

UDK 323.285+329.733:(862)
Bibliid 0543-3657, 61 (2010)
Vol. LX, No. 1140, pp. 73–112
Original Scientific Paper
November 2010

*Ratko M. Vukanić*¹

The Positions of African States on the Problem of Kosovo and Metohija and State Sovereignty and Integrity in Africa

ABSTRACT

The paper presents an analysis of the general positions of African states on the problem of Kosovo and Metohija and its relatedness with the issue of sovereignty and territorial integrity in Africa. African states generally supported the preservation of sovereignty of Serbia over Kosovo and Metohija. That support is related with the national interests of African states to preserve their territorial integrity, with the fight against separatism on their own territory as well as with setting of the principle of preservation of sovereignty and territorial integrity of states as the basic principle of international relations in XXI century.

Key words: Problem of Kosovo and Metohija, Serbian-African relations, Serbia's foreign policy, African Union, separatism, sovereignty and territorial integrity.

Introduction

The subject of this paper are the positions of African states on the problem of Kosovo and Metohija with special reference to the final status of the province and preservation of Serbia's sovereignty and territorial integrity in the period from 24 March 1999 to 1 October 2010 as well as interrelatedness of those positions with the protection of sovereignty and territorial integrity in Africa.

The paper set two objectives. The first is to find out what the general positions of African states on the problem of Kosovo and Metohija were in the United Nations Security Council (UNSC) before 17 February 2010 when the Albanian separatists in Kosovo and Metohija adopted the declaration of

¹ Ratko M. Vukanić, Research Assistant, Institute of International Politics and Economics, Belgrade, Serbia. E-mail: ratko@diplomacy.bg.ac.rs.

independence as well as their positions and activities afterwards. The second one is related to the analysis of the reasons for those positions.

There are two main hypotheses in this paper and they are as follows: 1) African states generally support the principle of preservation of sovereignty and territorial integrity of Serbia related to the problem of Kosovo and Metohija; 2) the support of African states to Serbia concerns their national interests to preserve territorial integrity and to set the principle of preservation of sovereignty and territorial integrity of states as a basic principle of the international relations in XXI century.

This paper is divided into three chapters. The first chapter is a review of general positions of African states on the problem of Kosovo and Metohija. It has two parts - the first deals with the positions of African states in the UNSC, including NATO aggression against Yugoslavia, the adoption of the UNSC Resolution 1244, the UNMIK administration until 2008 and the status negotiations; the second studies the positions of African states concerning the independence of Kosovo and Metohija. The analysis of the problem of separatism in Africa is presented in the second chapter. The subject of this analysis are separatist movements that have the biggest potential to threaten the territorial integrity of African states as well as those movements that are members of the Unrepresented Nations and Peoples Organizations (UNPO) where the Albanian separatists from Kosovo and Metohija have already been represented by the Democratic League of Kosovo. The analysis will address the main characteristics of these movements, regions in which they operate, their goals, and main arguments they use to justify those goals. The validity of their claims and goals will not be the issue of this chapter since the intention is to show why they are regarded as separatist by the African governments. The third chapter is dedicated to the importance African states attach to the principle of respect of sovereignty and territorial integrity in international relations. This will be expressed through the analysis of the strategic documents of the Organization of African Unity and the African Union, the statutes of the African regional economic communities and documents that defined strategic partnerships of the African Union with non-African states and international organizations.

The General Positions of African States on the Problem of Kosovo and Metohija

The Positions of African States in the UNSC

1) The NATO Aggression against Yugoslavia and the UNSC Resolution 1244

After the beginning of the NATO aggression against Yugoslavia, the UNSC held a session on 24 March 1999 where non-permanent members from Africa,

the Gambia, Gabon and Namibia expressed rather different positions. The Gambia implicitly supported the aggression pointing out that “the Council had primary responsibility for international peace and security, but at times the exigencies of a situation demanded decisive and immediate action, and events in Kosovo deserved such treatment”. Gabon took a neutral position declaring that “it was regrettable that condemnations and appeals to search for political solutions had not been heeded”. Namibia expressed strong opposition to the aggression stressing that “the military action was not the solution and the implications of such action might go beyond that country and threaten the peace and security of the region”.² On 26 March, Namibia also actively demonstrated its opposition to the aggression when its representative voted in favour of the proposed draft resolution that “demanded for the immediate cessation of the use of force against Yugoslavia and the urgent resumption of negotiations”.³

On 10 June, all UNSC members from Africa supported the Resolution 1244, but they yet retained different positions regarding the nature of the conflict and problem of Kosovo and Metohija. According to the statement of the Gambia’s representative, the problem generator was Belgrade, whose “repression and violence against the civilian population in Kosovo had shocked the collective conscience of mankind”. Gabon kept its neutral position, and its representative pointed out that “the Resolution 1244 upheld the principles of dialogue, negotiation and peace in solving problems that are very dear to Gabon”. Namibia once again expressed its opposition to the NATO military action emphasizing that it was “regrettable that only after large-scale senseless killings and destruction of property a peace plan had been achieved”. At the same time, Namibia underlined that “the root historical causes of the conflict must be addressed fully and only then a lasting peace could be achieved in Kosovo and in Yugoslavia as a whole”.⁴ In the *Algiers Declaration* adopted in July 1999, African states indirectly expressed their common concern for the NATO action against Yugoslavia without authorisation from the UNSC. This declaration was a strategic document that defined the main directions of the common African policy in XXI century. A part of this document that highlights the most important challenges in the new century says that “the unilateral use of force in international relations, outside the duly

² “Press Release SC/6657”, United Nations Security Council, 24 March 1999, Internet, <http://www.un.org/News/Press/docs/1999/19990324.sc6657.html>, 10/9/2010.

³ Acting on a draft resolution submitted by Belarus, Russian Federation and India, the Council failed to adopt it by a vote of 3 in favour (China, Namibia, Russian Federation) to 12 against, with no abstentions. “Press Release SC/6659”, United Nations Security Council, 26 March 1999, Internet, <http://www.un.org/News/Press/docs/1999/19990326.sc6659.html>, 10/9/2010.

⁴ “Press Release SC/6686”, United Nations Security Council, 10 June 1999, Internet, <http://www.un.org/News/Press/docs/1999/19990610.SC6686.html>, 10/9/2010.

conferred mandate of the United Nations Security Council, opens the way to practices inimical to world peace and security”.⁵

2) The UNMIK Administration until 2008 and the Status Negotiations

In accordance with the Resolution 1244, the UN established an international civil mission in Kosovo and Metohija (UNMIK) in order to provide an interim administration under which the people of the province could enjoy substantial autonomy within Yugoslavia (later Serbia and Montenegro, and eventually Serbia).⁶ Since the establishment of the UNMIK in July 1999 until the proclamation of independence of Kosovo and Metohija in February 2008, the UNSC members from Africa defined their positions on the Kosovo and Metohija problem mostly on the basis of the reports and briefings of the Special Representative of the Secretary-General and Head of the UNMIK. Special Representative submitted quarterly reports on regular basis on the situation in the province and the progress of the mission. In some cases, there were briefings on specific issues, which demanded immediate discussion in the UNSC. African states were able to get familiar with the positions of Yugoslavia/Serbia only in those cases when Yugoslav/Serbian representatives commented on the reports and briefings. The Yugoslav/Serbian diplomacy did not attach much importance to the UNSC members from Africa because its attention was almost exclusively directed towards the permanent SC members. From 1999 up to 2008, 17 African non-permanent members of the UNSC took part in the debate concerning Kosovo and Metohija.⁷ In this period, African

⁵ “Algiers Declaration”, Algiers, 14 July 1999, Internet, <http://www.africa-union.org/root/au/Documents/Decisions/hog/9HoGAssembly1999.pdf>, 20/9/2010.

⁶ The UNMIK’s responsibilities included: a) Deterring renewed hostilities, maintaining and where necessary enforcing a ceasefire, and ensuring the withdrawal and preventing the return into Kosovo of Federal and Republic military, police and paramilitary forces; b) Demilitarizing the Kosovo Liberation Army (KLA) and other armed Kosovo Albanian groups; c) Establishing a secure environment in which refugees and displaced persons can return home in safety, the international civil presence can operate, a transitional administration can be established, and humanitarian aid can be delivered; d) Ensuring public safety and order until the international civil presence can take responsibility for this task; e) Supervising demining until the international civil presence can, appropriate, take over responsibility for this task; f) Supporting, as appropriate, and coordinating closely with the work of the international civil presence; g) Conducting border monitoring duties as required; h) Ensuring the protection and freedom of movement of itself, the international civil presence, and other international organizations. “Resolution 1244 (1999)”, United Nations Security Council, 10 June 1999, Internet, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/172/89/PDF/N9917289.pdf?OpenElement>, 10/9/2010.

⁷ These 17 states were: Gabon and the Gambia (1999), Namibia (1999 and 2000), Tunisia and Mali (2001), Mauritius (2001 and 2002), Cameroon and Guinea (2002 and 2003), Angola

states applied a strategy of observation with minimal participation, choosing to discuss those issues, which they considered important for the common African interests in international relations. All African states expressed their full support to the UNMIK and its activities in the field, including election process, building of multi-ethnic society, creation of interim administration institutions, the Kosovo Police Service and interim constitutional framework, as well as transferring the competencies to the local institutions. However, all along their support depended on the implementation of the Resolution 1244 and respect for the territorial integrity of Yugoslavia, later Serbia and Montenegro, and finally Serbia.

Some issues concerning the UNMIK administration were the matter of specific interest of African states. For this reason, they considered them great problems for the administration in the province. African states expressed great concern over the ethnically motivated violence perpetrated by the Albanians against the Serbs, the unsatisfying pace of return of displaced persons, a lack of security, organized crime, and the fact that the interim province authorities did not always comply with the Resolution 1244. However, African countries were not always unanimous regarding these issues. Thus, some of them expressed general positions while the others were more specific. In 2000, Tunisia emphasized that the “return of refugees and displaced persons remained central to peace in Kosovo” and Namibia that “increasing intimidation and unmitigated violence by the Albanian majority, aimed at driving minority communities out of Kosovo, was totally unacceptable”.⁸ Regarding the agenda on security and organized crime in 2002 and 2003, Cameroon took very clear positions, unlike the other African UNSC members. In 2002, Cameroon stressed that “some actions deserved priority and that actions included strengthening security, disarming all armed groups, and encouraging the return of all minorities”.⁹ In 2003, Cameroon continued in the same manner when its representative emphasized that “continued acts of violence in the region, fear and mafia methods could not be allowed to reign”.¹⁰

The implementation of the formula ‘the Standards before Status’ was especially important. The purpose of the standards was to create a fairer and

(2003 and 2004), Algeria and Benin (2004 and 2005), Tanzania (2005 and 2006), Congo and Ghana (2006 and 2007), the Republic of South Africa (2007 and 2008) and Libya and Burkina Faso (2008).

⁸ “Press Release SC/6873”, United Nations Security Council, 9 June 2000, Internet, <http://www.un.org/News/Press/docs/2000/20000609.sc6873.doc.html>, 10/9/2010.

⁹ “Press Release SC/7340”, United Nations Security Council, 27 March 2002, Internet, <http://www.un.org/News/Press/docs/2002/sc7340.doc.htm>, 10/9/2010.

