



CIEE Dakar, Senegal

Course name:	Crisis Management and International Law in Africa
Course number:	INRE 3001 SGSM
Programs offering course:	Language and Culture
Language of Instruction:	French
U.S. Semester Credits:	3
Contact Hours:	45
Term:	Spring 2018
Course meeting times:	Monday and Wednesday: 16 – 17h15
Course meeting place:	Jàpoo
Professor:	Moussa Ndior
Contact Information:	ndiorfaye2001@yahoo.fr / Tel: 77 533 71 15
Office address:	Institut Supérieur de Droit de Dakar (ISDD)
Office hours:	By appointment

Course Description:

The objective of this class is to study different methods of peaceful national and international crisis management.

After a brief introduction on the definition of conflict, we will proceed to examine different types of conflict. The first part of the course will be dedicated to examining methods of crisis management. In this regard, we will distinguish between nongovernmental management used in intrastate relations and in the framework of international organizations, governmental crisis management methods that represent arbitration and judiciary management.

In the second half of the course, we will focus on specific African conflicts and their resolutions. In this perspective, we will do a diagnostics test of these African conflicts, then a critical analysis of the processes of resolution in Africa before posing alternate propositions. This part of the course will represent our own conception of the manner in which these conflicts can be managed.

Learning Objectives:

In this course, we attempt to introduce students to the study of crisis management, and familiarize them with crisis management methods across the world, and more particularly in Africa.

Therefore, the objectives of this course are:

1. To present different methods of crisis management and the context in which one applies these methods;
2. To present the diverse institutions created for this purpose, how they function, and their contribution to crisis management;
3. To expand beyond the students' own concepts of crisis management by examining the legal instruments and international and regional practices for crisis management;
4. To examine African conflicts to better understand their origins and development and to better appreciate the efficacy of the applied management methods.

Course Prerequisites:

This course necessitates a certain number of prerequisites, notably:

General

- Understanding of written and oral French
- Knowledge of past world conflicts
- Minimum understanding of African societies (ethnicities, languages, religions)
- Extended understanding of politics, law, history, economy, and sociology

Material

- Introduction to political analysis



- Introduction to international relations (Theoretical and systematic aspects)

Aptitudes

- Critical thinking skills
- Capacity to politically, economically, and culturally analyze and interpret governments, specifically those in Africa
- Organizational and debating skills
- An interest in international questions
- Reading skills: reading is essential to better understand this course

Methods of Instructions:

Class will be mostly lecture, but student participation is strongly encouraged. The questions examined in this course will be theoretical and practical at the same time. The practical part will consist of organizing field trips to organizations specializing in finding solutions to the conflicts in Africa and throughout the world (Gorée Institute, CICR, etc), when students will be able to immerse themselves in the work of these organizations. Film showings will be used to facilitate a better understanding among the students about African conflicts.

The last part of the class will be dedicated to seminars, where the students will present their research.

A collection of texts are available in the library at CIEE. Students should read the scientific articles and other articles pertaining to the course in advance every week. There are mandatory readings for each class. They will be sent by email, as well as a list of key words, the week before, and will be the topic of small group discussions in class.

Assessment and Final Grade:

Participation and attendance: (20%),

Periodic evaluations: (25%),

Surveys+ restitution: (25)

Presentation: (15%),

final paper :(15%).

NB: A final grade will be given at the end of the semester and will be determined by: the participation grade (20%), grade of the periodic evaluations (25%), surveys + restitution (25%), presentation grade (15%), and the final paper grade (15%).

Course Requirements:



Participation and attendance

In an attempt to liven up the course, a participation grade is given to each student at the end of the class. This grade depends on the quantitative and qualitative input from the student on questions posed in class.

Regular class attendance is paramount for this class. Late coming or absent students must give justifications.

Periodic Evaluations

Periodic evaluations will be given to check if the students have fully understood the class material. The objective of the evaluations is to ensure that the students are learning all of the material. Three evaluations will be given in the form of an in-class test. The dates are decided in class with the input of the students.

