

# Transforming African diplomacy: Salim Ahmed Salim's vision of non-indifference and the evolution from OAU to AU

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## Abstract

*Dr Salim Ahmed Salim, a prominent Tanzanian diplomat, played a crucial role in transforming the Organisation of African Unity (OAU) into the African Union (AU) during his tenure from 1989 to 2001. This paper explores his transformative role in reshaping African diplomacy, focusing on his vision of moving from the principle of non-interference to non-indifference. During his tenure as Secretary General of the Organisation of African Unity (OAU) from 1989 to 2001, Salim advocated for proactive humanitarian intervention and collective responsibility among African nations, laying the foundation for the African Union (AU). His advocacy emphasised the importance of addressing internal crises, promoting human rights, and advancing mechanisms for conflict resolution. Salim's legacy, particularly his influence on the AU's adoption of the principle of non-indifference, continues to inspire governance and human rights protection across the continent.*

**Keywords:** Organisation of African Unity (OAU), African Union (AU), non-interference, non-indifference

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## Introduction

Salim Ahmed Salim, a distinguished Tanzanian diplomat and politician, left an indelible mark on the Organisation of African Unity (OAU) from 1989 to 2001.<sup>1</sup> His early academic life was significant in shaping his august diplomatic career and intellectual outlook. Salim was born into a culturally rich family; his father was of Omani descent, and his mother had Afro-Arab roots. This diverse background instilled in him a profound understanding of the complexities of African identity. His early education began at the Lumumba College in Zanzibar, followed by higher studies, in St Stephen's College at the University of Delhi, India, where he completed his undergraduate studies between 1965 and 1968. Later, in January 1975, Dr Salim obtained a Master's Degree in international affairs from the prestigious School of International and Public Affairs at Columbia University in New York.<sup>2</sup> This academic foundation equipped him with the analytical skills necessary for his future roles in international relations. He was later awarded six *honoris causa* doctorate degrees from universities in Africa, Asia and Europe.<sup>3</sup>

Salim's diplomatic career began at an early age when he became the youngest ambassador in Africa at just 22 years old, serving as Zanzibar's ambassador to Egypt. Following the 1964 revolution that united Zanzibar and Tanganyika into Tanzania, he transitioned to become

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<sup>1</sup> Global Leadership Foundation, 'Salim Ahmed Salim: Prime Minister, Tanzania 1984-1985, Secretary-General of the OAU, 1989-2001'.

<sup>2</sup> The United Republic of Tanzania embassies and diplomatic missions, 'Ambassadors: Dr Salim Ahmed Salim'.

<sup>3</sup> The United Republic of Tanzania embassies and diplomatic missions, 'Ambassadors: Dr Salim Ahmed Salim'; Lucy Shule and Gaudens P Mpangala, 'Salim in Tanzania', in Jakkie Cilliers (ed) *Salim Ahmed Salim: Son of Africa*, Institute of Security Studies, 2014, 32-33 and 44. The six honorary doctorate degrees are: Doctor of Laws, the University of Philippines at Los Baños (1980), Doctor of Humanities, University of Maiduguri, Nigeria (1983), Doctor of Civil Law, University of Mauritius (1991), Doctor of Arts in International Affairs, University of Khartoum, Sudan (1995), Doctor of Philosophy in International Relations, University of Bologna, Italy (1996), and Doctor of Laws, University of Cape Town, South Africa (1998).

Tanzania's first ambassador to Egypt. His formative experiences significantly influenced his perspective on global affairs.<sup>4</sup>

In 1970, Salim was appointed as Tanzania's permanent representative to the United Nations (UN). During his decade-long tenure at the UN, he emerged as a vital advocate for African liberation movements. He chaired the UN Special Committee on Decolonisation from 1972 to 1980, playing a pivotal role in supporting independence efforts across Africa. His leadership was instrumental in advancing resolutions condemning colonialism and apartheid, particularly aiding movements such as the African National Congress (ANC) in South Africa. Salim's commitment to African liberation extended beyond advocacy as he actively worked to secure international support for various liberation movements. He chaired the UN Security Council committee on sanctions against Rhodesia during its struggle for independence and served as president of the UN General Assembly during its 34th session in 1979.<sup>5</sup>

