

The Role of the African Union and the Responsibility to Protect in the Democratic Republic of Congo (DRC): An Analysis

Manasseh Bassey

Department of Political Science
University of Uyo, Uyo, Akwa Ibom State
Email: mannass@rocketmail.com
Phone: 08023267770

Eyo Okon Eminue

Department of Political Science, Akwa Ibom State University
Email: eyoeminuel@gmail.com
Phone: 08164371756; 08029955566

Abstract

African Union (AU), formerly called the Organization for African Unity (OAU), was formed, primarily to foster harmony and cohesion among member states and has, played a crucial part in the inhibition and determination of crisis within Somalia (1980's), Cote D'Ivoire (2002), Libya (2011), Burundi (2015) and Sudan (2023). The study applied both the English School of thought in international relations and the Qualitative Comparative Method to the study of Political Science in the analysis of the responsibility of the African Union in safeguarding humanitarian conventions and essential rights in wartime. This study explored the role of the African Union in upholding the doctrine of the Responsibility to Protect (R2P) within the context of the Democratic Republic of the Congo (DRC), a Central African nation plagued by persistent conflict, mass atrocities, and humanitarian crises. The study evaluated qualitatively the capacity of the African Union to intercede in situations where the Congolese régime failed to defend its people from human rights abuses by analysing the African Union's capabilities through its peace-keeping architecture and mechanism. The study also highlighted the African Union's efforts to enforce African-led solutions, such as employing the use of regional forces and facilitating peace negotiations while also addressing the problems of limited resources, political will and harmonisation with other international bodies such as the United Nations (UN). This study assessed the successes and shortcomings or failures of the African Union's interventions, especially in addressing armed clashes in the East of the DRC and perceived "justified" atrocities perpetrated by both governmental and non-governmental actors. The analysis shed deeper light on the application of the principle of R2P in Africa while also offering insights as to how Africa can strengthen its framework for civilian protection and conflict resolution amidst complex geopolitical realities.

Keywords: Essential rights, humanitarian conventions, sovereignty, right to protect (R2P), sovereignty, AU, EU, UN, DRC.

Introduction

Regional bodies were established to foster cooperation and the welfare of their members. For one, Almakky (2023) records that the United Nations (UN), established in 1945, has as its primary missions, to uphold the peace, territorial integrity and security while advancing commercial and societal growth, upholding human rights, and providing platforms for state dialogue, while Bharti & Bharti (2024) describe the role of the European Union (EU) in emerging nations as an actor to

foster workable and societal and economic growth, harmony and safety. These regional bodies also have other avenues in place to checkmate the overbearing nature of stronger nations, which tend to exert excessive power over other smaller member nations among the committee of nations. Some of these instruments, aside from their constitutional and institutionalised structures, include placing economic and military sanctions on erring members. For instance, the United Nations and the European Union in contemporary times have placed significant commercial and military restrictions on Russia for its invasion of Ukraine to deplete its capabilities of building an arsenal and sustaining its offence on Ukraine while also guaranteeing the protection of human rights and freedoms (Biersteker, 2022; European Commission, n.d.).

On the other hand, even though the African Union was also established to ensure that the continent is free from all forms of colonisation and apartheid, promote harmony and cohesion among participating nations, synchronise and strengthen collaboration for growth, protect the authority and national integrity of participating nations, while also encouraging intercontinental collaboration (African Union, n.d.), it had been referred to as a “toothless-bulldog” (Michael, 2023), owing to its inability to checkmate overbearing powers of recalcitrant participating nations nor protect human rights and freedoms during periods of war or crisis. For instance, the recent coup d’état in Niger Republic in 2023 led by Gen. Abdourhamane Tchiani had seen Human Rights Watch (2023), Amnesty International (2025) and the International Federation for Human Rights (2024) allege that the junta in Niger had arrested and detained any individual or group which opposed it including members of the press and any form of peaceful protests or opposition. The Human Rights Watch (2024) had reported in 2024 that:

“The military junta in Niger has unlawfully arrested and detained the former President, Mohammed Barzoum, alongside 30 of his political appointees and several pressmen. They have also rejected external supervision on military spending, which showcases high-level corruption. The Nigerian authorities are urged to free all partisan detainees and guarantee minimal corruption and the respect for essential constitutional rights, particularly the constitutional rights that guarantee the freedom of the press.”

On its part, the Economic Community of West African States (ECOWAS), through its chairperson and current President of Nigeria, Bola Tinubu, placed sanctions bordering on border closures, freeze of assets of government officials and gave an ultimatum to the junta to prevent a contagion effect of the coup on the West African sub-region (Apanpa, 2023). In addition, even though Peyton & Onuah (2023) had recorded that the African Union suspended the Nigerien Republic from all its activities and also issued an ultimatum to the military junta to hand over to civil rule without delay, the African Union has not come up with any concrete deterrent action against it. The Tchiani junta is still in the saddle of leadership to date. The Junta has been making giant strides to justify its forceful takeover and has continually raised pertinent questions bordering on the powers and capabilities of the African Union over participating nations when it comes to the violation of human rights and humanitarian conventions.

Statement of the Problem

The principle of sovereignty, which is encapsulated in national autonomy, self-determination and territorial integrity and subsidiarity, is well-preserved and acknowledged in the constitutive document of the Organisation of African Unity in Article IV (g), which guarantees non-intervention by any external participating nation in the domestic affairs of another participating

nation. In contrast, that same doctrine contradicts itself in Article IV (h) by also permitting the African Union, the ability to intervene in the domestic affairs of another participating nation and in compliance with a consensus of the majority of the participating nations of the African Union, and in respect to substantial war-crime situations such as mass murder (genocide) and other offences during war which are detrimental to the existence of mankind (African Union, n.d.). This is a major contradiction which has contributed to constraining the powers of the African Union, especially with the groundswell of human rights violations in hot spots within the African continent. There has been evident neglect of elementary rights and humanitarian conventions, as has been evident in Liberia, through the targeting of political figures and civilians in 2024, which has continued to question the operationality of democracy in the country. Luther Collins had already tendered the sum of US \$14,800 to the Liberia Anti-Corruption Commission (LACC) as evidence of bribery and corruption within the Liberian legislature. He was summarily brutalised while trying to attend the hearing of the 2025 national budget in the National Assembly (Togba, 2024).

Consequently, this unconcealed neglect of human rights and humanitarian conventions, the world over, gave rise to the English School of International Relations, which is built around establishing differences in the perceptions of global organisation, global social order and global civilisation (Stivachtis, 2018). The English School propagates non-indifference over non-interference, particularly in the event of upholding humanitarian conventions and basic freedoms. Also these proponents of the English School believe that, when confronted with emergencies that require major decisions to either save or loose human lives or grave circumstances within a defined domestic territory, the moral universal individual must be prepared to ask its security agencies to endanger itself and more so, if nationally essential, they must lay down their lives to stop criminalities harmful to the people and their territorial integrity therein (Travasoni, 2022), even without authorization of the United Nations Security Council (UNSC), if necessary- inferring that the good universal individual would be ready to go against the universally acknowledged principle of non-intervention in the domestic dealings of other nations, respect for the authority, freedom and national integrity of other nations and the doctrine of non-use of threat or force in the determination of inter-State wars. (Dunnie, cited in Bellamy & Williams, 2011, p.66). The doctrine of sovereignty and subsidiarity is one of the constraining factors against the African Union in the prevention of human rights violations and the disregard for humanitarian conventions.

Objectives of the Study

This study intends to:

1. identify the limitations of the African Union in tackling human rights misapplications and neglect of humanitarian conventions in the African region.
2. proffer solutions that will strengthen the African Union in its bid to reduce the disregard for global humanitarian conventions and essential civil liberties in the African continent.
3. aid as a reference for future study on human rights violations and the African Union as a whole.

Research Questions

The research questions of this study are:

1. What factors mitigate against the African Union's ability to tackle human rights violations and the neglect of humanitarian conventions in the African Sub-region?
2. How can the institutions of the African Union be reinforced for better humanitarian conventions and rights protection in Africa?

3. Does the principle of sovereignty and subsidiarity limit the powers of the African Union in acting on human rights violations and disregard for humanitarian conventions in the Democratic Republic of Congo?