Surveys and restitution

The objective of the surveys is to allow students to have the opportunity to interview well-qualified specialists or ordinary citizens depending on the survey theme, to collect information that cannot be debated in class, or because they require further study or belong to the personal sphere (political, cultural, religious beliefs). The survey aims to complete the course. The themes will deal with joking kinship, extraordinary African chambers, electoral conflicts and their consequences, and so on.

The restitution aims to encourage students to improve their speaking skills in French, but also to check students' ability to analyze surveys' results

Presentation Grade

The objective of the presentation is to encourage students to better express themselves orally in French, but also to verify their ability to answer questions from other students. An ability to express oneself orally and on paper is evaluated. The presentation should last 15 minutes and be in the form of a PowerPoint. Each presentation will identify issues related to the theme of the course, and solutions and methods proposed by some of the main actors, if any. Debates on the subject will follow the presentation. The professor will expand on the information in the presentation, and, if necessary, provide a complementary presentation.

Final Grade

Students will choose one African conflict to research. The student must trace the history of the conflict, specify the main actors in the conflict analyze and assess the management of the crisis, and give perspectives on the evolution of the conflict. This will consist of a seven to ten paper on a theme already presented in class. It will require abilities in writing and analysis of the situation. Emphasis is put on the quality of the paper, its substance, its organization, its concision, and the clarity of its presentation, not on the amount of information provided or the length of the paper.

Week 1

General Introduction to conflicts resolution (notions of conflict, dispute, crisis, settlement of disputes, peaceful settlement of disputes, typology of African conflicts)

Week 2: General dispute resolution mechanisms

- Diplomatic negotiation
- International Survey
- Good offices, mediation, conciliation

Week 3: Jurisdictional Dispute resolution mechanisms

• **The arbitration Rules**

- Theoretical rules of arbitration
- Practice of arbitration

• **The judicial settlement in front of the Hays International Court of Justice**

- theoretical rules of the judicial settlement
- Jurisdiction of the International Court of Justice
- International Court of Justice decision
- Practice of the judicial regulation

***Trip to RADDHO** (Rencontre Africaine pour la Défense des Droits de l'Homme /African Meeting for the Defence of Human Rights)

Assignment 1

Week 4: Rural visits

Week 5: Modes of conflicts resolution within International Organizations

The United Nations: a universal competence

- Presentation of the United Nations



- Competence of the organs
- Difficulty of the organs functioning
- Reforms in perspective

Week 6: African Union: an African competence

- Presentation of the AU
- Competence of the organs
- Difficulty of functioning of the organs
- Reforms in perspective

Debates on: Hussein Habré's case: an African President judged in Africa

Week 7 : Peacekeeping operations

- Peacekeeping operations theory
- Peacekeeping Operations within the framework of the United Nations
- ECOWAS peacekeeping operations

Assignment 2

Week 8: Film screening on Darfour

Specify on african conflicts settlement

Discussion on Mali, Nigeria, RDC, Centrafrica, Rwanda cases

Week 9: Diagnostic of African conflicts

- Definition of african conflicts
- Causes and consequences of conflicts

Discussion on the African conflicts typology

Trip to CICR (to complete)

Week 10: Spring Break



Week 11: Analysis of African conflict resolution mechanisms

African principles and practices for conflict resolution

- Political mechanisms
- Legal mechanisms

Presentations

Week 12: Appreciation of African conflict resolution mechanisms

-Strength of African conflict resolution mechanisms

-Weaknesses of conflict resolution mechanisms

Visit to the High Council of Social Dialogue

Week 13: Alternative proposals for conflict resolution in Africa

-Deepening of democracy

-Good governance as a rule of state management

Presentations

Week 14: Alternative proposals for conflict resolution in Africa

-Consolidation of the legitimacy of African States

-Refounding the state by implementing a new principle of legitimacy.

Presentations

Week 15: Presentations

Assignment 3

Week 16: Final paper

Readings



Books

Balencia J.M., Lagrange A. de et Rufin J.C., Mondes rebelles : acteurs, conflits et violences politiques Amériques-Afriques, T1, éd. Michalon, 1996, 523 P.