In 1989, Salim was elected Secretary General of the Organisation of African Unity (OAU), a position he held until its transformation into the African Union (AU) in 2001. His leadership marked a significant shift for the OAU, moving its focus from colonial issues to contemporary challenges such as conflict resolution and democratic governance. Under Salim's guidance, the OAU evolved into a more proactive body aimed at fostering regional integration and promoting peace across Africa. He championed initiatives that emphasised African solutions to African problems, advocating for mechanisms that addressed conflicts within the continent.<sup>6</sup>

After leaving the OAU, Salim continued his engagement with various international organisations focused on peace and development in Africa. He served on numerous boards and panels, including as chair-

<sup>4</sup> Shule and Mpangala, 'Salim in Tanzania', 36.

<sup>5</sup> Vasu Gounden and Daniel Forti, 'Salim and Africa's liberation', in Jackie Cilliers (ed) *Salim Ahmed Salim: Son of Africa*, 9-19.

<sup>6</sup> Nkosazana Dlamini Zuma, 'Foreword: Celebrating Salim Ahmed Salim, a committed Pan-African', in Cilliers (ed) *Salim Ahmed Salim: Son of Africa*, Institute of Security Studies, 2014, 3-4.

person of the Mwalimu Nyerere Foundation and member of the AU's Panel of the Wise (PoW). His work included mediating conflicts in regions like Darfur and leading election observer missions across Africa.<sup>7</sup> Salim has also been involved with global initiatives aimed at promoting governance through organisations like the Mo Ibrahim Foundation, which focuses on good governance and leadership across Africa.<sup>8</sup> As an elder statesman, Salim continues to inspire new generations of leaders committed to advancing Africa's interests on both regional and global stages.

This paper adds onto the oeuvre of literature discussing the life and contributions of Salim. I focus on Salim's role in recognising the pressing need to re-evaluate the principle of non-interference in the context of Africa's complex political realities. His critique for this principle together with his advocacy for a shift towards non-indifference, has been instrumental in shaping a more proactive approach to human rights and humanitarian intervention within the African Union (AU). He left behind a legacy that is knowledgeable and erudite. His contribution to the OAU led to the very establishment of the AU.<sup>9</sup>

The paper is divided into four parts. This first section introduces the paper. The second section covers his diplomatic legacy, focusing on his role in transforming the Organisation of African Unity into a proactive body centred on human rights and conflict resolution. The third section explores his advocacy for shifting from non-interference to non-indifference, stressing collective responsibility among African nations to prevent atrocities. The last section critiques the inconsistent application of this principle, particularly within the African Union, and calls for a more inclusive, culturally sensitive human rights framework.

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<sup>7</sup> The United Republic of Tanzania Embassies and Diplomatic Missions, 'Ambassadors: Dr Salim Ahmed Salim'.

<sup>8</sup> Hallelujah Lulie and Jakkie Cilliers, 'Salim at the Organization of African Unity', in Cilliers (ed) *Salim Ahmed Salim: Son of Africa*, Institute of Security Studies, 2014, 85.

<sup>9</sup> Ian Taylor, 'African unity at 50: From non-interference to non-indifference', *E-International Relations*, 25 June 2013, 1; Lulie and Cilliers, 'Salim at the Organization of African Unity', 72.

## Salim Ahmed Salim's vision of non-indifference

The principle of non-indifference posits that African nations have a collective obligation to protect their citizens from atrocities committed within their borders.<sup>10</sup> Salim's proposal of the Organisation of African Unity's principle of non-indifference, which is the key area of this research, has greatly influenced dispute resolution in the African continent.<sup>11</sup> In July 1990, Salim presented his vision for reforming the continental organisation through a report titled, *On the fundamental changes taking place in the world and their implications for Africa: Proposals for an African response*.<sup>12</sup> This report sparked a lively debate at the council of ministers. He recognised that the principle of non-interference often led to the neglect of human rights abuses and internal conflicts within member states. Writing this report as the Secretary-General of the OAU, he articulated the need for a transformative approach centred on non-indifference, advocating for a more compassionate response to crises affecting African nations.<sup>13</sup>