¹⁰ “Press Release SC/7958”, United Nations Security Council, 17 December 2003, Internet, <http://www.un.org/News/Press/docs/2003/sc7958.doc.htm>, 10/9/2010.

more tolerant society, and to improve the levels of public sector performance, before the beginning of the Kosovo and Metohija status negotiations.¹¹ The process of the adoption of standards was violated during the ethnic cleansing of the Serbs committed by Albanian separatists in March 2004. All African states in the UNSC, Angola, Algeria and Benin, strongly condemned the ethnic cleansing, therefore demanding from Albanian majority, interim institutions and the UNMIK to protect the Serbs and implement the standards as a condition for the beginning of the negotiations.¹²

The negotiation process between the Serbian Government and representatives of the Albanians from Kosovo and Metohija started in February 2005. The agenda included technical matters, which were supposed to be an introduction to the status negotiation. At that moment three African non-permanent UNSC members, Algeria, Benin and Tanzania, expressed their full support to the negotiations, but also set requests for the fulfilment of certain conditions - Algeria and Tanzania required from the international community to create conditions for the implementation of standards and Benin urged that the equal participation in the political life of the province should be allowed to the Serbs.¹³ After several rounds of negotiations on technical matters, the UNSC approved the inception of the status negotiations on 24 October and appointed former Finnish President Martti Ahtisaari the main mediator on 11 November. All African UNSC members supported those decisions. The UN-backed talks, led by UN Special Envoy Ahtisaari, began in February 2006. While some progress was made on some technical matters, both parties remained on diametrically opposite positions on the question of the final status of the province. After several rounds of negotiations, it became clear that there were two conflicting concepts of resolution of the Kosovo and Metohija problem - the substantial autonomy offered by the Serbian Government and full independence, which was the only acceptable solution for the representatives of the Albanians. During the negotiations, African states were neutral waiting to

¹¹ The standards included eight fields: Functioning of democratic institutions, Rule of law, Freedom of Movement, Sustainable returns and the rights of communities and their members, Economy, Property Rights (including cultural heritage), Priština-Belgrade dialogue, Kosovo Protection Corps (KPC). Within these fields were identified 109 goals, presented to the Security Council in December 2003 in the document 'Standards for Kosovo'. This document in turn was implemented through the 'Kosovo Standards Implementation Plan', finalized in March 2004. United Nation Interim Administration Mission in Kosovo, "About UNMIK", Internet, <http://www.unmikonline.org/intro.htm>,

¹² "Press Release SC/8056", United Nations Security Council, 13 April 2004, Internet, <http://www.un.org/News/Press/docs/2004/sc8056.doc.htm>, 10/9/2010.

¹³ United Nations Security Council, "Meetings conducted / Actions taken by the Security Council in 2005", Internet, <http://www.un.org/Depts/dhl/resguide/scact2005.htm>, 10/9/2010.

see the final outcome, but all the time they emphasized their general support of the principles of peaceful settlement of disputes.¹⁴

In February 2007, Ahtisaari delivered a status settlement plan that offered “supervised independence” for the Serbian southern province. The Ahtisaari plan was supported by the USA and the EU, but it was unacceptable for Serbia, which launched diplomatic initiative in order to prevent the adoption of the plan in the UNSC. For Serbia, it was strategically important to get support from Russia and China, permanent UNSC members, but its initiative was also directed towards those UNSC members, which had not explicitly supported the plan and all African states were among them. The main Serbian argument, included in its initiative, was that Kosovo independence would be a precedent, which could be used by numerous separatist movements in the world and Africa, in particular. With this argument, Serbian Foreign Minister Vuk Drašković had visited Pretoria in April 2007 in order to get support from the Republic of South Africa, one of the most influential African states.¹⁵ After that visit, African states became very significant in the Serbian diplomatic initiatives. African UNSC members accepted the relevance of the Serbian argument and did not support the Ahtisaari plan, but they also were not explicitly against it waiting to estimate the development of the situation among the great powers. In July, when a draft resolution based on the Ahtisaari plan was presented, Russia stated that it would be against any resolution, which was not acceptable to both Belgrade and Kosovo and Metohija’s Albanians. As a result of the disagreements between the great powers, the draft was withdrawn and therefore, the African members practically avoided voting on the Ahtisaari plan.

The UN Secretary-General later endorsed another time-limited round of negotiations led by USA/EU/Russian Troika of mediators. The Troika completed its work in December 2007 without having achieved an agreement between the parties on the Kosovo and Metohija status. The Serbian Government emphasized that independence was unacceptable and expressed willingness to resume the negotiations, but the Albanian separatists stressed that independence was the only solution.

3) The Proclamation of Kosovo Independence

The interim Assembly of Kosovo, controlled by the Albanian separatists, adopted a unilateral declaration of independence of the Serbian province on 17 February 2008 and the UNSC held a meeting the next day. The African members

¹⁴ United Nations Security Council, “Meetings conducted / Actions taken by the Security Council in 2006”, Internet, <http://www.un.org/Depts/dhl/resguide/scact2006.htm>, 10/9/2010.

¹⁵ “Serbian FM visits South Africa”, *B 92*, 14 April 2007, Internet, http://www.b92.net/eng/news/politics-article.php?yyyy=2007&mm=04&dd=14&nav_id=40673, 25/8/2010.

were not explicitly determined on the declaration, but the statement of their representatives indicated their future positions. Burkina Faso could “only take note of the new situation” and called upon the parties “to avoid any violence in order to preserve peace and security and secure the basic rights of all the communities”. The Libyan representative said that his country would be “supportive of the principles of justice and international law stipulated that sovereignty of all states and their territorial integrity”, which indicated that Libya would not recognize independence of Kosovo and Metohija. The representative of South Africa “regretted that such a step had not been taken in conformity with a legal and political process envisaged by resolution 1244” and added that “South Africa, as a member of the United Nations, the Non-Aligned Movement and the African Union, upheld and promoted the principle of the territorial integrity of states”.¹⁶ The reactions of Libya and South Africa were especially significant bearing in mind their leading role in the African continent and positions in the African Union.

The Positions of African States on Kosovo Independence

After the proclamation of independence of Kosovo and Metohija, Serbia’s diplomatic strategy was focused on preventing two consequences that would be particularly negative for the efforts to preserve the sovereignty and territorial integrity. They were as follows: 1) a huge number of recognitions of independent Kosovo and Metohija; 2) Kosovo and Metohija’s membership in international organizations, especially the UN. The most important part of this strategy was the Serbian initiative to submit a draft resolution in the UN General Assembly in order to request an advisory opinion from the International Court of Justice on whether the unilateral declaration of independence of Kosovo and Metohija was in accordance with international law. In this way, official Belgrade continued the struggle for the preservation of its territorial integrity in the legal field believing that it would contribute to the resistance to the influence of great and powerful states that supported Kosovo and Metohija’s independence, like the USA and the most influential EU members. However, Belgrade decided to initiate the request for an advisory opinion, but not to sue those countries that had already recognized Kosovo and Metohija’s independence for violating Serbia’s territorial integrity. For a number of states and the significance of some African states in developing countries, the Non-Aligned Movement and the Arab and Islamic world Africa was given great importance in the implementation of this strategy. The first important step in the strategy implementation towards African states was made at the AU summit in Sharm el-Sheikh in July 2008, where Serbian President Boris Tadić urged

¹⁶ “Press Release SC/9252”, United Nations Security Council, 18 February 2008, Internet, <http://www.un.org/News/Press/docs/2008/sc9252.doc.htm>, 10/9/2010.

African states to support the Serbian proposal in the General Assembly and not to recognize independent Kosovo and Metohija.¹⁷ The next step directed towards African states, but also towards the states of Arab and Islamic world was Jeremić's visit to Cairo in August. The fact is that Egypt has been one of the most influential states in the African Union, Arab League and Organization of Islamic Conference. Until then, only 4 small African states had recognized the independence of the Serbian province.¹⁸

The Serbian diplomatic initiative produced the expected results when the UN General Assembly adopted the resolution, which requested the ICJ advisory opinion at XXII meeting of LXIII session in October 2008. Prior to the vote, some African states, among which were those with the greatest influence on the African continent, issued the statements in which they explained the reasons for voting in favour of the resolution. For Egypt, it was "clear that this question was a legal issue, not a political question". The representative of South Africa said that his "delegation would vote in favour of the draft resolution, supporting the right of the Member States to seek advice from the International Court of Justice", and emphasized "that though 48 countries had recognized Kosovo, it was also important that 144 countries had not". Algeria "firmly backed the work of the Court, and believed in the primacy of international law in international relations", and pointed out that "the draft contained no elements of a political or controversial nature".¹⁹

The draft resolution on the request for the ICJ advisory opinion on whether the unilateral declaration of independence of Kosovo and Metohija was in accordance with international law was adopted by a recorded vote of 77 in favour to 6 against, with 74 abstentions. Out of 77 votes in favour of the resolution, 23 came from Africa.²⁰ No African state with the right to vote was against the resolution and out of 74 abstentions there were only 9 from Africa.²¹ Among 28 states that did not vote, 15 were from Africa.²²

¹⁷ President of the Republic of Serbia, "President Tadić's speech at the African Union Summit", Internet, <http://www.predsednik.rs/mwc/default.asp?c=303500&g=20080630103641&lng=eng&hs1=0>, 26/8/2010.

¹⁸ Senegal (19 February 2007), Burkina Faso (24 April 2007), Liberia (30 May 2008) and Sierra Leone (13 June 2008).

¹⁹ "Press Release GA/10764", United Nations General Assembly, 8 October 2008, Internet, <http://www.un.org/News/Press/docs/2008/ga10764.doc.htm>, 10/9/2010.

²⁰ Algeria, Angola, Botswana, Congo, DR Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Guinea, Kenya, Lesotho, Madagascar, Mauritius, Namibia, Niger, Nigeria, South Africa, Sudan, Swaziland, Tanzania, Zambia and Zimbabwe.

²¹ Benin, Burkina Faso, Cameroon, Ghana, Morocco, Senegal, Sierra Leone, Togo and Uganda.

²² Burundi, Cape Verde, Chad, Ethiopia, Gabon, Gambia, Ivory Coast, Libya, Malawi, Mali, Mauritania, Mozambique, Rwanda, Seychelles and Tunisia.

From the adoption of the UN General Assembly resolution until the ICJ gave the advisory opinion, Serbia's main diplomatic efforts were directed to prevent new recognitions of Kosovo and Metohija's independence. African states had a great importance in these efforts and Serbian officials, mostly President Tadić and Foreign Minister Jeremić, presented two main messages to their African counterparts and they were the following: 1) the independence of Kosovo and Metohija would create a precedent that could destabilize almost all African states; 2) African states should wait with their decision on independence recognition until the ICJ gave the advisory opinion. The diplomatic offensive to African countries included visits of Serbian officials to the most influential African states, their participation in the African Union summits, the talks with African counterparts in the UN Headquarters, as well as visits of African officials to Serbia. Between April 2009 and July 2010, the frequency of meetings of Serbian officials with their African counterparts was much higher than a decade and a half before. Serbian highest officials held meetings with more than 40 African leaders who expressed their support for the principle of preserving of territorial integrity, but at the same time explained that their states were under great pressure to recognize Kosovo and Metohija's independence.²³ The pressure was too strong for 7 African states, which had recognized Kosovo and Metohija's independence before the ICJ gave an advisory opinion.²⁴

The ICJ made public its advisory opinion on 22 July 2010 and concluded "that the adoption of the declaration of independence of 17 February 2008 did not violate general international law, Security Council resolution 1244 (1999) or the Constitutional Framework. Consequently the adoption of that declaration did not violate any applicable rule of international law".²⁵ Even though the ICJ discussed only the unilateral declaration, but not the independence of Kosovo and Metohija the advisory opinion was regarded as Belgrade's failure to solve the problem in the legal field. The entire problem was returned to the political field where Belgrade continued to express well-known arguments related to Kosovo and Metohija as a precedent. The only political measures, which Belgrade could apply

²³ Serbian foreign minister visited Libya in April 2009, South Africa in May 2009, Morocco in September 2009, Nigeria, Gabon and DR Congo in November 2009, and Ghana in March 2010. He also participated in the AU summit in Addis Ababa in January 2010. The Serbian President visited Libya in September 2009 and in March 2010. On the other hand, the Foreign Minister of Egypt visited Serbia in February 2010, while Foreign Ministers of Mali and Gabon did it in May 2010.

²⁴ The Gambia (7 April 2009), the Comoros (14 May 2009), Malawi (16 December 2009), Mauritania (12 January 2010), Swaziland (12 April 2010), Djibouti (12 May 2010) and Somalia (19 May 2010).

