

Strategic Silence? The African Union and South-South cooperation in the Israel-Palestine conflict

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Abstract

This article critically evaluates the African Union's (AU) response to the Israel-Palestine conflict, interrogating whether its foreign policy exemplifies the values of Pan-Africanism, South-South cooperation (or solidarity), and human rights as enunciated in the AU's Constitutive Act. The AU's foundational principles entrench respect for human rights and solidarity, yet a significant gap exists between these normative commitments and its diplomatic practice regarding the Palestinian cause. Based on a qualitative analysis of AU communiqués, summit resolutions, and historical records, this study contrasts the AU's current posture with that of its more vocally aligned predecessor, the Organisation of African Unity (OAU). This article argues that the AU's strategic silence is not a position of principled neutrality but a calculated consequence of internal fragmentation among member states, the securitisation of foreign policy, and powerful external

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geopolitical pressures. This trend erodes the AU's historical commitment to South-South cooperation and undermines its moral authority on the global stage. This article concludes by proposing concrete pathways toward a more coherent and principled AU policy, including the robust use of Palestine's existing observer status and the appointment of a Special Envoy to revitalise African diplomatic engagement.

Keywords: African Union, Israel-Palestine conflict, Pan-Africanism, South-South cooperation, foreign policy, Organisation of African Unity

Introduction

At the zenith of the global struggle against apartheid in South Africa, the African continent, unified under the institutional banner of the Organisation of African Unity (OAU) and projected a voice of remarkable moral clarity.¹ This collective conscience, forged in the crucible of its own anti-colonial struggles, was unshaking in its commitment to justice, liberation, and self-determination.² The OAU, the direct predecessor of today's African Union (AU), not only offered diplomatic shelter but also provided material and political support to liberation movements across the continent, viewing their fight as an indivisible part of Africa's own quest for freedom.³ Today, while the AU issues public statements in support of Palestine, its solidarity often depends on the political interests of individual member states thereby undermining a unified position.⁴

The Israeli-Palestinian conflict persists as one of the most intractable and morally charged issues in contemporary international relations. Most devastating is the dispossession and subjugation of the Palestinian people, who have endured a military occupation, punctuated by recurring military assaults, an asphyxiating blockade and the denial of fundamental human rights.⁵

The Gaza Strip, a narrow and densely populated coastal enclave that is home to over two million people,⁶ has been subjected to a debilitating land, air, and sea blockade for more than sixteen years.⁷ This

¹ Simon Stevens, 'The external struggle against apartheid: New perspectives', 7 *Humanity: An International Journal of Human Rights, Humanitarianism and Development* (2016) 295.

² Saoud Khalaf, 'Nelson Mandela, boycotts, and the right side of history' *The New Arab*, 17 July 2023.

³ Virginia Morris, *Organisation of African Unity: Declarations, resolutions and decisions*, African Institute of International Law, 2023, xxi-xxii.

⁴ Kribsoo Diallo, 'African attitudes to, and solidarity with, Palestine: From the 1940s to Israel's genocide in Gaza', *Transnational Institute*, 26 July 2024.

⁵ Human Rights Watch, "'Hopeless, starving, and besieged": Israel's forced displacement of Palestinians in Gaza', *Human Rights Watch* (2024) 19, 146.

⁶ Khalid Manzoor Butt and Anam Abid Butt, 'Blockade on Gaza Strip: A living hell on earth', 23(1) *Journal of Political Studies* (2016) 164.

⁷ Butt and Butt, 'Blockade on Gaza Strip: A living hell on earth', 158.

policy has been condemned by the Independent Commission on Inquiry established by the United Nations Human Rights Council as a deliberate infliction of ‘conditions of life calculated to bring about its physical destruction in whole or in part’.⁸ The Commission of Inquiry’s September 2025 Report details how Israel has weaponised the withholding of life-sustaining necessities by cutting off supplies of water, food, electricity, fuel and other essential items. This is a strategy that began on 9 October 2023 when the then Minister of Defence of Israel declared a ‘complete siege’ against what he termed ‘human animals’.⁹

This reality on the ground has prompted serious legal scrutiny. The UN Commission of Inquiry found that by July 2025, over 53,000 Palestinians had been killed, of whom more than 83 percent were civilians, with Israeli forces directly and intentionally targeting civilians, including children holding white flags, along evacuation routes and in designated safe zones.¹⁰ Former UN Special Rapporteur Michael Lynk concluded that the situation in the occupied territories meets the legal definition of apartheid under international law.¹¹

In addition to this, through a historic and globally resonant move in 2023, the Republic of South Africa, a nation uniquely positioned to speak with authority on the crime of apartheid, instituted proceedings against the State of Israel at the International Court of Justice (ICJ), accusing it of committing acts of genocide against Palestinians in Gaza.¹²

⁸ ‘Legal analysis of the conduct of Israel in Gaza pursuant to the Convention on the Prevention and Punishment of the Crime of Genocide: Conference room paper of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel’ 16 September 2025, UN Doc A/HRC/60/CRP.3, 46.

⁹ Independent Commission of Inquiry, ‘Legal analysis of the conduct of Israel in Gaza’ 35.

¹⁰ Independent Commission of Inquiry, ‘Legal analysis of the conduct of Israel in Gaza’ 55, 63.

¹¹ Michael Lynk, ‘Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967’ Human Rights Council, A/HRC/49/87, 12 August 2022, para 52.

¹² *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v Israel)*, (Application, instituted 29 December 2023) General List No 192, ICJ, para 1.

This accusation has now been substantiated by the UN Commission on Inquiry, which concluded that the State of Israel is responsible for committing genocide against the Palestinians in Gaza.¹³

Despite the gravity of these allegations and Africa's own historical experience with the evils of racial and colonial domination, the AU's collective response has been characterised by a notable and persistent fragmentation.¹⁴ A clear illustration of this disunity emerged in 2021 with the decision made by the AU Commission Chairperson to unilaterally grant Israel observer status.¹⁵ This move was met with immediate opposition from nearly half of the AU's 55 member states, including regional heavyweights like South Africa, Algeria, and Nigeria.¹⁶

The ensuing diplomatic chaos threatened to derail the 2022 AU Summit and was only defused by suspending the decision.¹⁷ This is a clear testament to the deep ideological gaps that fracture the continent on this issue. This division is unlike the principled unity showcased by the OAU on matters liberation.

The AU, established by the Constitutive Act of 2000, was envisioned as a transformative project, designed to be more than a simple successor to the OAU. It was conceived as the institutional embodiment of a renewed and people-centric Pan-Africanism.¹⁸ Its founding treaty

¹³ Independent Commission of Inquiry, 'Legal analysis of the conduct of Israel in Gaza', 254-55.

¹⁴ Shola Lawal, 'Israel-Gaza war: Why is Africa divided on supporting Palestine?', *Al Jazeera*, 14 October 2023.