Literature Review

The Concept of Human Rights Clarified

According to Mingst (2004), elementary rights have been articulated by political theorists and have been classified into first, second and third grades/levels of elementary human rights. The first category, as espoused by John Locke (1632-1704) and other political theorists, consists of those essential rights owned by the individual(s) which the government/state cannot not usurp because public authority was intended to protect these rights; rights and privileges such as right to free expression, free assembly, free press, life, liberty, ownership of property and other means of production, freedom of worship etc. In his opinion, these rights are classified as negative rights owing to the fact that they are constituted by political and civil means.

For the second classification of human rights, Mingst (2004) was quick to point out that these rights were developed by the disciples of Karl Marx and are essentially attributed to the well-being of industrial labourers. He implies that the obligation of the government is the overall welfare of its citizenry, and the ability of every state to enable and empower its industrial labour workers can be beneficial for socio-economic advancement. The government has the obligation to make adequate provision for amenities that would guarantee the social welfare of the citizenry, as such, he outlined the rights to include the right to health care, housing, education and social security. He refers to these rights as positive rights.

The third classification of rights was a creation of the late twentieth-century theorists who specified statutory rights for groups, including traditional or aboriginal minorities within a state or selected distinct clusters such as females and children. He clarified that some theorists had gone further by compressing group rights to individual rights, as such, they comprise the right to a safe environment, the right to peace and human safety and the right to live in a democracy. He also noted that the United Nations had also approved the universally accepted document on the declaration of essential rights in 1948, which was a clear statement of human rights aspirations that housed the doctrines, where economic and political rights had been identified and later classified into the International Covenant of Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. These are now both referred to as the International Bill of Rights and were approved in 1966, ratified in 1976 and extended to comprise the distinct resolutions for women and other evacuees and refugees while also catering for all other forms of prejudice.

According to the UNICEF (n.d.), elementary rights are values that distinguish and safeguard the self-esteem of all men. Human rights administer how individuals live in the world and with each other, alongside their interactions with the governmental authorities and the responsibilities that the governmental authorities exercise for their welfare. The United Nations (UN) also describes elementary rights as rights characteristic to all men, irrespective of language, sex, nationality or race, ethnicity or religion. Elementary rights comprise freedom from suppression, captivity and torment, freedom of opinion and expression, the right to life and liberty, the right to work and education, amongst others. Everyone is entitled to these rights, without any form of discrimination (United Nations, n.d.).

Theoretical Framework

Conceptual and Theoretical Issues

In the examination of the responsibility of the African Union in safeguarding against abuses of essential rights and the flagrant disregard for humanitarian conventions in the Democratic Republic of Congo, the English School of International Relations has been adopted, while also employing a Qualitative Comparative Study as the basis for analysis. The English School of thought, often referred to as the “English School”, as pioneered by Bull (cited in Stivatchtis, 2018), is a coinage that refers to a group of mainly English theorists who perceive global society as the principal article of investigation in international relations and in the search for the attainment of peaceful global order. According to Stern (2000, p.56), global society exists where there are distinct and independent political components, substantial connections between them to a certain degree, which acclimatise their behaviour and the main principles which shape such norms, ethics and organisations as exist among the political units. The proponents of the English school of thought include Bull Hedley, John Vincent, Tim Dunne, and Robert Jackson, to mention a few. They presuppose the total divergence from the conformity to the principles of non-intervention by participating nations within sub-regional bodies in deference to the principles of non-indifference, especially when it pertains to disregard for humanitarian conventions, International human rights and its extant conventions. They leverage the tenets of the R2P (obligation to defend human lives and essential rights during periods of warfare) as was adopted by the United Nations in 2005.

To the English School theorists, there are 7 fundamental tenets, which include the following:

1. People and the various groups or societies into which they fit are the essential members of the social order.
2. The conception of individual obligation for the breach of the conventions of warfare has priority over the varied obligations towards legitimate national authority and sovereign invulnerability.
3. Violations of both the rules of warfare and essential human rights must be sanctionable in both internal and global courts.
4. The authority of a nation is restricted when it pertains to obedience with the international conventions of Human Rights or International Humanitarian Conventions.
5. Nations have tasks as guardians/defenders of essential human rights universally.
6. Emphasis shifts from non-interference in the domestic dealings of nations to the principles of intervention and collective responsibility.
7. Humanitarian Intervention.

On the other hand, the cross-analysis applied when political examination has to be done, is an essential instrument of investigation as it refines the ability to elucidate and compare between one political system and another while considering indicative comparisons and variations between cases. According to Collier (1992), it refers to the procedural questions that stem from the methodical appraisal of minor cases. It is the relative analysis of other nations, people, and different political institutions and investigates the likenesses and variances among those political institutions. It also involves the analysis of external ideology.

According to Stafford (2013), relative investigation is a method in political discipline that is applied in the study of political arrangements, organisations or procedures. He noted that this comparative analysis could either be done at the domestic level using the national governments and their institutions, using sub-regional fora such as the African Union, the European Union, etc. and using global fora such as the United Nations as the SI unit of analysis. It ensures that its investigation into politics is centrally about a system, without particular recourse to one particular

object within the system. It is thus an exceptional model of analysis, especially where other disciplines target their focus towards a particular theme or emphasis of analysis.

Methodology

The study is essentially qualitative and comparative. The method applied is qualitative with particular reference to the literature-based approach. In the literature-based approach, it is pertinent to note that information gathered should form a guide or a sort of description or narrative of events from interpretive materials such as factual analysis of certified papers, books by authorities in the field of political science and international relations, detailed and reliable information from credible news agencies found in cyberspace etc. The literature-based approach is an indirect or interpretive materials. This study depends primarily on interpretive materials/ data such as written accounts, articles, PDF downloads (book chapter(s), bulletins, political analysis, etc.) and any relevant and reliable information from the internet and other documentary evidence. The technique employed in analysing all interpretive materials derived for this study is the qualitative-content-based analysis (descriptive analysis).

The Concept of the Responsibility to Protect (R2P) Clarified

The Responsibility to Protect (R2P) is a multifaceted policy document that was universally agreed upon and accepted at the World Summit Meeting in 2005 by affiliates of the United Nations General Assembly (UNGA) as a standard or parameter for checkmating against large-scale barbarism and wrongdoings during periods of crisis or war. According to the Global Centre for the Responsibility to Protect, R2P is a global norm that seeks to guarantee that the global community never again misses the mark in bringing to an end the large-scale massacre and transgression of mass manslaughter, war criminalities, racial or cultural purge and other criminal behaviour against humanity (GCRP, n.d.). It is a parameter for defending noncombatants in collapsing/collapsed administrations during times of conflict or warfare. Also, according to the United Nations, the concept of R2P is the reaction of the global community to the uncivilised desecrations of essential rights in the world (United Nations, n.d.). It is the acknowledgement of the Heads of each participating nation on their collective responsibility to protect their own people from extermination, war criminalities, racial or cultural purge and offences against humanity. It further records that R2P was birthed as a result of killings committed in the Balkans- (Srebrenica Massacre-1995; Siege of Sarajevo-199-1996; Vukovar Massacre-1991; Ethnic Cleansing in Kosovo- 1998-1999; Ahmići Massacre-1993), Rwanda and the NATO intervention in Kosovo, where the global community was unsuccessful in averting human rights violations of humanitarian conventions. The failure was criticised and classified by many as a violation of the embargo on the use of force.

Also, the Global Centre for the Responsibility to Protect (2021) describes the concept of R2P, in response to the calamities in Rwanda and Kosovo, as the defense of residents from flagrant violations and crimes against humanity by nations and with the relief from the global community and in the event where the nation is manifestly failing in this responsibility, the global community is obliged to wade in. For the GCRP, even though it rationalises the applicability of R2P to exclude other abuses of human rights, it includes weighty challenges to human safety from diseases, climate change or detrimental or calamitous national policies such as those which bring about predominant and widespread poverty, mass exploitation and fraud or the deferral of civil freedoms. There is a general agreement that R2P maintains that the global society must arbitrate in four key areas: in the event of a mass massacre, mass cultural or racial purge, war criminalities and crimes against mankind. In this regard, this article will rely on the contextualization by Bellamy and

Williams (2011). To them, and with reference to the United Nations' international responses, guarding against the abuse of essential rights, which is also referred to as the "principle of human protection" and the "politics of protection" in conflict situations, is dependent on the successes or failures and legality of the missions that the United Nations Security Council authorises. This is with particular reference to the safeguarding of elementary rights. They point to the non-governmental and governmental actors involved in influencing which issues get debated in Council, how they are framed and the range of possible Council responses, as those with the responsibility to guard against the mass atrocities and humanitarian conventions and elementary rights violations. Additionally, they argue that the contemporary policy of protecting noncombatants showcases four major principles or features as follows;

1. The focus of the international society on the protection of noncombatant civilians as is seen in the United Nations' General consensus on the responsibility to protect (R2P) and its practice in relation to peace operations;
2. The necessary use of armed force for noncombatant defence purposes;
3. The critical relations of the United Nations Security Council and stakeholders in specific regional arrangements and;
4. The consensus among advocates and governments to retort to crisis through the United Nations Security Council and important regional bodies.