²⁵ International Court of Justice, "Advisory Opinion: Accordance with international law of the unilateral declaration of independence in respect of Kosovo", 22 July 2010, Internet, <http://www.icj-cij.org/docket/files/141/15987.pdf>, 30/7/2010.

in the aftermath of the ICJ decision was to continue preventing new recognitions of independence while preparing new negotiations with representatives of Kosovo and Metohija's Albanians. As a part of such policy, Serbia's officials continued the already mentioned diplomatic practice towards African states in order to persuade them not to recognize independence of Kosovo and Metohija. One can say that Serbia's diplomacy has made significant success so far, bearing in mind that there are no new recognitions from Africa after the ICJ gave the advisory opinion. On the other hand, a majority of African states have not recognized independence of Kosovo and Metohija. Since 17 February 2008, when the Albanian separatists in Kosovo and Metohija adopted the declaration of independence up to 1 October 2010, only 11 of 54 African states recognized independence of the Serbian southern province.²⁶

Regions in African States with Separatist Tendencies

Kabylia, Algeria

Kabylia is located in the northeastern part of Algeria with an area of about 25,000 km² (slightly more than 1% of Algerian territory) and population of 9 million (25% of Algerian population). Almost the entire population of this region is consisted of the Kabyles, a people of Berber origin and Islamic religion. The Kabyles also live in the other parts of Algeria, mostly in the capital where they make about 40% of the population, but also outside of Algeria, mostly in France.²⁷

Since 2001, in this region the *Movement for Autonomy of Kabylie – MAK* (*Mouvement pour l'autonomie de la Kabylie – MAK*), has gained major political support. The government in Algiers considers this movement separatist because of its ultimate goals. The main goal in the MAK's official political agenda is the federalization of Algeria where Kabylie should constitute a separate federal unit with a wide range of competences.²⁸ This is unacceptable for official Algiers, which claims that federal unit status would be an introduction to the later

²⁶ The African states that recognized Kosovo independence have almost no influence in Africa, given the fact that they together represent less than 4% of the entire African population and slightly more than 1% of the African GDP. On the other hand, the states that expressed full support to Serbia's integrity, such as Nigeria, South Africa, Libya, Egypt, Morocco, Algeria, Angola, Namibia, Ghana and Ethiopia represent more than a half of the African population and almost 90% of the African GDP.

²⁷ Encyclopedia Britannica, "Kabylia", Internet, <http://www.britannica.com/EBchecked/topic/309347/Kabylie>, 12/8/2010.

²⁸ Ferhat Mehenni, *Official Request for a Regional Autonomy Status in Kabylia*, 05/08/2008, Internet, <http://mak.makabylie.info/OFFICIAL-REQUEST-FOR-A-REGIONAL,00777?lang=en>, 12/8/2010.

secession. Algiers' concerns about the possible secession of Kabylia stem from the arguments, which MAK uses to justify its goals. The first argument is related to the historical right and points to the fact that Kabylia had existed as the Kingdom of Numidia from III to I century BC and that the Kabyles had lived in North Africa for centuries before the Arabs came. Regarding the historical rights MAK emphasizes a specific anti-colonial identity of Kabylia, which is related to the Kabylia long-term resistance to the French occupation in the second half of XIX century as well as the participation of the Kabyles in the Algerian war of independence. The second MAK's argument stems from the need to preserve cultural identity of the Kabyles because the government in Algiers has for decades pursued the policy of arabization. Political discrimination and violations of human rights of the Kabyles is MAK's third argument. MAK even claims that the government provoked the civil war in 1963 only in order to destroy the political elite of Kabylia and prevent it from gaining independence. According to MAK, the government has always used massive retaliation when the people of Kabylia demanded the fulfilment of their legitimate rights. Economic development is the fourth argument and MAK stresses that a large part of Algeria's GDP depends on economic activities in Kabylie. These activities are related to the natural gas exploitation and economic output realized in Kabylia industrial facilities and Bejaia port, the second largest port in Algeria and the sixth in the entire Mediterranean.²⁹

Western Sahara, Morocco

Western Sahara is predominantly Moroccan-controlled territory in North Africa bordering on the rest of Morocco in the north, on Algeria in the northeast, on Mauritania in the east and south, and the Atlantic Ocean in the west. This territory covers 266,000 km² and it is one of the most sparsely populated territories in the world, mainly consisted of desert flatland. The population of the territory is estimated at just over 500,000, over half of which live in El Ayun, its largest city.³⁰ The largest inhabited part of this territory is predominantly controlled by Morocco, while the narrow strip along the border with Mauritania and Algeria is under control of the *Popular Front for the Liberation of the Red River and the Golden Chanel – Polisario Front (Frente Popular de Liberacion de Saguía el Hamra y Río de Oro - Frente Polisario)*. For the government in Rabat, Western Sahara is an inalienable part of the Moroccan territory, while the Polisario Front declared an independent state – Sahrawi Arab Democratic Republic.³¹

²⁹ Ibid.

³⁰ Global Security Center, "Western Sahara", Internet, <http://www.globalsecurity.org/military/world/war/western-sahara.htm>, 13/8/2010.

³¹ Ibid.

The main argument of the Polisario concerns the historical right based on the anti-colonial struggle. Western Sahara was a Spanish colony named the Red Channel and the Golden River (Saguía el Hamra y Río de Oro). During the decolonization in Africa, Morocco and Mauritania claimed that this territory had been seized from them and demanded cessation of the Spanish colonial rule. As a parallel process, Polisario emerged in this territory in 1973 as a separate anti-colonial movement, which began a guerrilla war against the Spanish authorities. Under the pressure of the Polisario's actions and in order to retain even minimal authority over its colony, the Spanish government concluded an agreement with Morocco and Mauritania in November 1975 on the tripartite administration of Western Sahara. In accordance with that agreement, Morocco was supposed to take control over the Red Channel and Mauritania over the Golden River. Morocco and Mauritania sent their troops into those areas and the Polisario regarded those actions as an act of occupation. In February 1976, in response to the occupation, the Polisario proclaimed independence of Western Sahara. Many African countries, members of the Organization of African Unity, recognized the Western Saharan independence, but neither Morocco nor Mauritania did so. After the departure of Spanish authorities, the Polisario's guerrilla fight continued, this time against Morocco and Mauritania. Under the pressure of the Polisario's actions, but also because of its internal instability Mauritania withdrew from its part of Western Sahara and recognized its independence in 1979. However, the Polisario failed to take control over the Golden River because much stronger Moroccan army had already done that. The Polisario was suppressed to the narrow desert strip along the border with Mauritania and Algeria and the Moroccan authorities physically separated that strip from the rest of Western Sahara building a long sand wall.³²

The problem of Western Sahara was the main reason why Morocco broke relations with most of African states, withdrew from the Organization of African Unity in the 1980s and did not participate in the creation of the African Union.

Igboland (Biafra), Nigeria

The civil war in Nigeria (1967-1970), caused by the secession of Biafra is a tragic historical experience, which Nigerian officials always mention when they emphasize the importance of the respect for sovereignty and territorial integrity as the basic principle of international relations.

The reasons of Biafra's secession and civil war lie in the political instability in Nigeria related to the conflicts between the three largest peoples in the first years of independence. There are over 250 peoples in Nigeria and three of them

³² Ibid.

are the largest - the Hausa-Fulani in the north, the Yoruba in the west and the Igbo in the east. The Igbo people have a population of about 25 million and it is one of the largest peoples in whole Africa. Most of them live east of the Niger Delta, in a region with undefined boundaries named after this group – Igboland.³³ The trigger of the civil war was a military coup organized by the officers from the Igbo people at the beginning of 1966, when thirty high-ranked officials from the Hausa-Fulani people were killed. In mid-1966, the Hausa-Fulani officers organized a counter-coup, which was a prelude to the large-scale clashes between the two ethnic groups all over Nigeria. After the negotiations had failed, the Igbo people declared an independent state of Biafra on the territory where they constituted the majority. The government in Lagos considered this an act of secession and sent the army to intervene generating in this way the civil war. At the end of the three-year war, Biafra was abolished, and Igboland was returned under the sovereignty of Nigeria, but the cost of it were more than a million casualties, millions of displaced persons and the devastated country.³⁴ Today, Igboland is integrated into the Nigerian federation and members of Igbo people occupy high positions in the state administration. However, in 2001, a *Movement for the Actualization of the Sovereign State of Biafra* in Igboland was formed as a political group whose aim has been to put the Biafra question in the focus of the public opinion and to raise again the question of independence when the adequate conditions appear.³⁵

Niger Delta, Nigeria

The Niger Delta is a region in southeast Nigeria with an area of approximately 70,000 km² (7.5% of the Nigerian territory) and approximately 31 million inhabitants (20% of the Nigerian population), consisted of over 40 peoples. The largest among them is the Ijaw with the population of 15 million.³⁶ A political movement with the greatest support among the Ijaw people is the *Movement for the Emancipation of the Niger Delta – MEND*. The ultimate goal of this movement, which has a very strong military wing, is the foundation of the independent Republic of the Niger Delta, aiming to take full control over the natural resources in this region. The MEND legitimates its goal by using the

³³ Encyclopedia Britannica, "Igboland and the Delta City-States", Internet, <http://www.britannica.com/EBchecked/topic/414840/Nigeria/55313/Igboland-and-the-delta-city-states>, 20/8/2010.

³⁴ Major Abubakar A. Atofarati, *The Nigerian Civil War, Causes, Strategies and Lessons Learnt*, Internet, <http://www.africamasterweb.com/BiafranWarCauses.html>, 20/8/2010.

³⁵ See more on: <http://massob.org/>.

³⁶ Ebipamone N. Nanakumo, *Self-Government for the Ijaws is the Solution to the Niger Delta Conflict*, Internet, http://www.ijawfoundation.org/self_government.htm, 22/8/2010.

economic argument. It emphasizes that the Nigerian government, alongside with multinational corporations, exploits the oil-rich Delta without investing the profit in its development. In accordance with that, the only means that people of the Delta could use to retain their economic wealth is independence.³⁷ Closely associated with the project of making the Delta independent are the activities of the *Movement for the Survival of the Ogoni People – MSOP*, which the government in Abuja also considers a threat to the territorial integrity of the state. The Ogoni people, with the population of 850,000, live in a small part of the Delta (Ogoniland) that covers approximately 1,000 km². Although Ogoniland does not occupy a large area, it is very important because it is the oil-richest region in whole Nigeria. The MSOP emphasizes that due to inadequate exploitation of oil, the survival of the Ogoni people is under question and the only solution for this problem is the political autonomy.³⁸ The government in Abuja considers this solution separatist because the proposed autonomy includes absolute control over the natural resources of this region. According to government, the economic independence, which Ogoniland would ultimately gain, would only be the first step towards the political independence, which is, of course, unacceptable.

Yorubaland, Nigeria

Yorubaland is a region located in southwestern part of Nigeria where the Yoruba people live. The Yoruba is one of the three largest peoples in Nigeria with the population of about 30 million (20% of the Nigerian population).³⁹ In the turbulent political history of independent Nigeria, the Yoruba people generally supported its integrity. However, the events of the mid-1990s led part of the Yoruba people to start thinking about independence. Those events are related to the presidential elections that were held in 1993. The opposition candidate and member of the Yoruba people, Moshood Kashimawo Olawale Abiola, won the elections. His victory was named historical because he was the first presidential candidate in the Nigerian history that obtained support from all three largest peoples, a decisive majority in two thirds of the Nigerian federal units, and was the first elected president who was not from the North. However, incumbent president Ibrahim Babangida did not recognize the election results, which led to a political crisis that culminated when General Sani Abacha organized a coup and seized power at the end of 1993. Several years later, in

³⁷ Ibid.

³⁸ Movement for the Survival of the Ogoni People, "Ogoni Bill of Rights", Internet, http://www.mosop.org/ogoni_bill_of_rights.html, 23/8/2010.

³⁹ Encyclopedia Britannica, "Yoruba states", Internet, <http://www.britannica.com/EChecked/topic/653817/Yoruba-states>, 23/8/2010.

1997, the part of the Yoruba political elite formed the *Oodua People's Congress* – *OPC* with the original intention to actualize the question of overthrowing the democratically elected Abiola.⁴⁰ The OPC's political agenda later indicated that the Yoruba people could live in a democracy only in their own state. In this regard, the OPC emphasizes protection of human rights and democracy as the main arguments for independence, referring to the retaliations against members of the Yoruba people during Abacha's dictatorship in 1998/99. The second argument for independence of Yorubaland is related to the historical rights based on the fact that the Yoruba people had had a state long before the arrival of European colonizers. The third OPS's argument derives from the specific ethnic and linguistic homogeneity of Yorubaland that does not exist in other parts of Nigeria. The economic argument is the fourth one and it is based on the fact that Lagos, the largest city and port in Nigeria, is located in Yorubaland.⁴¹

Bakassi Peninsula, Nigeria

The Bakassi Peninsula is located at the extreme eastern end of the Gulf of Guinea, where the warm east-flowing Guinea Current meets the cold north-flowing Benguela Current. It consists of a number of low-lying, largely mangrove covered islands covering an area of around 665 km². The population of the peninsula is the subject of some dispute. However, according to the general estimates there are between 150,000 and 300,000 people. The Bakassi Peninsula has been an object of the border dispute between Nigeria and Cameroon since their independence. These two states were on the verge of war because of the disputed peninsula and several border territories in the north in 1981. Both countries had argued that the Bakassi was an extension of their land, but Cameroon presented the case before the International Court of Justice in 1994. In October 2002, the ICJ made a decision, mostly based on the British-German colonial treaties from late XIX and early XX century that peninsula belonged to Cameroon. This decision was strongly condemned by the Nigerian public opinion and the government in Abuja called for negotiations for the peaceful implementation of the ICJ decisions. Since 2002, with the UN mediation, Nigeria and Cameroon held several summits, where phased transfer of sovereignty was agreed. In June 2006, it was agreed that the Nigerian army would withdraw, but that the civilian administration would stay for another two years. However, the situation became very complicated in July 2006, when

⁴⁰ Although the name of this people is Yoruba, the OPC uses the word Oodua in its name. According to the Yoruban mythology, Oodua is the name of an ancient father of the whole Yoruba people.