¹⁵ Shewit Woldemichael, 'Israel's accreditation to the AU is dividing Africa' *Institute for Security Studies*, 9 September 2021; *Al Jazeera*, 'Israel granted official observer status at the African Union', 23 July 2021.

¹⁶ Department of International Relations and Cooperation (DIRCO), 'South Africa objects to the African Union Commission decision to grant Israel observer status' 28 July 2021, noting that this decision was unilateral and, '[t]he African Union cannot be a party in any way to plans and actions that would see the ideal of Palestinian statehood reduced into balkanised entities devoid of true sovereignty, without territorial contiguity and with no economic viability'; Lawal, 'Israel-Gaza war: Why is Africa divided on supporting Palestine?.'

¹⁷ *Al Jazeera*, 'African Union says Israel's observer status suspended' 20 February 2023.

¹⁸ Gilbert Kimutai, 'OAU-Pan-Africanism: AU-missing ideology?', in Thomas Otieno Juma (ed) *African international relations: Thematic analysis*, Exceller Books, 2021, 128.

is a repository of bold and forward-looking principles, committing the Union to the promotion of democratic governance, sustainable development, regional integration, and, most critically, the protection of human and peoples' rights.¹⁹

The Act's most revolutionary provision, Article 4(h), grants the African Union the explicit right to intervene in a member state in respect of grave circumstances such as war crimes, genocide and crimes against humanity.²⁰ On paper, these commitments signal a shift from an era of strict non-interference to one of collective security.²¹ In practice, however, their application remains inconsistent, frequently undermined by the persistent sovereignty concerns of member states, crippling financial dependencies on external partners, and the huge political divisions that continue to fracture continental unity.²²

This article argues that the AU's ambivalent and often muted position on the Israel-Palestine conflict reveals a significant and damaging inconsistency with its own foundational principles.²³ The analysis is framed by two key conceptual lenses. Strategic silence is employed here to describe the AU's deliberate policy of quietness and avoidance in diplomatic matters, a posture that this paper contends is driven not by principled neutrality but by an array of factors such as the competing national interests, economic incentives, and geopolitical pressures.

The second lens, South-South cooperation,²⁴ while often defined in developmental terms as 'a common endeavour of peoples and countries of the South ... born out of shared experiences and sympathies, based on their common objectives and solidarity' among Global South nations,²⁵

¹⁹ Kimutai, 'OAU-Pan-Africanism: AU-missing ideology?', 128.

²⁰ Constitutive Act of the African Union, 11 July 2000, 2158 UNTS 3, Article 4(h).

²¹ Johnson Mayamba, 'Where are African solutions to Africa problems?', *GCHuman Rights Preparedness*, 8 February 2024.

²² Mayamba, 'Where are African solutions to Africa problems?'

²³ Woldemichael, 'Israel's accreditation to the AU is dividing Africa'.

²⁴ This paper will use cooperation and solidarity interchangeably.

²⁵ UN Office for South-South Cooperation, 'About South-South and triangular cooperation', *UNOSSC*, 2025.

possesses a deeper political and normative dimension that is central to this paper's argument.

As the UN Office for South-South Cooperation (UNOSSC) describes, South-South cooperation as 'born out of shared experiences ... based on ... solidarity',²⁶ a framework first given expression at Bandung in 1955, when anti-colonial leaders tied development to sovereign equality and united opposition to foreign domination.²⁷ As Mohsen al Attar and Nciko wa Nciko argue, there is an 'unbroken bond' linking liberation movements, founded on the recognition that 'all anti-colonial struggles are indeed interconnected' and that the 'settler-colonial violence inflicted on the Palestinians is intrinsically tied to the neocolonial violence Africans continue to face'.²⁸

This is arguably a normative obligation for the AU member states. Trésor Makunya contends that the 'liberation ethos' of the African Charter on Human and Peoples' Rights, especially its call for states to assist any people in their 'liberation struggle against foreign domination', has an extraterritorial reach that extends to Palestine.²⁹ This paper postulates that the AU has allowed its collective voice (once a powerful instrument of South-South cooperation) to be muted by these countervailing forces, signalling a concerning departure from the value-based, anti-imperialist

²⁶ UN Office for South-South Cooperation, 'About South-South and triangular cooperation'.

²⁷ Reality of Aid Network, 'On South-South cooperation: Assessing its political relevance and envisioning a future beyond technical cooperation' *Reality of Aid*, 26 October 2023. See generally, Luis Eslava, Michael Fakhri and Vasuki Nesiah, 'The spirit of Bandung', in Luis Eslava, Michael Fakhri and Vasuki Nesiah (eds) *Bandung, global history, and international law: Critical pasts and pending futures*, Cambridge University Press, 2017, 3; Harrison Otieno Mbori, 'International trade solidarity governance split: Bretton Woods solidarity vs Bandung solidarity' Cecilia Bailliet (ed) *Research handbook on international solidarity and the law*, Edward Elgar Publishing, 2024, 184-186.

²⁸ Mohsen al Attar and Nciko wa Nciko, 'Unbroken bond: Tracing the ties between African and Palestinian anti-colonial struggles - Symposium introduction', *Opinio Juris*, 29 July 2024.

²⁹ Trésor Muhindo Makunya, 'Symposium on unbroken bond: Tracing the ties between African and Palestinian anti-colonial struggles - Peoples' rights without borders? The significance of the African Charter's liberation ethos to the Palestinian struggles', *Opinio Juris*, 8 August 2024.

diplomacy envisioned not only in the spirit of the Bandung Conference but also within its own human rights framework.

The primary objective of this paper is, therefore, to interrogate the AU's obligations under its founding treaty in light of its contemporary diplomatic practice regarding the Palestinian conflict. It seeks to assess whether the AU's evolving foreign policy reflects a pragmatic adaptation to a changing global order or a deeper erosion of Pan-Africanism as a viable doctrine for pursuing global justice.

The paper proceeds as follows: the present part serves well to introduce the discussion. Part two will present a normative framework based on Pan-Africanism and a reading of the Constitutive Act to argue for a duty of solidarity of the AU towards Palestine. This part will also show the distinction between the OAU and the AU to show how the former institution took up this duty of solidarity by condemning imperialism's manifestations, including in Palestine. The third part unearths the geopolitics of silence due to differing national positions, fuelled by economic incentives and external pressure. This paper then concludes by proposing concrete pathways toward a more coherent and principled AU policy, including the robust use of Palestine's existing observer status and the appointment of a Special Envoy to revitalise African diplomatic engagement.

