic." The rebels, in an attempt to legitimize themselves, met with the ad-hoc Commission in Niarobi and demanded that all mercenaries be withdrawn and that American and Belgian aid be terminated.

The Commission appealed to both sides to end the fighting. Unfortunately, the appeals were not heeded. Instead, the crisis escalated into new proportions in November, 1964.

The Stanleyville (rebels) authorities had treated as hostages about 1,000 men, women and children of various nationalities.[25] President Kenyatta appealed both for the cessation of hostilities and assurance of safety for the foreign civilian population. On November 23 in Narobi, talks were held between the U. S. Ambassador Willaim Attwood and the Foreign Minister of the Stanleyville regime, Thomas Kanza, under the auspices of Kenyatta and Diallo Telli, OAU Secretary-General. The following day while the talks were still in progress, Belgian paratroops conveyed in U. S. planes, landed in Stanleyville to rescue the hostages. The U. S. and Belgium justified their involvement under "humanitarian motives."[26]

African governments were suspicious of the true motives behind the "humanitarian motives" which the U. S. and Belgium claimed. The

---

[25]"Trouble in Congo," Africa Quarterly, IV (1964), p. 202.

[26]"Congo," Africa Digest, XIII (1964), p. 37.

African governments believed that the humanitarian justification was a pretense for intervention of Congolese affairs. The feelings were well expressed by the Dahomey (now Republic of Benin) Government when it said that "it had difficulty in understanding how the fate of a handful of whites was sufficient reason for civilized countries, which have for four years remained indifferent before corpses of thousands of black Congolese, suddenly to seize the initiative in alerting international opinion and invoke humanitarian reasons to justify a carefully planned aggression."[27] Kwesi Armah, author of Africa's Golden Road, referred to the foreign involvement as "a tragedy for Africa's non-alignment policy."[28]

At the United Nations, Africa states introduced a resolution in the Security Council condemning the Belgian-American involvement. The resolution was signed by eighteen countries, namely: Algeria, Burundi, Central Africa Republic, Congo Brazzaville, Dahomey, Ethiopia, Ghana, Guinea, Kenya, Malawi, Mali, Mauritania, Somalia, Sudan, Tanzania, United Arab Republic, Uganda and Zambia.[29]

The OAU ad-hoc Commission met again in Nariobi on November 27-28, 1964, to make another attempt at resolving the conflict. As in previous sessions, it adopted a resolution condemning all foreign intervention. In a similar vein, the U. N. Security Council adopted a resolution on December 30 which urged "all states to refrain from, or to cease

---

[27]"Stanleyville and After," West Africa, November 28, 1964, p. 1330.

[28]Kwesi Armah, Africa's Golden Road (London: Heinemann, 1965), pp. 164-167.

[29]Wallerstein, op. cit., pp. 89-90.

intervening in, the internal affairs of Congo."[30] It appealed for an immediate cease fire and also called for a new OAU initiative.

In view of the ract that the OAU ad-hoc Commission could not cope with the situation, the Council of Ministers meeting in New York on December 21, adopted a resolution which referred the Congo question back to the Assembly of Heads of State and Government. The Council also appealed to member states to refrain from any action which might worsen the situation.[31]

Meanwhile in the Congo itself, Tshombe and his Conakat Party won national elections held in April 1965. He was determined, from this point on, to embark on national reconciliation. But in a surprise move in October, President Kasavubu dismissed Tshombe from office in order to be able to attend the next Simmit Conference slated for Accra, Ghana in November 1965. Kasavubu had been notified that the Congolese delegation would not be seated if Tshombe was a member.

In the months to follow, Kasavubu and Tshombe jockeyed for power and leadership of the Congo. In order to attest the situation, General Mobutu elimiated both men from office through a military coup d'etat on November 25, 1965.

## III. EVALUATION OF OAU'S ROLE

An evaluation of the role of the OAU in the Congo crisis leads to the following observations. The OAU was not able to isolate the

---

[30]Keesings Research Report, Africa Independent (New York: Charles Scribner's Sons, 1972), pp. 261-63.

[31]"OAU Meets on Congo," West Africa, December 26, 1964, p. 1461.

conflict from non-African intervention because of the involvement of the United States and Belgium, for example. Similarly, the organization succeeded in abating the conflict for three years. It is also obvious that the organization was not able to help end the fighting nor did it suceed in providing a peaceful settlement. With the military coup d'etat, the conflict was resolved.

The ad-hoc Commission on the Congo lacked the necessary machinery to supervise a cease fire. It merely relied on the good will of both sides in the conflict to abide by its resolutions.

The reasons for the ineffectiveness of the OAU with regard to the Congo crisis is well expressed by Zdenek Cervenka.

> The reason why the OAU was ineffective in the role of peace-maker was because it was never conceived as a supra-national body with peacemaking machinery. Neither was it equipped with any powers to become one. The founders of the OAU made it clear that they preferred a loose organization based on voluntary cooperation, where the emphasis was on the moral rather than the legal force of the resolutions. Besides, the OAU charter, lacking a provision for expulsion of a member in the case of non-compliance with the OAU's principles, did not provide for enforcement. In short, the OAU was never conceived as a supra-national authority but as an organization whose policy was determined by the heads of state of African countries. The OAU could therefore be only as powerful as the African leaders would allow it to be.[32]

As already mentioned, the OAU could not be realistically expected to play a much more vigorous role in the Congo crisis because its charter prevents intervention in the internal affairs of member states.

---

[32] K. Ingham (ed.), Foreign Relations of African States (London: Butterworths, 1974), pp. 329-30.

## CHAPTER IV

## ALGERIA-MOROCCO BORDER DISPUTE (1963-1970)

The Algeria-Morocco border dispute is an example of a conflict in which agreements were reached, because of the willingness of disputants to recognize the territorial status quo, as signified by the renunciation of territorial claims by one side. It was also the first interstate border conflict which the OAU actually attempted to resolve.

### I. BACKGROUND TO THE DISPUTE

The origins of the Algeria-Morocco border dispute lay in colonial history. The boundary between the two countires was unclear and ill-defined.[1] Before the arrival of the French, parts of Algeria and Mauritania were subject to Moroccan rule. The French made efforts to incorporate these territories into each other. Hence a vague border resulted from this attempt. Algeria became a constitutional part of France, while Morocco was made a protectorate.[2]

When Morocco became independent in 1956, it made claims to the territory which was incorporated to Algeria. The problem was, however, temporarily solved when an agreement was reached between the Algerian Provisional government and Morocco in 1961. This later agreement lasted

---

[1]Frank E. Trout, Morocco's Saharan Frontiers (Geneva: Droz Publishers, 1969), pp. 30-33.

[2]Ibid., pp. 95-114.

until October 1963, when major hostilities broke out along this poorly defined border. On July 6, 1961, a secret agreement was reached between King Hassan of Morocco and Ferhat Abbas, Head of the Algerian Provisional government. The agreement stated "that the territorial problem created by the boundary between the two countries, arbitrarily imposed by France, shall be solved by negotiation between the Government of the Kingdom of Morocco and the Government of independent Algerial."[3]

When Algeria became independent in July 1962, Ferhat Abbas was eliminated from power. The new Algerian government was headed by Ahmed Ben Bella who was not willing to negotiate or live up to the 1961 agreement between Algeria and Morocco.[4] The Ben Bella government was not prepared to cede any territory to Morocco. Morocco, for its part, was determined to regain the disputed territory. In anticipation of war, both sides mobilized troops, and indeed, minor skirmishes took place along the border.

In October 1963, Morocco reiterated once again its policy of "rectification of the frontier by direct negotiations."[5] Peace talks took place between the two Froeign Ministers in Oujda, Morocco. Suffice it to say that the talks did not lead to a settlement of the basic problem.

---

[3]Wornoff, op. cit., p. 336.

[4]F. R. Metrowich, Africa In The Sixties (Pretoria: Africa Institute of South Africa, 1970), p. 123.

[5]Woronoff, op. cit., p. 337.

With peace prospects rather dim, both sides intensified their efforts in preparation for war. But surprisingly, major hostilities broke out on October 14, 1963 along the disputed territory of the north-eastern part of Morocco. The Algerian army was commanded by Colonel Houari Boumedienne, while General Driss Ben Omar, at one time U. N. troops commander in the Congo, commanded the Moroccans.[6] West Africa, an informed news magazine, referred to the clash as "a contravention of the Addis Ababa spirit,"[7] because Article XIX of the OAU charter imposes on member states, the obligation "to settle all disputes among themselves by peaceful means."[8]

Winstrand suggests that the immediate cause of the war "was a clash between the national interests of the two countries on the one side, Moroccan irredentism and on the other, the attractions of the mineral resources in the disputed territory."[9]

## II. OAU'S EFFORTS

Soon after hostilities broke out, there were mediation offers from member states of the OAU. The most notable ones came from President Bourguiber of Tunisia and Emperor Haile Selassie of Ethiopia.[10]

---

[6]"Algeria, Morocco and African Unity," West Africa, October 26, 1963, p. 1202.

[7]Ibid.

[8]See Appendix.

[9]Carl G. Widstrand, African Boundary Problems (Uppsala, Sweden: Almquist and Wiksells, 1969), p. 68.

[10]Saadia Touval, The Boundary Politics of Independent Africa (Cambridge: Harvard University Press, 1972), p. 256.

It might be pointed out that Emperor Selassie was on a state visit to Algeria and Morocco when hostilities began. It is not surprising, therefore, to note that the Emperor offered his services because his country faces a similar problem. He was interested because precedents could be set and applied to resolve the border dispute between Ethiopia and Somalia.

Meanwhile on October 19, 1963, Algeria had formally requested the OAU to mediate in the conflict because "the desert war had been a mistake."[11] Emperor Selassie succeeded in persuading both disputing Heads of State to work a peaceful solution during his visits. Algeria and Morocco also accepted a mediation offer from President Modibo Keita of Mali.