⁴¹ Oodua People's Congress, "About the OPC", Internet, <http://ooduapeoplescongress.org/aboutopc.htm>, 23/8/2010.

South Cameroonian separatists, in cooperation with separatists in the Niger Delta, declared an independent Democratic Republic of Bakassi demanding immediate departure of the Nigerian authorities. The whole process was slowed down and in 2007, the Nigerian Senate declared the transfer of sovereignty to Cameroon to be illegal. The Nigerian Supreme Court was in the same line with the Senate, demanding from the Government to solve the problem of Nigerian refugees from the peninsula who had not wanted to live under the Cameroonian sovereignty. Despite all the opposition, the Government transferred sovereignty over the peninsula to Cameroon in August 2008 and implemented the ICJ decision and agreement with Cameroon.⁴² The loss of this small, but strategically important peninsula has exerted significant influence on the government in Abuja to emphasize the importance of preservation of the sovereignty and territorial integrity in international relations.

Southern Cameroons, Cameroon

Southern Cameroons is a region located in the southwestern part of Cameroon, with an area of 43,000 km² (8% of the territory of Cameroon) with slightly more than 6 million inhabitants (31% of the Cameroonian population).⁴³ The major political support in this region is on the side of the *Southern Cameroons National Council – SCNC*, which emerged from several different parties and movements in the 1990s. The main goal of the SCNC is the independence of Southern Cameroons, and the government in Yaounde considers that a serious threat to territorial integrity of the state.⁴⁴

The SCNC uses two main arguments to explain its goals. The first one is related to the historical rights based on the fact that Southern Cameroons had become a part of Cameroon as a result of a great historical injustice and a fraud of colonial powers. The territory of Southern Cameroons had been a part of the German colony of Cameroon from 1885 to 1916. After the First World War, German Cameroon was divided and four fifths became the French colony of Cameroon, while one fifth became a part of the UK colonial system. The UK divided its part into two administrative units – Northern Cameroons and Southern Cameroons and incorporated them into its colonial system within Nigeria. During the decolonization, an anti-colonial movement emerged in British Cameroon demanding independence. The UK allowed independence, but only through the implementation of the formula *independence through the*

⁴² Justice Muluh Mbuh, *The Bakassi Peninsula Dispute*, Internet, http://www.postwatchmagazine.com/files/bakassi_notes.pdf, 23/8/2010.

⁴³ Unrepresented Nations and Peoples Organization, “Southern Cameroons”, Internet, <http://www.unpo.org/content/view/7915/145/>, 24/8/2010.

⁴⁴ *Ibid.*

joining, which meant that two units of British Cameroon might choose whether to join independent Nigeria or independent Cameroon, the former French colony. In the referendum, which was organized at the beginning of 1961, Northern Cameroons chose to join Nigeria and Southern Cameroons decided to unite with Cameroon. After the unification, Cameroon became a federation where Southern Cameroons was one of the federal units. The SCNC emphasizes that referendum was a choice between two bad options and the people of Southern Cameroons had to choose a less evil, since they could not get their own independent state.

The second argument for independence stems from the need of the people of Southern Cameroons to preserve its national identity, which the government in Yaounde systematically suppresses through the unitarisation of Cameroon. The SCNC emphasizes that the government in Yaounde abolished the federal constitution in 1972 and made Cameroon a unitary state. The government also divided Southern Cameroons into two parts and incorporated them into two different provinces whose governors are French-speaking in contrast to the people of Southern Cameroons who are English-speaking. The SCNC adds charges of retaliation, which the government made during the 1990s when the people of Southern Cameroons sought the re-establishment of federal system. SCNC took decisive steps towards achieving its eventual goal, on 31 December 1999, when it adopted the unilateral declaration of independence of the Republic of Ambazonia, which is another name for Southern Cameroons. No African state has recognized Ambazonia's independence, and SCNC decided to start seeking international support by joining the UNPO in 2005.⁴⁵

Northern Regions, Ivory Coast

Similarly to Nigeria, Ivory Coast experienced difficulties of the civil war, which was a consequence of the secession attempts of its parts. The Northern Regions of Ivory Coast, which cover about 40% of its territory, are inhabited with people originating from the neighbouring countries, mostly Mali and Burkina Faso. This people settled northern parts of Ivory Coast in the second half of XX century being attracted by the economic prosperity and national integration model, which existed in Ivory Coast during the reign of Félix Houphouët-Boigny. Houphouët-Boigny was trying to apply the French model of national integration stressing that all inhabitants of Ivory Coast had a common Ivorian identity regardless of their ethnic background. The combination of such an integration model and a successful economic model was very attractive to the people from the neighbouring poor and unstable states.

⁴⁵ Ibid.

This country had recorded economic growth until the mid-1980s, when the fluctuations of prices of agricultural products and raw materials on the world market and unsuccessful program under the auspices of the IMF caused stagnation and the subsequent crisis. The economic crisis was the introduction to the rise of xenophobia among the majority people whose members accused strangers of damaging the economy of Ivory Coast. However, xenophobia was not so dominant in the period when Houphouët-Boigny was in power and while his national integration model was in force. With his death in 1995 and the arrival of a new political elite the xenophobia among the majority people has strengthened, which caused a deep political crisis. The crisis reached a zenith at the presidential elections in 2000 when the new political elite required that presidential candidates' parents had to originate from Ivory Coast alone. The main opposition candidate, originating from the North, did not fulfil this requirement this causing a huge election crisis. The crisis was the prelude to political shocks that culminated in September 2002 when inhabitants of the Northern Regions started a rebellion against the government in Yamoussoukro. In a very short period, the rebels took control of almost half of the country and began to act as an independent state. In the civil war that took place for several years the government in Yamoussoukro failed to regain control over the rebellious territories, so it initiated negotiations with the rebels. The result of the negotiations was a peace and power-sharing agreement concluded in March 2007. In accordance with the agreement, the rebellious territories were formally returned under the Ivorian sovereignty, while the rebels' leaders became a part of the government. Despite the agreement and the process of reintegration and reconciliation, the rebels preserved their armed forces. Formally, there is no clear territorial division, but in practice, it exists and the rebels have enough strength to threaten the sovereignty and integrity of Ivory Coast once again, in case they cannot peacefully achieve their interests within the government in Yamoussoukro.⁴⁶

Casamance, Senegal

Although it was the first African state that recognized the independence of the Serbian southern province, Senegal is also faced with separatist aspirations in its southern province of Casamance. This province includes the southern parts of Senegal between the Gambia and Guinea Bissau along the Casamance River. It has an area of 52,000 km² (27% of the Senegalese territory) and 1.5 million inhabitants (11% of the Senegalese population).⁴⁷ The major political

⁴⁶ Global Security Center, "Ivory Coast Conflict", Internet, <http://www.globalsecurity.org/military/world/war/ivory-coast.htm>, 24/8/2010.

⁴⁷ United Nations Children's Fund, "Casamance, Rebuilding & Healing", Internet, http://www.unicef.org/infobycountry/files/leaflet_Casamance_low.pdf, 25/8/2010.

movement, whose goal is independence of the province, is the *Casamance Movement of Democratic Forces – CMDF* (*Mouvement des forces démocratiques de Casamance – MFDC*), formed in 1982.⁴⁸

The main CMDF's argument for independence of Casamance is related to the historical right. The first colonial power that had occupied Casamance was Portugal. In 1888, as a result of the colonial agreements, Portugal ceded this territory to France, which incorporated it into the colony of Senegal. Due to different languages, Casamance had never been fully integrated into Senegal. During the decolonization process, the people of Casamance had their own anti-colonial movement, which was associated with Senegalese nationalists led by Leopold Senghor. Senghor gave a promise to the political elite of Casamance that it would gain independence 20 years after Senegal had got its independence from France. After the expiry of that period in 1980, the political elite of Casamance demanded independence, but the government in Dakar responded with retaliations. This action of the government in Dakar was marked as a huge historical fraud and the political elite of Casamance formed the CMDF in order to fight for independence, while the CMDF got its military wing in 1985. In 1990, the CMDF started attacking the Senegalese army and received support from neighbouring Guinea-Bissau, a former Portuguese colony. The situation calmed down in 2001, when Guinea Bissau, because of its internal instability stopped supporting separatists in Casamance. On the other hand, the government in Dakar found moderate fractions of separatists who abandoned the method of armed struggle and agreed to negotiate. Casamance did not gain independence, but it was divided into several provinces with low-level autonomy. This outcome of negotiations divided separatists and that division eventually caused clashes among them. The current situation in Casamance is very unstable, with a large presence of Senegalese army.⁴⁹

Somaliland, Somalia

Somaliland is a region located in the northwest part of Somalia, with an area of 137,000 km² (21% of the Somali territory) and about 3.5 million inhabitants (38% of the Somali population).⁵⁰ Somaliland is one of several pseudo-state entities, which emerged after the collapse of Somalia in 1991. For almost two decades, Somaliland has functioned as an independent state with legislative, executive and judicial branches. Now, it has no intention to return under the

⁴⁸ Global Security Center, "Mouvement des Forces Démocratiques du le Casamance (MFDC)", Internet, <http://www.globalsecurity.org/military/world/para/mfdc.htm>, 25/8/2010.

⁴⁹ Ibid.

⁵⁰ Government of Somaliland, "Republic of Somaliland - Country Profile", Internet, <http://www.somalilandgov.com/>, 15/8/2010.

sovereignty of renewed Somalia despite the fact that the African Union and the international community make significant efforts to rebuild the Somali state.

The first argument of Somaliland leadership refers to the fact that this region was already an independent state. Until 1960, Somaliland had been a British protectorate, while the remaining part of former Somalia belonged to Italy. Somaliland got independence from the UK on 24 June 1960, but on 1 July, it got united with the former Italian colony what resulted in the creation of Somalia. In this state, Somaliland was marginalized since the government in Mogadishu implemented the policy of centralization, especially during the dictatorship of Said Barre. The political instability caused by Barre's ruling methods and war against Ethiopia caused the conflicts between several powerful Somali clans. They culminated in 1991 when Barre was overthrown and Somalia collapsed being divided into several entities controlled by the warring clans. The political elite in Somaliland considered that the time for the re-foundation of the state had come and declared its independence in May 1991. While Somaliland was establishing its state structure, the rest of Somalia was in chaos of the civil war that has not been over even two decades after.⁵¹

Another important argument for independence is related to the fact that Somaliland enjoys a high degree of political and economic stability, while the institutions and economy in the remaining part of Somalia cannot function even with the support of the AU, EU, UN, NATO and many others. The leadership of Somaliland refuses to participate in Somalia rebuilding process stressing that Somaliland is the independent state, which does not want to be again in the situation it passed through in the past and that the independence cannot be negotiated. In accordance with this policy, Somaliland became the UNPO member in 2004. Somaliland leadership is especially encouraged by the unilateral declaration of independence of Kosovo and Metohija and they believe that the similar pattern can be applied in their case noting that Somaliland has much more capacities to be an independent state than that Serbian province.⁵² The additional encouragement for the leadership of Somaliland stems from the fact that the government in Mogadishu recognized independence of Kosovo and Metohija in May 2010.

Southern Provinces, Somalia

In the aftermath of Somalia's collapse in 1991, the clans from the southern provinces fought for supremacy, while in the 1998/99 period an independent

⁵¹ Unrepresented Nations and Peoples Organization, "Somaliland", Internet, <http://www.unpo.org/content/view/7916/142/>, 15/8/2010.