In light of the above, the study will examine the responsibility to protect exhibited by the African Union vis-à-vis the United Nations and the European Union while citing historic and contemporary examples.

The Right to Protect Exhibited by other Regional Bodies

War and conflict between governments in the global system have seen distinct responses from regional bodies as it pertains to the defence of essential rights and observance of humanitarian conventions or meting out punishment for human rights violations during war and conflict. Reminiscent of Bellamy & Williams' (2011) recap, the unanimous acceptance of R2P (Responsibility to Protect) by United Nations affiliate nations at the 2005 World summit, which acknowledged states' responsibility to defend their population from extermination, crimes committed during warfare, cultural and racial purging and other offences against mankind. By implication, the global society had a responsibility to defend its citizens through various provisions as enshrined in the constitutive document of the United Nations (established in 1945) and also, who take appropriate and significant action in the event where states are noticeably unsuccessful in protecting their population against these crimes. It is pertinent to recognise that though the constitutive document of the United Nations does not enumerate human rights of citizens, it only reaffirms total belief in upholding essential rights, human value and human dignity and equality of all men and women, no matter the strata in society and propagation of social development and qualitative life and freedom (Popovski, n.d.). The United Nations also established the Economic and Social Council to encourage and prevent against the violations of these essential rights (Article 62). In order to be clear, this study will cite examples of instances where other regional bodies, such as the United Nations and European Union, have frowned on human rights abuses while focusing more attention on the efforts or failures of the African Union in combating the violations of essential rights within the African region.

The United Nations on R2P

On its part, the United Nations has combatted the neglect of humanitarian conventions and violations of essential rights in the past through structures such as:

- A.** The International Court of Justice (ICJ): The ICJ has proved effective in fighting war crimes against humanity by its convictions and attempted convictions against the following:
1. Thomas Lubanga Dyilo of the Democratic Republic of Congo, convicted for the forceful recruitment of child-soldiers and the use of these child-soldiers in hostilities (Human Rights Watch, 2012)
 2. The International Criminal Court also reported the conviction of Germaine Katanga of the Democratic Republic of Congo on March 17, 2014, for aiding and abetting while also being accused of one count of wrongdoings against mankind that included homicide, assault on noncombatant residents, obliteration of property and plundering perpetrated on the 24th of February 2003 in Bogoro village, Ituri District (International Criminal Court, 2014).
 3. Also, even though he was later acquitted in 2016 by the International Criminal Court, Jean-Pierre Bemba of the Central African Republic, was convicted for failing to stop mercenaries from crimes against mankind, such as assassination, mass raids and sexual assault in the CAR. He was in custody of the ICC for 10 years before his exoneration in 2016. (International Criminal Court, 2016).
 4. Ahmad Al Faqi Al Mahdi of Mali was found guilty of war crimes and attacks against sacred and famous edifices in Timbuktu, Mali, in June and July 2012. (International Criminal Court, 2016).
 5. Omar Al Bashir of Sudan is the pioneer sitting President to be prosecuted by the ICC for purportedly leading a campaign of annihilation, sexual assault and plundering against noncombatants in Darfur, Western Sudan. Omar Al Bashir is still at large till date. (International Criminal Court, 2021).
 6. Joseph Kony of Uganda, who is still at large and whom ICC prosecutors seek to prosecute for his purported sins against mankind, including manslaughter, assassination, and the forceful use of baby-soldiers, sexual servitude, forceful wedlock and forceful pregnancy. (International Criminal Court. n.d.).
- B.** United Nations Security Council Referrals such as Resolution 1593, 1970 and 2085 which led to the indictments of Omar Al Bashir of Sudan for purportedly leading a campaign of mass murder, sexual assault and plundering against noncombatant civilians; Muammar Ghaddafi, Saif Al-Islam Ghaddafi and Abdullah El Senesi (for homicide and torture of noncombatant civilians as crimes against the people) under Articles 7(1)(a) and 7(1)(h) of the Roman Law. After Gaddafi's death, the ICC dropped all charges and closed the case (United Nations, 2005; United Nations, 2011a; United Nations, 2012b).
- C.** Special tribunals such as the International Criminal Tribunal for the former Yugoslavia (ICTY) – 1993 which addressed war criminalities against the populace, and massacre in the former Yugoslavia; the International Criminal Tribunal for Rwanda (ICTR) – 1994 which indicted massacre, war criminalities against the populace perpetrated during the Rwandan massacre; the Special Court for Sierra Leone (SCSL) – 2002 which tried those answerable for war criminalities against the populace, and other serious abuses during the Sierra Leone Civil War; the Extraordinary Chambers in the Courts of Cambodia (ECCC) – 2006 which indicted senior leaders and those answerable for killings perpetrated during the Khmer Rouge regime; the Special Tribunal for Lebanon (STL) – 2009 which investigated and indicted those answerable for the murder of former Lebanese Prime

Minister, Rafik Hariri and other linked crimes. (UN, n.d.; Labuda, 2020; Jalloh, 2020; International Centre for Transitional Justice, 2009; McMillan, n.d.).

- D.** Fact-Finding Missions such as the United Nations Fact-Finding Mission on the Gaza Conflict (2009), which was to look into all abuses of human rights and disregard for humanitarian law within the framework of the armed operations in Gaza between the 27th of December 2008 and the 18th of January 2009; the United Nations Commission of Inquiry on Syria (2011), which according to the United Nations Human Rights Council, was to examine all suspected abuses of global human rights conventions in the Syrian Arab Republic beginning from March 2011 and submit its discoveries; the United Nations Fact-Finding Mission on Myanmar (2018), that established the realities and situations of the suspected human rights abuses by the security forces and misapplications of power in Myanmar, South East Asia; the United Nations Independent International Fact-Finding Mission on Venezuela (2019) established to evaluate essential rights abuses commencing from 2014, which involved the harassment of antagonistic sects, migration, food shortages and starvation, sexual prejudices exhibited to Venezuelan females and their girl-children; the United Nations Commission of Inquiry on the 2014 Gaza Conflict, established to examine all abuses of global humanitarian law in Palestine, as well as East Jerusalem, predominantly in the Gaza Strip and within the framework of the military processes conducted from 13 June 2014 among others. (UN, 2009; United Nations, n.d.; Amnesty International, 2018; United Nations Human Rights Council, n.d.; United Nations, n.d.).
- E.** Monitoring and reporting, which promotes transparency and accountability, humanitarian response and assistance, supports peacekeeping and peace building efforts and enhances United Nations coordination responses and provides evidence for international criminal investigation and prosecutions.
- F.** Military and economic restrictions have extended from all-inclusive economic and trade restrictions to other actions, such as the prohibition of weapons and travel limitations. These sorts of sanctions are primarily placed on countries to serve as a deterrent and also deplete their arsenal. For instance, the United Nations Security Council (UNSC) had placed restrictions on Somalia in 1992, barring the procurement or transfer of weapons and other military gear to Somalia, with exceptions to arms shipments for humanitarian and defensive use and with prior UNSC approval to curb the high rate of human rights violations and abuses. (Stockholm International Peace Research Institute, n.d.).
- G.** Accountability Mechanisms such as Fact-Finding Missions through experts who investigate essential rights violations, Commissions of Inquiry which the UN establishes for specific situations like the Commission of Inquiry in Syria, the Human Rights Council Resolutions, Security Council Referrals, International Criminal Court which examines and arraigns persons answerable for war crimes against humanity and massacre, and UN Peacekeeping Operations which are proposed to defend noncombatant civilians and report any form of essential rights violations etc. (United Nations Human Rights Council, 2025; Universal Rights Group, n.d.).

