

**ROLE OF SHARED RESOURCE MANAGEMENT IN ENHANCING INTER-
STATE COOPERATION IN THE HORN OF AFRICA: A CASE OF ILEMI
TRIANGLE (2011-2016)**

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DECLARATION

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DEDICATION

I wish to dedicate this thesis to my family who stood with me and supported me in their own special way. May the Almighty God bless you!

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An academic voyage can be tedious; physically, mentally and emotionally. It is only through the Grace of God who gave me a robust health that I endured to the end. My special appreciation goes to my supervisors Prof. Maria Nzomo and Dr. Patrick Maluki for their guidance and constructive criticism through all the stages of this work and to my research assistant Miss Waweru, my secretarial team Milka Mbugua and Elizabeth Njeri and Mr. Caleb Atemi for his editorial assistance. Since I cannot mention each and every one who contributed to the success of this work, I extend my gratitude to you all. Be blessed

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ACRONYMS

ABC	-	Abyei Boundary Committee
AMISOM	-	African Union Mission in Somalia
ASAL	-	Arid and Semi-Arid Lands
AU	-	African Union
AWS	-	Agreement on Wealth Sharing
BCM	-	Billing Cubic Meters
CAR	-	Central African Republic
CBD	-	Convention on Boundary
COMESA	-	Common Market for Eastern and Southern Africa
CPA	-	Comprehensive Peace Agreement
DC	-	District Commissioner
DO	-	District Officer
EAC	-	East Africa Community
EBM	-	Ecosystem Based Management
FDI	-	Foreign Direct Investment
FTA	-	Free Trade Agreement
GBR	-	Great Bear Rainforest
GDP	-	Gross Domestic Product
GNU	-	Government of National Unity
GoK	-	Government of Kenya
GOSS	-	Government of South Sudan
HOA	-	Horn of Africa

ICJ	-	International Court of Justice
IGAD	-	Intergovernmental Authority on Development
IMF	-	International Monetary Fund
IR	-	International Relations
IT	-	Information Technology
KANU	-	Kenya African National Union
KAR	-	Kenya Africa Rifles
KNA	-	Kenya National Archives
KRA	-	Kenya Africa Rifles
LAPSSET	-	Lamu Port-South Sudan-Ethiopia-Transport
MIP	-	Minimum Integration Plan
MOF	-	Ministry of Foreign Affairs
MoU	-	Memorandum of Understanding
MP	-	Member of Parliament
NACOSTI	-	National Commission for Science Technology and Innovation
NBI	-	Nile Basin Initiative
NFD	-	Northern Frontier District
NGO	-	Non-Governmental Organization
OAU	-	Organization of Africa Unity
OPEC	-	Organization of Petroleum Exporting Countries
PCA	-	Permanent Court of Arbitration
PoM	-	Port of Mombasa
RECs	-	Regional Economic Communities

RPIHSSP	-	Regional Political Integration and Human Security Support Programme
RUF	-	Revolutionary United Front
SPLA	-	Sudan People’s Liberation Army
SPLM	-	Sudan People’s Liberation Movement
STMP	-	Sustainable Tourism Master Plan
SWOT	-	Strength Weaknesses Opportunities and Threats
TECCONILE	-	Technical Co-Operation Committee for the Promotion of the Development and Environmental Protection of the Nile Basin
UK	-	United Kingdom
UN	-	United Nations
UNDP	-	United Nations Development Program
UNECA	-	United Nations Economic Commission for Africa
UNEP	-	United Nations Environmental Programme
UNESCO	-	United Nation’s Education Social Cultural Organization
UNHCR	-	United Nations High Commissioner for Refugee
UNSC	-	United Nations Security Council
USA	-	United States of America
WBG	-	World Bank Group

ABSTRACT

The management of shared natural resources by the Horn of Africa states (HOA), exerts both positive and negative effects on inter-state relations in the region. On one hand, inability to collaboratively manage these resources for the common good of all states risks a trigger of interstate conflict in the region. Conversely, effective and collaborative management of shared natural resources can provide good avenues for states to cement their relations for their common good. In line with each state's national interests, huge amounts of capital are spent to develop and protect the resources in the Horn of Africa. However, due to lack of clearly defined policies and inadequate management strategies, these resources have been mismanaged leading to; conflict, food shortages and environmental problems. The search for aid constantly puts the states in a dilemma, over how to benefit from the resources, creating mistrust among the nations. As a result, numerous effects of these shared resources emerge, affecting the interstate relations what could be identified as the 'tragedy of the commons'. The general objective guiding this study, is examining the role of shared resources in enhancing co-operation in the Horn of Africa. Specific objectives include: examining the extent to which collaborative management of shared natural resources enhances inter-state relations in the Horn of Africa, investigating strategies used by states in the Horn of Africa in addressing the negative effects that arise from shared resources, evaluating the impediments to collaborative management of shared resources in the Horn of Africa, examining the competing interests in Ilemi Triangle and state cooperation in the Horn of Africa and to examine how the economic potential of Ilemi Triangle will result to economic transformation of the Horn of Africa region. This research study adopted the *Neoliberal Institutionalism Theory* which articulates cooperation under anarchy in international relations. The study employed purposive sampling approach. From the findings obtained, it is clear from the study that Ilemi Triangle affects the geopolitics of the HOA states. Evidently, security, humanitarian and social programmes were ranked highest in the prioritization of policies in a move to consolidate Kenya's effective control over the Ilemi Triangle. This was attributed to the fact that, good neighbourliness would help in settling border issues with Ethiopia and South Sudan. The study found that, Kenya has come up with a raft of measures such as; occupation of the Ilemi Triangle by Kenyan security forces, including the administration of the area. The area has a Member of Parliament (MP) and border immigration personnel. Setting up of a police base and an airstrip at Lokichoggio and arming of the Turkana people were some of the consolidating strategies that Kenya has employed to lay claim and control of the Ilemi Triangle. The Government of Kenya (GoK), held bilateral discussions with the concerned parties in an effort to bring to an end the ongoing dispute. So far, the government had prioritized the maintenance of good relations with Ethiopia and South Sudan over the resolution of outstanding border issues. Further, this study shows that the planned infrastructural development will improve peaceful coexistence and open the economic potential of the area by fostering competition, establishing and ensuring continuity of markets. It will also create job opportunities, raise gains and prosper development. This study concludes that, the Ilemi Triangle dispute has never been considered as an important geographical territory. The government of Kenya (GoK), held bilateral discussions with the concerned parties in an effort to bring to resolve the ongoing dispute. The government has prioritized the

maintenance of good relations with Ethiopia and South Sudan over the resolution of outstanding border issues. Further this study shows that, the planned infrastructural development will improve peaceful coexistence and will open the economic potential of the area by fostering competition and establishing and ensuring continuity of markets. In addition, it creates job opportunities, raises gains and prospers development. Furthermore, the study found out that the The Ilemi Triangle remains contested by the three countries and this appears to contribute largely to thawing relations between Kenya and South Sudan. Further, the study found out that the role of shared natural resources can go a long way in enhancing cooperation and interdependence in the Horn of African states and finally, the study recommended the adjudication of the Ilemi Triangle.