King Hassan of Morocco and Ahmed Ben Bella of Algeria met in Bamako, Mali on October 29 and 30, 1963. Emperor Selassia and President Keita acted as mediators during the two-day talks aimed at resolving the conflict. By the time the talks had concluded, Hassan and Ben Bella had agreed on the following matters:

> 1. A cease fire to take effect from November 2, 1963.
> 2. A "no man's land" to be established under Malian and Ethopian supervision along the disputed frontier area.
> 3. A meeting of the Council of Ministers of the OAU, which would set up a Commission on Arbitration that will draw definitive boundaries and submit its solution to the parties concerned.[12]

However, it must be pointed out the parties were free to reject such recommendations if they chose to. In addition, the four Heads of State

---

[11] Woronoff, op. cit., p. 338.

[12] "Algerian-Moroccan Border Conflict Flares into Open Warfare," Maghreb Labor Digest, I (December 1963), pp. 8-9.

also agreed on "the cessation from November 1, 1963, by Algeria and Morocco of hostile propaganda against each other, on the strict observance of the principle of non-interference in the affairs of states and on the settlement by negotiation of all differences between African states."[13]

Touval suggests that Algeria accepted President Keita's invitation to mediate because the Malian leader proclaimed support for the principle of the status quo.[14] On the other hand, MOrocco accepted because of its good relations with Mali. Both sides were encouraged by Emperor Selassie's strong opposition to the redrawing of African boundaries.[15]

As a follow-up to the Bamako agreement, the Council of Ministers met in an extraordinary session in Addis Ababa between November 15-18, 1963. In his opening remarks, Emperor Selassie stated that "the OAU provides a means for the resolution of African disputes within the family circle."[16] In addition, he urged the Council to do all it could to ensure success.

Alteria and Morocco reitereated their stands at the conference. Morocco based its claims on historical rights, while Algeria "preferred to take refuge in the principle of the OAU charter, hinting ominously at a so-called dynamic of territorial claims, under whose shadow there

---

[13]"Algerian-Moroccan Border Dispute," Africa Institute Bulletin, II (1964), p. 101.

[14]Touval, op. cit., p. 257.

[15]Ibid., p. 258.

[16]"African Commission Established to Mediate Algerian-Moroccan Border Conflict," The Maghreb Digest, II (1964), p. 29.

was imminent danger of the destruction of the stability of the continent."[17] With these utterances, the conference ran into a temporary deadlock because neither side was willing to compromise. However, bothsides were in favor of a peaceful solution because the previous hostilities had not settled the basic problem.

The conference adopted the Bamako agreement and appointed a seven-nation Commission of Arbitration and Conciliation to deal with the dispute. Representatives of Ivory Coast, Ethiopia, Mali, Nigeria, Senegal, Sudan and Tangayika (now Tanzania) were appointed to the Commission.[18] The Commission was instructed to study the problem and make its recommendations to the Council of Ministers. The Council also referred to Article III of the OAU charter as a guide in dealing with border conflicts. The resolution adopted stated:

> It is the unwaving determination of the African States always to seek a peaceful and fraternal solution of all differences that may arise among them by negotiations and within the framework of the principles and the institutions prescribed by the Charter of the Organization of African unity.[19]

The resolution also urged the warring parties "to refrain from all action which could compromise the success of the Commission."[20] Doudou Thiam, Senegal's Foreign Minister and interim president of the Council of Ministers, summed up the activities of the extraordinary session this way:

---

[17]Widstrand, op. cit., pp. 69-70.

[18]"OAU Mediates," West Africa, November 23, 1963, p. 1323.

[19]Woronoff, op. cit., p. 340.

[20]"OAU Mediates," op. cit., p. 1323.

> It had represented a great victory. The OAU is reinforced by this conference and those who thought that it would lead to the end of our organization were sadly mistaken.[21]

The Commission met in Bamako on January 24-28, 1964 to study the claims of the disputants. However, on January 20, 1964, it was announced that Algeria and Morocco had reached a private agreement whereby Algeria would withdraw from Moroccan territories and that Morocco would return to its pre-October 1, 1963 positions.[22] In addition, a demilitarized zone and a "no man's land" were established along the border. President Ben Bella of Algeria also announced that an agreement had been signed with Morocco which would enable the resumption of diplomatic relations between the two governments.[23]

The OAU cease fire commission was henceforth dissolved without having had a chance to supervise the cease fire and the demilitarized zone.

Between September 1968 and June 1970, Morocco concluded a series of agreements with Algeria by which Moroccan territorial claims against Algeria were abandoned. Morocco's abandonment of its claim was made possible by the changes in the domestic environment which no longer supported irredentism. The change of policy on the part of Morocco was also due to "the availability of an ideological common denominator in

---

[21] Ibid.

[22] Touval, op. cit., p. 259.

[23] "Settlement of Algerian-Moroccan Disputes in Sight," The Maghreb Digest, II (1964), p. 26.

the ideas of Islamic, Maghreb, and African solidarity, helped to smooth the process and to legitimize the reapproachment."[24]

## III. EVALUATION OF OAU'S ROLE

In evaluating the role of the OAU in this conflict, the following conclusions can be drawn. It is apparent that the OAU was not able to resolve the basic problem, although it helped in arranging and stabilizing the cease fire. The activities of the Commission helped to cool off the dispute and created conditions for disengagement and settlement. Gaining the confidence of the two parties represented an achievement for the OAU, especially when a comparison is made with the Congo crisis which embroiled the continent at the same time. The OAU also succeeded in preventing interference from outside the continent, again a remarkable effort when compared with the Congo. It becomes obvious "that the OAU made effective use of the opportunity to consolidate its authority and its claims that African problems should be settled within an African context."[25]

Again, in trying to settle the dispute, the OAU could not impose its resolutions on two sovereign states. Rather, to the extent that it succeeded, it did so because it did not put blame on either side, nor was there any allegation of partiality. Its mild success resulted from its commitment to the principle of the status quo with regard to border disputes.

---

[24]Touval, op. cit., p. 268.

[25]Widstrand, op. cit., p. 70.

In summary, the OAU succeeded in isolating the conflict. It also had a mild success in helping to end the fighting. Similarly, it helped in abating the confict. However, it is obvious that its efforts did not help provide a settlement. With regard to the status of the conflict itself, it would be safe to assume that the dispute is far from over, but that it is merely quiescent. It will not be surprising if a new surge of hostilities breaks out in the future.

## CHAPTER V

## SOMALIA-ETHIOPIA-KENYA BORDER DISPUTE (1963-1970)

The border dispute between Somalia and Ethiopia and Kenya is an example of a dispute which Saadia Touval referred to as "disengagement."[1] In succint terms, "by disengagement is meant that for an indefinite period, the parties suspended their dispute. However, the border or territorial dispute was not resolved."[2] In this case study, the parties did not withdraw their claims but only ceased to pursue them actively. Rather, they continued to declare their dedication to the goals which had originally caused the conflict. These are the features which characterize the dispute between Somalia-Ethiopia-Kenya.

### I. BACKGROUND TO THE DISPUTE

The origins of the dispute stem mainly from Somalia irredentism. Somalia primarily wants self-determination for the Somali population living along the disputed borders in the Northern Frontier District (NFD) of Kenya and the Ogaden Province in Ethiopia.

Rather than remain in alien lands, the Somali population along these borders, wanted to reunite with their kindred in the Republic of Somalia. Both Kenya and Ethiopia protested against any such move that would cede the NFD and the Ogaden Province back to Somalia. President Kenyatta stated "that the NFD problem was a domestic Kenyan affair in

---

[1] Touval, op. cit., p. 192.

[2] Ibid.

which Somalia was not to interfere."[3] Kenya and Ethiopia did not want to part with the disputed territories because they rejected Somalia's clain of self-determination for the Somalia population along the disputed borders.[4]

Major fightings erupted along the Ogaden Province between Ethiopia and Somalia on February 7, 1965.[5] In the meantime, fighting had also been in progress along the NFD soon after Kenya became independent in December 1963.[6]

Rather than appealing to the OAU, Somalia advocating the principle of self-determination for its people living along the disputed borders, requested the United Nations "to consider alleged acts of aggression by Ethiopia."[7] Somalia feared that because of the committment of most African states to the status quo with regard to border conflicts, the OAU might be unsympathetic. Therefore Somalia preferred that the U. N. Security Council handle the matter rather than the OAU. Acting under pressure from other African members, the United Nations declined to grant Somalia's request of United Nations' intervention. The African delegations believed that the dispute should first be referred to the OAU which as a regional organization should have primary jurisdiction

---

[3]Ibid., p. 214.

[4]Metrowick, op, cit., p. 141.

[5]Mesfin Mariam, "The Background of the Ethio-Somalian Boundary Dispute," The Journal of Modern African Studies, II (July 1964), pp. 205-209.

[6]A. A. Castagno, "The Somali-Kenyan Controversy: Implications for the Future," The Journal of Modern African Studies, II (July 1964), p. 165.

[7]U. N. Document S/5536, 1964.

over disputes among African states. The U. N. Secretary-General, U. Thant, shared this view. He specifically asked Somalia to seek help within OAU forum.[8]

## II. OAU'S ROLE

On February 12, 1964, the OAU formally became involved in the Somalia-Ethiopia conflict. The OAU Council of Ministers took up the issue during its meeting in Dar es Salaam. It was with some difficulty that the matter was even placed on the agenda since the delegates pleaded that they had no instructions from their governments on the issue. They finally agreed to discuss it by a vote of nine to one, with nine abstentions.

Somalia reiterated its claims based on the right of self-determination for the Somali population on the Ogaden Province of Ethiopia and the NFD in Kenya. However, both Kenya and Ethiopia maintained that the principle of self-determination did not apply to territories within independent states and that such claims were contrary to the principle of the OAU charter.

The Council of Ministers was able to adopt a resolution aimed at halting the mounting tension on the Ogaden Province. In essence, the resolution urged Ethiopia and Somalia "to order an immediate cease fire and to refrain from all hostile actions."[9] The Council also took a similar step in the Somalia-Kenya conflict. A resolution "urging an end

---

[8]U. N. Document S/5542, 1964.