⁵² Ibid.

state of Jubaland was formed.⁵³ Since 2001, this region has been under control of the *Islamic Courts Union*, an alliance of several Islamist groups, which tried to take power in Somalia and establish the system based on the Sharia law.⁵⁴ In early 2007, the Transitional Government of Somalia, with the support of the Ethiopian troops, succeeded to suppress the Islamists. However, despite the international aid and the presence of the AU Mission in Somalia, the Somali government failed to maintain control over this region. A member of the former Islamic Courts Union, the *Al-Shabaab*, took control over the southern provinces in 2009 and started to take over parts of the capital city in 2010. Al-Shabaab does not recognize the government in Mogadishu and the territory under its control is practically independent from Somalia and exists as a fragile state under the Sharia law.⁵⁵

Oromia, Ethiopia

Oromia is the largest region in Ethiopia and with an area of 600,000 km² it covers nearly 50% of the Ethiopian territory. The majority people in this region are the Oromo people with the population of about 30 million, which makes 38% of Ethiopian population.⁵⁶ One of the main political groups in this region is the *Oromo Liberation Front – OLF*, a movement that has fought, using all political means, for Oromian independence since 1973.⁵⁷ The OLF's first argument for independent Oromo is related to the historical right, based on the need to correct the historical injustice. The OLF claims that Abyssinia (now Ethiopia), backed by European colonizers, occupied Oromia in the 1890s. Before the Abyssinian occupation, the Oromo people had had its own state and fostered a specific cultural and historical identity. The second argument relates to the discrimination of the Oromo by the Ethiopian government led by the political elite of the Amhara people until 1991 and the Tigre people since the mid-1990. The OLF emphasizes that the Abyssinian/Ethiopian government abolished all institutions of the Oromo people and suppressed every possible resistance. During the reign of Emperor Haile Selassie, Oromo language was

⁵³ World Statesmen Encyclopedia, "Jubaland", Internet, <http://www.worldstatesmen.org/Somalia.html#Jubaland>, 15/8/2010.

⁵⁴ Global Security Center, "The Supreme Islamic Courts Union / al-Ittihad Mahakem al-Islamiya (ICU)", Internet, <http://www.globalsecurity.org/military/world/para/icu.htm>, 15/8/2010.

⁵⁵ National Counterterrorism Center, "Al-Shabaab", Internet, http://www.nctc.gov/site/groups/al_shabaab.html, 15/8/2010.

⁵⁶ Unrepresented Nations and Peoples Organization, "Oromo", Internet, <http://www.unpo.org/content/view/7917/135/>, 16/8/2010.

⁵⁷ Ibid.

banned and the communist junta, which overthrew the Emperor, continued to suppress the national identity of the Oromo people. In order to improve the positions of the Oromo people, the OLF became a part of an alliance with the Tigre people and other separatist movements in Ethiopia whose goal was the removal of the communist junta from power. Pressed by the actions of this alliance the junta and the whole Amharic political elite were forced to leave power. The key positions in the new government were occupied by the representatives of the political elite of the Tigre people. The new government had promised to improve the status of the Oromo people and the OLF was involved in the creation of a new constitution. However, since 1995, the Tigrean political elite started to copy the former Amharic methods regarding the centralization of power and discrimination of other ethnic groups. The third argument for the independence of the Oromia is based on the great economic potential, especially in agriculture. According to OLF, this potential is unused because the government in Addis Ababa does not invest enough, but redirects the funds to those areas where the Tigre people live or where the ruling party has the strongest support. In this regard, the use of the Oromian economic potential is possible only in the independent state. In order to strengthen its positions with the Oromo people and internationalize the question of Oromia the OLF became an UNPO member in 2004.⁵⁸

Ogaden, Ethiopia

Ogaden is a region in the eastern part of Ethiopia with an area of 280,000 km² (22% of the Ethiopian territory) and 4.4 million inhabitants (0.5% of the Ethiopian population), of which 97% are the Somalis.⁵⁹ Since 1983, the major political support in this region has been given to the *Ogaden National Liberation Front – ONLF*, whose eventual goal is gaining independence from Ethiopia and unification with Somalia. The main ONLF's arguments for independence are similar to the arguments used by the OLF in Oromia - the occupation by Abyssinia in the XIX century and the political and economic discrimination by the Ethiopian government led by the Amharic and Tigrean regime.⁶⁰

The ONLF emphasizes an additional argument and it is as follows: Ogaden is a part of the Somali ethnic area and therefore it should be a part of the Somali state. The Ogaden problem has already provoked a war between Ethiopia and Somalia. The war began in 1975 when Somalia attacked Ethiopia in order to support the separatist movement, the Western Somali Liberation Front. This war

⁵⁸ Ibid.

⁵⁹ Unrepresented Nations and Peoples Organization, "Ogaden", Internet, <http://www.unpo.org/content/view/10714/302/>, 16/8/2010.

⁶⁰ Ibid.

lasted until 1991 with some interruptions when Barre's regime in Somalia and the communist junta in Ethiopia were overthrown. The Ogaden problem is one of the main reasons for the Ethiopian involvement in the Somali state rebuilding. The government in Addis Ababa considers that its influence on the Transitional Federal Government in Mogadishu and the engagement of troops within the AU peacekeeping force will prevent the spillover of conflicts from Somalia into its territory and in the relations between the ONLF and Islamists who control southern Somalia. With the intention to strengthen its positions and to seek international support for its goals, the ONLF became an UNPO member in February 2010.⁶¹

Southern Sudan, Sudan

Southern Sudan is an autonomous region, which has an area of 640,000 km² (24% of the Sudanese territory and about 9 million people (21% of the Sudanese population). The Christian blacks make the majority of the population in this region unlike the Muslim Arabs who make the majority of the Sudanese population.⁶² Misunderstandings based on those differences were the main causes of the civil war, which lasted for half a century (1955-2005) between the Arab north and the black south. Since 1983, two main parties in this war were the government in Khartoum and two movements of Southern Sudan people - the *Anya-Nya Movement* and the *Sudan People's Liberation Movement*. This war, whose terrifying consequences were 2.5 million killed and over 5 million displaced people, was finished in October 2005. Under the concluded peace agreement, Southern Sudan got a high-level autonomy with the possibility of holding a referendum on independence in 2011.⁶³ Bering in mind many decades of armed struggle of the people of Southern Sudan the decision on independence is the most expected outcome of the referendum. However, there are no clear predictions how the government in Khartoum will react to that outcome, although many people say that the independence of Southern Sudan could be the beginning of disintegration of the Sudanese state.

Darfur, Sudan

Darfur is a region located in western Sudan with an area of 500,000 km² (20% of the Sudanese territory), which is divided into three administrative units - North Darfur, West Darfur and South Darfur. Overall, all three units have about 6 million

⁶¹ Ibid.

⁶² Government of Southern Sudan, "Southern Sudan", Internet, <http://www.goss-online.org/>, 18/8/2010.

⁶³ Government of Southern Sudan, "History of Southern Sudan", Internet, <http://www.goss-online.org/>, 18/8/2010.

inhabitants (15% of the Sudanese population) who are mostly of the Muslim religion.⁶⁴ National differences as well as the specific concept of Islam that the regime of Omar al-Bashir promoted were the main causes of the conflict between the government in Khartoum and the political movements of the people of Darfur. Among these movements, the biggest support is on the side of the *Sudan Liberation Movement/Army – SLMA* and the *Justice and Equality Movement – JEM* whose main goal is the independence of Darfur.⁶⁵ The first argument, used by these movements in favour of independence, is related to the historical rights based on the fact that Darfur had been a sultanate for centuries. That sultanate was destroyed by the British and the Egyptians and incorporated into the British colonial system. The second argument stems from the accusation that the people of Darfur are a victim of the systematic discrimination by the government in Khartoum. After gaining independence that discrimination was mainly economic, related to the lack of any kind of investments in this area. A dire consequence of this discrimination was famine that hit Darfur in 1980, which was the trigger for the first major armed conflict in that region. Since then, according to Darfur rebels, the Khartoum government has violated civil rights of the people in Darfur. Due to the inability to control the situation in Darfur by the regular security forces, the Sudanese government supported the establishment of various Arab militias composed of the Arabs from Darfur and the neighbouring areas. The presence of paramilitary groups in the region had resulted in the increased tensions, which culminated in 2003 when two most powerful movements in Darfur started a rebellion. In response to the rebellion, the regular Sudanese security forces intervened together with the Janjaweds, the Arab militia, thus provoking the civil war. Hundreds of thousands of people were displaced during the war and the number of victims is yet to be determined. The war ended in May 2006 with the peace agreement, which gave the rebels an opportunity to participate in the government and guaranteed a referendum in which people of Darfur can decide whether they want to merge three Darfur administrative units into one. However, the agreement was not accepted by all parts of the rebel groups, so the conflict has actually never ended. The problem of Darfur is very important for the government in Khartoum not only because of the threats to the sovereignty and territorial integrity, but also because of the fact that the political and military leadership of Sudan is accused of war crimes before the International Criminal Court.

The indictment, which was raised before the ICC in mid-2008 includes charges against President Bashir and several top government officials for the death of 300,000 people and the expulsion of nearly 3 million people from their

⁶⁴ Darfur Information Center, “About Darfur”, Internet, <http://darfurinformation.com/about.asp>, 18/8/2010.

⁶⁵ “Rebel Groups in Darfur”, Internet, http://www.pbs.org/newshour/indepth_coverage/africa/darfur/rebel-groups.html, 18/8/2010.

homes. On the other hand, the government in Khartoum rejects the charges stating that less than 20,000 people were killed during the conflict in Darfur and that the indictment is actually a farce for the intention to overthrow Bashir's regime.⁶⁶ Bearing in mind the experience of the former leaders of Yugoslavia and Serbia with criminal charges related to Kosovo and Metohija the problem of Darfur is the question of political survival of the Sudanese government as well as a life threat to its members.

Eastern Sudan, Sudan

Eastern Sudan is the region in Sudan mostly inhabited by the Beja people with the population of about 2 million inhabitants (5% of the Sudanese population). This semi-nomadic people also live in the southern parts of Egypt and northern parts of Eritrea. The major political support among this people is being received by the *Beja Congress*, which has fought for self-determination and independence since the 1950s. The main arguments used by the Congress are related to the marginalization and arabization of the Beja people as well as the economic and political discrimination practiced by the government in Khartoum.⁶⁷

In the last several years, the Congress has received significant support from the neighbouring Eritrea, whose government wants to destabilize Sudan because of Khartoum's support to the Islamist groups in Eritrea. As a part of this support, Eritrea helped the Beja Congress merge with the political movement of the nomadic Rashaid people who also fight against their marginalization in Sudan organizing the *Eastern Front*. The Eastern Front made an alliance with the separatists in southern Sudan and Darfur and started occasional attacks against the Sudanese security forces in Eastern Sudan. In mid-2006, when Eritrea expected the beginning of war against Ethiopia for the border disputes it initiated the peace talks between the Eastern Front and the Sudanese government. The negotiations resulted in the agreement by which the Sudanese government promised to improve the situation of the Beja and Rashaid people, respectively.⁶⁸ The government in Khartoum concluded both this agreement and the agreements related to Darfur and Southern Sudan under great pressure. Therefore, their implementation is closely associated with the referendum process in Southern Sudan and Darfur as well as with the survival of Bashir's regime.

⁶⁶ Darfur Information Center, op.cit.

⁶⁷ Global Security Center, "Beja Congress", Internet, <http://www.globalsecurity.org/military/world/para/beja.htm>, 19/8/2010.

⁶⁸ Ibid.