CHAPTER ONE

1.0 Introduction

This study is motivated by the realization that shared resource management could either be the genesis of sustainable inter-state cooperation, or the root cause for severed international relations particularly for developing states in Sub-Saharan Africa. The study seeks to establish, the role shared resource management plays in enhancing inter-state relations in the Horn of Africa region. Essentially, the study explores the avenues for cooperation and accrued mutual benefits realized as a result of sharing a common natural resource as well as the challenges which confront shared management by utilizing a case study of the Ilemi Triangle; a disputed region shared among Kenya, South Sudan and Ethiopia.

The study adopts a SWOT analysis approach in establishing the avenues of cooperation and sources of divergence in relation to shared management. For instance, Njaya applying a SWOT analysis presents some of the practical challenges and opportunities of administering shared commons by utilizing Lake Chiuta small-scale fisheries resource as a case study in reviewing the state relations between Malawi and Mozambique.¹ Several opportunities exist that facilitate inter-state cooperation in the shared management of the Ilemi Triangle which include among others; social and economic matters, policy and practical aspects, reliance on shared resources and inter-state dialogue. The study hypothesizes that through shared resource management, states can enhance their relations and improve their mutual benefits and make greater strides in their development agenda.

¹ Njaya, F.J. (2002). *Practical Challenges of governing shared commons: the lake Chiuta Small-Scale fisheries Resources*. Kampala: Fountain Publishers

This chapter therefore introduces; the subject of study looking into the background, the statement of the problem, objectives of the study, the study question, and the justification for the study.

1.1 Background to the Study

Globally, states have mutually shared naturally occurring resources which cut across their respective boundaries while in other instances, such resources have led to conflicts and war. For centuries, states have found themselves in compromising situations of having to share resources which traverse their territorial boundaries with their allies or their foes. Occasionally, states have established normative institutions responsible for ensuring equitable and sustainable management of these shared resources.

Some of the notable resources shared among states include; rivers, mountains, ecosystem, lakes, oceans and wildlife conservancies.² There exist roughly 145 nations whose territories extend to where shared natural water basin resources lie with about 30 of them lying entirely within shared water basins. There exists 19 international freshwater drainage systems pooled by five or more riparian nations.³ The Danube covers ground in 18 countries, the Congo River, Zambezi Drainage, Rhine, Nile and Niger, are shared by between 9 and 11 countries. Additionally, there are 13 universal freshwater drainage sinks which are shared amongst 5 to 8 riparian states.⁴

² Paisley, R.K. & Henshaw, T.W. (2013). *Transboundary Governance of the Nile River Basin: Past, Present and future*. Canada. University of British Columbia: Elsevier Publication

³ Ibid.

⁴ Ibid.

The African continent has a number of shared natural resources ranging from shared geographical features such as; Mountains to shared wildlife conservancies, shared ecosystems, shared river basins as well as shared Oil resources. Shared Water basins remain the largest shared natural resource in Africa which constitutes approximately 64 per cent of the continents land area.⁵ The water basins also contain forests that host most of the continents terrestrial biodiversity.⁶ Most of the arable land is located around river basins which make agricultural productivity and food security closely linked and protection of such, is the primary interest of most African states. In total, Africa has approximately 80 shared water basins.⁷ Notably, Mount Kilimanjaro, Mount Elgon, Sudd wetland, Lake Victoria, the Congo River, Nile River, Lake Abbe, the Maasai Mara national parks among others are some of the shared natural resources which have brought cooperation, conflict and even war into the Continent in same magnitude.

In the Horn of Africa region, a number of shared natural resources exists with the most notable ones being Lake Victoria, Nile river basin, Mount Kilimanjaro, the Ilemi Triangle, the Rift Valley and the Abyei Oil basin. The HOA states also share colonial legacy largely influencing their domestic politics and foreign relations. The region also experiences almost the same resource problems.⁸ There is a growing realization that cooperation can solve some of the pertinent problems facing the region. It is on this

⁵ UNEP. (2010). "Africa Water Atlas". Division of Early Warning and Assessment (DEWA). United Nations Environment Programme (UNEP). Nairobi, Kenya.

⁶ Cop-18 side Event Concept Note. (2015). *Transboundary Natural Resource Management in a changing climate-the case of shared water-sheds in Africa*. Nairobi. Africa Development Bank Publication

⁷ Africa Water Task Force. (2002). *Water and Sustainable Development in Africa*. An African Position Paper.

⁸ Omar, M.H. (2015). *The Implications of the Shared Natural Resources on Interstate Relations in the East African Community: A Case Study of Maasai/Serengeti National Parks*. Nairobi.

rationale, that this research seeks to analyze the role of shared natural resources management in enhancing inter-state relations in the Horn of Africa region.

1.2 Statement of the Problem

The matter involving shared natural resources keeps recurring due to the tenets embraced by international law which mandates sovereign nations to fully administer natural resources found within their territories. The point of contention lies in the jurisdiction within which management of shared natural resources falls. The *neoliberal institutionalism theory* posits that interdependence is supposed to bring peace but rather it often brings war.⁹ In this regard, lack of cooperation in the use of shared resources could lead to conflicts and vice versa. As such, the daunting challenges confronting sovereign states, stems from devising appropriate natural resource management strategies for shared inter-state resources which achieves tenets of equity, prosperity, security and sustainability in line with the premise of the *neoliberal institutionalism theory*.