The European Union on R2P

On its part, the European Union has also set in place mechanisms to treat human rights abuses during war periods in member states, which include the following:

- a. European Court of Human Rights (ECtHR), which is an independent court that hears cases related to human rights abuses. For instance, the ECtHR had tried a case of human rights abuses against Mr. Aksoy by the Turkish government in 1996; against Russian officials for human rights abuses in Chechnya (Isayeva vs Russia, 2005), Ukrainian officials for torture and ill-treatment (Sambiyev vs. Ukraine, 2013), against British military personnel for violating Article 2 (right to life) in Iraq in the case of Al-Skeini vs. UK, 2011, Turkish soldiers for human rights abuses in Northern Cyprus (Cyprus vs. Turkey, 2011), and against countries such as Russia (Georgia vs. Russia, 2014), Turkey (Cyprus vs. Turkey, 2001) and Azerbaijan for abuses during the 2020 Nagorno-Karabakh conflict (Armenia vs. Azerbaijan, 2020). (ECHR, 1996; ECHR, 2005a; Human Rights Watch, 2019; ECHR, 2001b; ECHR, 2023c; ECHR, 2001d; Amnesty International, 2022).
- b. European Commission: Propagates the interest of the European Union by recommending and implementing conventions as well as by applying procedures and documenting the European Union's expenditure. (European Union, n.d.).
- c. European Union Agency for Fundamental Rights (FRA): An agency that delivers autonomous, factual information to the European Union and individuals of influence and policy makers, thereby improving the level of engagement on issues bordering on fundamental rights (European Union, n.d.).
- d. Council of Europe: Another institution of the European Union that propagates human rights, consensus, and the rule of law. (Council of Europe, n.d.).
- e. EU Human Rights Dialogues: Regular discussions with member states to address human rights concerns. (European Union, n.d.)
- f. EU Guidelines on Human Rights: Provides a context for propagating and protecting human rights. (European Union, n.d.).
- g. European Union Sanctions: The European Union has imposed sanctions to address the issues of human rights abuses. It has responded to human rights abuses by sanctioning any form of development aid (Burundi, for example) or withdrawing everything, as was temporarily lifted in the case of Cambodia, against member states that violate human rights. (European Union, 2025).
- h. European Parliament: Exercises parliamentary oversight and holds debates and inquiries on human rights issues. (European Parliament, n.d.)
- i. European Union Military Operations: Human rights are integrated into EU military operations and peacekeeping missions. (European Union, n.d.).
- j. Cooperation with International Organisations: The European Union works with organisations like the European Union, OSCE, and ICRC to address human rights abuses. (European Commission, n.d.).

It is worth noting that during war periods, the European Union may also:

1. Deploy fact-finding missions to investigate human rights abuses.
2. Impose targeted sanctions on individuals or entities responsible for abuses.
3. Provide humanitarian assistance and support to affected populations.
4. Engage in diplomatic efforts to promote peaceful resolution and human rights protection.
5. Support international investigations and accountability mechanisms.

While the European Union has these mechanisms in place, their efficacy can be contingent on numerous influences such as political will, collaboration from participating nations, and the complexity of the struggle.

The African Union on the R2P

The African Union has an expedient responsibility in fostering peace, security, and stability on the continent (African Union, n.d.), but as earlier stated, due to certain constrictions and limitations, it remains ineffective as it has been earlier referred to as a “toothless bulldog” when compared to other regional bodies such as the European Union and the United Nations. In clear contrast, the European Union and the United Nations have exhibited a full grasp of their control over their regions to the African Union’s control over the African sub-region (in the aspect of monitoring and punishing essential rights offenders and enforcing the adherence to humanitarian conventions) by placement of sanctions on erring and overbearing nations which in turn have negative effects and serve as deterrents to other member states. For instance, the recurring war between Russia and Ukraine has seen both the European Union and the United Nations place significant economic and military sanctions on Russia to weaken its capabilities in building an arsenal and sustaining its attacks on Ukraine (European Council, 2024). Also, to ensure to efficacy of these sanctions, the European Union’s dependence on Russian energy may have been revised drastically as alternative sources of energy have also been sought in order to cripple the Russian economy drastically. Despite the ongoing Russia-Ukraine gridlock, significant progress has been made in deterring and curtailing the excesses of Russia by the United Nations and the European Union.

In this regard, the African Union has been ineffective in compelling its participating nations to pursue peace and diplomacy while respecting fundamental and essential rights and laws that regulate these essential rights. Even though the constitutive document of the African Union had, at inception, articulated the resolve of the organization which was to; propagate the harmony and cohesion among African States; harmonize and strengthen their collaboration with the aim of achieving better welfare for a better life for the peoples of Africa; protect the legitimate authority of each participating nation, within respective territories and their independence; eliminate all forms of Imperialism within the African continent and propagate global collaboration, and show due respect to the constitutive documents and conventions of the United Nations and the Universal Declaration of Human Right, the African Union has been unable to checkmate and curb the scourge of essential rights violation and flagrant disrespect for humanitarian conventions within the region.

For instance, Amnesty International had reported in 2024 that there were renewed incidences of violence coupled with extensive anguish of noncombatants who were victims of hostilities across the Sudan region. It also recorded the disrespect for international humanitarian laws by the perpetrators of these hostilities, which it says were very frequently recurring and appalling, owing to the targeted areas and indiscriminate offensives by the perpetrators. It also noted how the perpetrators of these offences committed sexual assault and criticised the clampdown on human rights activists for freedom of speech, expression against bad government policies, protests for corruption, etc. Prominent among these was the assassinations of popular human rights activist, Thulani Maseko in Eswatini and journalist Martinez Zogo in Cameroon, and the sudden demise, in apprehensive situations, of Rwandese analytical reporter John Williams Ntwali.

This study focuses mainly on the humanitarian crises in the Democratic Republic of Congo, while making references to the African Union’s efforts in the DRC, which is involved in an armed struggle and the supposed culprits in the violations of humanitarian conventions and essential rights and the efforts of the AU in dealing with disregard for humanitarian conventions and essential rights.

Democratic Republic of Congo: A Political Conflict Leading to Instability and Humanitarian Crisis

Bahati (2025) recorded that then President Jose Eduardo dos Santos of Angola, despite the severed relations between the Democratic Republic of Congo and Uganda that led to the establishment of the Luanda and Nairobi processes, mediated a 2002 armistice and normalization of relations between the two governments- which was guided diplomatically with the aid of a provincial peace enterprise targeted at the resolution of the conflict in Eastern DRC. This was with particular reference to armed non-state actors. Bekele (2025) described the role of Angola in contemporary times as being “instrumental” in its conflict resolution efforts in the region through its leadership of the Luanda Process. He records that the Angolan President, João Lourenço, had expressed deep concern over recent escalation, condemning the actions of M23 and their illegal occupation of the towns of Sake and Minova and called for a return to negotiations; a call which was reiterated by Angola’s permanent representative to the United Nations, Francisco da Cruz, during a recent United Nations Security Council meeting.

The Centre for Preventive Action (2025) thought that the political conflict in the DRC was an offshoot of the 2018 Presidential election crisis which saw the disqualification of prominent political figures such as former Prime Ministers Adolphe Muzito, Antoine Gizenga, Samy Badibanga; Jean-Pierre Bemba, former Vice President and of the Movement for the Liberation of the Congo’s rebel leader, Moïse Katumbi, a former Governor of Katanga Province who was condemned to 3 years in prison for real-estate scam; and Bruno Tshibala, the Prime Minister since 2017 (CPA, 2024). As a background to this assertion by the CPA, Englebert (2019) had reported that the electoral body, the National Independent Electoral Commission (CENI), announced conditional results against all independent evidence, which stated that the opposition candidate of the Union pour la Démocratie et le Progrès Social (UDPS), Felix Tshisekedi, had garnered 38.5% of the votes to win against major contenders such as Martin Fayulu of the Lamukaa Opposition Alliance (34.7%) and Emmanuel Ramazani Shadary (23.8%) with the participation rate at 47.6%.

Fast-forward to the next election cycle in 2023, and the incumbent President Tshisekedi, who was seeking a second term in office against 22 other contenders, was announced by the National Independent Electoral Commission (CENI) as the winner of the election. Natulnya (2024) noted that the election was engulfed in widespread irregularities (flawed, largely marred with violence and electoral irregularities), which made it difficult to verify the results presented by CENI. She also disputed the veracity of the claims that the incumbent President scored an overwhelming 72% of the overall votes owing to the strong support base of the main opposition contenders and opinion polls conducted before the elections, which showed that no candidate had gained popular votes.