The normative framework: Pan-Africanism, the Constitutive Act and the duty of solidarity

The Constitutive Act of the African Union is, by any measure, a revolutionary legal document, primarily because its core objective is 'to achieve greater unity and solidarity between the African countries and the peoples of Africa'.³⁰ It was meticulously crafted to overcome the perceived institutional weaknesses of the OAU and its Charter, particularly its rigid adherence to the principle of non-interference, which had often

³⁰ Constitutive Act of the African Union, Article 3(a).

been used as a shield by authoritarian regimes to deflect criticism of domestic human rights abuses.³¹

The Constitutive Act's drafters envisioned a more integrated, proactive and assertive Africa, capable of addressing its own conflicts and speaking with a unified, powerful voice on the world stage.³² Articles 3 and 4 of the Act lay out a comprehensive legal framework, committing the Union and its member states to a wide array of principles, including the promotion of peace and security, the advancement of democracy and good governance, and, most critically, the promotion and protection of human and peoples' rights.³³ This framework is not merely aspirational; it imposes clear legal and moral imperatives on the institution and its members, forming the very bedrock of the AU's institutional identity.

There is often a wide gap between what the AU promises on paper and what it does in practice. The bold ideas in the Constitutive Act are usually watered down. Leaders and bureaucrats interpret them cautiously to avoid upsetting member states.³⁴ This caution reflects the different interests and foreign policies across the continent. It represents a significant departure from the Act's original and more ambitious intent, which was to reawaken and institutionalise a sense of Pan-African dignity, shared destiny and collective autonomy for the twenty-first century.³⁵

While the African Union has demonstrated a capacity for decisive diplomatic action in certain continental crises (such as its swift suspension of member states following unconstitutional changes of govern-

³¹ Ben Kioko, 'The right to intervention under the African Union's Constitutive Act: From non-interference to non-intervention', 85 *International Review of the Red Cross* (2003) 812-13; Otilia Anna Maunganidze, 'Human rights and constitutionalism in Africa: Progress has been achieved, but more is needed', 52 *The Cairo Review of Global Affairs* (2024).

³² Hoolo 'Nyane, 'An analysis of the African Union's Constitutive Act: Has the Act "constitutionalised" the Union?', 12(2) *Journal of African Union Studies* (2023) 6.

³³ Constitutive Act of the African Union, Articles 3 and 4.

³⁴ Hubert Kinkoh, 'Why the African Union should weigh in on the Gaza crisis', *Institute for Security Studies Today*, 10 July 2024.

³⁵ 'Nyane, 'An analysis of the African Union's Constitutive Act', 6.

ment³⁶ or its strong diplomatic intervention in the Sudanese conflict³⁷) it remains conspicuously silent and passive when confronted with the Israeli-Palestinian conflict. Its response has been largely limited to sporadic and often weakly worded press statements,³⁸ with no sustained, high-level diplomatic initiative to match the gravity and urgency of the situation on the ground.³⁹

A tale of two Unions: The AU's reticence and the OAU's principled and uncompromising stand

To fully appreciate the extent and significance of the AU's current reticence, it is essential to compare it with the clear and consistent historical precedent set by the OAU. Though often criticised for its institutional weaknesses and its inability to prevent intra-African conflicts,⁴⁰ the OAU was rarely, if ever, afraid to speak out boldly and unequivocally against external oppression, colonialism, and racial injustice.⁴¹ Born in the era of decolonisation in the early 1960s, its very identity was inextricably linked to the global struggle for liberation.

The OAU was at the vanguard of the international diplomatic and material campaign against apartheid in South Africa and Portuguese colonialism in Angola, Mozambique, and Guinea-Bissau.⁴² It recognised national liberation movements like the South West Africa People's Organisation (SWAPO) and the African National Congress (ANC) as the

³⁶ Human Rights Watch, 'World report 2025: African Union', *Human Rights Watch*, 2025.

³⁷ African Union, 'The Sudan war calls for our relentless collective action: High Level Dialogue on Sudan concludes', *Press release*, 11 February 2025.

³⁸ African Union Commission, 'Joint statement by the African Union Commission and the General Secretariat of the League of Arab States on the grave situation in Gaza', 15 October 2023.

³⁹ Kinkoh, 'Why the African Union should weigh in on the Gaza crisis'.

⁴⁰ Mohammed Faal, 'The OAU and conflict management in Africa: The post-cold war era', Unpublished PhD thesis, University of Southampton, 2001, 92.

⁴¹ Faal, 'The OAU and conflict management in Africa: The post-cold war era', 92; Charter of the Organisation of African States, 25 May 1963, Article II (1).

⁴² Mohamed El-Khawas, 'The quiet role of OAU in Africa's liberation', 5(2) *New Directions* (1978) 16.

sole legitimate representatives of their people, granting them observer status and providing them with critical diplomatic platforms and material assistance, even as they were being branded as terrorist organisations by powerful Western states.⁴³

This sense of solidarity was not confined to the geographical boundaries of the African continent. The OAU's Pan-African ideology fostered a worldview that saw the Palestinian struggle as a natural and indivisible extension of its own anti-colonial project.⁴⁴ The legal and political parallels between apartheid South Africa and the situation in the occupied Palestinian territories were frequently and explicitly drawn by African leaders.⁴⁵

In the early 1970s, the OAU passed AHG/Res.76 (XII), 'Resolution on the Middle East and Occupied Arab Territories', which declared its unequivocal support for the Palestinian people's inalienable right to self-determination and the recovery of their homeland.⁴⁶ In 1974, in a move of symbolism and political weight, the OAU formally recognised the Palestinian Liberation Organisation (PLO) as the sole legitimate representative of the Palestinian people.⁴⁷

The 1975 OAU summit in Kampala, Uganda, marked the zenith of this solidarity; PLO Chairman, Yasser Arafat, was welcomed as a fellow freedom fighter,⁴⁸ and the organisation passed a landmark resolution endorsing the controversial UN General Assembly Resolution 3379, which determined that 'zionism is a form of racism and racial discrimination'.⁴⁹ While this resolution was later revoked by the UN in 1991 due

⁴³ El-Khawas, 'The quiet role of OAU in Africa's liberation', 16.

⁴⁴ OAU 'Resolution on the Middle East and the occupied Arab territories' CM/Res. 468 (XXVI) (1976).

⁴⁵ Khalaf, 'Nelson Mandela, boycotts, and the right side of history'.

⁴⁶ Virginia Morris, *Organisation of African Unity: Declarations, resolutions and decisions*, African Institute of International Law, 2023, 205.

⁴⁷ OAU 'Resolution on the Middle East and the question of Palestine', CM/Res. 573 (XXI-II) (1974).

⁴⁸ Hanan Jarrar, 'Israel must not have a place at the African Union until it ends its occupation of Palestine', *Middle East Monitor*, 26 September 2021.

⁴⁹ Organisation of African Unity (OAU), 'Resolutions on the Question of Palestine Adopt-

to intense pressure from the United States,⁵⁰ the OAU's endorsement at the time signaled an uncompromising and principled alignment with the Palestinian cause, positioning Africa as a moral standard-bearer for the entire Global South. For decades, Palestine was a central and non-negotiable pillar of Pan-African foreign policy.