[9]"Between Dar and Lagos," West Africa, February 22, 1964, p. 199.

to further provacative actions and propaganda"[10] was adopted. In order to ensure that the cease fire was actually implemented, the Council called on African states with diplomatic missions in Ethiopia and Somalia to help in the implementation. Finally, the Council agreed to discuss the conflict further at its meeting in Lagos, Nigeria.[11]

It is worth noting that despite the admonitions of the Council of Ministers, Ethiopia and Somalia did not comply with the cease fire terms. Such terms were only implemented when the Sudanese President, Lieutenant-General Ibrahim Abboud, acting as intermediary, persuaded both sides to adhere to such terms.

The unresolved conflict once again came up for discussion at the meeting of the Council of Ministers in Lagos on February 24, 1964. Somalia requested that a demilitarized zone be created along the disputed borders and that impartial observers be sent to supervise the cease fire terms. This proposal was supported by Ghana, Nigeria, Libya, Tunisia and Congo Brazzaville because they were interested in promoting proposals for an all Africa military force. On the contrary, Ethiopia urged Somalia to renounce her territorial claims and to recognize and respect international borders.[12]

In a similar move, the dispute between Somalia and Kenya was discussed. Somalian Foreign Minister, Abdullah Issah, reiterated Somalia claims of self-determination for the Somalia population living along the

---

[10]Ibid.

[11]"Spotlight on Africa," Africa Institute Bulletin (April 1964), pp. 133-135.

[12]"Solving Africa's Border Disputes," West Africa, March 7, 1964, p. 254.

NFD border. Kenya discounted, once again, this claim. Kenya argued that the principle of self-determination cannot exist within an independent state.

The Council set up a Commission of Arbitration consisting of Morocco, Dahomey, Tunisia, United Arab Republic, Sudan, Cameroon, Liberia, Ghana, Upper Volta, Sierra Leone and Mauritania to work out a solution acceptable to the disputants. The resulution also called on the three parties to open "direct negotiations"[13] aimed at a peaceful solution to their dispute. The resolution also made a reference to paragraph three of Article II of the charter which urges states to show respect for the sovereignty and territorial integrity of other member states. This reference to the charter marked an addition to the Dar es Salaam resolution and some show of sympathy with Ethiopian and Kenyan positions.

In a conciliatory move, Ethiopian and Somali representatives met for talks in March 1964 at Khartoum, Sudan. A joint communique issued at the end of the talks made provision for the following:

> 1. The reaffirmation of the resolutions adopted by the Council of Ministers of the OAU at Dar es Salaam and Lagos,
> 2. The determination of the two Governments to maintain cease fire along the border,
> 3. The creation of a demilitarized zone,
> 4. The appointment of a Joint Commission to ensure the complete withdrawal of the military forces, and,
> 5. The cessation of all hostile propaganda through all media of information.[14]

In March 1965, Somalia made another attempt to press its claim against Ethiopia through the OAU. It charged that Ethiopia had been

---

[13]"Somali Republic," Africa Report, IX (May 1964), p. 20.

[14]"Ethio-Somali Negotiations," OAU Review, I (May 1964), pp. 40-41.

hostile and oppressive to the Somali population in the Ogaden Province. Somalia requested that the OAU send a fact-finding commission to examine the situation. Ethiopia objected to such an appeal and the OAU refused to grant the request. Other attempts to resume substantive negotiations did not materialize because both sides could not agree on a venue and an agenda.

Another attempt was made on December 9, 1965, to resolve the Somalia-Kenya conflict. Leaders of Somalia and Kenya met at Arusha, Tanzania at the invitation of President Julius Nyerere.[15] The meeting was a fiasco and ultimately ended in a deadlock.[16] The talks collapsed because neither side was willing to compromise or moderate claims. Rather than improve relations, the Arusha conference worsened them and aided in precipitating further hostilities.

## III. DJIBOUTI

In the meanwhile, quite suddenly, a new source of tension arose in August 1965. This new tension revolves on the French Territory of Afars Issas (now Djibouti). As long as this territory was under French colonial rule, there was no trouble. Due to the fact that Somalia and Ethiopia had interests in this area and particularly when it becomes independent, the conflict between Somalia and Ethiopia rose over access to Afars and Issas.[17]

---

[15]Leonard W. Doob (ed.), Resolving Conflict in Africa (New Haven: Yale University Press, 1970), p. 7.

[16]Ibid., the French Somaliland was also referred to as Afars and Issas by the African nationalists. The country is now known as Djibouti.

[17]Virginia Thompson and Richard Adloff, Djibouti and the Horn of Africa (Stanford, Calif.: Stanford University Press, 1968), pp. 1-10.

Specifically, Ethiopia claimed that the Afars were related to a tribe in Ethiopia. Furthermore, Ethiopia makes use of the essential port of Djibouti for economic activities. The port also serves as the terminus for the Franco-Ethiopian railway that connects Addis Ababa with the sea. For these reasons, Ethiopia did not want to see Djibouti become a part of Somalia. Somalia, on the other hand, claimed that the Issas are a part of the Somali Republic. For this reason, Somalia advocates self-determination and independence for the inhabitants.

Demands for independence for French Somaliland or Afars and Issas reached a peak during President De Gaulle's visit to the territory in August 1966. There were agitations and demonstrations in favor of independence. On September 15, 1966, General De Gaulle announced that "France know how to live with the Somali Coast"[18] and that his government would "pose no obstacles"[19] if French Somaliland wanted independence. Ethiopia quickly issued a rejoinder. Emperor Selassie declared that French Somaliland was an integral part of Ethiopia. He summed up Ethiopia's position this way:

> Djibouti indisputable is ours and its people know they belong to Ethiopia. They realize on which side their interests and freedom lie.[20]

President Siyad Barre of Somalia summed it up this way:

> It is the sacred duty of the Government of the Somali Democratic Republic and of its people to liberate all Somali people and territories still under the colonial yoke, and that

---

[18]"De Gaulle and French Somaliland," Africa Report, II (November 1966), p. 10.

[19]Ibid.

[20]Ibid.

> is why we regard the independence of the Repuglic of Djibouti as fulfillment of the duty devolving upon us. It was the colonialists' intention to keep our five parts divided, but we have already devised a five-starred flag which clearly symbolizes the future of the United Greater Somalia. That is how it was before the advent of the colonialists, and that is how it will be again.[21]

The OAU became involved in the Djibouti problem during the conference in Addis Ababa in November 1966. Somalia pressed for independence in Afars and Issas and the OAU to supervise a referendum on independence by the inhabitants of this French colony. Some member states were worried about the aftermath of independence and the likely confrontation if France withdrew. The Francophone states, in particular, wished to avoid any criticism of General De Gaulle or France.

The Somali proposal, urging the people to choose independence, demanding OAU supervision of a referendum and criticizing France, was rejected while a mere cautious resolution was adopted. The Assembly merely asked that the referendum be free and impartial and called upon the population to unite in confronting its destiny.[22]

The referendum took place on March 19, 1967. The vote was in favor of continued but looser relations with France. Somalia appealed to the OAU because it believed that the election had been rigged.[23] The organization did not take any action to investigate the allegation.

In pursuing its policy of pan-Somalia unification, Somalia had hoped that the referendum would be in favor of independence that would

---

[21]"Ethiopia's Fraught Frontiers," West Africa, July 11, 1977, p. 1401. Djibouti became independent on June 27, 1977.

[22]"French Somaliland," Africa Report, II (December 1966), p. 24.

[23]"After the Referendum: Prospects in the Horn," Africa Report, XII (April 1967), p. 37.

ultimately lead the territory to join the Republic of Somalia in an act of union. Ethiopia perhaps was delighted with the outcome of the referendum because it was concerned with the security of its trade interests along the Franco-Ethiopian railroad from the hinterland to the port of Djibouti.

Further attempts by the OAU to resolve the conflicts between Somalia-Ethiopia-Kenya did not yield any fruitful results until Congo Kinshasa summit conference in September 1967. This point marked the beginning of disengagement and the détente which followed.

The first major landmark in the development was the agreement between President Kenyatta of Kenya and Prime Minister Egal of Somalia who announced their intentions on September 13, 1967, "about settling the dispute, resuming diplomatic relations, and acceptance of an invitation from President Kaunda of Zambia to meet for further talks in Lusaka, Zambia."[24] The following day, the Assembly passed a resolution which explicitly stated that Somalia and Kenya pledged to respect the sovereignty and territorial integrity of one another, and their determination to settle the conflict in accordance with the OAU charter, that is, through peaceful settlement of disputes.

The meeting agreed upon in Kinshasa between Somalia and Kenya, took place on October 28, in Arusha, Tanzania instead of Lusaka. The Kenyan delegation was headed by President Kenyatta while Prime Minister Egal led the Somalian delegation. President Kaunda acted as the chairman of the meeting; also present were Presidents Nyerere of Tanzania and

---

[24]"The Congo's OAU Triumph," West Africa, September 16, 1967, p. 1218.

Obote of Uganda. Essentially, Somalia and Kenya affirmed the Kinshasa agreements and pledged themselves to exert all efforts to create good neighborly relations. Furthermore, they agreed to set up a joint commission with Zambia as member to deal with the implementation of the agreements. On February 1, 1968, both countries resumed diplomatic relations.

Similarly, private talks were held between Emperor Selassie of Ethiopia and Mohammed Egal, Somalia's Prime Minister. On September 23, both countries agreed "to eliminate all sources of tension, and reaffirmed the Khartoum agreement on March 1964."[25]

Following these agreements there was a cessation of hostilities. The details of the peace plan towards disengagement were implemented. However, as recent events indicate, the problem between Somalia and Ethiopia is far from being solved. Renewed fighting broke out between Somalia and Ethiopia in June 1977.

## IV. EVALUATION OF OAU'S ROLE

It is perhaps in this case more than in any already discussed that the private efforts of heads of states have provided fruitful results.

The OAU shied away from dealing with the problem as was evidenced when it refused to investigate the alleged rigging of the referendum in French Somaliland.

The OAU attempted to effect a cease fire but did not meet with success when compared with the efforts of Sudan, in this regard.

---

[25]"Somali Republic," Africa Report, XII (November 1967), p. 37.