The Horn of Africa is riddled with a number of disputed shared natural resources pitting one sovereign state against the other or involving several states as exhibited in the case of the Ilemi Triangle in the geopolitics of the Horn of Africa.¹⁰ Whereas, several studies have been undertaken in regards to shared resources, limited knowledge exists explaining the nexus between state cooperation or lack of it thereof and the management and utilization of shared resources. This study realizes that a gap exists in knowledge explaining how shared management of the Ilemi triangle enhances inter-state

⁹ Baylis, J., & Smith, S. (2001) *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York: Oxford University Press

¹⁰ Jones, M., Jones, R., & Woods, M (2011). *An Introduction to Political Geography: Space, Place and Politics*. London: Routledge.

cooperation. The manner in which the resources in the Ilemi Triangle are collaboratively managed by the three (3) states (South Sudan, Ethiopia, and Kenya), will determine the degree of cooperation among these countries.

The consideration of these shared resources by the three states as being public resources, exhibit both; the consumption indivisibilities and the non-excludability aspects that present complexity in their relations. Essentially, this study explores; what is the nature resulting in state relations emanating from sharing the Ilemi Triangle? What strategies have been used in the Horn of Africa in addressing the negative effects that arise from shared resources? What are the impediments to collaborative management of shared resources in the Horn of Africa? What are the interests on the Ilemi Triangle and state cooperation in the Horn of Africa? How does the economic potential of the Ilemi Triangle result to economic transformation?

1.3 Objectives of the study

1.3.1 General Objective

To establish the role of shared resources management in enhancing inter-state relations in the Horn of Africa.

1.3.2 Specific Objectives

- (i) To examine the extent to which collaborative management of shared natural resources enhances inter-state relations in the Horn of Africa
- (ii) To investigate strategies used by states in the Horn of Africa in addressing negative effects that arise from shared resources

- (iii) To critically determine impediments to collaborative management of shared resources in the Horn of Africa
- (iv) To examine the interests in the Ilemi Triangle and state cooperation in the Horn of Africa
- (v) To examine how the economic potential of the Ilemi Triangle will result to economic transformation of the Horn of Africa region.

1.4 Justification of the Study

1.4.1 Academic Justification

This study seeks to supplement the limited literature that exists, explaining how shared management of natural resources impacts the international relations of states. Very limited literature exists concerning the exploitation and utilization of the Ilemi Triangle. The study therefore provides knowledge to academicians to further their studies and inform international relations studies on how collaborative management of shared resources can be instrumental in promoting security and stability of the entire region. The study also widens the scope of international studies where economic interests of different states are concerned.

1.4.2 Policy Justification

The study aims to inform government policy on the government to government engagement concerning sustainable and equitable utilization of natural resources. Suggestions proposed in this study, if adopted, may see improvement in foreign relations particularly between Kenya and South Sudan which have been strained by political

hostilities resulting to expulsion of many Kenyans from Juba. The study will focus on thematic areas of cooperation which produces win-win situations for both countries. Through identifying the challenges confronting shared management of natural resources, the Government of Kenya can revamp its foreign policy objectives by aligning the challenges to best practices derived from this study. Shared management has shown ability to build on sustainable resource utilization as it creates an enabling policy as well as legislative frameworks.

1.5 Literature Review

This section reviews literature from previous scholarly works conducted in regards to shared natural resource management and utilization of commons by more than one state. The literature review will rely on government policy papers, published and unpublished academic thesis, newspapers, journals and internet sources. The literature review will first focus on the global context of shared natural resources, then narrow the scope to continental and regional levels in this case the Horn of Africa where there exists both conflicts and numerous shared natural resource management cooperation.

1.5.1 Rationale for Shared resources management in the Horn of Africa

There exists a great deal of research on the collaborative management of natural resources found in the Horn of Africa. For instance, Kameri-Mbote *et al* posit that increased cooperation in administration of natural resources decreases aspects of conflict over natural resources.¹¹ The administration of shared natural resources is a daunting task

¹¹ Kameri-Mbote, M., Patricia, H., & Jeremy, L. (2001). *Improving Tools and Techniques for Crisis Management: The Ecological Sources of Conflict: Experiences from Eastern Africa*. (Working Paper)

with potential to cement and solidify state relations but can as well strain inter-state relations. Absence of proper coordination amongst countries, lead to building up of pressures on natural resources as well as on communities sharing them and have implications on security and peace building. There exists much research and theories explaining the effectiveness of collaborative management as an instrument fostering cooperation between different states in addition to diffusing resource-fueled conflict. This is because boundaries of states pass over some shared resources and this presents a management challenge.¹² International boundaries have divided ethnic groups into different countries and resources which have been shared over time long before the colonialists came.

Cooperation in the management and development of shared natural resource is a building block of regional integration. The cooperative approach can lead to further collaboration and possible joint action, thereby contributing to peace, stability and integration.¹³ The success of cooperation lies in the quality of resource potentiality information provided. Vaughan and Wang while emphasizing on the sensitivity of inter-state shared resources, opine that shared resource-issues also challenge avenues for cooperation among national governments.¹⁴ These issues not only present one of a kind remote arrangement challenges due to their proximate nature, given the solid residential parts, but they have dynamic and vocal local ramifications.

¹² Van der Linde, H., J. Oglethorpe, T., Sandwich, D., Snelson, and Tessema, Y, (with contributions from Anada Tiéga and Thomas Price). (2001). *Beyond Boundaries: Trans-boundary Natural Resource Management in Sub-Saharan Africa*. Washington, D.C: Biodiversity Support Program

¹³ Ibid.

¹⁴ Vaughan, C.T., &, Wang, T.C. (2015). *Transboundary Issues and Shared Spaces: An Education Resource*. Accessed 16th October 2017

Massimiliano and Slavko argue that regular regions shared by neighboring nations are a typical fortune, as well as a typical obligation.¹⁵ Additionally, Antoni *et al*, are of the view that positive spill-over effects of public goods, based on geographic proximity or shared natural resources, would make co-operation arrangements a strategic choice for neighboring countries to optimize benefits from such public goods and natural resources.¹⁶

Zewedineh and Ian in their case study of the Nile Basin as a shared resource, present the argument that the issue of accomplishing powerful participation between important gatherings speaks to one of the best impediments to guaranteeing the fair and reasonable administration inter-state shared natural resources.¹⁷ They are of the view that it is unfortunate that meaningful cooperation can be undone by wars over natural resources, and this has been seen in the example of shared inter-state natural resources. In order for regional states to avoid conflicts over shared natural resources spreading across their territorial boundaries, it is imperative for the sharing states to find the common values and accepted universal customs and ethics by which the shared resources can be used equitably and efficiently with utmost protection of the regional biodiversity and environment. This is demonstrated by Gamini in his application of Game theory in shared resource management and governance of treasured resources that range from atmospheric