In the past, the Organisation of African Unity often fell short of expectations when it came to addressing conflicts in the African continent, largely due to a lack of political will among member states.<sup>14</sup> This reluctance was compounded by a strict adherence to the principle of

<sup>10</sup> Marina Sharpe, 'From non-interference to non-indifference: The African Union and the responsibility to protect', International Refugee Rights Initiative, September 2017, 4.

<sup>11</sup> Taylor, 'African unity at 50', 1.

<sup>12</sup> Organisation of the African Union (OAU), 'Report of the Secretary-General on the fundamental changes taking place in the world and their implications for Africa', June 1990. Later presented as a lecture at the Command and Staff College, Tanzania Military Academy, Arusha, on 1 February 2002, Salim Ahmed Salim, 'On the fundamental changes taking place in the world and their implications for Africa: Proposals for an African response', 1 February 2002.

<sup>13</sup> Said Djinnit, 'Dr Salim Ahmed Salim: An African transformational leader and a consensus builder', Action for Community Organisation, Rehabilitation and Development (ACCORD) 10 February 2022 citing OAU, 'Report of the Secretary-General on the fundamental changes taking place in the world and their implications for Africa'.

<sup>14</sup> Fatsah Ouguergouz, 'The African Charter on Human and Peoples' Rights' (1981)', Max Planck Encyclopedia of Public International Law, para 4; John J Hogan, 'Shame, exasperation, and institutional design: The African Union as an emotional security community', 22 *African and Asian Studies* (2023) 89-90.

‘non-interference in the internal affairs of member states’ which limited the OAU’s ability to intervene in domestic issues, even as internal conflicts in Angola, Liberia, the Democratic Republic of the Congo (DRC), Sierra Leone, and South Sudan, and the genocide in Rwanda began to rise, particularly in the early 1990s.<sup>15</sup>

Furthermore, the OAU Charter did not address terrorism and never identified it as a problem in Africa. This is largely due to the fact that colonial rulers had branded liberation fighters as terrorists hence Africans had mixed reactions when it came to using the word.<sup>16</sup> Recognising these limitations, Salim, in his 1990 report, proposed that member states should leverage the established permanent institutions within the Organisation to facilitate the resolution of disputes. He further suggested that member states should consider utilising the good offices of the Secretary General, more effectively in conflict resolution efforts, underscoring the need for a more proactive and unified approach within the OAU to address the growing challenges facing the continent.<sup>17</sup>

The principle of non-interference was enshrined in the OAU Charter as a means to protect the sovereignty and territorial integrity of member states.<sup>18</sup> While this principle was intended to shield African nations from colonialism and external aggression, it often resulted in a detrimental culture of inaction regarding gross human rights violations.<sup>19</sup> The OAU’s commitment to non-interference meant that when crises arose – such as the Rwandan genocide in 1994 – there was little

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<sup>15</sup> Tim Murithi, ‘The African Union’s transition from non-intervention to non-indifference: An *ad hoc* approach to the responsibility to protect? The AU’s doctrine of non-indifference’, 1 *Internationale Politik und Gesellschaft Online: International Politics and Society* (2009) 91 and 94.

<sup>16</sup> Martin Ewi and Anton Du Plessis, ‘Counter-terrorism and pan-Africanism: From non-action to non-indifference’ in Ben Saul (ed) *Research handbook on international law and terrorism*, Edward Elgar Publishing, 2014, 734.

<sup>17</sup> Djinnit, ‘Dr Salim Ahmed Salim: An African transformational leader and a consensus builder’.

<sup>18</sup> Charter of the Organization of African Unity (OAU), 25 May 1963, 479 UNTS 39, Article 3(2).