Cabinda, Angola

Cabinda is an Angolan enclave squeezed between the territories of Congo and DR Congo with an area of 7,300 km² (0.5% of the Angolan territory) and about 300,000 inhabitants (0.16% of the Angolan population). The separatist movement in this enclave is the *Front for the Liberation of the Enclave Kabinda – FLEK* (*Frente para a Libertação do Enclave de Cabinda – FLEK*), formed in 1973. Its single goal is independence of Cabinda.⁶⁹ The first FLEK's argument for independence is related to the historical rights based on the fact that Cabinda had been recognized as a political entity in 1885 when it signed an agreement with Portugal. In the Portuguese colonial system, Cabinda had a status of protectorate until 1930s when Salazar's regime incorporated it into the colony of Angola. The second argument refers to the existence of a separate anti-colonial movement. When the rebellion against the Portuguese colonial administration in Angola started in the 1960s and 1970s, the FLEK was formed in Cabinda. In 1975, Angola gained independence, but the civil war between the two anti-colonial movements, the MPLA and UNITA, had begun. The war ended in 2002 with the victory of the MPLA, which emphasized the sovereignty of Angola over Cabinda. During the war, the FLEK supported the UNITA believing it would later enable independence of Cabinda. FLEK's support to the enemy side during the civil war is an additional argument for the government in Luanda to keep Cabinda firmly under control. The third argument for independence is the massive violation of civil rights in Cabinda by the Angolan security forces during intervention in 2002/03. After the civil war had ended with the defeat of UNITA in 2002, the government in Luanda sent its troops to Cabinda in order to eliminate the separatist threat. The bulk of FLEK's forces was destroyed and the rest fled into Congo where they started producing reports that the Angolan security forces tortured and killed civilians. The fourth argument is economic and is related to Cabinda's oil wealth. It is estimated that about 60% of Angola's revenues from oil production comes from oil deposits in Cabinda. With the intention to get international support for independence of Cabinda, the FLEK became an UNPO-member in 1997.⁷⁰ Although most of Cabinda is controlled by the Angolan government forces, the FLEK makes occasional attacks on the roads where the targets are mainly civilians.⁷¹

⁶⁹ Unrepresented Nations and Peoples Organization, "Cabinda", Internet, <http://www.unpo.org/content/view/7864/99/>, 25/8/2010.

⁷⁰ Ibid.

⁷¹ The last serious attack FLEK performed in January 2010 when the target was a bus with the football players from Togo who traveled to the *Africa Cup of Nations*, which was held in Angola.

Barotseland, Zambia

Barotseland is located in southwest Zambia, with an area of 125,000 km² (16% of the Zambian territory) and population of 600,000 inhabitants (5% of Zambian population). The Lozi people are the majority population in this area. The political movement with the largest support of the Lozi people from Barotseland is the *Barotse Patriotic Front – BPF* whose eventual goal is the independence of this region.⁷²

The first BPF's argument for independence of Barotseland is related to the historical rights based on the fact that the Lozi people had had their own kingdom for centuries before the colonizers arrived. In the British colony of Northern Rhodesia (now Zambia) Barotseland had an autonomous status. The autonomy of Barotseland was retained even after Zambia gained independence. However, the government in Lusaka gradually decreased the level of autonomy and finally changed the name of Barotseland into Western Provinces. The second argument for independence relates to the economic discrimination of this region and the Lozi people, which, according to the BPF, has lasted for several decades. The BPF stresses that the government in Lusaka invests minimal funds in the economic development and infrastructure and the main indicator for that is the fact that there is only one road in the province, the one that leads from Lusaka to the town of Mongu, which is the centre of the province.⁷³

Caprivi Strip, Namibia

The Caprivi Strip is a narrow strip of land in the far northeast of Namibia, about 400 kilometres long, bordered by the Kwando, Linyanti, Chobe and Zambezi Rivers. Originally part of Bechuanaland (now Botswana), the Caprivi Strip was ceded by UK to Germany in a complicated land exchange deal designed to link the German colonies from west to east Africa. The majority population in this territory are the Lozi people who are already fighting for independence of Barotseland. The Lozi people consider Caprivi Strip a part of its ethnic area, which should be a part of a united Lozi state. In order to achieve that goal, the Lozi people from Caprivi Strip formed the *Caprivi Liberation Movement – CLM* in 1994, a few years after Namibia had gained independence. The ultimate goal of this movement is the secession from Namibia and unification with Barotseland. During the Namibian war of independence, the Caprivi Liberation Army, whose successor is the CLM, was an ally of the

⁷² “Barotse Patriotic Front”, Internet, http://www.blurbwire.com/topics/Barotse_Patriotic_Front, 26/8/2010.

⁷³ Ibid.

apartheid regime in South Africa and Angolan UNITA that opposed to the independence of Namibia. Therefore, the government in Windhoek has an additional reason to strengthen the control of Caprivi Strip and to prevent the activities of separatists from the Lozi people.⁷⁴

The Importance of Respect of Sovereignty and Territorial Integrity Attached by African States in International Relations

The Importance of e Sovereignty and Territorial Integrity in Strategic Documents of the Organization of African Unity and the African Union

The Charter of the Organization of African Unity was the statute of the Organization of African Unity (OAU), the largest and most important African international organization from 1963 to 2002 and the predecessor of the African Union. The Preamble of the Charter stressed the importance of preservation of sovereignty and integrity, noting that African states were “determined to safeguard and consolidate hard-won independence as well as the sovereignty and territorial integrity”.⁷⁵ In this regard, one of the OAU purposes, defined in Article II, was the “defense of sovereignty, territorial integrity and independence” of the OAU member-states.⁷⁶ In the Article III of the Charter, “non-interference in internal affairs of the member states and respect for their sovereignty and territorial integrity” were defined as the main principles of the OAU.⁷⁷

2) *The Treaty Establishing the African Economic Community*, adopted in 1991 is a legal basis for the African continental economic integration. The Preamble of this document highlights that the African countries will start the process of economic integration “bearing in mind the principles and objectives defined in the OAU Charter”.⁷⁸ The most important among these principles, as it was mentioned, are the protection of the sovereignty and territorial integrity.

The Constitutive Act of the African Union is the statute of the African Union, the successor of the OAU and the most important African organization at present, which serves as a framework for the African political and economic

⁷⁴ Global Security Center, “Caprivi Liberation Movement (CLM)”, Internet, <http://www.globalsecurity.org/military/world/para/caprivi.htm>, 27/8/2010.

⁷⁵ Preamble, “OAU Charter”, Addis Abbaba, 23 May 1963, Internet, http://www.africa-union.org/official_documents/Treaties_%20Conventions_%20Protocols/OAU_Charter_1963.pdf, 2/9/2010.

⁷⁶ Article II, Ibid.

⁷⁷ Article III, Ibid.

⁷⁸ Preamble, “Treaty Establishing the African Economic Community”, Abuja, 3 June 1991, Internet, http://www.africa-union.org/root/au/Documents/Treaties/Text/AEC_Treaty_1991.pdf, 2/9/2010.

integration. Although the idea of African states was the creation of a qualitatively new international organization, which should eventually grow into a supranational organization modelled after the European Union, “defense of the sovereignty, territorial integrity and independence of States” remained one of the main objectives of the AU.⁷⁹ The principles of the AU further confirm the importance of the sovereignty and territorial integrity of African states, thus the principle of “the respect of the borders that existed at the time of independence and non-interference in internal affairs of member-states” is explicitly stated in the statute.⁸⁰

4) *The African Charter on Human and Peoples’ Rights* from 1981 is the most important document on human rights adopted at the African soil being a combination of the principles of the Universal Declaration of Human Rights from 1948, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights from 1966. This Charter established a special institutional mechanism for human rights protection in Africa in the form of the international commission. The sovereignty and territorial integrity of states are significant even in the document of this kind. In the article, where the obligations of individuals were listed, it was stressed that everyone should “preserve and strengthen the national independence and territorial integrity of their country and contribute to its defense in accordance with international law”.⁸¹

The Declaration on the Political and Social-Economic Situation in Africa and the Fundamental Changes Taking Place in the World, adopted by the OAU Assembly in 1990, is a strategic document in which African states made a review of the situation in the world and Africa at the end of the Cold War and adopted directions of their common activities in the post-Cold War era. In this document, the African states emphasized they were “bounded by the purposes and principles of OAU”, including, of course, the preservation of the sovereignty and territorial integrity.⁸²

6) *The Algiers Declaration*, adopted by the OAU Assembly in 1999, is a strategic document, which defined the main directions of the common policy of

⁷⁹ Article III, “Constitutive Act of the African Union”, Lome, 11 July 2000, Internet, http://www.africa-union.org/root/au/AboutAU/Constitutive_Act_en.htm, 2/9/2010.

⁸⁰ Article IV, Ibid.

⁸¹ Article XXIX, “African Charter on Human and Peoples’ Rights”, Banjul, 27 June 1981, Internet, <http://www.africa-union.org/root/au/Documents/Treaties/Text/Banjul%20Charter.pdf>, 2/9/2010.

⁸² Article XII, “Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World”, Addis Ababa, 11 July 1990, Internet, www.chr.up.ac.za/hr_docs/african/docs/ahsg/ahsg33.doc, 2/9/2010.

African states in the XXI century. This declaration clearly indicated that African states would emphasize the importance of preserving the sovereignty and territorial integrity as a central principle in international relations. It highlights that African countries are “convinced that respect for the principle of inviolability of the borders that existed at the time of independence was a crucial contribution to preserving peace and stability on the African continent, confirm its validity as the basic norms applicable in resolving border disputes”.⁸³ Closely related to this issue is the confirmation of determination of African countries to promote “peaceful means in resolving conflicts in accordance with the principles of sovereign equality, non-interference in internal affairs of other states, avoiding the threat or use of force, as well as the principles of independence, sovereignty and territorial integrity of States”.⁸⁴

7) *The Mechanism for Conflict Prevention, Management and Resolution* that was established in 1993, is the main result of the efforts of African countries to take greater responsibility for security on their continent, to preserve and promote the peace and security, and to become less dependent from non-African entities in the security area. The legal basis for the Mechanism was a special OAU Assembly Declaration, which stressed that Mechanism “would be guided by the purposes and principles of the UN Charter and the OAU Charter, and in particular, by the principles of sovereign equality of States, non-interference in internal affairs, respect for sovereignty and territorial integrity of States”.⁸⁵

8) *The Peace and Security Council of the African Union* is the AU organ established in order to reform the Mechanisms for prevention, management and conflict resolution. The legal basis for the Council can be found in the special AU Assembly Protocol, which underlined that Council’s operations “would be guided by the following principles: respect for sovereignty and territorial integrity of states, non-interference in internal affairs of member-states by the other state, sovereign equality, the inalienable right to independent existence, and respect (for) the borders established at the time of independence”.⁸⁶

⁸³ “Algiers Declaration”, op.cit.

⁸⁴ Ibid.

⁸⁵ Article XIV, “Declaration of the Assembly of Heads of State and Government on the Establishment within the OAU of a Mechanism for Conflict Prevention, Management and Resolution”, Cairo, 30 June 1993, Internet, <http://www.africa-union.org/root/au/Documents/Decisions/hog/3HoGAssembly1993.pdf>, 2/9/2010.

⁸⁶ Article IV, “Protocol Relating to the Establishment of the Peace and Security Council of the African Union”, Durban, 11 July 2002, Internet, http://www.africa-union.org/root/au/Documents/Treaties/Text/Protocol_peace%20and%20security.pdf, 2/79/2010.

*The Preservation of Sovereignty and Territorial Integrity as a Basis for
Functioning of the African Regional Economic Communities*

The African Union is the main framework for economic integration of Africa which has its regional pillars – regional economic communities. The process of economic integration of all five African regions develops within these communities, while their eventual aim is the creation of regional customs union, which should be merged into a continental customs union and common market.

The North African regional economic community, founded in 1988, is the Arab Maghreb Union – AMU, with its headquarters in Rabat, Morocco and 5 member states.⁸⁷ The AMU Statute explicitly stated that one of its main objectives was “the defense of sovereignty and independence of Member States”.⁸⁸

In central Africa, the Economic Community of Central African States – ECCAS has existed since 1983, with its headquarters in Libreville, Gabon and 11 member states.⁸⁹ One part of the Preamble of the ECCAS Statute clearly states that ECCAS will act “bearing in mind the principles of international law governing relations between states, and especially the principles of sovereignty, equality and independence of all states, non-interference in internal affairs, as well as the principles of rule of law in their mutual relations”.⁹⁰ The importance of this issue was further enhanced in the Statute confirming that “the sovereignty, equality and independence of all states, non-interference into internal affairs, the principle of rule of law in mutual relations and prohibition of using force in solving disputes” will be the principles of the ECCAS.⁹¹ The East African Community – EAC, formed in 1999, operates in the African Great Lake region. It has its headquarters in Arusha, Tanzania and 5 other member states.⁹² Among the principles set in the EAC Charter, “mutual trust, political will and sovereign equality” have a significant place.⁹³ The West African region is covered by the Economic Community of West African States – ECOWAS, formed in 1993, with its headquarters in Abuja, Nigeria and 14

⁸⁷ Algeria, Libya, Mauritania, Morocco and Tunisia.