Natulnya (2024) also noted that despite major opposition candidates, such as business mogul, Moise Katumbi who scored 18% of the ballots, Martin Fayulu who scored 5% of the ballots, Nobel Peace Prize winner Denis Mukwege with 0.02% of the votes, civil society leaders called for a cancellation and called for the elections to begin afresh, rejecting the results of the elections with the claims of “massive fraud and treachery”. These calls fell on deaf ears as President Tshisekedi was sworn in for a second term in office in January 2024, bringing fresh legitimacy issues to his administration, even as the polls were largely condemned by the international press on one hand, and were endorsed by some segments of the global community on the other hand. This legitimacy issue for Tshisekedi further fueled hostilities by belligerents in a bid to destabilise the polity in the Democratic Republic of Congo.

In a follow up to the presidential elections, there were also straightforward confrontations recorded between the security forces and rebellious groups, most especially the “M2”- a largely ethnologically Tutsi dissident group with affiliations to the Rwandan and Ugandan governments, ISIS-DRC also referred to as the Allied Democratic Forces (ADF)- an ISIS-associated mercenaries group, Cooperative for the Development of the Congo Orientale (CODECO) and *Démocratique de Libération du Rwanda* which is translated as Democratic Forces for the Liberation of Rwanda (FDLR) composed of the Hutus and operating in the DRC. The report places the total number of dissident groups active in the Eastern region of the DRC at “over one hundred. Since the 28th of January 2024, hostilities between the security forces of the DRC and M2 intensified in several areas of the Eastern Province, with M2 extending its control further South (CPA, 2025). Consequently, a large percentage of the populace in Goma and South Kivu of the DRC were displaced. Conflicts over land and resources further fueled the violence and displacement, as the hostilities between the dissidents from Congo and M23 rebels had forced over 200,000 noncombatants to escape from their homes in search of refuge, while nearly 20,000 children had their education affected due to the hostilities.

The rebirth of the M23 rebel group was a security threat which had deteriorated while the M23 (and sometimes the government) committed prevalent mayhem, criminal assassinations and other severe violations, including the forceful recruitment of child soldiers. The report by Human Rights Watch (2022) also asserted that Rwanda and Uganda were responsible for the steady supply of ammunition and improved weaponry and protective measures, which have enabled the M23 rebel group to overrun United Nations-backed Congolese troops and capture territories.

President Tshisekedi continued to lose his grip on the Eastern Province of the Democratic Republic of Congo, and in the wake of attacks and hostilities between the dissidents and the military, the administration began to clamp down on political opposition members, journalists and activists while restricting their fundamental liberties and freedoms. Consequently, the US Department of State (2020 p. 2,3) recorded that there were substantial human rights infringements with reliable accounts of illegal or random killings, including non-judicial carnages, torment, painful, insensitive, or humiliating inhumane treatment and oppression of non-hostiles by the authorities, punitive and deadly correctional facilities and environment, unreasonable and unjust arrest or imprisonment, political detention of innocent opposition leaders; lack of freedom of the judiciary, uninformed or illegal interference with individual privacy, severe limitations on freedom of speech and press, as well as unwarranted arrests, trials and suppression of the press, considerable meddling with the liberty of peaceful assemblage and freedom of association; the lack of internalized democracy. Others include zero protection from violence against women and other misogynistic violations, violence directed towards the gay, transgender, queer, intersex or bisexual community and the restraining of global human rights organisations.

The United States also criticised President Tshisekedi and members of his administration for high-level impunity and for not taking satisfactory measures to arraign and discipline government representatives and members of the security forces who perpetrated essential rights violations or acts of malfeasance. Amnesty International substantiated this criticism when it reported that the evident lack of adequate security and indemnity stalled the institutionalisation and respect for essential rights in the Democratic Republic of Congo, even after one year in office.

Sequel to these accusations by the United States and Amnesty International, dissidents and belligerents weren't absolved of blame either as Burke (2020) recorded Deprose Muchena, Director for Eastern and Southern Africa, Amnesty International, as saying that President Tshisekedi had moved to grant amnesty to political detainees and also sought for exiled opposition to return which translated to the fact that his administration was not accountable and as such,

offenders and individuals who are culpable of human rights abuses and violations may still be walking free.

In addition, A Special Representative of the Secretary-General in the DRC and Head of the UN, Bintou Keita, who introduced to the discussions in Goma, the diplomatic principle of “dual-engagement” and mutual respect during these engagements, berated the crisis and the activities of the rebels as she posited that the rebels also wanted a diplomatic resolution to the catastrophe, which had deteriorated, especially with the seizure of the major city of Goma on the 25th of January, 2025. (Booty and Ross, 2025).

On its part, the Department of State of the United States, through its Spokesperson, Matthew Miller, condemned the activities of the dissident M23 in the Democratic Republic of Congo, while indicting Rwanda for being complicit in its funding and provision of military capabilities, which had encouraged the violent hostilities in the Eastern Province of the DRC. He noted that the US condemned the escalating mayhem in the Eastern Province of the DRC, which was allegedly triggered by the M23 and which derived its backing from Rwanda, despite being unauthorised and restricted through sanctions by the United Nations and the United States. He noted that the increase in tensions, occasioned by the M23, also led to the rise in abuses against noncombatant civilians who had either been dislodged, denied the basics for welfare and survival as a citizen and thus, were vulnerable to the planned attacks. He condemned Rwanda’s backing of the M23 and also suggested the withdrawal of the Rwanda Defence Force security personnel and all its armoury from the DRC, and also the removal of M23 from the regions of Sake and Goma, as was championed during the Luanda and Nairobi processes (France-Presse, 2024).

The Council of the European Union also voiced its worry over the escalation of hostilities in the DRC triggered by the propagation and the utility of cutting-edge weapons and air arsenal by the M23 rebel groups against the US-backed Congolese army, which had produced a humanitarian crisis that exposed millions of individuals to human rights violations, dislodgment, scarcity and gender-based violence, while also condemning the activities of the M23 rebel group and reaffirming its unwavering backing for the Luanda and Nairobi procedures. The EU underscored the importance of exploring diplomatic solutions to the hostilities, noting that the crisis was purely political and not military. The EU reiterated its unwavering backing for the Luanda and Nairobi processes, noting the political nature of the tensions, which could only be doused with a comprehensive and all-encompassing diplomatic discourse between Rwanda and the DRC. This support was geared towards the application of the decisions taken within the framework of provincial peace initiatives and guaranteeing deference of authority to harmony and territorial integrity of all the member-states in the region. (Council of the European Union, 2025).

Unlike responses from other regional bodies, for the AU, even though it had made efforts to resolve the heightened crisis in DRC, the effects of these efforts were marginal (Woldemichael, 2021). The AU could not intercede and determine the DRC crises as would have been expected, owing to the ethics of national authority (non-intervention) and sovereignty and despite the principle of collective responsibility in Article 4 (h) of the fundamental laws of the AU, which safeguards the right of the Africa Union to interfere in any location within the African continent in accordance with a decision of the General Assembly as it pertains to extreme situations including war criminalities, massacre and other crimes against the human populace (African Union, n.d.). Woldemichael (2021) exemplified the problems attendant with the ethics of national authority and collective responsibility when he referred to the request by Thabo Mbeki, the then South African President, seeking the intervention in what he referred to as the “illegitimate contention” of Alassane Ouattara, his Ivoirian counterpart at the time, who was attempting a third shot at the presidency in October 2020. The African Union Commission (AUC) Chairperson,

Moussa Faki Mahamat, in response to Mbeki's request, had acknowledged the African Union's deficiency in the dependable execution of lawful and procedural provisions by highlighting the multilateral nomenclature of the African Union, which had all decision-making organs headed by participating nations. Mahamat also emphasised the inherent restrictions placed on the African Union by the doctrine of sovereignty and collective responsibility, which had limited its involvement in Côte d'Ivoire, Guinea, Mali and Burkina Faso.

On the crisis in the Democratic Republic of Congo, the African Union was also limited in its intervention, though the AU, through the AU Peace and Security Council (PSC), had spoken up against the aggressions by the March 23 Movement (M23), the Forces Démocratiques de Libération du Rwanda (FDLR), the Allied Democratic Forces (ADF), including other belligerent forces active in the Eastern DRC. These condemnations were contained in two of its communiques, unanimously accepted at its 1140th and 1145th meetings respectively in 2023 (African Union, 2025). The AU further restated its unwavering commitment to respect the authority, harmony and border sovereignty of the DRC in its objectives for harmony, permanency, socio-economic growth and expansion. It further echoed the fact that there could be no reasonable and justifiable armed resolution to the warfare and emphasised the significance of the Luanda and Nairobi processes, which were aimed at seeking a political resolution to the impasse, while also calling for urgent diplomatic meetings to sustain the tempo in a bid to achieve a realistic and workable political resolution.