<sup>19</sup> Sharpe, ‘From non-interference to non-indifference: The African Union and the responsibility to protect’, 4.

recourse for intervention. This failure to act allowed horrific atrocities to occur without accountability.<sup>20</sup>

Salim's tenure at the OAU coincided with some of Africa's most tumultuous periods. He witnessed first-hand how the rigid adherence to non-interference prevented meaningful action against leaders who perpetrated violence against their own citizens.<sup>21</sup> In his 1990 report to the OAU Council of Ministers, Salim poignantly stated, '[w]hile the principle of non-interference in the internal affairs of member states should continue to be observed, it should, however, not be construed to mean or used to justify indifference on the part of the OAU'.<sup>22</sup> This critical perspective laid the groundwork for a necessary evolution in how African states engage with one another regarding human rights.<sup>23</sup>

Salim's advocacy for a transition from non-interference to non-indifference was not just theoretical; it was a call to action based on moral responsibility.<sup>24</sup> He argued that while respecting state sovereignty is crucial, it should not lead to indifference towards humanitarian crises and gross human rights violations. Nelson Mandela held a similar view arguing that Africans have both the right and the responsibility to intervene in situations of conflict to eliminate tyranny. In an address at the final seminar of the International Independent Commission (IICK) on Kosovo, he observed that:

[A]t a time when the quest for peace demands greater accountability from both states and international organisations for their actions, this pursuit has also heightened the need for deeper dialogue on the global stage.<sup>25</sup>

<sup>20</sup> Sharpe, 'From non-interference to non-indifference: The African Union and the responsibility to protect', 5.

<sup>21</sup> Salim Ahmed Salim, 'Twenty years after: Taking stock of the implementation and enforcement of the African Charter on Human and Peoples' Rights', Human Rights Seminar in the University of Dar es Salaam, 7 February 2002, 9-11.

<sup>22</sup> Djinnit, 'Dr Salim Ahmed Salim: An African transformational leader and a consensus builder'.

<sup>23</sup> Lulie and Cilliers, 'Salim at the Organization of African Unity', 67-79.

<sup>24</sup> Djinnit, 'Dr Salim Ahmed Salim: An African transformational leader and a consensus builder'.

<sup>25</sup> Nelson Mandela, 'An address delivered by the former President Nelson Mandela at the final seminar of the international independent commission on Kosovo', Johannesburg, South Africa, South African Institute of International Affairs, 2000.

## **Salim Ahmed Salim's vision of non-indifference and the African Union's commitment to collective security and conflict prevention**

Salim's vision of non-indifference seems to align with the fundamental idea that states must safeguard their citizens from mass atrocities and that the international community has a role to play when governments fail in this duty.<sup>26</sup> His vision was instrumental in establishing mechanisms within the AU that would allow for intervention in such cases.<sup>27</sup> The AU's Constitutive Act explicitly permits intervention when there are serious violations occurring within the borders of member states,<sup>28</sup> reflecting Salim's belief that sovereignty must coexist with accountability. Salim's critique of non-interference has had profound implications for human rights advocacy across Africa. His focus on non-indifference reflects a transformative approach aimed at tackling key issues, including combating impunity, promoting human rights as core African values, and strengthening collective security.<sup>29</sup>

One of Salim's central arguments was that adherence to non-interference often perpetuated a culture of impunity among leaders who committed gross human rights violations. By advocating for non-indifference, he sought to establish accountability mechanisms that would deter leaders from acting with impunity.<sup>30</sup> Salim emphasised that human rights should not be viewed as western impositions but rather as integral values that resonate within African cultures and traditions. He argued that promoting democracy and human rights is essential not only for ethical governance but also for economic recovery and sustainable development across the continent.

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<sup>26</sup> Sharpe, 'From non-interference to non-indifference: The African Union and the responsibility to protect', 4.

<sup>27</sup> African Union, Protocol Relating to the Establishment of the Peace and Security Council of the African Union, 9 July 2002, Article 4(j) and (k); Constitutive Act of the African Union, 11 July 2000, Article 4(h) and (j).

<sup>28</sup> Constitutive Act of the African Union, Article 4(h).

<sup>29</sup> Djinnit, 'Dr Salim Ahmed Salim: An African transformational leader and a consensus builder,'.