¹⁵ Massimiliano, M., & Slavko, B. (2011). (eds) *Environmental Security in South-Eastern Europe: International Agreements and their Implementation*. Netherlands: Springer Publishers

¹⁶ Antoni, E et al. (2002). *Regional Public Goods: From Theory to Practice*. Washington D.C:(Inter-American Development Bank Publication

¹⁷ Zewedineh, B, & Ian, L. W. (2004). *Common Goods and the Common Good: Trans boundary Natural Resources, Principled Cooperation, and the Nile Basin Initiative*. Sage Publication. Accessed on 16th /10.2017

sinks, fisheries, genetic material and oceans.¹⁸ The *Common Property Theory* further helps to explain the context of opposing the rational actor and associated ‘*tragedy of the commons*’ models in managing natural resource.¹⁹ It has been observed that a wide assortment of research on basic pool assets has shown that basic property hypothesis gives a helpful point of view to looking at social trades among cooperative states and stakeholders with interest.

International law forms the fundamental structure of the worldwide framework for allotting assets, by setting up essential standards about conditions under which countries can attest property rights in assets.²⁰ Therefore, the role of international law remains vital in examining matters touching on State affairs. With the cardinal principle of State sovereignty over its own natural resources, it therefore follows that inter-states shared natural resources cannot escape the scrutiny of the international community.

For instance, management of shared mountain ecosystems within the region is provided for under Article 19 of the Treaty Establishing the East African Community.²¹ Partner countries consented to participate in the administration of shared regular assets and to take coordinated measures to cultivate collaboration in the joint and productive administration and maintainable use of common assets inside the community for the

¹⁸ Gamini H. (2006). *Game Theory Applications in Natural Resource Management: Review of Evidence, Problems and Potential*. Geneva: Available at <http://www.resourceresearch-governance.org.uk>. Accessed on 16th/10/2017

¹⁹ Food and Agriculture Organization. (2015). *Common Property: Cause or Remedy of Poverty for Small-Scale Fisheries*. Washington: UN publication

²⁰ Bilder, B.R. (2011). *International Law and Natural Resources Policies*. Washington: Environment Law Institute Publication

²¹ East African Community. (2015). *Transboundary Environmental Assessment Guidelines for Shared Ecosystems in East Africa*. East Africa Community. (accessed 16th/10/ 2017)

common advantages of the partners. This can be demonstrated in the shared management of the Serengeti/Maasai Mara wildlife conservancy involving Kenya and Tanzania. International law and norms of sharing the natural resource have been operationalized in the management of the ecosystem and the mountain resource.

1.5.2 Global Context of shared natural Resources

The World Bank defines shared natural resources as naturally occurring provisions that hold great importance to human survival such as water, fish, forests, land, air, topsoil, minerals as well as wildlife, owned by two or more sovereign states.²² These can be renewable for example water, forests and cropland, which keep reproducing if sustainably used. They can also be non-renewable for example minerals and oil that have a limited capacity and form the basis for export trade items in developing countries.²³ Paul Collier approximates that around 50 ongoing wars in the 21st century can be linked to shared natural resource where the latter has been exploited by legal or illegal means to help fund the war or sustain it.²⁴ For instance, in Bolivia and Pakistan, fierce demonstrations broke out due to improper allocation of natural water.

In the Gulf, disagreements over Kuwait oil wells in addition to several elements sparked off the first Gulf War in 1990. Likewise, the Revolutionary United Front (RUF)-a militia group in Sierra Leone- and the National Union for the Total Independence of Angola (UNITA), utilized proceeds from the sale of diamonds to finance their movements against their respective state governments. Today, water scarcity leads to and prolongs

²² World Bank Group. (2003). *Glossary. Development Education Program*. Washington. WBG Publication

²³ Ibid.

²⁴ Collier, P. (2003). *The Market for Civil War Foreign Policy*, 2(136), 38–45.

violent struggles across the world. Armed combat over water resources have been witnessed in states such as China between the Guangdong and Shandong Provinces in 2000, Ethiopia and Eritrea in 2006, India and Pakistan in 2004, Kenya and Uganda in 2005, over Migingo Island and Yemen and Jordan in 1999.²⁵

In Darfur region of South Sudan, a large part of the strife there is due to inadequacy of water and its utilization pitting the new state and the former colonial master; the Republic of Sudan. They however recently discovered an underground lake, one big enough to match Lake Erie which if well used, can end their water problems. In the 1950s to 1960s, the strife pitting Israel against its neighbours was intensified by conflicts concerning the waters of River Jordan.²⁶ On several occasions, it led to a breakout of armed war which saw Israel attack its neighbours in, 1965 to 1966 especially Syria which had planned to construct projects that would divert all waters feeding the River Jordan. These disagreements shaped the ground for regional war in 1967. This contravenes the *Neoliberal Institutionalism Theory* where interdependence is supposed to bring peace but instead it brought war.

Adekanye argues that access to resources is often linked to inter-group struggles in African countries such as Tanzania.²⁷ In studies undertaken in Nigeria, evidence shows that the fact that oil benefits tend to bless a few people often becomes an avenue for violent conflict. This goes on to change the existing “socio-economic and political

²⁵ Gleick, P. (2006). *Environment and Security Water Conflict Chronology*. Pacific Institute. Available at <http://www.worldwater.org/chronology.html> Accessed on 17th/10/2017

²⁶ Klare, M. T. (2002). *Resource Wars: the New Landscape of Global Conflict*. New York: Henry Holt

²⁷ Adekanye, J.B. (1995). Structural Adjustment, Democratization and Rising Ethnic Tensions in Africa. *Development and Change*, 26 (2), 355-74.

structures and conditions” of existence. ²⁸This goes on to adversely affect interdependence as posited by the *Neoliberal Institutionalism Theory*.