⁸⁸ Article III, “Traite instituant l'Union du Maghreb arabe”, Marakesh, 17. fevrier 1988, Internet, http://uma.leguide.ma/images/traite_de_marrakech.pdf, 2/9/2010.

⁸⁹ Burundi, Cameroon, Central African Republic, Chad, Congo, DR Congo, Equatorial Guinea, Gabon, Rwanda and Sao Tome and Principe.

⁹⁰ Preamble “Treaty establishing Economic Community of Central African States”, Libreville, 18 October 1983, Internet, http://www.iss.co.za/AF/RegOrg/unity_to_union/pdfs/eccas/eccastreaty.pdf, 2/9/2010.

⁹¹ Article III, Ibid.

⁹² Burundi, Kenya, Rwanda, Tanzania and Uganda.

⁹³ Article VI, “Treaty for the Establishment of the East African Community”, Arusha, 30 November 1999, Internet, <http://www.eac.int/documents/EAC%20Treaty.pdf>, 2/9/2010.

member states.⁹⁴ One of the main ECOWAS principles is “equality and prohibition of the use of force between member-states” which certainly points to the importance of sovereignty.⁹⁵

In the eastern part of the continent, in the region known as the Horn of Africa, there operates the Intergovernmental Authority on Development – IGAD, founded in 1996, with its headquarters in Djibouti and 6 other member states.⁹⁶ One of the main principles defined in the IGAD Statute is the “sovereign equality of states and non-interference in internal affairs of states”.⁹⁷ The regional economic community, which covers Southern African states, is the Southern African Development Community – SADC, founded in 1992, with its headquarters in Gaborone, Botswana and 14 member states.⁹⁸ The Preamble to the SADC Statute clearly states that the SADC will act “bearing in mind the principles of international law governing relations between the states”.⁹⁹ The importance of this issue was further confirmed when “sovereign equality of all member-states” was defined as the basic SADC principle.¹⁰⁰

The remaining two regional economic communities include the states from several African regions. The first one is the Common Market for East and South Africa – COMESA, founded in 1993, with its headquarters in Lusaka, Zambia and 19 member states.¹⁰¹ The Preamble of the COMESA Statute underlines that the COMESA will act “bearing in mind the principles of international law governing relations between sovereign states”, what clearly indicates the importance of the issue of sovereignty and territorial integrity.¹⁰² The second one

⁹⁴ Benin, Burkina Faso, Cape Verde, Ivory Coast, the Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo.

⁹⁵ Article IV, “Treaty of Ecowas”, Cotonou, 24 July 1993, Internet, <http://www.comm.ecowas.int/sec/index.php?id=treaty&lang=en>, 2/9/2010.

⁹⁶ Djibouti, Ethiopia, Kenya, Somalia, Sudan and Uganda.

⁹⁷ Article VI, “Agreement Establishing the Intergovernmental Authority on Development”, Nairobi, 26 March 1996, Internet, http://www.igad.org/about/agreement_establishing_igad.pdf, 2/9/2010.

⁹⁸ Angola, Botswana, DR Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, the Republic of South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.

⁹⁹ Preamble, “Declaration and Treaty of SADC”, Windhoek, 17 August 1992, Internet, http://www.sadc.int/english/documents/legal/treaties/declaration_and_treaty_of_sadc.php, 2/9/2010.

¹⁰⁰ Article IV, *Ibid.*

¹⁰¹ Burundi, the Comoros, DR Congo, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, the Seychelles, Sudan, Swaziland, Uganda, Zambia, Zimbabwe.

¹⁰² Preamble, “The COMESA Treaty”, Kampala, November 5, 1993, Internet, http://www.comesa.int/comesa%20treaty/comesa%20treaty/Multi-language_content.2005-07-01.3414/en, 2/9/2010.

is the Community of Sahel-Saharan States – CEN-SAD, founded in 1998, with its headquarters in Tripoli, Libya and 29 member states.¹⁰³ The main principles of the CEN-SAD clearly indicate the importance of respecting the sovereignty so that “no member-state shall use force or threaten to use it and no member-state shall intervene in the internal affairs of the other member-states”.¹⁰⁴

The Preservation of Sovereignty and Territorial Integrity as Basis for the African Strategic Partnership with Non-African States and International Organizations

The African states, individually or/and within the AU, develop relations with many non-African states and international organizations. The relations with China, the European Union, India and South American countries are labelled as strategic because of their importance for entire Africa. The main institutional framework for the partnership between the AU and China is the Forum on China-Africa Cooperation – FOCAC, founded in 2000.¹⁰⁵ At the first FOCAC ministerial meeting, held in Beijing in October 2000, China and African states had adopted the Beijing Declaration. In this document, China and African states identified main challenges they would jointly face and defined the main fields of African-Chinese cooperation in XXI century. The preservation of sovereignty and territorial integrity was marked both as a challenge and a major field of cooperation, particularly bearing in mind that “globalization subjected developing countries to serious challenges to their economic security and even national sovereignty”.¹⁰⁶ The Beijing declaration emphasized that “objectives and principles of the UN Charter and the OAU Charter had to be respected, and that any state or group of states had no right to impose their will to others by force or to interfere in the internal affairs of other states under any pretext”.¹⁰⁷ The second FOCAC ministerial meeting was held in December 2003 when the Addis Ababa Action Plan was adopted. This document confirmed the importance of the goals and principles of the

¹⁰³ Benin, Burkina Faso, Central African Republic, Chad, the Comoros, Djibouti, Egypt, Eritrea, the Gambia, Ghana, Guinea, Guinea Bissau, Ivory Coast, Liberia, Libya, Kenya, Mali, Mauritania, Morocco, Niger, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Togo and Tunisia.

¹⁰⁴ Egypt State Information Service, “Egypt and Community of Sahel-Saharan States”, Internet, <http://www.sis.gov.eg/en/Story.aspx?sid=323>, 2/9/2010.

¹⁰⁵ More on FOCAC, see: Ratko Vukanić, “Sino-African Cooperation in the XXI Century and the FOCAC as Its Main Framework”, *The Review of International Affairs*, Vol. LX, No. 1136, October-December 2009, pp. 62–92.

¹⁰⁶ “The Beijing Declaration of the Forum on China-Africa Cooperation”, Beijing, 12 October 2000. Internet, <http://www.focac.org/eng/ltada/dyjbzjhy/DOC12009/t606796.htm>, 2/9/2010.

¹⁰⁷ Ibid.

Constitutive Act of the African Union, including the key importance of the preservation of sovereignty and territorial integrity of states.¹⁰⁸ African states and China also defined the issues of common interest to which they would give their special attention, such as “national sovereignty, territorial integrity, non-interference in internal affairs, peaceful settlement of disputes, peaceful coexistence, national pride and the right to development”.¹⁰⁹

The strategic partnership between the African Union and the European Union is based on the Joint Africa-EU Strategy, adopted in 2007. In the Part III of the Chapter I of this document, African states and the EU underlined that their “partnership and its further development will be guided by the basic principles such as unity of Africa and respect for international law”.¹¹⁰

The main institutional framework for the African-Indian partnership is the Africa-India Forum, established in 2008. At the first summit of the Forum in April 2008, India and African states adopted the Delhi Declaration, which emphasized that the partnership would be “based on fundamental principles of equality, mutual respect, respect for independence, sovereignty and territorial integrity of States”.¹¹¹

The basis for the partnership between the African Union and South American states are the documents adopted at the Africa-South America Summit in November 2006. One of those documents is the Abuja Declaration, which “recognized that the Constitutive Act of the African Union and UN decisions are necessary basis for economic cooperation and integration as well as the maintenance of international peace and stability”.¹¹² African and South American countries specifically emphasized that “cooperation between the two regions will be based on commitment to multilateralism and respect of international law”, what makes the respect of sovereignty and territorial integrity significant.¹¹³

¹⁰⁸ See: “The Forum on China-Africa Cooperation - Addis Ababa Action Plan (2004-2006)”, Addis Ababa, 16 December 2003, Internet, <http://www.focac.org/eng/ltada/dejbjzjhy/DOC22009/t606801.htm>, 2/9/2010.

¹⁰⁹ Ibid.

¹¹⁰ “The Africa-EU Strategic Partnership: A Joint Africa-EU Strategy”, Lisbon, 31 October 2007, Internet, <http://europafrica.files.wordpress.com/2006/10/africa-eu-strategic-partnership.pdf>, 2/9/2010.

¹¹¹ “The Delhi Declaration”, 9 April 2008, Internet, <http://www.africa-union.org/root/au/Conferences/2008/april/India-Africa/India-Africa.html>, 2/9/2010.

¹¹² “Abuja Declaration”, Abuja, 30 November 2006, Internet, <http://www.iss.co.za/uploads/AFRISOUTDECL.PDF>, 2/9/2010.

¹¹³ Ibid.

Conclusion

This paper shows that African states generally support the principle of preservation of sovereignty and territorial integrity of Serbia related to the problem of Kosovo and Metohija. This conclusion is based on the following four main facts:

First, African states supported adoption of the UNSC Resolution 1244, which formally ended the NATO aggression against Yugoslavia and confirmed Yugoslav/Serbian sovereignty over the province of Kosovo and Metohija.

Second, African states supported the territorial integrity of Serbia in the UNSC from July 1999, when the UNMIK had been established, to 17 February 2008, when the Albanian separatists in Kosovo and Metohija adopted the declaration of independence.

Third, A large majority of African states do not recognize the independence of the Serbian southern province. Since 17 February 2008, when the Albanian separatists in Kosovo and Metohija adopted the declaration of independence, to 1 October 2010 only 11 of 54 African states, have recognized its independence.

And finally, A large majority of African states have supported Serbia's efforts to maintain sovereignty over Kosovo and Metohija.

The paper also shows that the African support to Serbia's sovereignty and territorial integrity arises from two main reasons and they are as follows:

The problem of separatism, being one of the most dangerous causes of instability in majority of African states. The analysis of separatist movements in various African states shows that the pattern of activities the separatists in Africa apply is almost the same as the one of the separatists in Kosovo and Metohija. They both use five groups of arguments to justify their goals and they the following: 1) historical rights, which stems from the fact that some people had its own state before the arrival of the other, that a people is located within a particular state because of the occupation or because some peoples were not allowed to exercise the right of self-determination; 2) preservation of national and cultural identity; 3) political and economic discrimination by the majority people of the state; 4) human rights violation with massive retaliations; 5) possibility of economic and democratic development only in the independent state. On the other hand, several separatist movements from African states are members of the UNPO alongside with the Democratic League of Kosovo, which represents Albanian separatists from Kosovo and Metohija. Armed struggle is also a similarity between the separatist movements from Kosovo and Metohija and in some African states.

African states define the principle of respect of sovereignty and territorial integrity as the basis for the functioning of the African Union, African regional

economic communities as well as the basis for establishment of partnership relations with non-African states and international organizations.