In more specific terms, the OAU succeeded in isolating the conflict from non-African intervention. Unlike the Congo crisis, for example, the Somalia-Ethiopia-Kenya conflict was relatively free of foreign involvement. The OAU, however, did not help in abating the conflict nor did its efforts help in ending fighting. Similarly, the OAU did not help provide a settlement acceptable to the three parties. The settlements reached were a result of private talks among the states. The status of the conflict can be described as being temporarily quiet.[26] There is a possibility of renewed hostilities in the future because the basic problems have not been resolved.

Realistically, it was not possible for the OAU to achieve a better result in the Somalia-Ethiopia-Kenya border disputes. The OAU was not able to impose its resolutions on member states due to the fact that it operates on the principle of consensus and not force of will.

---

[26]Nye, op. cit., p. 156.

## CHAPTER VI

## NIGERIAN CIVIL WAR (1967-1970)

The Nigerian civil war occupied the attention of the OAU during the period May 1967--January 1970. The issue was first discussed in September 1967 during the Kinshasa Summit Conference despite the objections of the Nigerian Government. From then on, efforts were devoted towards its resolution. The OAU operated on the principle of the status quo in dealing with the conflict. The NIgerian civil war like the Congolese civil war, attracted non-African involvement.

### I. EVENTS LEADING TO THE CIVIL WAR

The roots of the Nigerian civil war were deep but the immediate impetus for the break-up of hostilities began with the military coup of January 15, 1966. Prior to this event, Nigeria had gone through an era characterized by corruption, chaos and "other vices of the ancient regime."[1]

The coup brought the army into the limelight of Nigerian politics. It marked an end of the First Republic (1960-1966). The civilian government headed by Prime Minister Tafawa Balewa was overthrown. In its place, Major-General Aguiyi Ironsi, an Ibo, assumed the reins of leadership as Supreme Commander of the Federal Military Government.

---

[1]Paul Anber, "Modernization and Political Disintegration: Nigeria and the Ibos," Journal of Modern African Studies, V (1967), p. 163. For additional information on the coup and its causes, see, for example, Robert Collins, Nigeria in Conflict (London: Secker and Warburg, 1970), pp. 137-190.

Major-General Ironsi attempted to deal with some of the problems which had plagued the country. However, his efforts did not gain widespread support among the Northerners. He was committed to peace and unity through the creation of a unitary state instead of retaining the federal structure. He issued a decree on May 24, 1966 abolishing the federal system of government.[2] The Northerners in particular resented Ironsi because he appeared to be promoting Ibo supremacy and it is no wonder that a second military coup occurred on July 29, 1966 during which Ironsi was killed.[3]

Lieutenant-Colonel Yakubu Gowon, a Northerner, assumed the leadership of the country after July 29. It was Gowon who would pilot Nigeria through the civil war years.

In the wake of continued unreses and chaos, a program of Ibos living in the Northern Region occurred between May and September 1966. It is estimated that over 30,000 Ibos were massacred during the process while one million others returned to their tribal homeland in the Eastern Region as refugees.[4] This sheer brutality became a signal for the Ibos that they were resented. Kirk-Greene referred to this in his observation.

---

[2]Neville Brown, "The Nigerian Civil War," Military Review, XLVIII (October 1968), p. 24.

[3]C. Odumegwu Ojukwu, Biafra (New York: Harper and Row Publishers, 1969), p. 5.

[4]A. A. Nwanoko and S. U. Ifejika, The Making of a Nationa: Biafra (London: C. Hurst and Company, 1969), p. 217.

> The root cause of the trouble is the long-standing jealousies and suspicions between the two big tribes, the Hausa and the Ibo. There is now in Nigeria a general feeling that the Ibos of the Eastern Region and the Hausas of the Northern Region cannot live amicably side by side.[5]

In a bid to find an immediate solution to the hostilities in the country, members of the Federal Military Council met in Aburi, Ghana at the invitation of General Joseph Ankrah, Ghana's head of state. The January 4-5, 1967 Aburi meeting resolved on "the principle of collective rule on the basis of concurrence of all military governors in decisions affecting their regions."[6]

As a follow-up to the Aburi agreement, Decree No. 8 (Constitution, Suspension and Modification Decree, 1967) was promulgated on March 17, 1967. The decree "recognized the virtual autonomy of the military governors in their regions with the exception of the right to declare emergency laws."[7] The right to declare emergency laws to protect the security, peace, order, and good government of Nigeria was reserved for the Head of State.[8]

As the Military Governor of the Eastern Region, Odumegwu Ojukwu declared Decree No. 8 as a breach of the Aburi accord which gave the governors autonomy in their states. Once again, he reiterated his

---

[5]A. H. M. Kirk-Greene, "The Peoples of Nigeria: The Cultural Background to the Crisis," African Affairs, LXVI (January 1967), p. 5. For more information on the population of the Ibos, see, for example, Michael Mok, Biafra Journal (New York: Time-Life Books, 1969), pp. 26-31.

[6]Yassin El-Ayouty, The Organization of African Unity After Ten Years (New York: Praeger Publishers, 1975), p. 154.

[7]Ibid., p. 217.

[8]S. K. Panter-Brick, Nigerian Politics and Military Rule: Prelude to the Civil War (London: The Athlone Press, 1970), pp. 45-46.

stand that the East did not recognize Gowon as the head of the Federal Military Government because "he usurped that position . . . therefore, to talk of his government is presumptuous."[9] This statement shows that the East was already contemplating secession.

Colonel Ojukwu took a further step on the road to secession on March 31, 1967 when he issued the Revenue Collection Edict 11. The Edict "decreed that all revenues collected in the region on behalf of the Federal Government would henceforth be paid to the Eastern treasury.

The Edict contained the rationale why such action was being taken.

> 1. The Federal Government had failed despite its pledge in the Aburi agreement to pay salaries of refugee civil servants and Federal corporation employees up to March 31, 1967.
> 2. The East had on its hand some 1.8 million persons whose displacement from other parts of Nigeria was not considered irreversible.
> 3. The Federal Government had delayed paying to the East its statutory share of revenues and had withheld monies to this region from other sources totalling well over 10 million.[10]

The Federal Military Government did not take Edict 11 very lightly. It recognized "that the East was on an irreversible course unless stopped."[11] The reaction of the Federal Government was swift. Steps were undertaken to hold Nigeria together by military force if necessary.

On May 27, 1967, significant events took place in the chronology of the civil war.

> Gowon assumed full powers as Commander-in-chief of all armed forces and Head of the Federal Military Government with the rank of Major-General and proclaimed a state of emergency throughout

---

[9] Ojukwu, op. cit., p. 120.

[10] Ibid.

[11] El-Ayouty, op. cit., p. 154.

> Nigeria. A decree titled the "States (Creation and Transitional Provisions) Decree, creating twelve new states within the federation was promulgated.[12]

The saliency of the creation of a twelve-state structure is summed up by Timothy Adebanjo. He stated:

> The present reorganization of the country into twelve states is designed to ensure that no one cummunity or ethnic group will be able to dominate others or the Federation as a whole. It will also ensure a more balanced and stable federal union.[13]

In the meantime, a 300 member consultative committee appointed from all divisions of the Eastern Region was meeting in Enugu, capital of the region, to decide the political course of the region. In reaction to the latest developments from the federal authorities, the Committee gave Ojukwu the mandate to declare the East a free and sovereign state as soon as practicable. On May 30, 1967, Ojukwu declared the "sovereignty and independence"[14] of the Republic of Biafra.

Ojukwu declared:

> Fellow countrymen and women, you the people of Eastern Nigeria, conscious of the supreme authority of Almighty God over all mankind and of your duty to yourselves and posterity; aware that you can no longer be protected in your lives and in your property by any government based outside Eastern Nigeria . . . unwilling to be unfree partners in any association of a political or economic nature; rejecting the authority of any person or persons other than the Military Government of Eastern Nigeria to make any imposition of whatever kind or nature upon you; degermined to dissolve all political and other ties between you and the former Federal Republic of Nigeria; prepared to enter into such association, treaty or alliance with any sovereign state with the former Federal Republic of Nigeria and elsewhere on such terms and

---

[12] Ibid., p. 155.

[13] Timothy Adebanjo, "Beyond the Conflict," Africa Report, XIII (February 1968), p. 12.

[14] N. U. Akpan, The Struggle for Secession 1966-1970 (London: Frank Cass and Company, 1972), p. 84.

> conditions as best to serve your common good; affirming your trust and confidence in me; having mandated me to proclaim on your behalf and in your name that Eastern Nigeria be a sovereign independent republic. Now, therefore, I Lt.-Col. Chukwuemeka Odumegwu Ojukwu, Military Governor of Eastern Nigeria, by virtue of your authority and pursuant to the principles recited above, do hereby solemnly proclaim that the territory and region known as and called Eastern Nigeria, together with her continental shores and territorial waters, shall henceforth be an independent sovereign state of the name and title The Republic of Biafra.[15]

The Federal Government reacted very swiftly to Ojukwu's declaration by calling a general mobilization of troops. The government also decided "to impose stringent economic sanctions against Biafra."[16] The sanctions were aimed at "isolating the East both from the rest of the Federation and from the outside world."[17] Ojukwu's action was declared as "an act of rebellion that would be crushed by appropriate measures."[18] Gowon also served a notice to the world not to intervene in what was regarded as an internal affair of Nigeria.

Within the next several days, preparations for war were intensified. Actual fighting started on July 6, 1967 between federal troops and those of Biafra. The war lasted two and a half years before Biafra surrendered.

> During most of the time, the Federal forces were pressing the Biafrans into a gradually shrinking enclave. By the end of the war, Biafran territory had shrunk to less than one-tenth of the area it controlled at its beginning.[19]

---

[15]"Nigeria: Chronicle of a Crisis," West Africa, June 3, 1967, p. 716.

[16]"Economic War," West Africa, June 10, 1967, p. 745.

[17]Ibid.

[18]El-Ayouty, op. cit., p. 154.

[19]John Hatch, Nigeria: The Seeds of Disaster (Chicago: Henry Regnery Company, 1970), p. 287.

## II. OAU'S INVOLVEMENT

There were two main principles of the OAU charter which were at stake with regard to the Nigerian civil war.