Shared water bodies have been a source of contention between states for eternity. Water bodies for such as; rivers, lakes, oceans, and seas are closely associated with severed inter-state relations due to their central role in transportation, culture and development. State’s dependence on fisheries and offshore oil exploration is linked to some of the global conflicts since water bodies do not follow international boundaries.²⁹ Disputes over water bodies and fishing activities sparked off *cold war pities* Britain versus Iceland between 1950s and 1970s (which saw several shots and destruction of ships with no human casualties). Shared natural resources are also to blame for the conflict in the South China Sea.³⁰ Many river basins globally are shared between two or more states without a proper institutional and legal framework leading to conflicts.³¹

Timber plays a significant role in income generation for several states. As an easily available product which is versatile, easy to transport, and essential for construction, as well as development, it has taken a central position in causing, sustaining and ending of violent conflicts globally. Some of the timber related conflicts have been witnessed in the Democratic Republic of Congo, Cambodia, Liberia and Burma. On a positive note,

²⁸ Boas, Morten & Dunn K. C. (eds) (2007). *African Guerrillas: Raging Against the Machine*. Boulder: Lynne Rienner.

²⁹ United States Institute of Peace. (2007). *Natural Resources, Conflict and Conflict Resolution*. Washington DC: USIP Publication.

³⁰ UN News Centre. (2017). “From Water Wars to Bridges of Cooperation: Exploring the Peace-building Potential of a Shared Resource. Available at: <http://www.un.org/events/tenstories/story>. Accessed on 17th /10/2017

³¹ Ibid.

timber has been mutually shared in Indonesia and Latin America where the latter has community forest management organs. This conforms to the *Neoliberal Institutionalism Theory* which dictates where interdependence breeds cooperation and mutual agreements for peaceful and equitable sharing of natural resources.

Oil and natural gas are some of the most valued shared natural resources which have revolutionized world economies for a considerable time. Oil and natural gas have driven global industrialization but the U.S. Department of Energy approximates that by the year 2020, more than half of the world oil will be used.³² Majority of global largest petroleum reserves are found in civil war torn areas and states including; Venezuela, Iraq, Iran, Sudan and Nigeria. Therefore fuel demand, especially petroleum, enables war in these states to impact on the world economy.

Several measures have been adopted to mitigate these negative effects of shared natural resources on inter-state relations all over the world.

1.5.3 International Agreements and cooperation on shared natural Resources

Under the United Nations (UN) Charter and tenets of international law, countries are fully entitled to use their natural resources as they choose to according to their own terms but, while doing so, must ensure that the environment is protected, and their neighbours' environment is not affected also.³³ While municipal regimes are sufficient in regulating use, conservation and protection of resources within the territory of any one state,

³² Ibid.

³³ Bankobeza, S. (2010). *International Agreements on Transboundary Natural Resource*. Nairobi: UNEP/DELC

international law calls for treaties as well as joint commissions or frameworks to govern cooperation on exploitation and utilization of shared natural resources.

In shared natural resources, one state cannot unilaterally use the resource because such utilization without the regard to others can upset quantity and quality of the resource and equitable sharing of the resource. It is for this sharing challenge that states have developed relevant agreements for cooperation on sharing of the resources. Some of the agreements that have been developed to regulate state behaviors concerning shared natural resources include; sub-regional accords, global legal regimes and shared natural resources treaties.³⁴ For decades the states have used international agreements as legal mechanisms through which they have articulated cooperation through frameworks and legal instruments. For instance in 1966, several states established the Helsinki rules which regulates states in coming up with agreements on shared water resources.

International agreements are developed in cooperation to address the mutual concerns and challenges which confront sharing of natural resources. States should cooperate based on good faith and on spirit of good neighborliness so as to establish communication channels in aiding formation of avenues of cooperation agreeable to all states. International laws and Agreements foster cooperation and partnership on the administration of resources and where suitable take combined efforts to mutually utilize these resources. The following are some of the global case studies of agreements entered to foster cooperation in the sharing of inter-state natural resources.

³⁴ Ibid.

1.5.4 The Great Bear Rainforest Agreement of 2006

The Great Bear Rainforest (GBR) Agreement was signed in 2006 to end decades old resource conflict between Canada and the United States of America (USA), over the utilization and exploitation of the 6.4 million hectares covering temperate rainforest in British Columbia.³⁵ The contention involved the over-harvesting of old-growth forest Timber by key US and European companies threatening the existence of the forest itself and the forest ecosystem. Canadian Environmental groups started a market campaign that attacked the US and the European Purchasers of Timber obtained from the GBR.³⁶ A joint planning course was initiated to engage all concerned parties fully involved in the conflict.³⁷ Between 1990 and 2000 a number of negotiations were held involving numerous environmental organizations, forest companies, First Nations Groups and Provincial governments of both countries. The negotiations were rooted on acknowledgement that interdependence between Canada and USA would forge close interstate ties based on *Neoliberal Institutionalism* ideals.

There were direct negotiations referred to as joint solutions project which sustained for close to 10 years and many broader elements of negotiations were adopted. A joint planning group referred to as Protocol Implementation Team was developed which initiated an ecosystem based management approach. In 2006, an agreement involving forest companies, environmental groups, as well as all stakeholders that took part in planning processes led by the government was entered with an objective to establish and

³⁵ UNEP. (2015). *Natural Resources and Conflict: A guide for Mediation Practitioners*. Nairobi: United Nations Department of Political Affairs

³⁶ Ibid.

³⁷ Smith, M.A.S. (2008). *From Conflict to Collaboration: The Story of the Great Bear Rainforest*. Vancouver: Forest Ethics

oversee planning and land reclamation. The whole process saw the establishment of \$ 120 million Trust Fund in aid of expansion of local economy with donations from both countries.³⁸

1.5.5 The Acta Presidencial de Brasilia Agreement of 1998

This was an agreement reached by Ecuador and Peru over a 150-year border dispute over Condor Conservation Corridor.³⁹ The Cordillera del Condor Mountain range covering more than 160 Kilometers was disputed by Peru and Ecuador for a period exceeding 150 years. In spite of efforts to address the border issues by the Rio de Janeiro Protocol of 1942, conflicts exploded in 1995 and 1998 which turned out to be violent. Through a two-state request, mediation process took place in 1998, climaxing in the signing of Acta Presidencial de Brasilia that same year, bringing to an end dispute over the shared natural resource.⁴⁰

The border disagreement is based on the conflicting historical claims laid by both Peru and Ecuador because of a shared border and is rooted on each country's respective understandings of Accords in the last 20 years.⁴¹ A significant part of the questioned zone's isolating line keeps running along the Condor extend, where every nation intends to increase military preferred standpoint by involving mightier forces. Throughout the years, the question has driven profound established patriotism in the two nations. In 1942,

³⁸ Ibid.