The AU's legal, moral, and normative obligations

The AU's ethical compass, by contrast, appears to have been significantly recalibrated by the powerful forces of post-Cold War geopolitics and economic globalisation.⁵¹ As Jan Vanheukelom argues, the AU's very creation was driven by a post-Cold War imperative to manage internal conflicts, a shift that aligned with the security interests of external partners like the US and the EU.⁵² This alignment has led to a financial dependency, where donors finance the majority of the AU's peace operations.⁵³

Despite these powerful external influences, the Constitutive Act provides the necessary legal authority and moral responsibility for the AU to act decisively on issues of global injustice. Article 4(h) of the Act grants the Union the unprecedented 'right to intervene in a member state' in respect of grave circumstances such as genocide and crimes against humanity.⁵⁴

ed by the Assembly of Heads of State and Government at its twelfth Ordinary Session, Kampala, Uganda July 28 – 1 August 1975', AHG/Res. 71-78 (XII), 1975; United Nations General Assembly, Resolution 3379 (10 November 1975) UN Doc A/RES/3379(XXX).

⁵⁰ Yoav Tenenbaum, 'Remember when the UN said "Zionism equals racism"?', RealClearHistory, 31 March 2025.

⁵¹ George Okello, 'Economic dependency as a basis of co-operation and political compliance in inter-state relations: A case study of Kenya's foreign policy towards Britain, 1963-1988', Unpublished MA thesis, University of Nairobi, 1992.

⁵² Jan Vanheukelom, *The political economy of regional integration in Africa: The African Union (AU) report*, European Centre for Development Policy Management, 2016, 3.

⁵³ Vanheukelom, *Political economy of regional integration in Africa*, 5.

⁵⁴ Constitutive Act of the African Union, Article 4(h).

While some argue that the scope of this provision is strictly limited to member states,⁵⁵ and cannot be invoked to justify intervention in a non-member territory like Palestine, the *spirit* of Article 4(h) (the revolutionary principle of ‘non-indifference’ to mass atrocities) establishes a powerful normative expectation for the AU to act.⁵⁶ It is true that the chief architect of this principle, Salim Ahmed Salim, primarily envisioned it as an intra-African tool to overcome the OAU’s paralysis in the face of atrocities within its own member states, such as the Rwandan Genocide.⁵⁷ His focus was on ensuring that state sovereignty would no longer serve as a shield for internal repression.

However, the foundational *moral logic* of non-indifference, that a community of nations has a collective responsibility to act in the face of mass atrocities, resonates far beyond the continent’s borders.⁵⁸ This principle has just been recently substantiated by the UN-mandated Commission of Inquiry which formally concluded that the State of Israel is responsible for committing acts of genocide in Gaza, including the mass killing of civilians, the destruction of the healthcare system and the deliberate imposition of famine.⁵⁹

The report explicitly finds that top Israeli officials, including the President, Prime Minister and the then Defence Minister, engaged in direct and public incitement to commit genocide.⁶⁰ This finding places an unavoidable moral and legal challenge before the AU, testing the

⁵⁵ Gabriel Amvane, ‘Intervention pursuant to Article 4(h) of the Constitutive Act of the African Union without United Nations Security Council authorisation’, 15 *African Human Rights Law Journal* (2015) 283.

⁵⁶ Kwesi Aning and Frank Okyere, ‘The African Union’, in Alex J Bellamy and Tim Dunne (eds) *The Oxford handbook of the responsibility to protect*, Oxford University Press, 2016, 356-58.

⁵⁷ Antony Karol Muma, ‘Transforming African diplomacy: Salim Ahmed Salim’s vision of non-indifference and the evolution from OAU to AU’, 3 *Kabarak Law Review* (2024) 233-237.

⁵⁸ Antony Karol Muma, ‘Transforming African diplomacy’, 238.

⁵⁹ Independent Commission of Inquiry, *Legal analysis of the conduct of Israel in Gaza*, UN Doc A/HRC/60/CRP.3, 68.

⁶⁰ Independent Commission of Inquiry, *Legal analysis of the conduct of Israel in Gaza*, UN Doc A/HRC/60/CRP.3, 71.

very credibility of its commitment to Article 4(h). This principle, combined with the Preamble's call for a unified Africa to face 'the challenges of a globalised world',⁶¹ provides a firm normative basis for the AU to deploy its established diplomatic arsenal, including leveraging the authority of its Peace and Security Council, appointing high-level special envoys, and leading mediation efforts, on behalf of the oppressed, regardless of their geographical location.

This moral obligation is further deepened and reinforced by the AU's commitments under general international law. As a regional organisation under Chapter VIII of the UN Charter, the AU shares a collective responsibility for the maintenance of international peace and security through actions deemed 'as appropriate for regional action'.⁶² While this does not imply military intervention in a non-member territory, it creates a clear mandate for strong diplomatic engagement.

Furthermore, the principles enshrined in their own human rights instruments, most notably the African Charter on Human and Peoples' Rights (the Banjul Charter), are universal in their aspiration and application.⁶³ This universalist commitment is explicit in the Banjul Charter. As Makunya argues, the rights enshrined in Articles 19 and 20 (affirming the equality of 'all peoples' and their right to assistance in liberation struggles) are not confined to Africans.⁶⁴ The deliberate omission of the qualifier 'African' in these Articles, he contends, creates a positive obligation for member states to support the Palestinian people's struggle against foreign domination, giving the Charter's liberation ethos an explicit extraterritorial reach.⁶⁵ These are not merely African rights;

⁶¹ Constitutive Act of the African Union, Preamble.

⁶² Charter of the United Nations, 26 June 1945, 1 UNTS XVI, Article 52.

⁶³ African Charter on Human and Peoples' Rights, 27 June 1981, OAU Doc CAB/LEG/67/3 rev. 5, Articles 19 and 20(3).

⁶⁴ Makunya, 'Symposium on unbroken bond: Tracing the ties between African and Palestinian anti-colonial struggles - Peoples' rights without borders? The significance of the African Charter's liberation ethos to the Palestinian struggles'.

⁶⁵ Makunya, 'Symposium on unbroken bond: Tracing the ties between African and Palestinian anti-colonial struggles - Peoples' rights without borders? The significance of the African Charter's liberation ethos to the Palestinian struggles'.

they are universal human rights that the AU has solemnly pledged to champion on the global stage.

The call for solidarity is increasingly understood as a foundational principle for addressing complex, transboundary challenges such as mass atrocities, a norm embodied in doctrines like the responsibility to protect.⁶⁶ It is as an expression of unity by which peoples and individuals enjoy the benefits of a peaceful, just and equitable international order.