> 1. The principle of noninterference in internal affairs (Article III, paragraph three). The Federal Government consistently referred to this in an attempt to prevent outside intervention.
> 2. The principle of respect for the inalienable right to independence (Article III, paragraph three). The secessionists sought to legitimize their action on the basis of this principle.[20]

El-Ayouty suggests that the OAU intervened in the war because of the following factors:

> 1. The supply of arms including aircraft and heavy artillery by the governments of the United Kingdom, the Soviet Union, Czechoslovakia, and the United Arab Republic to the Federal government and from undisclosed sources to Baifra.
> 2. The recognition of Biafra as an independent state, thus according it the status of a full member of the international community, by the governments of Tanzania (april 13, 1968), Gabon (May 8, 1968), Ivory Coast (May 14, 1968), and Zambia (May 20, 1968).
> 3. The condition of Biafra's population which was cut off from the sea and encircled by Federal troops and thus became of great concern to the whole world. A worldwide campaign to save the starving women and children of Biafra was launched by the International Red Cross.
> 4. The presence of a group of foreign military observers investigating Biafra's allegations of genocide.[21]

The OAU officially became involved in the civil war in September 1967 during the Kinshasa Summit Conference. Fully aware of the limitations of its charter, the Assembly adopted a carefully worded resolution which "recognizes the situation as an internal affair, the solution of which is primarily the responsibility of Nigerians themselves."[22] The

---

[20] El-Ayouty, op. cit., p. 153.

[21] Ibid., p. 155.

[22] "Nigeria: The OAU Mission," West Africa, September 23, 1967, p. 1223.

secession attempt was also condemned. The Assembly also resolved "to send a Consultative Mission of six heads of state to the head of the Federal Government of Nigeria to assure him of the Assembly's desire for the territorial integrity, unity and peace of Nigeria."[23] The Consultative Mission comprised of Heads of State from Ethiopia, Ghana, Cameroon, Zaire, Liberia and Niger. This committee was by far the highest ranking body ever to represent the interests of the organization.

The Consultative Mission arrived in Lagos on November 23, 1967 to confer with Nigeria's head of state, General Gowon. In his address to the Mission, Gowon outlined the role which his government expected the mission to play.

> The most valuable contribution the mission can make in the present circumstances is to call on the rebel leaders to abandon cession. Your mission is here not to mediate.[24]

The communique issued at the end of the two-day talks showed that the Mission "reaffirmed the decision of the OAU embodied in its resolution condemning all secessionist attempts in Africa."[25] It also stated that "any solution of the Nigerian crisis must be in the context of preserving Nigeria's territorial integrity and unity."[26] The Mission further agreed that as a basis for a return to peace, "the secessionists should renounce secession and accept the present administrative structure of Nigeria as laid down in Decree No. 14--reference to the creation of twelve states."[27] The Biafran regime was disappointed with the

---

[23] Ibid.

[24] "OAU Mission in Lagos," West Africa, December 2, 1967, p. 1561.

[25] Ibid.

[26] Ibid.

[27] Ibid.

communique and stated its reaction on November 24, 1967. It stated that:

> By deciding to consult with only one party to the dispute, the Mission has demonstrated its lack of objectivity and doomed itself to failure right from the start because the Mission has condoned genocide and has proved itself a rubber stamp by merely endorsing General Gowon's warning that their own countries would disintegrate if they did not rally to his support.[28]

As a result of their disgust of the OAU, Biafrans refused to hold the first peace talks with Nigeria under its auspices. Instead, the talks took place within the forum of the British Commonwealth Secretariat in London in May 1968. Sir Louis Mbanefo, Chief Justice of Biafra, represented the secessionists, while Chief Anthony Enahoro, Nigerian Commissioner for INformation, represented the Federal government. The only item discussed was where to hold the official negotiations and what could be a possible agenda. In addition, it was agreed that such negotiations should take place in Kampala, Uganda.

The Kampala talks opened on May 23, 1968, with President Milton Obote as host. Chief Enahoro once again reitereated the wishes of the Federal government which in essence, urged the Biafrans to renounce secession. He also tried to win the support of African countries by insisting that if Biafra's secession was successful, other states on the continent would be fighting secessionists. The Ibos, he said, could not claim sovereignty because Nigeria had more than twoo hundred tribal groups and could hardly be divided into twoo hundred states. Biafra's plea can be summarized in this statement by Sir Louis Mbanefo.

> We have pretended far too long that there are no differences between the peoples of this country. The hard fact which we

---

[28] El-Ayouty, op. cit., p. 157.

> must honestly accept as of paramount importance in the Nigerian experiment, especially for the future is that we are different peoples brought together by recent accidents of history. To pretend otherwise would be folly.[29]

The talks did not make much progress before reaching an impasse over the timing of a cease fire and the accusation by Biafra that the Federal government was unwilling to compromise.

In the meantime, Biafra's cause was aided by the diplomatic recognitions it gained. Tanzania led the way on April 13 and in a quick succession, Gabon (May 8), Ivory Coast (May 14) and Zambia (May 20) followed suit. These countries based their rationale on humanitarian grounds. President Felix Houphouet-Biogny of Ivory Coast explained why he recognized Biafra.

> I am today proclaiming my indignation in the face of the inexplicable indifference, the culpable indifference of the whole world towards the massacres that have taken place in Biafra for more than ten months. I am . . . distressed, outraged, upset and revolting against this atrocious war. Is it known that there have been more deaths in Biafra within ten months than in Vietnam in three years? This being the case, the problem between the Federation of Nigeria and Biafra must be seen in its true perspective. It is a human problem and a human solution must be found to it. Considerations of peace should take precedence over everything else. If our brothers involved in this conflict cannot live together in a Federation, then let them accept to live in peace as neighbors.[30]

In a similar vein, President Albert Bongo of Gabon declared that:

> We cannot stand to one side and do nothing while an act of genocide is taking place in Nigeria. The Gabon Government

---

[29]"Nigeria: War Goes On," Africa Institute Bulletin, IV (August 1968), p. 201.

[30]Raph Uwechue, Reflections On the Nigerian Civil War (New York: Africana Publishing Corporation, 1971), p. 88.

> deplores the human tragedy in which the Ibo people are the victim and denounces this frantricidal war which is staining a portion of the land of Africa with Blood.[31]

At the initiative of Emperor Haile Selassie, the OAU Consultative Mission took up the issue again in July 1968 in Niamey, Niger. For the first time, the leaders of Nigeria and Biafra met. Most of the preoccupation of the Niamey talks was on how to alleviate the human sufferings caused by the war. George Shepherd, Jr. described the sufferings this way:

> Saving the lives of millions of people who are now doomed, mostly through starvation, if this conflict continues another six months is the objective that transcends all other considerations of interest and principle and political entities. This war has become a monster. . . . It has now gotten out of hand and has become blind, senseless human destruction.[32]

The talks produced some minor encouraging results. The Federal government agreed that Biafra could talk directly with any government represented on the Consultative Mission. Biafra, on the other hand, agreed to "the need to maintain Nigerian territorial integrity,"[33] hence some time was spent on how relief aid was to reach beleaguered Biafra. Finally, both sides agreed to meet later in Addis Ababa to discuss such issues as cease fire terms, relief supplies, and arrangements for a permanent solution.[34]

---

[31]"Nigeria: War Goes On," op. cit., p. 200.

[32]George W. Shepherd, Jr., "Biafra: The Politics of Saving Lives," Africa Today, XV (August/September 1968), p. 1.

[33]"An African Solution?," West Africa, July 27, 1968, p. 853.

[34]Ibid.

By all indications, the Addis Ababa peace talks of August 1968 was a failure. After five weeks of deliberations, the only agreement reached was on where to supply relief aid. The talks "brought neither side closer to agreement."[35] The Addis Ababa talks also showed "that merely moving the talks from one capital to another solves nothing unless there are private negotiations providing at least a glimmer of compromise in the interval."[36]

When the Algiers Summit Conference of the Assembly of Heads of State and Government opened on September 13, 1968, there was less optimism for peace in view of the recent failure in Addis Ababa. In his opening remarks, President Houari Boumediene of Algeria attacked those aiming to see Nigeria disintegrate. Specifically, he attacked the four countries that recognized Biafra on "fallacious humanitarian considerations they did not express toward other human tragedies that shook whole countries for years."[37] This statement incurred the anger of President Kaunda who refused to accept the vice-chairmanship of the Summit. Later, the four countries that recognized Biafra once again justified their action on humanitarian grounds. When these personal accusations were mended, the Sumit adopted a resolution which amounted to a "diplomatic triumph"[38] for Nigeria.

It appealed for the cessation of hostilities and called on Biafra to cooperate with the Federal government, who in order "to restore peace

---

[35]Betty Nickerson (ed.), CHI: Letters from Biafra (Toronto: New Press, 1970), p. 92.

[36]"Addis Fade-Out?," West Africa, August 17, 1968, p. 942.

[37]Woronoff, op. cit., p. 425.

[38]"Ostriches in Algiers?," West Africa, September 21, 1968, p. 1089.

and unity in Nigeria, should declare a general amnesty and cooperate with the OAU to ensure the physical security of all peoples."[39] It further urged the continuation of relief supplies and called on the United Nations as well as member states of the OAU "to refrain from any action detrimental to the peace unity and territorial integrity of Nigeria."[49] Finally, the Consultative Mission was asked to continue its efforts towards peace. By any definition, the Algiers resolution was in tune with the wishes of the Federal government because "it backed the Nigerian Government's efforts to reunify the country."[41]

The last meeting of the OAU Consultative Mission on Nigeria was held in Monrovia, Liberia on April 17, 1969. After three days of futile talks, a resolution urging that the two parties in the civil war "accept in the supreme interest of Africa, a united Nigeria which ensures all forms of security and guarantees equality of rights and privileges to all its citizens,"[42] was passed. The resolution further called for a cessation of fighting.

Similarly, at the September 1969 Summit Conference in Addis Ababa, the Assembly resolved to:

> Make a solemn and urgent appeal to all governments, international organization, humanitarian institutions as well as all political, moral and religious bodies in the world, to facilitate

---

[39]"OAU Summit Supports Nigeria," West Africa, September 21, 1968, p. 1117.