³⁹ St. John, R.B, Bradley, R. & Schofield, C.H. (1999). *The Ecuador-Peru Boundary Dispute: The Road to Settlement. Boundary and Territory Briefing*, Vol. 3 No.1. Durham University: International Boundaries Research Unit

⁴⁰ Ibid.

⁴¹ Simmons, B. A. (1999). *Territorial Disputes and Their Resolution: The Case of Ecuador and Peru*. Washington DC: Peace works United States Institute of Peace.

after a 10 day war, the two nations marked the Rio de Janeiro Protocol (Rio Protocol), with US, Brazil, Argentina, and Chile, going about as the underwriters.⁴² Nonetheless, in spite of the selection of the Rio Protocol, engagements along the borderline proceeded.

The two countries agreed to make some compromises which later led to a mediation process eventually culminating into the Acta Presidencial de Brasilia Agreement in 1998. The key components of the agreement involved sense of duty regarding building up secured and disarmed environmental spots on the contiguous sides of the borderline.⁴³ In spite of the fact that these parks stayed under the particular states' sovereign jurisdiction, the accord likewise settled duties regarding coordinate protection and natural administration activities. In 1999, Ecuador set up the El Condor Park, while Peru made a natural security zone and the Santiago-Comaina Reserved Zone. The two governments consented to facilitate the usage of coordinated efforts towards conservation and development of bi-national policies of Condor ranges.

Additionally, ten year Bi-national Master Plan for the Development of the Border Region gave a political shade under which basic frameworks for political and social development ventures, besides protecting and sustainably using shared natural resources. Since the adoption of the agreement particularly in trade and infrastructure development, inter-state relations have improved between these two counties. A number of social projects,

⁴² Ibid.

⁴³ Ponce, C.F., & F. Ghersi. (2003). Cordillera de Condor (Peru- Ecuador). Paper prepared for the workshop on *Transboundary Protected Areas in the Governance* Stream of the 5th World Parks Congress: Durban. IUCN

infrastructure, social, environmental, and economic projects are undergoing implementation in border areas as provided for in Bi-national Development Plan.⁴⁴

1.5.6 The Indus Water Treaty 1960

This is an agreement entered between Pakistan and India after a prolonged conflict pitting usage of River Indus waters. The Indus River starts from China, specifically, Tibet region as well as Afghanistan, and streams 3,100 kilometers passing through Pakistan, India into the Arabian Sea.⁴⁵ The Indus River has seen conflict between Pakistan and India, which has seen the two states relationship marred by hostility and mistrust.⁴⁶ Conflict over allocation of water erupted between the 2 states when in 1940 an extensive water development plan was initiated by India over sharing of the five of the six rivers of the basin.

In 1947, a partition was established which showed India being the upstream riparian state while Pakistan was the downward riparian. A standstill agreement was reached in 1947 maintaining the *status quo* of the sharing agreement which expired in 1948.⁴⁷ Upon the expiry of the agreement, the supply of water from India to Pakistan was stopped in 1948 leading to eruption of water conflict between the two states where conflict resolution attempts failed altogether. A mediation process was initiated by an external expert- David E. Lilienthal and the World Bank. David E. Lilienthal called for a joint management of

⁴⁴ Ibid.

⁴⁵ Biswas, A. K. (1992). Indus Water Treaty: the negotiating Process. *Water International Journal* Vol. 17 No (4). London: Routledge

⁴⁶ Wolf, A.T., & Newton, J.T. (2007). *Case Study of Transboundary Dispute Resolution: The Indus Water Treaty*. College of Science, Oregon State University: Portland Press

⁴⁷ Salman, S.M.A., & Uprety, K. (2002). *Conflict and Cooperation on South Asia's International Rivers: A Legal Perspective*. Washington, D.C: World Bank

water by the two countries aimed at amassing available water by proper development of infrastructure and joint management of the Indus basin as one unit.⁴⁸ He proposed a specialized and helpful way to deal with critical thinking and administration, joined with the making of the Indus Engineering Corporation with investment and financing from the World Bank. An agreement was reached for both countries to commit to a cooperative utilization and management of the Indus waters. Both countries were obligated to engage engineers from home states to facilitate negotiations. However, the two countries could not agree on a joint approach on the progress and consumption of Indus water leaving the only feasible way of sharing to be quantitative division of the water.

The joint developing idea was rejected and the World Bank gave a new proposal which gave large chunks of Eastern tributaries water to India and those from Western tributaries to Pakistan. While India accepted the bank's proposal Pakistan only gave a mild acceptance. The World Bank negotiated for financing acceptable to both India and Pakistan which formed the basis for the deal. Particularly, India consented to advance \$ 174million while the World Bank (International Community) agreed to finance to the tune of \$ 900 million.⁴⁹ The resolution formed the basis upon which the Indus Water Treaty was established. Under the agreement India was to receive unrestricted supply of water from the eastern tributaries (Ravi, Beas and Sutlej) while Pakistan was to receive unrestricted supply of water from western tributaries (Indus, Jhelum, and Chelub).⁵⁰ Although an agreement was struck on utilization of the Indus water, Pakistan has continued to challenge the construction of Kishanganga Dam by India terming the

⁴⁸ Ibid.

⁴⁹ Op cit.

⁵⁰ Ibid.

violation of Treaty as the basis. Additionally, Pakistan has threatened to seek the assistance of International Court of Justice on the issues.

1.5.7 African context of shared Natural resources

Africa boasts of a number of shared natural resources which transcend international boundaries of sovereign states. According to a report by Chusei Yamanda on shared natural resources, African states have sovereign rights over the natural resources located within their jurisdiction and they are entitled to utilize them within their territories.⁵¹ Some of these natural resources found in Africa include 80 shared river basins,⁵² forest ecosystems, wildlife biodiversity, oil fields, mountains and water bodies including seas, lakes and aquifers. For instance, river Zambezi is shared between Mozambique and its upstream neighbours Zambia, while the Nile River is shared by eleven riparian countries, Mount Kilimanjaro is shared between Kenya and Tanzania while Mount Elgon is shared between Uganda and Kenya. Mozambique is extraordinary as in no less than 50 percent of its territory is crisscrossed by 8 universal shared waterways and 54 percent of all its surface water assets get through its outskirts with neighbouring nations.⁵³ The Ilemi Triangle is a disputed shared territorial land among three Horn of Africa states. The Serengeti-Maasai Mara ecosystem is a wildlife biodiversity shared between Kenya and Tanzania.