As the former UN Independent Expert on International Solidarity, Obiora Okafor, argues, the ‘interconnectedness’ of contemporary global challenges, from pandemics to climate change to systemic poverty, means that the ‘enjoyment of human rights across the world is to be optimised’, and the fortunes of Africans are ‘deeply tied to the fate of other humans and populations’.⁶⁷ This perspective powerfully echoes the foundational warnings of Pan-African visionaries like Kwame Nkrumah, who famously asserted that Ghana’s independence was ‘meaningless unless it is linked up with the total liberation of Africa’.⁶⁸

Yet, the AU’s contemporary approach appears to subordinate this foundational principle to the pursuit of narrow economic and security partnerships, a trend epitomised by the growing normalisation of relations with Israel by several member states.⁶⁹ This, is not just a political choice; it is an indicator of deep structural vulnerabilities within the institution, most notably its financial dependency on external partners who often have strategic interests that are directly aligned with Israel.⁷⁰

⁶⁶ Michael W Doyle, ‘The politics of global humanitarianism: R2P before and after Libya’, in Alex J Bellamy and Tim Dunne (eds) *The Oxford handbook of the responsibility to protect*, Oxford University Press, 2016, 675-76.

⁶⁷ Obiora Chinedu Okafor, ‘International solidarity, human rights and life on the African continent ‘after’ the pandemic’, 5(1) *Strathmore Law Journal* (2021) 217.

⁶⁸ Kwame Nkrumah, *Africa must unite*, Frederick A Praeger, 1963, 136.

⁶⁹ Michael Bishku, ‘Israel’s relations with the East African states of Kenya, Uganda, and Tanzania from independence to the present’, 22(1) *Israel Studies* (2017) 88-92.

⁷⁰ Frank Mattheis, Dimpho Deleglise and Ueli Staeger, ‘African Union: The African political integration process and Its impact on EU-AU relations in the field of foreign and security policy’, Policy Department for External Relations, Directorate General for External Policies of the Union, European Parliament, Study PE 702.587, May 18 ,2023.

This dependency erodes not only the AU's autonomy but also its institutional memory, creating a clear and poignant contradiction with the powerful declaration of Nelson Mandela: 'We know too well that our freedom is incomplete without the freedom of the Palestinians'.⁷¹

The geopolitics of silence: Internal fragmentation and external pressures

The AU's silence is not accidental but the result of internal divisions among member states and external geopolitical pressures.⁷² It is true that individual states can take positions that are different from the AU's collective stance without this necessarily constituting an institutional failure. However, this perspective overlooks the unique political economy of the AU, where the collective will of the Union and the operational capacity of its Commission are fundamentally dependent on the political and financial backing of its most influential members.

When these key regional actors are divided on an issue, as they are on Palestine, their competing interests do not simply represent a diversity of opinion but rather create an institutional deadlock that results in inaction. Therefore, to understand the AU's inaction on the Israel-Palestine issue, we must look at both the differing foreign policies of these key regional actors and the wider global context that shapes them.

A fractured continent: The divergent policies of member states

The cherished ideal of a unified African foreign policy, a central tenet of Pan-Africanism, is frequently undermined by competing national interests.⁷³ The AU's position on the Israel-Palestine conflict serves as a

⁷¹ Nelson Mandela, 'Address by President Nelson Mandela at the International Day of Solidarity with the Palestinian people', Pretoria, 4 December 1997.

⁷² Mattheis, Deleglise and Staeger, 'African Union: The African political integration process and its impact on EU-AU relations in the field of foreign and security policy', 18.

⁷³ George Okello, 'Economic dependency as a basis of co-operation and political compliance in inter-state relations: A case study of Kenya's foreign policy towards Britain, 1963-1988', 9.

textbook case of this fragmentation, where the collective stance of the Union is effectively held hostage by the divergent policies of its most influential members.⁷⁴ It is crucial to distinguish these individual state policies from the official stance of the AU; indeed, they are the primary cause for the conspicuous lack of a coherent and unified institutional position.

Egypt: The indispensable but constrained balancer

Egypt, once the epicentre of Arab nationalism and a fierce, uncompromising advocate for the Palestinian cause under the charismatic leadership of Gamal Abdel Nasser, has long since recalibrated its foreign policy toward one of cautious, pragmatic balancing.⁷⁵ The 1979 Camp David Accords, the landmark peace treaty with Israel, fundamentally and irrevocably altered its regional posture.⁷⁶

While many in the Arab world viewed the treaty as a profound betrayal of the Palestinian cause, it repositioned Egypt as an indispensable regional mediator, a role it continues to play to this day.⁷⁷ Cairo has been central to brokering numerous ceasefires between Israel and Hamas and has hosted countless, often fruitless, Palestinian unity talks.⁷⁸

However, this peace-making role is underpinned by a cold, hard-headed realism. Israel is a crucial and irreplaceable security partner for Egypt, particularly in managing the volatile and insurgency-plagued Sinai Peninsula, where cross-border militancy poses a direct

⁷⁴ Woldemichael, 'Israel's accreditation to the AU is dividing Africa'; Ayodele Oluwafemi, 'South Africa, Namibia, Algeria reject Israel's African Union observer status', *The Cable*, 30 July 2021.

⁷⁵ Michael Sharnoff, 'Nasser and the Palestinians', 28 *Middle East Quarterly* (2021) 1.

⁷⁶ Mohammad Bani-Salameh, Mohammed Torqi Bani Salameh and Mohammad Kanoush Al-Shra'h, 'The Camp David Accords: Lessons and facts', 9(2A) *Arab Journal for Arts* (2012) 41-66.

⁷⁷ Bani-Salameh, Torqi Bani Salameh and Kanoush Al-Shra'h, 'The Camp David Accords', 45.

⁷⁸ Bani-Salameh, Torqi Bani Salameh and Kanoush Al-Shra'h, 'The Camp David Accords', 60.

and persistent threat to its national security.⁷⁹ This strategic necessity has led to quiet but essential security and intelligence cooperation between the two former adversaries.⁸⁰

The geography of the Gaza Strip places Egypt in an impossible strategic and humanitarian bind: sealing the Rafah border crossing exacerbates the devastating humanitarian crisis for the two million Palestinians trapped inside, while opening it without stringent controls risks the uncontrolled flow of weapons and instability into its own territory.⁸¹ This deep-seated conflict of interest ensures that Egypt's official, rhetorical support for the Palestinian cause is always tempered by its overriding and non-negotiable security concerns. Within the AU, Egypt's influential voice is consistently one of caution, restraint, and de-escalation.⁸² This posture often sets the tone for other North African and Arab-African states and contributes significantly to the Union's overall inertia and reluctance to take a strong, principled stand.