Evaluation of Research Questions

1. Is the African Union efficient enough in checkmating the disregard for essential rights and humanitarian conventions in the Democratic Republic of Congo?

As noted earlier, the constitutive document of the African Union, which contains the principles of self-governance, territorial integrity, self-determination and regional autonomy, Article III, prevents the African Union and participating nations from interfering in the domestic issues of other participating nations. The principle remains sacrosanct to date. Thus, the principle is a hindrance to the African Union's course(s) of action in limiting the disregard for humanitarian conventions and the violation and essential rights in the Democratic Republic of Congo.

2. Does the principle of sovereignty and subsidiarity limit the powers of the African Union in acting on human rights misapplications and disregard for humanitarian conventions in the Democratic Republic of Congo?

Over the years, the African Union has merely acted as an advisory body in the event of internal conflict within a participating nation's territory. In most instances, the counsel or recommendations given to participating nations in times of warfare, essential rights abuses and disregard for humanitarian conventions, may not be adhered to owing to the fact that member-nations may or may not contribute towards the administration of the African Union. Where there is no financial autonomy, there is bound to be no effective control and as the proverbial saying implies that the provider of resources will eventually make major decisions bordering on who gets what, when, how and why, leaving the African Union, not only constricted by the principle of sovereignty and subsidiarity, but also by other political and financial concerns. For the African Union to become as effective as other regional/sub-regional bodies like the European Union, the United Nations, etc., it is important that it seeks financial independence and autonomy from control by participating nations. This implies the need for the enactment of legislation and new conventions which will guarantee that the African Union has a paradigm shift from the outdated doctrines of non-

interference/non-intervention in the domestic affairs of other participating nations, which is a major impediment to a human rights violation-free African continent.

Summary

Unlike other regional bodies, the African Union is helpless and ineffective when it comes to essential rights violations. The study has noted that the European Union and the United Nations have exhibited a high level of control over their regions in the aspect of punishing erring national and non-governmental players who violate human rights and humanitarian conventions either through the imposition of sanctions (both military and economic) while also establishing indictments or convictions through bodies established to ensure that essential rights are upheld while their violations are reduced to the barest minimum. However, the African Union is restrained by its respect for the principle of sovereignty and subsidiarity as enshrined in its constitutive document, which does not allow for the meddling in the internal issues of each participating nation. In this regard, we can conclude that human rights violations may not be a thing of the past owing to the lacklustre posture of the African Union and the principles of sovereignty and subsidiarity, which restrain it from involvement or interference. Apart from the human rights violations in the DRC, there is a spate of human rights violations being perpetrated in other countries such as Ethiopia, Mozambique, Burkina Faso, South Sudan and Mali, which the African Union is also restrained and ineffective. Human Rights Watch and Amnesty International may seem the only source of reprieve and confidence for casualties or survivors of essential rights abuses and disregard for humanitarian conventions, as they continue to speak up and object to the level of impunity displayed by both governmental and non-governmental actors in African countries during times of warfare.

In conclusion, the study has established how ineffective and restrained the African Union is in addressing disrespect for humanitarian conventions and essential rights violations, owing to the doctrines of sovereignty and subsidiarity as enshrined in its constitutive document, which earns it the title of “a toothless bulldog”. Humanitarian conventions and human rights may keep suffering at the hands of African leaders who have, over the years, exhibited a high level of impunity, sit-tight tendency and corruption, if the African Union does not rid itself of every principle within its charter that restrains it from preventing disrespect for humanitarian conventions and human rights violations.

Recommendations

From the discoveries this study has made, the following recommendations can be suggested.

1. To strengthen the African Union in its quest for a peaceful African continent, there should be adherence to humanitarian conventions and respect for basic human rights by the leaders of African countries.
2. The principle of sovereignty and subsidiarity should be removed from the charter of the African Union, which is the major reason that the African Union is referred to as a toothless bulldog.
3. The principle of sovereignty and subsidiarity should be replaced with the principle of indifference, which will allow for the intervention of states in the event of the violation of humanitarian law or disregard for human rights.
4. The African Union should be bold enough in its drive to protect human rights and checkmate the disregard of humanitarian law by state and non-state actors in Africa by

occasionally imposing military and economic sanctions on erring member states, state and non-state actors.

5. Individuals, state and non-state actors should be made to face the law if indicted. There is a need for the African Union to strengthen the African Court on Human and Peoples Rights (AFCPHR), the African Court of Justice (ACJ), the African Court of Justice and Human Rights (ACJHR), the East African Court of Justice (EACJ) and the Economic Community of West African States (ECOWAS) Court of Justice, which all play mainly advisory roles in their areas of jurisdiction after hearing any case on human rights matters.
6. Official recommendations made by Human Rights Watch and Amnesty International should be reviewed with a view to adopting some elements, if not all, of the recommendations to checkmate or reduce human rights abuses and disregard for humanitarian conventions. This would serve as a deterrent for future abuses and disregard for essential human rights and humanitarian conventions.
7. There is also a need for the strengthening of international legal frameworks, which will serve as a deterrent against violations of essential rights and disregard for humanitarian conventions
8. There should be the enhancement of court jurisdiction, legislative reforms through updating the conventions in the constitutive document of the African Union to clarify and expand the jurisdiction of the African Union and participating nations to allow for collective responsibility, responsibility to protect and intervention in times of warfare and crisis.
9. There is a need for increased enforcement of mechanisms by strengthening international collaboration and mutual legal assistance; increasing resources for law enforcement and judicial bodies in the African Union; implementing effective monitoring and reporting systems within the AU; and establishing clear consequences for non-compliance with revised legislations and conventions.

References

- African Union. (n.d.). About the African Union. Published in the African Union website and retrieved from <https://au.int/en/overview>
- African Union. (n.d.). Constitutive act of the African Union. https://au.int/sites/default/files/pages/34873-file-constitutiveact_en.pdf.
- Almakky, R. (2023). The role of international organizations in the development of international law: An analytical assessment of the United Nations. <https://doi.org/10.36475/9.4.4>.
- Amnesty International. (2014). DRC: All you need to know about the historic case against Germain Katanga. <https://www.amnesty.org/en/latest/news/2014/03/drc-all-you-need-know-about-historic-case-against-germain-katanga/>.
- Amnesty International. (2018). UN report adds to mountain of evidence of Myanmar's atrocities against ethnic minorities. <https://www.amnesty.org/en/latest/news/2018/08/un-report-adds-to-mountain-of-evidence-of-myanmars-atrocities-against-ethnic-minorities/>.
- Amnesty International. (2022). Armenia/Azerbaijan: Nagorno-Karabakh conflict caused decades of misery for older people. <https://www.amnesty.org/en/latest/news/2022/05/armenia-azerbaijan-nagornokarabakh-conflict-caused-decades-of-misery-for-older-people-new-reports/>.
- Amnesty International. (2024). The State of the world's human rights. <https://www.amnesty.org/en/wpcontent/uploads/2024/04/WEBPOL1072002024ENGLISH.pdf>.
- Amnesty International. (2025). Niger: Threatened and Brought to Heel. <https://www.amnesty.org/en/latest/research/2025/03/niger-threatened-and-brought-to-heel/>.
- Apanpa, O. (2023). Bola Tinubu's speech at second ECOWAS summit on Niger Coup. <https://punchng.com/bola-tinubus-speech-at-second-ecowas-summit-on-niger-coup/>.
- Bahati, J. (2025). Addressing the FDLR question: A pragmatic path toward lasting peace between Rwanda and the DRC. <https://afjn.org/2025-10-17-drc/>.
- Bekele, L. (2025). AU peace and security council addresses escalating conflict in DRC. <https://furtherafrica.com/2025/01/29/au-peace-and-security-council-addresses-escalating-conflict-in-drc/>.
- Bellamy, A. J. & Williams, P. D. (2011). the new politics of protection? Cote d'Ivoire, Libya and the responsibility to protect. https://ciaotest.cc.columbia.edu/journals/riia/v87i4/f_0022933_18802.pdf.
- Bharti, M. S. & Bharti, S. S. (2024). The role of the european union as an international actor in developing countries. [http://dx.doi.org/10.12775/TIS.2024.006](https://dx.doi.org/10.12775/TIS.2024.006).
- Biersteker, T. (2022). Sanctions against Russia and the Role of the United Nations. <https://globalchallenges.ch/issue/12/sanctions-against-russia-and-the-role-of-the-united-nations/>.
- Booty, N. & Ross, W. (2025). Congolese rebels want peaceful solution to crisis, UN Says. <https://www.bbc.com/news/articles/c3e5gxllwjdo>.
- Burke, J. (2020). Militia raids kill dozens as DRC plunges deeper into instability. <https://www.theguardian.com/world/2020/jan/31/militia-group-raids-villages-in-eastern-drc-after-army-crackdown>.
- Centre for Preventive Action. (2025). Conflict in the Democratic Republic of Congo. <https://www.cfr.org/global-conflict-tracker/conflict/violence-democratic-republic-congo>.