[40]Ibid.

[41]"Nigeria's War: OAU Summit," Africa Digest, XV (December 1968), p. 117.

[42]"Nigeria: Failure at Monrovia," West Africa, April 26, 1969, p. 485.

> the implementation of the present resolution and to desist from any action, gesture and attitude likely to jeopardize the efforts of the OAU in finding an African solution to the Nigerian crisis.[43]

Emperor Haile Selassie made a personal effort on December 18, 1969, to bring Nigeria and Biafra together at a peace conference. This effort did not materialize because Biafra had decided not to have anything to do with OAU because of its partiality to the Nigerian cause.

By January 9, 1970, the war was virtually over. The Federal troops captured the remaining strongholds of the rebels. On January 12, Colonel Philip Effiong surrendered to General Gowon on behalf of the secessionists.[44] Henceforth, the Republic of Biafra ceased to exist.

## III. EVALUATION OF OAU'S ATTEMPTS

Part of the inadequacy of the OAU stems from the fact that it was partial towards the Nigerian side. In such a situation, much could not be expected. In other words, Biafra could not be expected to cooperate fully in implementing the resolutions.

The OAU did not take any action to reprimand the four states that accorded recognition to Biafra. This reveals the lack of unanimity or cohesiveness of the organization.

The Non-African involvement of Britain, the Soviet Union and Czechoslovakia, for example, also contributed to the ineffectiveness of the OAU since these countries helped sustain the war. At best, the OAU

---

[43] Colin Legum and John Drysdale, "OAU Resolution on Nigeria," Africa Contemporary Record (1969/1970), p. C5.

[44] John de St. Dorre, The Nigerian Civil War (London: Hodder and Stroughton, 1972), pp. 394-398.

was a forum where the problem was discussed and attempts at solving it were made.

As already stated, the OAU did not help in isolating the conflict. Similarly, it did not help in ending fighting nor did it help abate the conflict.

The peace efforts of the OAU did not produce a settlement since the conflict was resolved by a military victory.[45]

In an attempt to prevent an embarrassing situation similar to that of the Congo, the OAU side-stepped the Nigerian issue. The organization evaded the issue because it could be disruptive and divisive among the member states. It was more interested in preserving unity rather than become deeply involved in an issue which could bring damage to the organization.

It can, however, be reitereated that the decision not to become deeply tangled in an issue such as the Nigerian case it not in itself a sign of ineffectiveness. It is merely an attempt to prevent divisiveness among member states. Therefore, the OAU committed itself to the principle of status quo and condemned secession.

---

[45]Nye, op. cit., p. 159.

# CHAPTER VII

## CONCLUSION

The OAU has played the role of mediator, conciliator and arbitrator. In playing these roles, the OAU has found itself in a difficult situation because it has had to deal with sovereign, independent states which constitute the membership of the organization.[1] In its attempts to control conflict among member states, the OAU has a mixed record.

The failures are undoubtedly serious, but the reality in that no organization like the OAU can achieve dramatic success once it attempts to intervene--however good the reasons--"in the internal conflicts of one of its members."[2] However, Legum contends "that this essential constraint is inherent in any international organization, but no such organization should be condemned for failing in an area which it cannot, realistically touch."[3] Without mincing words, part of the failure of the OAU can be attributed to this handicap. It lacks the mandate and hence, the muscle to impose its will on members.

In dealing with conflicts, one tends to agree with this statement:

---

[1]Artistide Ratsimbazafy, "The Past and Future of the Organization of African Unity," Review of International Affairs, XIX (October 1968), p. 21.

[2]Colin Legum, "The Organization of African Unity--Success or Failure?," International Affairs (April 1975), p. 213.

[3]Ibid.

> The OAU does not play any critical role in settling disputes. Member states have been more effective than the organization and have sometimes succeeded where the OAU has failed. The OAU tends to succeed only where it can do so without really trying.[4]

From the case studies already examined, the OAU could not exert pressure on the parties for "the Organization does not have provision for the use of force or dependable machinery for other kinds of coercion."[5] It would have had to rely on an extra-African assistance if such pressure were needed.

As revealed in both the Congolese and NIgerian cases, the OAU was not able to isolate the conflict from non-African intervention. Similarly, the organization did not succeed in abating the conflict, neither was it able to help end the fighting. Furthermore, the efforts of the OAU did not provide a peaceful settlement since the conflicts were resolved by a military coupe in the case of the Congo, and a military victory over secession in the case of Nigeria.

In the Algeria-Morocco conflict, the OAU helped in isolating the conflict. It also had some success in helping to end fighting. The organization also helped in abating the conflict. However, the OAU did not help provide a settlement. The conflict itself is not totally resolved for now, it is quiescent.

With regard to the Somalia-Ethiopia-Kenya dispute, the OAU succeeded in isolating the conflict from non-African intervention. However, the organization did not help in abating the conflict not did

---

[4]"The OAU and African Disputes," Africa Institute Bulletin, II (February 1974), p. 219.

[5]Ali A. Mazrui and Hasu H. Patel (eds.), Africa In World Affairs: The Next Thirty Years (New York: The Third Press, 1973), p. 115.

it help fighting. As proved by recent events, the conflict is far from being resolved. There has been a resumption of hostilities between Somalia-Ethiopia, in June 1977. It will also be of interest to see what will develop from the recent independence of Djibouti. Undoubtedly, both Somalia and Ethiopia will jockey for influence in this new state.

In endeavoring to resolve border issues by agreement between the parties within the framework of the OAU, African leaders wanted to neutralize the sources of inter-African misunderstandings and political instability inherited from colonialism. For this reason, the efforts of the OAU to obtain agreed solutions of border issues, reflect a realistic attitude and constructive orientation. Realistically, the efforts of the OAU in this area yields a "mixed-record."[6] Although in these cases, such territorial disputes have not come to an end as a direct result of the OAU mediation, the organization has succeeded in preventing their assuming more serious proportions.

The OAU had a more difficult time controlling the Congolese and Nigerian wars. It was greatly handicapped by the contradition in its charter which prevents intervention in internal affairs and by external involvement. In the Congolese case, the OAU was largely impotent, but was able "to act as a shock-absorber in neutralizing the worst international effects of the crisis."[7] In the Nigerian case, the dismal failure of the OAU stems partly from the fact that it was partial to the Nigerian cause. Hence, the organization was not more than a

---

[6]A. Leroy Bennett, International Organizations (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1977), p. 302.

[7]"Seven Years of OAU," West Africa, June 6, 1970, p. 601.

helpless spectator. Yet if one tries to look at the other side of things, there is a good deal to be said. As an all-African forum, the OAU not only came into existence, in itself a sufficiently remarkable event; it has also stayed in existence and on a plane of rising achievement.

The question can be asked, what other existing African organization could have done half as much? The answer is none. But, "it would be sheer naivety on the part of any apostle of doom to attempt to predict the break-up of the organization,"[8] based on the fact that it has not scored high marks in dealing with these conflicts. The OAU is still in its apprenticeship stage.

> The OAU is not a perfect union. But is was not stillborn, it has not been merely a talk-shop, and it is not so ineffectual that it can be ignored. . . . It has, in fact, done pretty well, both compared with other bodies and with Africa's pre-OAU period.[9]

For the OAU to achieve any concrete results in dealing with internal and inter-African conflicts, it has to come to grips with some of its present flaws. A logical starting point will be to correct the contradictions inherent in the charter. The charter needs some modifications because "the history of the OAU since its founding has shown quite clearly that the machinery evolved in Addis Ababa in 1962 was not strong enough in itself to act as an immediate extinguisher of hostilities in Africa."[10]

---

[8]Banji Aiki, "The Cassandras of African Unity," Time International Herald, May 28, 1977, p. 10.

[9]John Woronoff, "African Unity: The First Ten Years," Africa Report, XVII (May-June 1973), p. 28.

[10]"The OAU and African Disputes," African Institute Bulletin, II (February 1974), p. 219.

For the OAU to be in a position to impose its will on member states, the charter should give the organization such mandate and muscle to do so. If such a provision is made, the organization might be more successful in dealing with border conflicts rather than internal crisis since member states are not likely to surrender their sovereignty to an organization.

It has also been suggested that the role of chief officer of the organization be changed to a more effective one. Specifically, in order for the Secretary-General to play a more effective role in the affairs of the organization, it is suggested that,

> He should no longer be confined to only implementing Council of Ministers and Assembly of Heads of States and Government resolutions but he also will be expected to initiate various political moves on behalf of the OAU as well as negotiation between its members and to take an active part in them au par with chiefs of the negotiating teams of the member states concerned and express his opinion on the way in which various problems could be solved.[11]

In sum, if the OAU expects to make dramatic success in resolving conflicts, it then becomes pertinent that it needs enforcement powers and not the willingness of member states to carry out the organization's resolutions.[12] However, if the heads of states want the OAU to remain as an organization operating on consensus and not with enforcement powers, then it might continue to experience difficulties in imposing its resolutions on member states.

---

[11]"Reforming OAU," Africa (July 1977), pp. 66-67.

[12]P. J. M. McEwan (ed.), Twentieth Century Africa (London: Oxford University Press, 1968), p. 477.

# BIBLIOGRAPHY

# BIBLIOGRAPHY

## I. BOOKS


Addona, A. F. The Organization of African Unity, Cleveland: The World Publishing Company, 1969.

Ajala, Adekunle. Pan Africanism. Norfolk: Andre and Deufsch Limited, 1972.

Akpan, N. U. The Struggle For Succession 1966-1970. London: Frank Cass and Company, 1972.

Armah, Kwesi. Africa's Golden Road. London: Heinemann Limited, 1965.

Bennett, A. Leroy. International Organizations. Englewood Cliffs, N. J.: Prentice-Hall, Incorporated, 1977.

Carter, Gwendolen M. (ed.). Politics in Africa. New York: Harcourt, Brace and World, Incorporated, 1966.

Collis, Robert. Nigeria in Conflict. London: Secker and Warburg, 1970.