Bibliography

1. Martin, Guy, *Africa in world politics: a Pan-African perspective*, Africa World Press, Asmara, Eritrea, 2002.
2. Columbus, Frank H., *Kosovo-Serbia: A just war?*, Nova Science Publishers, New York, 1999.
3. Atofarati, Abubakar A., *The Nigerian Civil War; Causes, Strategies and Lessons Learnt*, Internet, <http://www.africamasterweb.com/BiafranWarCauses.html>, 20/8/2010.
4. Mehenni, Ferhat, *Official Request for a Regional Autonomy Status in Kabylia*, 05/08/2008, Internet, <http://mak.makabylie.info/OFFICIAL-REQUEST-FOR-A-REGIONAL,00777?lang=en>, 12/8/2010.
5. Nanakumo, Ebipamone N., *Self-Government for the Ijaws is the Solution to the Niger Delta Conflict*, Internet, http://www.ijawfoundation.org/self_government.htm, 22/8/2010.
6. Justice Muluh Mbuh, *The Bakassi Peninsula Dispute*, Internet, http://www.postwatchmagazine.com/files/bakassi_notes.pdf, 23/8/2010.
7. "OAU Charter", Addis Abbaba, 23 May 1963, Internet, http://www.africa-union.org/official_documents/Treaties_%20Conventions_%20Protocols/OAU_Charter_1963.pdf, 2/9/2010.
8. "Constitutive Act of the African Union", Lome, 11 July 2000, Internet, http://www.africa-union.org/root/au/AboutAU/Constitutive_Act_en.htm, 2/9/2010.
9. "Treaty establishing Economic Community of Central African States", Libreville, 18 October 1983, Internet, http://www.iss.co.za/AF/RegOrg/unity_to_union/pdfs/eccas/eccastreaty.pdf, 2/9/2010.
10. "Treaty for the Establishment of the East African Community", Arusha, 30 November 1999, Internet, <http://www.eac.int/documents/EAC%20Treaty.pdf>, 2/9/2010.
11. "Treaty of Ecowas", Cotonou, 24 July 1993, Internet, <http://www.comm.ecowas.int/sec/index.php?id=treaty&lang=en>, 2/9/2010.
12. "Agreement Establishing the Intergovernmental Authority on Development", Nairobi, 26 March 1996, Internet, http://www.igad.org/about/agreement_establishing_igad.pdf, 2/9/2010.
13. "Declaration and Treaty of SADC", Windhoek, 17 August 1992, Internet, http://www.sadc.int/english/documents/legal/treaties/declaration_and_treaty_of_sadc.php, 2/9/2010.
14. "The COMESA Treaty", Kampala, November 5, 1993, Internet, http://www.comesa.int/comesa%20treaty/comesa%20treaty/Multi-language_content.2005-07-01.3414/en, 2/9/2010.
15. "Protocol Relating to the Establishment of the Peace and Security Council of the African Union", Durban, 11 July 2002, Internet, http://www.africa-union.org/root/au/Documents/Treaties/Text/Protocol_peace%20and%20security.pdf, 2/79/2010.
16. "The Beijing Declaration of the Forum on China-Africa Cooperation", Beijing, 12 October 2000 Internet, <http://www.focac.org/eng/ltada/dyjbzjhy/DOC12009/t606796.htm>, 2/9/2010.
17. "The Forum on China-Africa Cooperation - Addis Ababa Action Plan (2004-2006)", Addis Ababa, 16 December 2003, Internet, <http://www.focac.org/eng/ltada/dejbzjhy/DOC22009/t606801.htm>, 2/9/2010.

18. "The Africa-EU Strategic Partnership: A Joint Africa-EU Strategy", Lisbon, 31 October 2007, Internet, <http://europafrika.files.wordpress.com/2006/10/africa-eu-strategic-partnership.pdf>, 2/9/2010.
19. "The Delhi Declaration", 9 April 2008, Internet, <http://www.africa-union.org/root/au/Conferences/2008/april/India-Africa/India-Africa.html>, 2/9/2010.
20. "Abuja Declaration", Abuja, 30 November 2006, Internet, <http://www.iss.co.za/uploads/AFRISOUTDECL.PDF>, 2/9/2010.
21. "Treaty Establishing the African Economic Community", Abuja, 3 June 1991, Internet, http://www.africa-union.org/root/au/Documents/Treaties/Text/AEC_Treaty_1991.pdf, 2/9/2010.
22. "African Charter on Human and Peoples' Rights", Banjul, 27 June 1981, Internet, <http://www.africa-union.org/root/au/Documents/Treaties/Text/Banjul%20Charter.pdf>, 2/9/2010.
23. "Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World", Addis Ababa, 11 July 1990, Internet, www.chr.up.ac.za/hr_docs/african/docs/ahsg/ahsg33.doc, 2/9/2010.
24. "Declaration of the Assembly of Heads of State and Government on the Establishment within the OAU of a Mechanism for Conflict Prevention, Management and Resolution", Cairo, 30 June 1993, Internet, <http://www.africa-union.org/root/au/Documents/Decisions/hog/3HoGAssembly1993.pdf>, 2/9/2010.
25. "Algiers Declaration", Algiers, 14 July 1999, Internet, <http://www.africa-union.org/root/au/Documents/Decisions/hog/9HoGAssembly1999.pdf>, 20/9/2010.
26. "Resolution 1244 (1999)", United Nations Security Council, 10 June 1999, Internet, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/172/89/PDF/N9917289.pdf?OpenElement>, 10/9/2010.
27. "Press Release SC/6657", United Nations Security Council, 24 March 1999, Internet, <http://www.un.org/News/Press/docs/1999/19990324.sc6657.html>, 10/9/2010.
28. "Press Release SC/6659", United Nations Security Council, 26 March 1999, Internet, <http://www.un.org/News/Press/docs/1999/19990326.sc6659.html>, 10/9/2010.
29. "Press Release SC/6686", United Nations Security Council, 10 June 1999, Internet, <http://www.un.org/News/Press/docs/1999/19990610.SC6686.html>, 10/9/2010.
30. "Press Release SC/6873", United Nations Security Council, 9 June 2000, Internet, <http://www.un.org/News/Press/docs/2000/20000609.sc6873.doc.html>, 10/9/2010.
31. "Press Release SC/7340", United Nations Security Council, 27 March 2002, Internet, <http://www.un.org/News/Press/docs/2002/sc7340.doc.htm>, 10/9/2010.
32. "Press Release SC/7958", United Nations Security Council, 17 December 2003, Internet, <http://www.un.org/News/Press/docs/2003/sc7958.doc.htm>, 10/9/2010.
33. "Press Release SC/8056", United Nations Security Council, 13 April 2004, Internet, <http://www.un.org/News/Press/docs/2004/sc8056.doc.htm>, 10/9/2010.
34. "Press Release SC/9252", United Nations Security Council, 18 February 2008, Internet, <http://www.un.org/News/Press/docs/2008/sc9252.doc.htm>, 10/9/2010.
35. "Press Release GA/10764", United Nations General Assembly, 8 October 2008, Internet, <http://www.un.org/News/Press/docs/2008/ga10764.doc.htm>, 10/9/2010.
36. United Nations Security Council, "Meetings conducted / Actions taken by the Security Council in 2005", Internet, <http://www.un.org/Depts/dhl/resguide/scact2005.htm>, 10/9/2010.
37. United Nations Security Council, "Meetings conducted / Actions taken by the Security Council in 2006", Internet, <http://www.un.org/Depts/dhl/resguide/scact2006.htm>, 10/9/2010.

38. United Nation Interim Administration Mission in Kosovo, "About UNMIK", Internet, <http://www.unmikonline.org/intro.htm>, 10/9/2010.
39. United Nations Children's Fund, "Casamance, Rebuilding & Healing", Internet, http://www.unicef.org/infobycountry/files/leaflet_Casamance_low.pdf, 25/8/2010.
40. International Court of Justice, "Advisory Opinion: Accordance with international law of the unilateral declaration of independence in respect of Kosovo", 22 July 2010, Internet, <http://www.icj-cij.org/docket/files/141/15987.pdf>, 30/7/2010.
41. Egypt State information Service, "Egypt and Community of Sahel-Saharan States", Internet, <http://www.sis.gov.eg/en/Story.aspx?sid=323>, 2/9/2010.
42. President of the Republic of Serbia, "President Tadić's speech at the African Union Summit", Internet, <http://www.predsednik.rs/mwc/default.asp?c=303500&g=20080630103641&lng=eng&hs1=0>, 26/8/2010.
43. "Serbian FM visits South Africa", *B* 92, 14 April 2007, Internet, http://www.b92.net/eng/news/politics-article.php?yyyy=2007&mm=04&dd=14&nav_id=40673, 25/8/2010.
44. Encyclopedia Britannica, "Kabylia", Internet, <http://www.britannica.com/EBchecked/topic/309347/Kabylie>, 12/8/2010.
45. Encyclopedia Britannica, "Igboland and the Delta City-States", Internet, <http://www.britannica.com/EBchecked/topic/414840/Nigeria/55313/Igboland-and-the-delta-city-states>, 20/8/2010.
46. Encyclopedia Britannica, "Yoruba states", Internet, <http://www.britannica.com/EBchecked/topic/653817/Yoruba-states>, 23/8/2010.
47. World Statesmen Encyclopedia, "Jubaland", Internet, <http://www.worldstatesmen.org/Somalia.html#Jubaland>, 15/8/2010.
48. Unrepresented Nations and Peoples Organization, "Southern Cameroons", Internet, <http://www.unpo.org/content/view/7915/145/>, 24/8/2010.
49. Unrepresented Nations and Peoples Organization, "Somaliland", Internet, <http://www.unpo.org/content/view/7916/142/>, 15/8/2010.
50. Unrepresented Nations and Peoples Organization, "Oromo", Internet, <http://www.unpo.org/content/view/7917/135/>, 16/8/2010.
51. Unrepresented Nations and Peoples Organization, "Ogaden", Internet, <http://www.unpo.org/content/view/10714/302/>, 16/8/2010.
52. Unrepresented Nations and Peoples Organization, "Cabinda", Internet, <http://www.unpo.org/content/view/7864/99/>, 25/8/2010.
53. Global Security Center, "Western Sahara", Internet, <http://www.globalsecurity.org/military/world/war/western-sahara.htm>, 13/8/2010.
54. Global Security Center, "Ivory Coast Conflict", Internet, <http://www.globalsecurity.org/military/world/war/ivory-coast.htm>, 24/8/2010.
55. Global Security Center, "Mouvement des Forces Démocratiques du le Casamance (MFDC)", Internet, <http://www.globalsecurity.org/military/world/para/mfdc.htm>, 25/8/2010.
56. Global Security Center, "The Supreme Islamic Courts Union / al-Itihad Mahakem al-Islamiya (ICU)", Internet, <http://www.globalsecurity.org/military/world/para/icu.htm>, 15/8/2010.
57. Global Security Center, "Beja Congress", Internet, <http://www.globalsecurity.org/military/world/para/beja.htm>, 19/8/2010.
58. Global Security Center, "Caprivi Liberation Movement (CLM)", Internet, <http://www.globalsecurity.org/military/world/para/caprivi.htm>, 27/8/2010.

59. National Counterterrorism Center, "Al-Shabaab", Internet, http://www.nctc.gov/site/groups/al_shabaab.html, 15/8/2010.
60. Darfur Information Center, "About Darfur", Internet, <http://darfurinformation.com/about.asp>, 18/8/2010.
61. Movement for the Survival of the Ogoni People, "Ogoni Bill of Rights", Internet, http://www.mosop.org/ogoni_bill_of_rights.html, 23/8/2010.
62. Oodua People's Congress, "About the OPC", Internet, <http://ooduapeoplescongress.org/aboutopc.htm>, 23/8/2010.
63. Government of Somaliland, "Republic of Somaliland – Country Profile", Internet, <http://www.somalilandgov.com/>, 15/8/2010.
64. Government of Southern Sudan, "Southern Sudan", Internet, <http://www.goss-online.org/>, 18/8/2010.
65. Government of Southern Sudan, "History of Southern Sudan", Internet, <http://www.goss-online.org/>, 18/8/2010.
66. "Rebel Groups in Darfur", Internet, http://www.pbs.org/newshour/indepth_coverage/africa/darfur/rebel-groups.html, 18/8/2010.
67. "Barotse Patriotic Front", Internet, http://www.blurbwire.com/topics/Barotse_Patriotic_Front, 26/8/2010.
68. "Traite instituant l'Union du Maghreb arabe", Marakesh, 17. fevrier 1988, Internet, http://uma.leguide.ma/images/traite_de_marrakech.pdf, 2/9/2010.

STAV AFRIČKIH DRŽAVA PREMA PROBLEMU
KOSOVA I METOHİJE I DRŽAVNOG SUVERENİTETA
I INTEGRİTETA U AFRICI

APSTRAKT

U radu je data analiza generalnih stavova afričkih država prema problemu Kosova i Metoje i njihova povezanost sa pitanjem suvereniteta i teritorijalnog integriteta u Africi. Afričke države su generalno podržale očuvanje suvereniteta Srbije na Kosovu i Metojiji. Ta podrška je vezana za nacionalne interese afričkih država koji se odnose na očuvanje teritorijalnog integriteta, borbu protiv separatizma na svojoj teritoriji i uspostavljanje principa očuvanja suvereniteta i teritorijalnog integriteta država kao osnovnog principa međunarodnih odnosa u 21. veku.

Ključne reči: problem Kosova i Metohije, srpsko-afrički odnosi, srpska spoljna politika, Afrička unija, separatizam, suverenitet i teritorijalni integritet.