- Collier, D. (1992). The comparative model. <https://polisci.berkeley.edu/sites/default/files/people/u3827/APSATheComparativeMethod.pdf>.
- Council of Europe. (n.d.). The council of Europe: Key facts. <https://www.coe.int/en/web/portal/the-council-of-europe-key-facts>.
- Council of Europe (2025). Democratic Republic of the Congo: Statement by the high representative on behalf of the EU on the latest escalation in Eastern DRC. <https://www.consilium.europa.eu/en/press/press-releases/2025/01/25/democratic-republic-of-the-congo-statement-by-the-high-representative-on-behalf-of-the-eu-on-the-latest-escalation-in-eastern-drc/>.
- Council for Foreign Relations. (2023). What is sovereignty? <https://education.cfr.org/learn/video/what-sovereignty>.
- Dunne, T. (2018). The English school and humanitarian intervention. <https://www.e-ir.info/2016/02/17/the-english-school-and-humanitarian-intervention/>.
- Englebert, P. (2019). Congo's 2018 elections: An analysis of implausible results. <https://africanarguments.org/2019/01/drc-election-results-analysis-implausible/>
- European Commission (n.d.). Collaboration with International Organizations. https://home-affairs.ec.europa.eu/policies/international-affairs/collaboration-international-organisations_en.
- European Council of Human Rights. (1996). European court of human rights; Case of Aksoy v. Turkey (100/1995/606/694). <https://www.refworld.org/jurisprudence/caselaw/echr/1996/en/39328>.
- European Court of Human Rights. (2005): Case of Isayeva v. Russia. <https://hudoc.echr.coe.int/eng#%7B%22itemid%22%3A%5B%22001-68381%22%5D%7D>
- European Court of Human Rights. (2023): Case Oo Georgia v. Russia. *European Court of Human Rights*. <https://hudoc.echr.coe.int/fre#%7B%22itemid%22%3A%5B%22001-224473%22%5D%7D>
- European Council. (2024). EU sanctions against Russia. *Council for European* <https://www.consilium.europa.eu/en/policies/sanctions-against-russia/>.
- European Union (n.d.). European commission. *European Union*. https://european-union.europa.eu/institutions-law-budget/institutions-and-bodies/search-all-eu-institutions-and-bodies/european-commission_en#:~:text=Overview&text=The%20European%20Commission%20is%20the,the%20Council%20of%20the%20EU.
- European Union (n.d.). Ensuring Protection- european guidelines on human rights defenders. *European Union*. https://www.eeas.europa.eu/sites/default/files/eu_guidelines_hrd_en.pdf.
- European Union (n.d.). European Union agency for fundamental rights (FRA). *European Union* https://european-union.europa.eu/institutions-law-budget/institutions-and-bodies/search-all-eu-institutions-and-bodies/european-union-agency-fundamental-rights-fra_en
- European Union (n.d.). Revised EU Guidelines on Human Rights Dialogues with Partner/ Third Countries. *European Union*. https://www.eeas.europa.eu/sites/default/files/human_rights_dialogue_guidelines.pdf.
- European Union. (n.d.). *Missions and Operations*. European Union. https://www.eeas.europa.eu/eeas/missions-and-operations_en.
- European Union. (2025). European Union sanctions: Sanctions support peace and security worldwide. *European Union* https://www.eeas.europa.eu/eeas/european-union-sanctions_en/.

- European Commission. (n.d.). EU sanctions against Russia following the Invasion of Ukraine. *European Commission*. https://commission.europa.eu/topics/eu-solidarity-ukraine/eu-sanctions-against-russia-following-invasion-ukraine_en.
- European Parliament (n.d.). Defending human rights beyond the EU. *European Parliament*. <https://www.europarl.europa.eu/about-parliament/en/democracy-and-human-rights/human-rights-outside-the-eu>
- France-Presse, A. (2024). US 'strongly condemns' violence in eastern DR Congo. *VOA*. <https://www.voanews.com/a/us-strongly-condemns-violence-in-eastern-dr-congo-/7492299.html>.
- Global Centre for the Responsibility to Protect. (2021). What is R2P: The responsibility to protect: A background briefing. *Global Centre for the Responsibility to Protect* <https://www.globalr2p.org/publications/the-responsibility-to-protect-a-background-briefing/>.
- Human Rights Watch. (1996). Turkey: Violations of the Right of Petition to the European Commission of Human Rights. *Human Rights* <https://www.hrw.org/report/1996/04/01/violations-right-petition-european-commission-human-rights>.
- Human Rights Watch. (2012). First verdict at the international criminal court: The case of the Prosecutor vs. Thomas Lubanga Dyilo. Questions and Answers. *Human Rights* https://www.hrw.org/sites/default/files/related_material/2012_DRC_Lubanga.pdf.
- Human Rights Watch. (2019). UK: Landmark ruling in Iraq case. *Human Rights*. <https://www.hrw.org/news/2011/07/07/uk-landmark-ruling-iraq-case>.
- Human Rights Watch (2022). *DR Congo: Resurgent M23 rebels target civilians*. Human Rights <https://www.hrw.org/news/2022/07/25/dr-congo-resurgent-m23-rebels-target-civilians>.
- Human Rights Watch (2023). Niger: Authorities putting rights at risk: Release those arbitrarily held, ensure free expression, curtail violence. *Human Rights* <https://www.hrw.org/news/2023/10/26/niger-authorities-putting-rights-risk>.
- Human Rights Watch. (2024). DR Congo: Atrocities by Rwanda-Backed M23 Rebels. *Human Rights*. <https://www.hrw.org/news/2023/02/06/dr-congo-atrocities-rwanda-backed-m23-rebels>.
- Human Rights Watch (2024). DR Congo: Resurgent M23 rebels target civilians. abusive group kills at least 29 villager, expands control in East. *Human Rights*. [www.hrw.org via https://www.hrw.org/news/2022/07/25/dr-congo-resurgent-m23-rebels-target-civilians](https://www.hrw.org/news/2022/07/25/dr-congo-resurgent-m23-rebels-target-civilians).
- Human Rights Watch (2024). Niger: Rights in free fall a year after coup; crackdown on opposition, media; no oversight of military spending. *Human Rights* <https://www.hrw.org/news/2024/07/25/niger-rights-free-fall-year-after-coup>.
- Huon, P., Kabamba, S. & Sumulia (2025). M23 rebels commit widespread abuses in DR Congo's Goma. *The New Humanitarian* <https://www.thenewhumanitarian.org/investigations/2025/08/13/m23-rebels-commit-widespread-abuses-dr-congo-drc-goma>.
- United Nations Human Rights Council. (2012). Report of the independent international commission of inquiry on the Syrian Arab Republic. *United Nations Digital Library*. <https://digitallibrary.un.org/record/721894?ln=en&v=pdf>.
- International Centre for Transitional Justice. (n.d.). Progress of the extraordinary chambers in the courts of Cambodia. *International Center for Transitional Justice*. <https://www.ictj.org/sites/default/files/ICTJ-Cambodia-Commission-2009-English.pdf>.