Morocco: Normalisation in the service of territorial ambition

In a move that sent shockwaves across the region, Morocco, in 2020, became one of several Arab nations to normalise diplomatic relations with Israel as part of the US-brokered Abraham Accords: Declaration of Peace, Cooperation and Constructive Diplomatic and Friendly Relations.⁸³ The move was overtly and unapologetically transactional. In exchange for re-establishing full diplomatic ties with Tel Aviv, the United States under the Trump administration, formally recognised Moroccan sovereignty over the long-disputed and resource-rich terri-

⁷⁹ Al Jazeera, 'Israel seizes key Gaza border crossing as it launches assault on Rafah', *Al Jazeera*, 7 May 2024.

⁸⁰ Erlanger Steven, 'US and Israel sign military aid deal', *The New York Times*, April 2004.

⁸¹ Al Jazeera, 'Israel seizes key Gaza border crossing as it launches assault on Rafah', *Al Jazeera*, 7 May 2024.

⁸² Lawal, 'Israel-Gaza war: Why is Africa divided on supporting Palestine?'

⁸³ US-Department of State, 'Abraham Accords: Declaration of Peace, Cooperation, and Constructive Diplomatic and Friendly Relations (Israel-Bahrain)', 15 September 2020; Henelito Sevilla, 'The Abraham Accords and peace in the Middle East: Regional reception and implications', 17(1) *Center of Middle Eastern Studies* (2024) 5.

tory of the Western Sahara.⁸⁴ This decision was widely and vehemently condemned across the Arab and African worlds as a cynical trade-off, a blatant sacrifice of a principled stance on Palestinian self-determination for strategic territorial gain.⁸⁵

The Abraham Accords simply brought these shadowed, long-standing ties into the full light of day. Within the AU, the effects of this normalisation have been deeply corrosive to continental unity. Morocco, which controversially came back to the Union in 2017 after a 33-year absence, has skilfully used its renewed diplomatic clout to weaken collective statements on Palestine and to build a silent coalition of states favourable to Israel.⁸⁶

When Israel was controversially granted observer status in 2021, Morocco was a quiet but powerful supporter of the move, conspicuously choosing not to object together with states like South Africa and Algeria.⁸⁷ Morocco's unapologetic realpolitik approach, while perfectly rational from a narrow national interest perspective, has dealt a severe and perhaps irreparable blow to the possibility of a unified and principled Pan-African position on the conflict.

Kenya: The technocratic and security-focused partner

Kenya exemplifies a growing and influential trend among many Sub-Saharan African nations: the deliberate prioritisation of pragmatic, technocratic and economic partnerships over historical, ideological, or solidarity-based allegiances.⁸⁸ Kenya's burgeoning relationship with Israel is not driven by the complicated politics of the Middle East but by

⁸⁴ Sevilla, 'The Abraham Accords and peace in the Middle East', 5.

⁸⁵ Mohamed Chtatou, 'Abraham Accords: Romancing a new Middle East - Analysis', *Eurasia Review*, 26 January 2022.

⁸⁶ David Jacobs and Thomas Isbell, 'Rejoining the AU, Moroccans bring decidedly mixed attitudes toward regional integration' *AfroBarometer*, 28 March 2017.

⁸⁷ Oluwafemi, 'South Africa, Namibia, Algeria reject Israel's African Union observer status'.

⁸⁸ Edward Mogire, 'Balancing between Israel and the Arabs: An analysis of Kenya's Middle East relations', 97(397) *The Round Table* (2008) 561.

a clear-eyed and relentless pursuit of modernisation, national security, and economic growth.⁸⁹

This relationship is one of the most established and multifaceted in East Africa. Though formal diplomatic relations were severed in the wake of the 1973 Yom Kippur War, they were quietly re-established in 1988 and have since flourished into a deep strategic partnership.⁹⁰

Nairobi views Jerusalem not just as a political ally but as a crucial development and security partner, particularly in the vital sectors of agriculture (advanced drip irrigation technology), cybersecurity, water management, and, most critically, counter-terrorism.⁹¹ Israeli intelligence, training, and technology have been invaluable to Kenya's protracted efforts to combat the persistent threat from the Somalia-based militant group *Al-Shabaab*, especially in the aftermath of high-profile attacks like the 2013 Westgate Mall siege.⁹²

This support, however, comes with a price. Kenya adopts a deliberately neutral and studiously ambiguous public stance on the conflict, employing generalist and non-committal language about 'dialogue' and 'peaceful co-existence' while carefully avoiding any direct condemnation of the Israeli occupation or its policies.⁹³ This posture of strategic ambiguity contributes significantly to the fragmented and often muted position of the AU on the Palestinian cause.

South Africa: The unwavering and principled voice of dissent

In evident and often lonely comparison to these interest-driven positions, South Africa remains the most unapologetic, consistent and

⁸⁹ Victor Raballa, 'Kenya, Israel seal agricultural partnership to boost food production', *Nation Africa*, 29 August 2024; Aggrey Mutambo, 'Kenya, Israel agree to enhance cooperation on health and security', *The East African*, 29 July 2021.

⁹⁰ Martin Gasper, 'The making of the modern Middle East', in Ellen Lust (ed) *Middle East*, 13th edition, Sage Publications, Washington, 2014, 1.

⁹¹ Edward Mogire, 'Balancing between Israel and the Arabs', 567.

⁹² Patrick Gathara, 'The Westgate Mall attack and Kenya's national amnesia', *Al Jazeera*, 21 September 2021.

⁹³ Oluwafemi, 'South Africa, Namibia, Algeria reject Israel's African Union observer status'.

principled defender of Palestinian rights on the African continent.⁹⁴ This unshaking stance is organically informed by its own painful history with state-sanctioned racial discrimination, leading it to draw powerful and deliberate parallels between the system of apartheid and contemporary Israeli policies in the Occupied Palestinian Territory.⁹⁵

This position is supported by other legal scholars as well.⁹⁶ By grounding its foreign policy in the moral authority of its own liberation struggle, South Africa has positioned itself as the *de facto* moral conscience of the AU on this issue, even at the cost of considerable diplomatic friction and isolation.⁹⁷ When the AU Commission controversially granted Israel observer status, it was South Africa that led the vociferous and ultimately successful campaign to have the decision suspended.⁹⁸ This principled stance is a direct legacy of the African National Congress's (ANC) historical and fraternal alliances with liberation movements across the world during the anti-apartheid years.⁹⁹

South Africa has consistently backed its powerful words with concrete action, downgrading its embassy in Tel Aviv to a liaison office and relentlessly calling for international sanctions, boycotts, and investigations into Israel's conduct, culminating in its historic case at the ICJ.¹⁰⁰ South Africa's actions have been corroborated by the findings of the UN Commission of Inquiry.

The Commission's report, using a high standard of proof, independently reached the same grave conclusion: that the only reasonable

⁹⁴ Raef Zreik, 'Palestine, apartheid, and the rights discourse', 34(1) *Journal of Palestine Studies* (2004) 68.

⁹⁵ Zreik, 'Palestine, apartheid, and the rights discourse', 68.