<sup>30</sup> Djinnit, 'Dr Salim Ahmed Salim: An African transformational leader and a consensus builder,'.



Scholars like Makau Mutua argue contrary to Salim. He argues that, international human rights law is predominantly shaped by western ideals, which can marginalise non-western perspectives and experiences. He asserts that the human rights movement often masquerades as a universal moral imperative while imposing a set of culturally biased norms on diverse societies.<sup>31</sup> He critiques this framework for failing to account for indigenous traditions and cultural contexts, which are essential for creating a genuinely universal conception of human rights.<sup>32</sup>

This critique is echoed in the broader Third World Approaches to International Law (TWAIL) literature, which posits that international law has historically been used to legitimise colonialism and imperialism. Scholars argue that international law was constructed in a manner that favoured Western interests, perpetuating inequalities between the Global North and South.<sup>33</sup>

Human rights are argued to have been historically located in the western view of its predestination over the globe. For instance, it has been noted that international law often legitimised acts of exploitation and subjugation in colonised regions by framing these actions within a narrative of civilising missions.<sup>34</sup> By framing human rights as universal values rooted in African identity, Salim seems to assume that these human rights incorporate an African perspective, therefore, suggesting their imposition in non-western nations would be justified – a view many TWAIL scholars have contested. However, it is important to acknowledge that Salim's vision of non-indifference emphasised empowering citizens and respecting fundamental freedoms within Africa's

<sup>31</sup> Makau Mutua, 'Critical race theory and international law: The view of an insider-outsider', 45 *Villanova Law Review* (2000) 850-51; See also, Makau Mutua, 'Human rights: A TWAILBlazer critique', 52(2) *Denver Journal of International Law and Policy* (2024) 192-196 (on the mirage of universality).

<sup>32</sup> Makau Mutua, 'Savages, victims, and saviors: The metaphor of human rights', 42 *Harvard International Law Journal* (2001) 205.

<sup>33</sup> Antony Anghie, *Imperialism, sovereignty and the making of international law*, Cambridge University Press 2004, 4.

<sup>34</sup> Bhupinder Chimni, *International law and world order: A critique of contemporary approaches*, Cambridge University Press, 2006, 351.

unique context, though I do not share his view on the universality of human rights.<sup>35</sup>

The move towards non-indifference allows African nations to collaboratively address security threats posed by internal conflicts and humanitarian crises.<sup>36</sup> By fostering regional cooperation and solidarity, Salim envisioned an Africa where member states could collectively respond to crises without fear of undermining each other's sovereignty. This approach would enhance regional stability and promote peace-keeping efforts across borders.<sup>37</sup>

This principle has often been compared to interventionist doctrines developed to prevent mass atrocities, yet their application has faced criticism for reflecting eurocentric foundations.<sup>38</sup> This critique is important in viewing how Salim's principle of non-indifference interacts with such doctrines and highlights the challenges posed by their underlying assumptions. Anghie argues that international law, including human rights law, has historically been used to legitimise colonialism and imperialism.<sup>39</sup> The imposition of western legal norms often disregards local contexts and traditions, leading to interventions that may not align with the realities on the ground.<sup>40</sup> Can the axe that felled the tree now teach it how to stand, or the hand that forged the chains truly show the path to freedom?

The 1990 Report on Fundamental Changes emphasised the critical need for permanent institutions and mechanisms to address the chal-

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<sup>35</sup> Salim, 'Twenty years after: Taking stock of the implementation and enforcement of the African Charter on Human and Peoples' Rights', 9-10.

<sup>36</sup> Murithi, 'The African Union's transition from non-intervention to non-indifference', 94.

<sup>37</sup> Salim Ahmed Salim, 'Challenge to Africa of the new millennium: The perspective of the OAU', A statement by Dr Salim Ahmed Salim, the Secretary General of the OAU, United Nations Economic Commission for Africa, 24-28 October 1999.

<sup>38</sup> Rose Parfitt, *The process of international legal reproduction: Inequality, historiography, resistance* Cambridge University Press, 2019, 72 (where she discusses the civilising mission in the Abyssinia context).