Doob, Leonard W. (ed.). Resolving Conflict in Africa. New Haven: Yale University Press, 1970.

de St. Doore, John. The Nigerian Civil War. London: Hodder and Stroughton, 1972.

Epstein, Howard M. (ed.). Revolt in the Congo 1960-1964. New York: Facts on File, Incorporated, 1965.

El-Ayouty, Yassin. The Organization of African Unity After Ten Years. New York: Praeger Publishers, 1975.

Hatch, John. Nigeria: The Seeds of Disaster. Chicago: Henry Regency Company, 1970.

Ingham, Kenneth. Foreign Relations of African States. London: Butterworths, 1974.

Keesings, B. Africa Independent. New York: Charles Scribners and Sons, 1972.

Legum, Colin. Pan Africanism. New York: Frederick A. Praeger, 1962.

Mazrui, Ali A. Towards A Pax Africana. Chicago: The University of Chicago Press, 1967.

Mazrui, Ali A. and Patel, H. H. (eds.). Africa in World Affairs: The Next Thirty Years. New York: The third Press, 1973.

McEwan, P. J. M. (ed.). Twentieth Century Africa. London: Oxford University Press, 1968.

Metrowich, F. R. Africa In the Sixties. Pretoria: Africa Institute of South Africa, 1970.

Mok, Michael. Biafra Journal. New York: Time-Life Books, 1969.

Nickerson, Betty (ed.). CHI: Letters From Biafra. Toronto: New Press, 1970.

Nwanko, A. A. and Ifejika, S. U. The Making of a Nation Biafra. London: C. Hurst and Company, 1969.

Nye, J. S. Peace in Parts: Integration and Conflict in Regional Organization. Boston: Little, Brown and Company, 1971.

Ojukwu, C. Odumegwu. Biafra. New York: Harper and Row Publishers, 1969.

Panter-Brick, S. K. Nigerian Politics and Military Rule: Prelude to the Civil War. London: The Athlone Press, 1970.

Thompson, Vincent B. Africa and Unity. London: Humanities, Press, 1969.

Thompson, Virginia and Adloff, Richard. Djibouti and the Horn of Africa. Stanford: Stanford University Press, 1968.

Touval, Saadia. The Boundary Politics of Independent Africa. Cambridge: Harvard University Press, 1972.

Trout, Frank E. Morocco's Saharan Frontiers. Geneva: Droz Publishers, 1969.

Uwechue, Raph. Reflections On the Nigerian Civil War. New York: Africana Publishing Corporation, 1971.

Wallerstein, Immanuel. Africa: The Politics of Unity. New York: Random House, 1967.

Widstrand, Carl G. African Boundary Problems. Uppsala, Sweden: Almquist and Wiksells, 1969.

Woronoff, Jon. Organizing African Unity. Metuchen, N. J.: The Scarecrow Press, Incorporated, 1970.

## II. PERIODICALS AND NEWSPAPERS

Adebanjo, Timothy. "Beyond the Conflict," Africa Report, XIII (February, 1968), p. 12.

"Addis and Africa," West Africa, May 18, 1963, p. 537.

"Addis Fade-Out?," West Africa, August 17, 1968, p. 942.

"After the Referendum: Prospects in the Horn," Africa Report, XII (April, 1967), p. 37.

"African Commission Established to Mediate Algerian-Moroccan Border Conflict," The Maghreb Digest, II (February, 1964), p. 29.

Aiki, Banki. "The Cassandras of African Unity," Time International Herald, May 28, 1977, p. 10.

"Algeria, Morocco and African Unity," West Africa, October 26, 1963, p. 1202.

"Algerian-Moroccan Border Conflict Flares into Open Warfare," Maghreb Labor Digest, I (December, 1963), pp. 8-9.

"Algerian-Moroccan Border Dispute," Africa Institute Bulletin, II (1964), p. 101.

"An African Solution?," West Africa, July 27, 1968, p. 853.

Anber, Paul. "Modernization and Political Disintegration: Nigeria and the Ibos," Journal of Modern African Studies, V (1967), p. 163.

Austin, Dennis and Nagel, Ronald. "The Organization of African Unity," World Today, XXII (1966), p. 528.

"Between Dar and Lagos," West Africa, February 22, 1964, p. 199.

Brown, Neville. "The Nigerian Civil War," Military Review, XLVIII (October, 1968), p. 24.

Castagno, A. A. "The Somali-Kenyan Controversy Implications for the Future," The Journal of Modern African Studies, II (July, 1964), p. 165.

"Congo," Africa Digest, XIII (1964), p. 37.

"Congo Break with OAU," West Africa, September 26, 1964, p. 1075.

De Gaulle and French Somaliland," Africa Report, II (November, 1966), p. 10.

"Economic War," West Africa, June 10, 1967, p. 920.

"Ethiopia's Fraught Frontiers," West Africa, July 11, 1977, p. 981.

"Ethio-Somali Negotiations," OAU Review, I (May, 1964), pp. 40-41.

Even, L. "Crisis of African Unity," Review of International Affairs, XVI (1965), p. 193.

"French Somaliland," Africa Report, II (December, 1966), p. 24.

Kirk-Greene, A. H. M. "The Peoples of Nigeria: The Cultural Background to the Crisis," African Affairs, LXVI (January, 1967), p. 5.

Legum, Colin. "The Organization of African Unity--Success of Failure," International Affairs (April, 1975), p. 213.

Legum, Colin and Drysdale, John. "Organization of African Unity: Resolution on Nigeria," Africa Contemporary Record (1969/1970), p. C5.

Mesfin, Mariam. "The Background to the Ethio-Somalian Boundary Dispute," The Journal of Modern African Studies, II (July, 1964), pp. 205-209.

Meyers, David. "Intraregional Conflict Management by the Organization of African Unity," International Organization, XXVIII (Summer 1974), p. 349.

"Nigeria: Failure at Monrovia," West Africa, April 26, 1969, p. 485.

"Nigeria;s War: OAU Summit," Africa Digest, XV (December, 1968), p. 117.

"Nigeria: The OAU Mission," West Africa, September 23, 1967, p. 1223.

Nigeria: War Goes On," Africa Institute Bulletin, VI (August, 1968), p. 201.

"OAU Mediates," West Africa, November 23, 1963, p. 1323.

"OAU Meets on Congo," West Africa, December 26, 1964, p. 1461.

"OAU Mission in Lagos," West Africa, December 2, 1967, p. 1561.

"OAU Summit Supports Nigeria," West Africa, September 21, 1968, p. 117.

"Ostriches in Algiers?," West Africa, September 21, 1968, p. 1089.

Ratsimbazafy, Aristide. "The Past and Future of the OAU," Review of International Affairs, XIX (October, 1968), p. 21.

"Reforming OAU," Africa (July, 1977), p. 36.

"Resolution of the OAU Foreign Ministers on the Congo," Africa Report, IX (1964), p. 39.

Rivkin, Arnold. "The Organization of African Unity," Current History, XLVIII (1965), p. 193.

Selassie, Haile. "Towards African Unity," The Journal of Modern African Studies, I (September, 1963), p. 285.

"Settlement of the Algerian-Moroccan Disputes in Sight," The Maghreb Digest, II (1964), p. 26.

"Seven Years of OAU," West Africa, June 6, 1970, p. 601.

Shepherd, George W., Jr. "Biafra: The Politics of Saving Lives," Africa Today, XV (August/September, 1968), p. 1.

Shepherd, George W., Jr. "Tshombe At the OAU," Africa Today, VIII (1964), p. 8.

"Solving Africa's Border Disputes," West Africa, March 7, 1964, p. 254.

"Somali Republic," Africa Report, XII (November 1967), p. 37.

"Spotlight on Africa," Africa Institute Bulletin (April, 1964), pp. 133-135.

"Stanleyville and After," West Africa, November 28, 1964, p. 1330.

"The OAU and African Disputes," Africa Institute Bulletin, II (February, 1964), p. 219.

"The OAU's Congo Impasse," West Africa, February 20, 1965, p. 193.

"Trouble in Congo," Africa Quarterly, IV (1964), p. 202.

Wornoff, Jon. "Africa Unity: The First Ten Years," Africa Report, XVIII (May/June, 1973), p. 28.

## III. DOCUMENTS

U. N. Document S/5536, 1964.

U. N. Document S/5542, 1964.

## IV. INTERVIEWS

Umeano, Nwamu Priscilla, Graduate student from former Biafra, personal interview, June 17, 1977 and June 28, 1977.

# APPENDIX

## APPENDIX

## THE CHARTER OF THE ORGANIZATION OF AFRICAN UNITY

We, the Heads of African States and Governments assembled in the City of Addis Ababa, Ethiopia;

CONVINCED that it is the inalienable right of all people to control their own destiny;

CONSCIOUS of the fact that freedom, equality, justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African peoples;

CONSCIOUS of our responsibility to harness the natural and human resources of our continent for the total advancement of our peoples in spheres of human endeavour;

INSPIRED by a common determination to promote understanding among our peoples and co-operation among our States in response to the aspirations of our peoples for brotherhood and solidarity, in a larger unity transcending ethnie and national differences;

CONVINCED that, in order to translate this determination into a dynamic force in the cause of human progress, conditions for peace and security must be established and maintained;

DETERMINED to safeguard and consolidate the hard-won independence as well as the sovereignty and territorial integrity of our States, and to fight against neo-colonialism in all its forms;

DEDICATED to the general progress of Africa;

PERSUADED that the Charter of the United Nations and the Universal Declaration of Human Rights, to the principles of which we reaffirm our adherence, provide a solid foundation for peaceful and positive co-operation among States;

DESIROUS that all African States should henceforth unite so that the welfare and well-being of their peoples can be assured;

RESOLVED to reinforce the links between our states by establishing and strengthening common institutions;

HAVE agreed to the present charter.

## ESTABLISHMENT

### Article I

1. The High Contracting Parties do by the present Charter establish an Oarganization to be known as the ORGANIZATION OF AFRICAN UNITY.
2. The Organization shall include the Continental African States, Madagascar and other Islands surrounding Africa.