⁹⁶ John Dugard and John Reynolds, 'Apartheid, international law, and the occupied Palestinian territory', 24(3) *European Journal of International Law* (2013) 867.

⁹⁷ Dugard and Reynolds, 'Apartheid, international law, and the occupied Palestinian territory', 868.

⁹⁸ Oluwafemi, 'South Africa, Namibia, Algeria reject Israel's African Union observer status'.

⁹⁹ Rajini Srikanth, 'South African solidarity with Palestinians: Motivations, strategies, and impact', 27(1) *New England Journal of Public Policy* (2015) 10.

¹⁰⁰ Mayibongwe Maqhina, 'Downgrading of SA embassy in Tel Aviv not finalised, Ramaphosa reveals', *Independent Online*, 14 October 2019.

inference from Israel's pattern of conduct (like mass killings of civilians and attack on hospitals) is genocidal intent to destroy the Palestinians in Gaza as a group.¹⁰¹ However, this moral clarity has not translated into continental consensus. In fact, South Africa's outspoken advocacy has often served to highlight, rather than bridge, the deep ideological rifts within the AU, serving as a constant and often uncomfortable reminder of the Union's significant departure from its anti-colonial and liberationist roots.

External pressures and the geopolitics of aid and security

The internal fragmentation of the AU is significantly worsened by a range of powerful external geopolitical pressures that shape and constrain the foreign policy choices of its member states. Africa's diplomatic orientations are not forged out of thin air; they are often heavily influenced by the unforgiving realities of global power dynamics, economic dependency, and the increasingly securitised nature of international relations.

The enduring influence of the United States

The United States, Israel's most powerful and steadfast ally, wields immense and often decisive influence over the foreign policy calculations of many African states.¹⁰² This influence is exerted in the form of diplomatic pressure, extensive security assistance, and potent economic incentives.¹⁰³ The African Growth and Opportunity Act (AGOA), which provides eligible Sub-Saharan African countries with coveted duty-free access to the vast US market, stands as a good example of the US' economic leverage.¹⁰⁴ While its eligibility criteria are ostensibly technical,

¹⁰¹ Human Rights Council, *Legal analysis of the conduct of Israel in Gaza*, UN Doc A/HRC/60/CRP.3, 64.

¹⁰² Dov Waxman and Jeremy Pressman, 'The rocky future of the US-Israel special relationship', 44(2) *The Washington Quarterly* (2021) 75.

¹⁰³ Waxman and Pressman, 'The rocky future of the US-Israel special relationship', 75.

¹⁰⁴ Sipehelele Dlodla, 'SA's legal action against Israel's Palestine actions could derail AGOA deal, expert warns', *Independent Online*, 15 January 2024.

focusing on governance and market reforms, alignment with US foreign policy priorities is often an implicit, if unstated, condition.¹⁰⁵

Diverging from the US position on sensitive issues like Israel creates significant diplomatic friction for African states.¹⁰⁶ US influence is traditionally channelled through massive foreign aid programmes like USAID, but this leverage is politically volatile. The prospect of an 'America First' administration dismantling such aid, a scenario projected to terminate up to 86% of USAID awards and stop life-saving programmes in healthcare such as PEPFAR, forces a clear choice upon African leaders.¹⁰⁷

This 'cold-turkey approach'¹⁰⁸ creates a dynamic where aid is not just a tool for development, but a potential instrument of political compliance. Alongside this conditional aid, a web of crucial security and counter-terrorism partnerships provides a more consistent form of leverage. For many African states, the strategic necessity of maintaining a favourable relationship with Washington, whether for aid or security, often outweighs ideological commitments to solidarity with the Palestinian cause.

The rise of alternative global powers: China and Russia

The rapidly growing presence and influence of China and Russia in Africa offers an alternative to traditional, often conditional, Western partnerships, creating a more complex and multipolar geopolitical landscape on the continent. Both Beijing and Moscow often position themselves as allies of the Global South, and their stated opposition to West-

¹⁰⁵ Dlodla, 'SA's legal action against Israel's Palestine actions could derail AGOA deal, expert warns'.

¹⁰⁶ Deborah Munganga, 'The effectiveness of US development assistance in fostering sustainable development in Sub-Saharan Africa', 10(10) *McNair Scholars Research Journal* (2017) 119; Reuters, 'US tariffs threaten 35,000 citrus jobs in South Africa, farmers say', 8 April 2025.

¹⁰⁷ Ramona Godbole, 'Analyzing USAID program disruptions: Implications for PEPFAR programming and beneficiaries', Center for Global Development (CGD Note 391, 2025), 3.

¹⁰⁸ Hannah Atkins, 'USAID cuts: Six months on', *Africa Practice*, 23 July 2025.

ern imperialism and unilateralism resonates deeply with the historical tenets of Pan-Africanism. Both have frequently used their platforms at the UN Security Council to vote in favour of resolutions supporting the Palestinian cause.¹⁰⁹ However, their engagement in Africa is also driven by clear-eyed and pragmatic strategic interests.¹¹⁰

China is now, by a significant margin, Africa's largest trading partner, its biggest bilateral creditor, and the dominant force in infrastructure development through its ambitious Belt and Road Initiative (BRI).¹¹¹ While it maintains a consistently pro-Palestinian rhetorical stance in international forums, its overriding priorities in Africa are economic; ensuring stability, securing access to natural resources and expanding markets for its goods and services.¹¹² Its official and much-vaunted doctrine of 'non-interference' in the internal affairs of its partners provides a convenient and welcome justification for many African states to adopt a similarly cautious and non-committal approach to divisive international issues, thereby prioritising the tangible benefits of economic partnership over the risks of taking a principled, and potentially costly, political stand.¹¹³

Russia, on the other hand, has been methodically expanding its influence in Africa primarily through the security sector by leveraging arms sales, the deployment of private military contractors, and strategic political outreach to prop up friendly regimes, particularly in the Sahel region.¹¹⁴ While Russia has, on several occasions, been sharply critical

¹⁰⁹ United Nations, 'Security Council fails to adopt resolution on imperative of immediate, sustained ceasefire in Gaza, owing to vetoes cast by China, Russian Federation – Resolution (S/2024/239)', *UN News*, 22 March 2024.

¹¹⁰ Samuel Ramani, 'Russia and China in Africa; Prospective partners or asymmetric rivals?', *SALIA Policy Insights*, December 2021.

¹¹¹ David Landry, 'More problems more money? Does China lend more to African countries with higher credit risk levels?', 4 *Global Studies Quarterly* (2024) 10.

¹¹² Maria Papageorgiou and Mohammad Eslami, 'The Israel-Palestine conflict and China's actorness in the Middle East: A challenge to US influence', *Georgetown Journal of International Affairs*, 28 October 2024.