⁵¹Yamanda, C. (2005). *Shared Natural Resources; third report on shared natural resources: transboundary groundwater*. Agenda 4 item. Doc A/CN.4/551 and Add 1.

⁵² Ibid.

⁵³ Wolf, A.T., & Hammer, J.H. (2000). *Trends in Transboundary Water Disputes and Dispute Resolution. Water for Peace in the Middle East and Southern Africa*. Green Peace and World Water Vision.

The Abyei region is also a shared oil field contested by the new independent state of South Sudan and the Republic of Sudan.⁵⁴ Lake Victoria transcends Uganda, Kenya and Tanzania, Lake Kivu basin stretches through Rwanda and Burundi with River Kagera lying within the same basin, while Mount Elgon also stretches between Kenya and Uganda with the Laikipia plains cutting through to Sudan while Lake Turkana basin covers the southern part of Ethiopia and North Kenya. Among the shared aquatic ecosystems include; Lake Jipe shared by Kenya and Tanzania; Lake Victoria covering Kenya, Uganda and Tanzania; the Minziro-Sango Bay Swamp Forest shared by Uganda and Tanzania, it is a swamp area with extensive flood-plain grassland surrounding closed evergreen forest stands; and Marine coastal strip in Western Indian Ocean covering Kenya and Tanzania.⁵⁵ With the realization that sharing natural resources was a recipe for interstate conflict, countries particularly those in East Africa established regional integrated bloc to strengthen their interdependence pursuant to the tenets of *Neoliberal Institutionalism Theory* hence the creation of EAC.

1.5.8 Sudan-South Sudan Agreement on Wealth sharing (AWS) 2004

Sharing of oil incomes was a key segment of the north-South Sudan peace intercession bargain which ended a decade-old civil war between the Republic of Sudan and South Sudan. This was on the grounds that the partitioning line among north and south cuts across existing and forthcoming oil fields. Riches sharing arrangements along these lines made up one of the six individual accords of the 2005 Comprehensive Peace Agreement

⁵⁴ Op cit.

⁵⁵ Eldis, F. (2002). *Shared Aquatic Ecosystems of East Africa: Status and Trends. A Cross-border Survey of Aquatic resources Management in East Africa*. Arusha: Big-Fountain publishers

(CPA).⁵⁶ Conflict between the two states occurred in two war periods (from 1956 to 1972 and from 1983 to 2004). The conflict of the sharing of the oil resources made it difficult for Sudan to make any foreign investment to explore the oil resource.

For the states to receive the rewards from oil, critical speculations and in addition a specific level of cooperation amongst northern and southern Sudan was required. Security, peace and stability along these lines moved toward becoming issues of worry that influenced the two gatherings' monetary advantages, and the resulting peace process which occurred from 2003 to 2005 endeavoured to address oil assets and the sharing of oil incomes as a key part of the arrangements.⁵⁷ One of the contagious issues touching South Sudanese's sovereignty and self-determination was the control and ownership of natural resources and land. The Sudan People's Liberation Movement/Army (SPLM/A), the political wing in Southern Sudan, said that land (both the surface and regular assets lying underneath) was possessed by the group staying there, while the legislature of Sudan, then again, contended that the state responsibility for administration of subsurface land was the essential for an impartial and honest to goodness redistribution of characteristic assets.⁵⁸ The uncertainty over land and natural resources sharing worried the mediators who negotiated the peace deal and suggested that possession of subterranean natural resource continue being unsettled in the peace agreement. The verdict on who owns natural resources were deferred until after 2011 referendum on self-determination.

⁵⁶ Wennmann, A. (2009). *Wealth sharing Beyond 2011: Economic Issues in Sudan's North-South Peace Process*, CCDP Working Paper. Geneva: Graduate Institute of International and Development Studies.

⁵⁷ Shafer, L.A. (2007). *Negotiating the North/South Conflict: Sudan's Comprehensive Peace Agreement*. Working paper No. 148 Pretori: Institute for Security Studies.

⁵⁸ Ibid.

In 2004 an agreement was reached on wealth sharing famously known as the Agreement on Wealth sharing (AWS), which became a cornerstone of the Comprehensive Peace Agreement (CPA), which was signed in 2005. The AWS gave the Government of South Sudan 50 per cent of net revenue from oil sale while the other 50% was given to the Government of National Unity (GNU).⁵⁹ This was after a 2% of net revenue from the oil was given to the producing state or region in proportion to their production.⁶⁰ The AWS likewise made new financial foundations, for example, the National Land Commission, the National Petroleum Commission, and the Bank of Southern Sudan created finance for the two nations. Antwi-Boateng contends that because of this income sharing understanding, the two gatherings had less motivating force to battle about the control of oil assets since they had noteworthy financial ensures that rendered an arrival to brutality ugly by expanding the open door costs.⁶¹ The AWS presents a cooperative approach through which two states agreed to share natural resources in an environment of anarchy while maintaining state sovereignty.

1.6 Implications of shared natural resource management

Shared natural resources have an extended influence over relations among the states involved which range from positive to negative. When the objective is to realize maintainable socio-economic expansion through impartial distribution of benefits, states

⁵⁹ Shankleman, J. (2011). *Oil and State Building in South Sudan*. Washington D.C: United States Institute of Peace

⁶⁰ Ibid.

⁶¹ Antwi-Boateng, O., & O'Mahony, G.M. (2008). A framework for the Analysis of Peace Agreements and Lessons Learned: The Case of the Sudanese Comprehensive Peace Agreement. *Politics & Policy*, 36 (2), 132.

focus on maximizing their own interests which at times collides with those of the other partner state producing a stalemate and conflict may ensue.

1.6.1 Fostering cooperation and Unity of Purpose

One of the realized implications of sharing management of a natural resource is unification and cooperation with an objective of achieving mutual benefit. Omar posit that shared resources bring into fore a situation whereby States have to work together in order to manage and enjoy the full benefits of such shared resources. A key example is the Mara- Serengeti ecosystem that is shared by Kenya and Tanzania, which has brought the two States together with a common purpose of enjoying the benefits of tourism among others.⁶² Another example is that of Minziro Sango Bay Swamp forest which as a shared natural resource has brought Tanzania and Uganda close with the common aim of enjoying the benefits of utilizing the products of the forest to the maximum.