## PURPOSES

### Article II

1. The Organization shall have the following purposes;
   a. to promote the unity and solidarity of the African States;
   b. to co-ordinate and intensify their co-operation and efforts to achieve a better life for the peoples of Africa;
   c. to defend their sovereignty, their territorial integrity and independence;
   d. to eradicate all forms of colonialism from Africa; and
   e. to promote international co-operation, having due regard to the Charter of the United Nations and the Universal Declaration of Human Rights.
2. To these ends, the Member States shall co-ordinate and harmonize their general policies, especially in the following fields;
   a. political and diplomatic co-operation;
   b. economic co-operation, including transport and communications;
   c. educational and cultural co-operation;
   d. health, sanitation, and nutritional co-operation;
   e. scientific and technical co-operation; and
   f. co-operation for defenae and security.

## PRINCIPLES

### Article III

The Member States, in pursuit of the pruposes stated in Article II, solemnly affirm and declare their adherence to the following principles:

1. the sovereign equality of all Member States;
2. non-interference in the internal affairs of States;
3. respect for the sovereignty and territorial integrity of each State and for its inalienable right to independent existence;
4. peaceful settlement of disputes by negotiation, mediation, conciliation or arbitration;

5. unreserved condemnation, in all its forms, of political assassination as well as of subversive activities on the part of neighboring States or any other State;
6. absolute dedication to the total emancipation of the African territories which are still dependent;
7. affirmation of a policy of non-alignment with regard to all blocs.

## MEMBERSHIP

### Article IV

Each independent sovereign African State shall be entitled to become a Member of the Organization.

## RIGHTS AND DUTIES OF MEMBER STATES

### Article V

All Member States shall enjoy equal rights and have equal duties.

### Article VI

The Member States pledge themselves to observe scrupulously the principles enumerated in Article II of the present Charter.

## INSTITUTIONS

### Article VII

The Organization shall accomplish its purposes through the following principal institutions:

1. the Assembly of Heads of State and Government;
2. the Council of Ministers;
3. the General Secretariat;
4. the Commission on Mediation, Conciliation and Arbitration.

## THE ASSEMBLY OF HEADS OF STATE AND GOVERNMENT

### Article VIII

The Assembly of Heads of State and Government shall be the supreme organ of the Organization. It shall, subject to the provisions of this Charter, discuss matters of common concern to Africa with a view to co-ordinating and harmonizing the general policy of the Organization. It may in addition review the structure, functions and acts of all the organs and any specialized agencies which may be created in accordance with the present Charter.

### Article IX

The Assembly shall be composed of the Heads of State and Government or their duly accredited representatives and it shall meet at least once a year. At the request of any Member State and on approval by a two-thirds majority of the Member States, the Assembly shall meet in extraordinary session.

### Article X

1. Each Member State shall have one vote.
2. All resolutions shall be determined by a two-thirds majority of the Members of the Organization.
3. Questions of procedure shall require a simple majority. Whether or not a question is one of procedure shall be determined by a simple majority of all Member States of the Organization.
4. Two-thirds of the total membership of the Organization shall form a quorum at any meeting of the Assembly.

### Article XI

The assembly shall have the power to determine its own rules of procedure.

## THE COUNCIL OF MINISTERS

### Article XII

1. The Council of Ministers shall consist of Foreign Ministers or such other Ministers as are designated by the Governments of Member States.

2. The Council of Ministers shall meet at least twice a year. When requested by any Member State and approved by two-thirds of all Member States, it shall meet in extraordinary session.

Article XIII

1. The Council of Ministers shall be responsible to the Assembly of Heads of State and Government. It shall be entrusted with the responsibility of preparing conferences of the Assembly.
2. It shall take cognizance of any matter referred to it by the Assembly. It shall be entrusted with the implementation of the decision of the Assembly of Heads of State and Government. It shall co-ordinate inter-African co-operation in accordance with the instructions of the Assembly and in conformity with Article II(2) of the present Charter.

Article XIV

1. Each Member State shall have one vote.
2. All resolutions shall be determined by a simple majority of the members of the Council of Ministers.
3. Two-thirds of the total membership of the Council of Ministers shall form a quorum for any meeting of the Council.

Article XV

The Council shall have the power to determine its own rules of procedure.

GENERAL SECRETARIAT

Article XVI

There shall be an Administrative Secretary-General of the Organization, who shall be appointed by the Assembly of Heads of State and Government. The Administrative Secretary-General shall direct the affairs of the Secretariat.

Article XVII

There shall be one or more Assistant Secretaries-General of the Organization, who shall be appointed by the Assembly of Heads of State and Government.

Article XVIII

The functions and conditions of services of the Secretary-General, of the Assistant Secretaries-General and other employees of the Secretariat shall be governed by the provisions of this Charter and the regulations approved by the Assembly of Heads of State and Government.

1. In the performance of their duties the Administrative Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.
2. Each member of the Organization undertakes to respect the exclusive character of the responsibilities of the Administrative Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

COMMISSION OF MEDIATION, CONCILIATION AND ARBITRATION

Article XIX

Member States pledge to settle all disputes among themselves by peaceful means, and to this end decide to establish a Commission of Mediation, Conciliation and Arbitration, the composition of which and conditions of service shall be defined by a separate Protocol to be approved by the Assembly of Heads of State and Government. Said Protocol shall be regarded as forming an integral part of the present Charter.

SPECIALIZED COMMISSIONS

Article XX

The Assembly shall establish such Specialized Commissions as it may deem nedessary, including the following:

1. Economic and Social Commission;
2. Educational and Cultural Commission;
3. Health, Sanitation and Nutrition Commission;
4. Defence Commission;
5. Scientific, Technical and Research Commission.

Article XXI

Each Specialized Commission referred to in Article XX shall be composed of the Ministers or other Ministers or Plenipotentiaries designated by the Governments of the Member States.

## Article XXII

The Functions of the Specialized Commissions shall be carried out in accordance with the provisions of the present Charter and of the regulations approved by the Council of Ministers.

## THE BUDGET

## Article XXIII

The budget of the Organization prepared by the Administrative Secretary-General shall be approved by the Council of Ministers. The budget shall be provided by contributions from Member States in accordance with the scale of assessment of the United Nations; provided, however, that no Member State shall be assessed an amount exceeding twenty per cent of the yearly regular budget of the Organization. The Member States agree to pay their respective contributions regularly.

## SIGNATURE AND RATIFICATION OF CHARTER

## Article XXIV

1. This Charter shall be open for signature to all independent sovereign African States and shall be ratified by the signatory States in accordance with their respective constitutional processes.
2. The original instrument, done, if possible in African languages, in English and French, all texts being equally authentic, shall be deposited with the Government of Ethiopia which shall transmit certified copies thereof to all independent sovereign African States.
3. Instruments of ratification shall be deposited with the Government of Ethiopia, which shall notify all signatories of each such deposit.

## ENTRY INTO FORCE

## Article XXV

This Charter shall enter into force immediately upon receipt by the Government of Ethiopia of the instruments of ratification from two-thirds of the signatory States.

## REGISTRATION OF THE CHARTER

### Article XXVI

This Charter shall, after due ratification, be registered with the Secretariat of the United Nations through the Government of Ethiopia in conformity with Article 102 of the Charter of the United Nations.

## INTERPRETATION OF THE CHARTER

### Article XXVII

Any question which may arise concerning the interpretation of this Charter shall be decided by a vote of two-thirds of the Assembly of Heads of State and Government of the Organization.

## ADHESION AND ACCESSION

### Article XXVIII

1. Any independent sovereign African State may at any time notify the Administrative Secretary-General of its intention to adhere or accede to this Charter.
2. The Administrative Secretary-General shall, on receipt of such notification, communicate a copy of it to all the Member States. Admission shall be decided by a simple majority of the Member States. The decision of each Member State shall be transmitted to the Administrative Secretary-General, who shall, upon receipt of the required number of votes, communicate the decision to the State concerned.

## MISCELLANEOUS

### Article XXIX

The working language of the Organization and all its institutions, shall be, if possible, African languages, English and French.

Article XXX

The Administrative Secretary-General may accept on behalf of the Organization gifts, bequests and other donations made to the Organization, provided that this is approved by the Council of Ministers.

Article XXXI

The Council of Ministers shall decide on the privileges and immunities to be accorded to the personnel of the Secretariat in the respective territories of the Member States.

CESSATION OF MEMBERSHIP

Article XXXII

Any State which desires to renounce its membership shall forward a written notification to the Administrative Secretary-General. At the end of one year from the date of such notification, if not withdrawn, the Charter shall cease to apply with respect to the renouncing State, which shall thereby cease to belong to the Organization.

AMENDMENT OF THE CHARTER

Article XXXIII

This Charter may be amended or revised if any Member State makes a written request to the Administrative Secretary-General to that effect; provided, however, that the proposed amendment is not submitted to the Assembly for consideration until all the Member States have been duly notified of it and a period of one year has elapsed. Such an amendment shall not be effective unless approved by at least two-thirds of all the Member States.

IN FAITH WHEREOF, We the Heads of Africa State and Government have signed this Charter.

Done in the City of Addis Ababa, Ethiopia this 25th day of May, 1963.

Algeria
Burundi
Cameroun
Central African Republic
Chad
Congo (Brazzaville)

| | |
|---|---|
| Congo (Leopoldville) | Niger |
| Dahomey | Nigeria |
| Ethiopia | Rwanda |
| Gabon | Senegal |
| Ghana | Sierra Leone |
| Guinea | Somalia |
| Ivory Coast | Sudan |
| Liberia | Tanganyika |
| Libya | Togo |
| Madagascar | Tunisia |
| Mali | Uganda |
| Mauritania | United Arab Republic |
| Morocco | Upper Volta |

Source: Mazrui, Ali. Towards A Pax Africana (Chicago: The University of Chicago Press, 1967).

# VITA

Olumide Okuyemi Okuneye was born on Movember 21, 1949, in Lagos, Nigeria. He graduated from Lagos Anglican Boys Grammar School, Bariga, Lagos, Nigeria, in December 1971. In May 1976, he graduated from Alderson-Broaddus College with a major in Political Science. The following year he graduated from The University of Tennessee, Knoxville, with a Master's degree in Political Science.