¹¹³ Papageorgiou and Eslami, 'The Israel-Palestine conflict and China's actorness in the Middle East: A challenge to US influence'.

¹¹⁴ Adeleke Ogunnoiki, Ifeanyi Ani, and Innocent Iwediba, 'The trajectory of Russia-

of Israeli actions against Palestinians, its primary focus in Africa is on securing strategic footholds and challenging Western influence.¹¹⁵ Its relationships are often nakedly transactional and not rooted in any ideological commitment.¹¹⁶

The presence of these powerful alternative actors provides African states with greater diplomatic manoeuvrability and leverage, but it does not necessarily incentivise a revival of principled Pan-African solidarity. Instead, it creates a crowded and competitive geopolitical marketplace where African states can artfully balance competing interests, a dynamic that ultimately reinforces and legitimises the AU's strategic silence on sensitive and polarising issues like Palestine.

Conclusion: Revitalising Pan-Africanism for global justice

The strategic silence of the African Union on the Palestinian cause represents a big departure from the principled, anti-colonial solidarity that once defined its predecessor, the OAU.¹¹⁷ This paper has argued that this silence is not a posture of neutrality but a consequence of an immeasurable internal fragmentation, the pervasive influence of powerful geopolitical actors, and the ascendant prioritisation of narrow, short-term national interests over the collective, long-term values of Pan-Africanism and South-South solidarity.

The divergence between the vocal states like South Africa and the pragmatic, ones like Egypt, Morocco, and Kenya effectively paralyses the Union, rendering its collective voice on this critical issue of South-South solidarity weak, inconsistent, and, ultimately, inconsequential on the world stage.¹¹⁸ The AU needs to do something, especially after the

Africa relations: Highlighting continuity and discontinuity', 9(2) *Nnamdi Azikiwe Journal of Political Science* (2024) 64.

¹¹⁵ Moscow Times (AFP), 'Russia's Foreign Ministry condemns Israel's renewed bombardment of the Gaza Strip', 18 March 2025.

¹¹⁶ Ogunnoiki, Ani and Iwediba, 'The trajectory of Russia-Africa relations', 64.

¹¹⁷ Faal, 'The OAU and conflict management in Africa: The post-cold war era', 92.

¹¹⁸ Lawal, 'Israel-Gaza war: Why is Africa divided on supporting Palestine?'

UN Commission of Inquiry report has just concluded that Israel's actions committed against the Palestinian people are genocidal.¹¹⁹

This negates the AU's own framework that is based on the universal principles of self-determination, human rights, and solidarity with the oppressed.¹²⁰

By failing to adopt a coherent and consistent position on Palestine, the AU risks tarnishing its hard-won legacy as a champion of justice and a moral leader in the Global South.¹²¹ The plight of the Palestinian people is an undeniable continuation of the same universal struggle for dignity, freedom, and self-determination that defined and animated Africa's own liberation movements.

Despite these massive challenges, the African Union holds the latent potential to reclaim its moral leadership and forge a more coherent, principled and impactful foreign policy. This would necessitate a concerted and courageous effort to move beyond the fragmented and often self-interested positions of individual member states to develop a unified and proactive institutional approach grounded in its own founding values. Several concrete and viable pathways exist to begin this process of revitalisation.

A foundational step would be for the AU to more effectively and strategically leverage Palestine's existing observer status.¹²² This underutilised platform, could be transformed from a symbolic gesture into a meaningful diplomatic engagement. The AU Peace and Security Council, the continent's primary organ for conflict resolution, could hold regular, high-level consultations with Palestinian representatives. The outputs of these consultations could inform joint statements, formal resolutions, and dedicated agenda items at AU summits, thereby elevating the issue from the diplomatic periphery to the institutional core.

¹¹⁹ Independent Commission of Inquiry, *Legal analysis of the conduct of Israel in Gaza*, 71.

¹²⁰ Faal, 'The OAU and conflict management in Africa: The post-cold war era', 92.

¹²¹ John Dugard and John Reynolds, 'Apartheid, international law, and the occupied Palestinian territory', 24(3) *European Journal of International Law* (2013) 867-913.

¹²² PanAfrican Parliament, *Resolution on conferment of observer status in the PanAfrican Parliament on the Parliament of Palestine*, 18 May 2017.

Such a move would not only formalise Africa's solidarity but also help to consolidate a unified continental position that could be wielded with greater effect in global forums like the United Nations. While this proposal would undoubtedly face political hurdles from member states with close and growing ties to Israel, the cost of continued inaction – the steady erosion of the AU's collective influence and moral authority – is far greater.

Furthermore, the African Union could and should establish an independent fact-finding mission to Palestine, modelled on its previous successful missions to conflict zones on the continent, such as Darfur and South Sudan.¹²³ Such a mission, composed of respected African jurists, diplomats, and human rights experts, would be mandated to independently assess and report on the human rights conditions on the ground and the impact of the prolonged occupation. This would be a powerful diplomatic, but not an interventionist tool, providing the Union with its own verified, African-led analysis, free from the political biases that often colour the reports of other international bodies. Such a mission could build upon, verify, and amplify the grave findings of existing UN reports, including the 2025 Commission of Inquiry report, thereby lending a distinctly African voice to the global call for accountability.

Anchoring AU policy in credible, first-hand evidence would not only enhance its legitimacy but would also reflect the spirit of its mandate under the Constitutive Act,¹²⁴ to respond meaningfully to situations involving serious violations of international law. The findings of such a mission could provide the empirical basis for a stronger and unified diplomatic strategy.¹²⁵

Finally, following its established and effective practice of appointing special envoys to mediate in specific conflict areas, the AU should

¹²³ AU Peace and Security Council, *Report of the Commission of Inquiry on South Sudan* (2014) PSC/PR/2(DXXVII).

¹²⁴ Constitutive Act of the African Union, Article 4(h).

¹²⁵ African Committee of Experts on the Rights and Welfare of the Child (ACERWC), 'Fact-finding missions', 2025.

consider the appointment of a high-profile Special Envoy for Palestine.¹²⁶ This individual, a respected and experienced African statesperson, would serve as a dedicated and sustained high-level link between the AU, Palestinian authorities, and other key international actors. The envoy's mandate would be to pursue a proactive diplomatic agenda, working to amplify Africa's voice in international peace discussions, coordinating the positions of AU member states, and ensuring that the issue remains a priority for the Union.

The creation of such a post would signal a renewed and serious commitment from Africa to play a constructive role in resolving one of the world's most enduring injustices.

Ultimately, the revitalisation of the AU's role in the world depends on its willingness to consistently and courageously act upon the principles for which it was founded. The struggle for freedom is universal, and the AU's credibility is intrinsically and irrevocably linked to its willingness to defend this principle, not just for Africans, but for all oppressed peoples.

¹²⁶ African Union Commission, 'Special envoys of the AUC chairperson', *African Union*, 2024.