<sup>39</sup> Anghie, *Imperialism, sovereignty and the making of international law*, 135.

<sup>40</sup> Makau Mutua, 'The Banjul Charter and the African cultural fingerprint: An evaluation of the language of duties', 35 *Virginia Journal of International Law* (1995) 341.

lenges of conflict and instability plaguing Africa.<sup>41</sup> In response, the subsequent OAU Declaration underscored the urgency of building Africa's capacity for the peaceful and swift resolution of conflicts. The Declaration aimed to position Africa at the forefront of efforts to manage and resolve its own conflicts, stressing that the continent held the primary responsibility for addressing its challenges, while acknowledging the importance of seeking and receiving international solidarity and support in these efforts.<sup>42</sup> Internal conflicts within African states are often deeply rooted in historical grievances, ethnic tensions, and socio-economic disparities.<sup>43</sup> As such, interventions can be complex and potentially counterproductive if not handled delicately.<sup>44</sup> Salim recognised that while intervention may be necessary, it must be approached with careful consideration of local contexts and dynamics.

### **Balancing sovereignty and responsibility: The AU's dilemma**

Salim Ahmed Salim's vision of non-indifference and the African Union's evolving approach to intervention seem to raise key questions: Should intervention protect a regime – democratically elected or not – or protect the people from the regime? A government's refusal to cede power after losing an election often leads to chaos, and Sturman and Baimu argue that AU intervention policies risk prioritising state security over human security.<sup>45</sup>

<sup>41</sup> OAU, 'Report of the Secretary General on the fundamental changes taking place in the world and their implications for Africa'.

<sup>42</sup> Organisation of African Union, Declaration on the political and socio-economic situation in Africa and the fundamental changes taking place in the world, AHG/Decl.1 (XXVI) 1990, 1990, para 11-13; Julius Kambarage Nyerere, *Freedom and liberation: A selection from speeches, 1974–1999*, Oxford University Press, 2011; Julius Kambarage Nyerere, *Our leadership and the destiny of Tanzania*, African Publishing Group, 1995.

<sup>43</sup> Ministry of Foreign Affairs Japan, Tokyo Statement of Principles for Peace and Development.

<sup>44</sup> Emmy Godwin Irobi, 'Ethnic conflict management in Africa: A comparative case study of Nigeria and South Africa', *Beyond Intractability*, May 2005.

<sup>45</sup> Evarist Baimu and Kathryn Sturman, 'Amendment to the African Union's right to intervene: A shift from human security to regime security', 12(2) *African Security Review* (2003) 5.

Furthermore, interference must be geared towards the AU's core principles as reflected in the Constitutive Act, the African Peer Review Mechanism (APRM), and Pan-African institutions. Sustaining the rule of a corrupt regime, human rights abuser or the one that is manipulating elections through interventions is in contradiction to these principles. The Peace and Security Council (PSC), organised to be decisive in crises, should not abandon its human security principle. Besides, The AU Assembly decides on interventions by consensus or a two-thirds majority and is not bound to allow a state to veto. It can intervene under its mandate if a government's refusal to leave power threatens regional security.<sup>46</sup>

The AU's principle of non-indifference challenges absolute state sovereignty, prioritising human security. But should sovereignty be re-defined as responsibility rather than entitlement?

## Conclusion

Dr Salim Ahmed Salim's diplomatic efforts were instrumental in the evolution of African diplomacy from non-interference to non-indifference. His leadership in transforming the OAU into the AU emphasised collective responsibility and proactive intervention in crises, reshaping Africa's approach to conflict resolution and governance. Salim's contributions have left a lasting impact on the continent, particularly through the AU's focus on humanitarian intervention and the protection of human rights, laying the groundwork for ongoing efforts to build a more peaceful and just Africa.

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<sup>46</sup> Ben Kioko, 'The right of intervention under the African Union's Constitutive Act: From non-interference to non-intervention', 85(852) *International Review of the Red Cross* (2003) 816 - 817.