Barry A.M., La prévention des conflits en Afrique de l'ouest : mythes ou réalités, éd. Karthala, 1997, 207 p.

BIAYA T.K., Acteurs et médiations dans la résolution et la prévention des conflits en Afrique de l'Ouest, Codesnia et Clingendael, 1999, 137 P.

Boutros B.G., Agenda pour la paix, New York, Nations Unies, 1995, 174p.

Boutros B.G., Agenda pour la paix, New York, Nations Unies, 1992, 55p.

Articles

Ayissi A., « Crises et rébellion dans le « pré-carré » français ; ordre militaire et désordre politique en Afrique », Monde diplomatique, janvier 2003, p. 20-21.

Ba A.Y., « Fléaux des conflits et défi sécuritaire en Afrique », R.J.P.I.C, n°1, janvier-avril 2001, p. 9-24.

Bierzanek R., « Quelques remarques sur l'application du droit humanitaire des conflits armés aux conflits internes internationalisés », in mél. PICTET Jean, 1984, p. 281-290.

Djedro M., « La guerre au Libéria et la question de l'ingérence dans les affaires intérieures des Etats », R.B.D.I., 1993/2, p. 393-436.

Djina W., « A propos du nouveau mécanisme de l'O.U. A sur les conflits », R.G.D.I.P., Tom.2, 1994, p. 377-386.

Edouard B. « La paix, un préalable », bulletin de l'ouest africain n°3, juin, 1995, P.1.

Gonidec P.F., « Conflits internes et question nationale en Afrique : le droit à l'autodétermination interne », R.A.D.I.C., p. 543-572.

Hamid B., « Les aspects juridiques de la prévention et du règlement des conflits en Afrique : le défi du renouveau » S.A.D.I.C., actes du 10e congrès annuel, 1998, p. 327-354.

Leymarie P., « Débauches d'armes, crise d'intégration nationale : l'ouest africain rongé par ses abcès régionaux », Monde diplomatique, janvier 1996, p. 26-27.



Leymarie P., « Des guerres toujours... », Manière de voir n°51, mai-juin 2000, p.17.

Nypla Z., « Omar BONGO ONDIMBA : l'année du médiateur », Africa International, n°372/janvier 2004, p.20-25.

Yameogo P., « Le mécanisme de prévention, de gestion, de règlement des conflits et du maintien de la paix de la C.E.D.E.A.O. », Echo des armées, n°11, 2003, P.25-27.

Yoroms G., « Les mécanismes de gestion des conflits de la C.E.D.E.A.O. », Accord, umhlango Rocks, 1999.

Zakane V., « Contrôle du commerce des armes et maintien de la paix en Afrique » S.A.D.I.C., Actes du 10e congrès annuel 1998, p. 309-318.

III. Official Texts

Acte constitutif de l'Union Africaine du 11 juillet 2000.

Charte de l'O.U.A. du 25 mai 1963.

Charte de l'O.N.U. du 26 juin 1945.

Déclaration de moratoire sur l'importation, l'exportation et la fabrication des armes légères en Afrique de l'ouest, du 31 octobre 1998.

Mécanisme de l'O.U.A. sur la prévention, la gestion et le règlement des conflits, du Caire, juin 1993.

Plan d'action pour la mise en œuvre du programme de coordination et d'assistance pour la sécurité et le développement (PCAGED), 1998.

Protocole A/SP1/12/01 sur la Démocratie et la Bonne Gouvernance additionnel au protocole relatif au mécanisme de prévention, de gestion et de règlement des conflits, de maintien de la paix et de la sécurité.

Protocole relatif au mécanisme de prévention, de gestion, de règlement des conflits, de maintien de la paix et de la sécurité, du 10 décembre 1999.

Traité de la C.E.D.E.A.O. de 1975.

Traité Révisé de la C.E.D.E.A.O. de 1993.

cíee[®]