- International Criminal Court. (2009). Trying individuals for genocide, war crimes, crimes against humanity, and aggression. *International Criminal Court*. <https://www.icc-cpi.int/darfur/albashir>.
- International Criminal Court. (2011). Trying individuals for genocide, war crimes, crimes against humanity, and aggression: Warrant of arrest for Abdullah Al-Senussi. *International Criminal Court*. <https://www.icc-cpi.int/court-record/icc-01/11-01/11-4>.
- International Criminal Court. (2014). Germain Katanga found guilty of four counts of war crimes and one count of crime against humanity committed in Ituri, DRC- Press Release. *International Criminal Court*. <https://www.icc-cpi.int/news/germain-katanga-found-guilty-four-counts-war-crimes-and-one-count-crime-against-humanity>.
- International Criminal Court. (2016). Case Information Sheet: Situation in the Central African Republic. The prosecutor v. Jean-Pierre Bemba Gombo. *International Criminal Court*. <https://www.icc-cpi.int/sites/default/files/CaseInformationSheets/BembaEng.pdf>.
- International Criminal Court. (2016). Case information sheet: Situation in the Republic of Mali. The Prosecutor v. Ahmad Al Faqi Al Mahdi. *International Criminal Court* <https://www.icc-cpi.int/sites/default/files/CaseInformationSheets/Al-MahdiEng.pdf>.
- International Criminal Court. (2021). Case information sheet: Situation in Darfur, Sudan. The Prosecutor v. Omar Hassan Ahmad Al Bashir. *International Criminal Court* <https://www.icc-cpi.int/sites/default/files/CaseInformationSheets/AlBashirEng.pdf>.
- International Criminal Court. (n.d.). Kony case. *International Criminal Court*. <https://www.icc-cpi.int/uganda/kony>.
- International Federation for Human Rights. (2024). Niger: Rights in free fall a year after coup. *International Federation for Human Rights* <https://www.fidh.org/en/region/Africa/niger/niger-rights-in-free-fall-a-year-after-coup>.
- Steelman, D. C. (2022). Book review: The legal legacy of the special court for Sierra Leone (2020), ISBN-13: 978-1107178311, by Charles C. Jalloh. *International Journal for Court Administration*, 13(1) Labuda, P. I. (2020). The International Criminal Tribunal for Rwanda and Post-Genocide Justice 25 Years On. *International Journal for Court Administration*. <https://iacajournal.org/articles/433/files/submission/proof/433-1-2343-2-10-20220422.pdf>.
- Linklater, A. & Sunanami, H. (2006). *The English School of international relations*. Cambridge University Press https://assets.cambridge.org/97805218/58359/frontmatter/9780521858359_frontmatter.pdf.
- McMillan, A. (n.d.). Justice for Lebanon. *International Bar Association* <https://www.ibanet.org/article/78f776c1-a5ab-439b-bdb9-45d0b9f97a52>.
- Michael, E. (2023). An appraisal of oau as toothless bulldog and its transformation to African Union, 1963-2002. *Innovare Journal of Social Sciences*. 1-4. 10.22159/ijss.2023.v11i6.49648.
- Mingst, K. A. (2004). *Essentials of international relations* (7th ed.). W. W. Norton & Company.
- Natulnya, P. (2024). Elections in the Democratic Republic of Congo: a persistent crisis of legitimacy. *Africa Centre for Strategic Studies*. www.africacentre.org via <https://africacenter.org/spotlight/elections-democratic-republic-congo-drc-crisis-legitimacy/>.

- Peyton, N. & Onuah, F. (2023), African Union suspends Niger over coup, prepares sanctions. *Reuters*. <https://www.reuters.com/world/africa/african-union-suspends-niger-all-its-activities-following-coup-2023-08-22/>.
- Popovski, V. (n.d.). Human rights and the charter of the United Nations. *International Fora for the Protection, Promotion and Enforcement of Human Rights*. <https://ebooks.inflibnet.ac.in/hrdp07/chapter/human-rights-and-the-charter-of-the-united-nations/>.
- Stafford, A. (2013). Comparative analysis within political science. *E-International Relations*. <https://www.e-ir.info/2013/11/14/the-value-of-comparative-analysis-within-political-science/>.
- Stern, G. (2000), *An introduction to the study of international relations: the structure of international relations*. Pinter.
- Stivachtis, Y (2018). *Introducing the English school in international relations theory*. E-International Relations. <https://www.e-ir.info/2018/02/23/introducing-the-english-school-in-international-relations-theory/>.
- Stockholm International Peace Research Institute (n.d.). UN arms embargo on Somalia. https://www.sipri.org/databases/embargoes/un_arms_embargoes/somalia.
- Togba, N. S. (2024). Liberia: LACC summons lawmakers over alleged bribery in speaker's removal effort. *All Africa*. <https://allafrica.com/stories/202410290283.html>.
- Travasoni, S. (2022). The English school's theory of international society: A valuable concept to understand international relations. *Biblioteka Nauki*. file:///C:/Users/HP/Downloads/The_English_School_s_theory_of_Inte.pdf.
- UNICEF. (n.d.). What are human rights? *UNICEF*. <https://www.unicef.org/child-rights-convention/what-are-human-rights>.
- United Nations. (n.d.). About the responsibility to protect. *United Nations*. <https://www.un.org/en/genocide-prevention/responsibility-protect/about>
- United Nations. (n.d.). Human rights. *United Nations*. <https://www.un.org/en/global-issues/human-rights>
- United Nations (2009). Human rights in Palestine and other occupied Arab Territories: Report of the United Nations fact finding mission on the Gaza conflict. Conclusions and recommendations. *United Nations*. <https://www.refworld.org/reference/mission/unhrc/2009/en/69800>.
- United Nations Security Council. (2005), Resolution 1593. *United Nations Security Council*. <https://www.icc-cpi.int/sites/default/files/N0529273.pdf>.
- United Nations Security Council. (2011), Resolution 1970. *United Nations*. [https://docs.un.org/en/S/RES/1970%20\(2011\)](https://docs.un.org/en/S/RES/1970%20(2011)).
- United Nations Security Council. (2012). Resolution 2085. *United Nations* [https://docs.un.org/en/S/RES/2085\(2012\)](https://docs.un.org/en/S/RES/2085(2012)).
- United Nations (n.d.). International criminal tribunal for the former Yugoslavia (1993-2017). *United Nations*. <https://www.icty.org/>.
- United Nations. (n.d.). The United Nations independent commission of inquiry on the 2014 Gaza Conflict. *United Nations*. <https://www.ohchr.org/en/hr-bodies/hrc/co-i-gaza-conflict/commission-of-inquiry#:~:text=Arabic%20%7C%20Hebrew-,The%20United%20Nations%20Independent%20Commission%20of%20Inquiry%20on%20the%202014,Palestinian%20territory%2C%20including%20East%20Jerusalem%2C>.

- US Department of State. (2020). 2022 Country Reports on Human Rights Practices: Republic of the Congo. *US Department of State*. www.state.gov via <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/republic-of-the-congo/#:~:text=Significant%20human%20rights%20issues%20included,detention%3B%20political%20prisoners%20or%20detainees>.
- US Department of State. (2024). Escalation of hostilities in Eastern Democratic of Congo. *US Department of State*. www.state.gov via <https://www.state.gov/escalation-of-hostilities-in-eastern-democratic-republic-of-the-congo/>.
- UN Human Rights Council. (n.d.). Independent international fact-finding mission on the Bolivarian Republic of Venezuela. *UN Human Rights Council*. <https://www.ohchr.org/en/hr-bodies/hrc/ffmv/index>.
- UN Human Rights Council (n.d.). The question of Palestine: Report of Gaza inquiry commission – HRC 29th session. *UN Human Rights Council*. <https://www.un.org/unispal/document/auto-insert-185919/>.
- United Nations Human Rights Council (n.d.). Independent International Commission of Inquiry on the Syrian Arab Republic. *UN Human Rights Council*. <https://www.ohchr.org/en/hr-bodies/hrc/iici-syria/documentation>.
- United Nations Human Rights Council. (2025). Human rights council establishes fact-finding mission on human rights abuses and violations in the provinces of North Kivu and South Kivu in the Democratic Republic of the Congo, also establishes independent commission of inquiry to continue work of the fact-finding mission. *UN Human Rights Council*. <https://www.ohchr.org/en/meeting-summaries/2025/02/human-rights-council-establishes-fact-finding-mission-human-rights-abuses>.
- United Nations (n.d.). Legacy website of the international criminal tribunal for Rwanda. *United Nations*. <https://unictr.irmct.org/en/genocide>.
- United Nations Human Rights Council. (2019). Report of the United nations fact finding mission on the Gaza Conflict. *United Nations* <https://digitallibrary.un.org/record/666096?ln=en&v=pdf>.
- United States Department of State. (2020). Democratic Republic of the Congo 2020 human rights report. *United States Department of State*. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/democratic-republic-of-the-congo>.
- Universal Rights Group. (n.d.). UN Human rights resolutions portal. *Universal Rights Group*. <https://www.universal-rights.org/human-rights/human-rights-resolutions-portal/>.
- Woldemichael, S. (2021). The reality of the AU's response to crises. www.reliefweb.int via <https://reliefweb.int/report/world/reality-au-s-response-crises>.