Another example in this context is the Nile River Basin Initiative which was established in 1999 to help reach consensus originally designed as a way to share scientific information. As it stands today, this initiative collects government officials from the riparian states to foster economic development through impartial use of, and benefiting from the common Nile Basin water resources.⁶³ The shared management of the Nile Basin has brought trust and mutual benefit for the eleven riparian states which share the basin in a mutual manner.

⁶² Op cit.

⁶³ NBI. (2017). *The Nile Basin Initiative*. Accessed on 16th/10/2017

The Sangha River Tri-national Protected Areas Complex initiative is based in Northwest Congolian Moist Lowland Forest eco-region. It comprises 4 conservation projects that cover 3 countries: the Dzanga-Ndoki National Park and Dzanga-Sangha Dense Forest Special Reserve (created 1990), Central African Republic (CAR), the Nouabalé-Ndoki National Park (created 1993), Republic of Congo, the Lobéké National Park (created 2001), Republic of Cameroon and the Republic of Congo. The frontiers of these states have not been altered and these countries have existed in harmony cooperating in the utilization of the River in a mutual manner. The collaborative utilization of Sangha River has led to the adoption and operationalization of the Sangha River Tri-national Initiative which has regulated and governed the respective national land-use zoning policies.

To contrast the Sangha River Tri-national initiative, is the unilateral utilization of the Juba and Shebelle Rivers in the Horn of Africa which are shared among three sovereign states of; Kenya, Ethiopia and Somalia. Most of the waters originate from Ethiopia and are essential for economic survival in Somalia. In this case there exists no sharing agreement among the basin sharing states.⁶⁴ Ethiopia is currently implementing grand projects for irrigation and hydro-electric power production which potentially reduces the amount of water which reaches Somalia making the shared resource a point of contention and a possible cause of inter-state conflict since the unilateral utilization of the project is highly contested. Shared Rivers in dry climatic regions can be a cause of skirmishes or a basis for cooperation amongst riparian countries. The Juba and Shebelle Rivers are imperative resource bases for Somalia since they provide a bulk of the state's rice

⁶⁴ Mohamed, A.E. (2013). *Managing shared Basins in the Horn of Africa-Ethiopian Projects on the Juba and Shebelle Rivers and Downstream effects in Somalia*. Stockholm: Horizon Research Publishing

farming. Indigenous socio-economic undertakings in Somalia depend largely on the level of water in these two rivers unlike in Ethiopia which has large rivers in its territory.⁶⁵

As per internationally accepted water norms, Ethiopia's utilization of Juba and Shebelle Rivers are not based on the principle of *reasonable and equitable utilization*, in addition the country does not support the rule of *not to cause significant harm*. This guideline is seen as an impediment to its arranged advancement supporting downstream employments. In the ground breaking strategies of the two waterways, which investigated the impact of these standards on the arranged improvements, Ethiopia demonstrated clear hesitance to the UN Convention on the laws of non-navigational employments of the universal conduits, and tended to apply to the Helsinki Rules.

None of the nations has however marked or approved the UN Charter on the use of shared common assets. Ethiopia is especially stressed over the "*no harm*" standard, contending that the rule stops them from utilizing streams, especially when waterways are broadly utilized by downstream Somalia.⁶⁶ Because of the non-attendance of a worldwide concurrence on these common streams, Ethiopia contends that it has the sovereign right to continue singularly with its advancement of water assets inside its domain without considering impacts on downstream uses in Somalia.

⁶⁵ Kitissou et al. (2007). *The Hydropolitics of Africa. A contemporary challenge*. Cambridge: Cambridge Scholars Publishing

⁶⁶ Ministry of Water Resources, Ethiopia. (2007). *Genale-Dawa river basin integrated resource development master plan study*. Lahmeyer International / Yeshi-Ber Consult. Final Report. Volume I.1 Main Report. p20, 22

Unilateralism is along these lines the real impediment to the frantically required participation over the usage of the two streams. Ethiopia, being the most grounded country in the bowls, faces the best water shortage due to their generally substantial populace and developing economy. While Somalia has developed a national master plan for the development of the two rivers as national assets, Ethiopia on the other hand has developed similar national development plans for the utilization of the waters from the two rivers for her own rational uses. These unilateral actions for river development reflect and imply policies of no will to cooperate which have potential for causing conflict.

1.6.2 Harmonization of laws and Regulatory Frameworks Governing the Commons

Inter-state resources are subject to different legal jurisdictions which are often contradictory and overlapping in nature. Since the state has sovereign authority over resources under its jurisdiction, management of shared inter-state resources becomes contextually difficult to achieve cooperation and thus states are obligated to harmonize their laws as well as some of their institutional frameworks so as to have one uniform legislative regime and institutional framework that can facilitate proper management and utilization of the shared resource in question. This may be observed from the East Africa Community where the Treaty establishing the regional bloc requires that the Member States adopt and harmonize their respective national laws so as to accord to the principles and aims of the EAC in regards to shared natural resources.⁶⁷

⁶⁷ Op cit.

Agreements are usually necessary methods for announcing normal interests, managing standards, recognizing goals or guaranteeing responsibility among all partners. Accords guarantee that the gatherings are obviously recognized and that their parts and duties are characterized.⁶⁸ They empower an all-encompassing spotlight on the wide issues required, as a rule, single locales are managing biological systems and groups. They guarantee that issues of national sway are not bargained, and they enable legislative and nongovernmental partners to work inside a concurred arrangement.

1.6.3 Recipe for Conflicts

In many cases, one dominant State may seek to acquire the resource in question and deny usage by the other States. This follows a realization in economic opportunity in the shared natural resource which breeds competition. A notable example is the conflict pertaining to Migingo Island which is located in Lake Victoria. In this particular case a conflict arose between Kenya and Uganda over the ownership of the Island and the extent of fishing for both states in the lake. The once relatively low-intensity conflict escalated to involve expulsion of Kenyan fishermen on the Island by the Ugandan authorities citing sovereignty and territoriality claims over the island.⁶⁹ Kameri-Mbote postulates that conflicts involving grazing grounds between Ugandan and Tanzanian livestock keepers in the grazing corridor between Ankole/Rakai in Uganda and Minziro/Kagera in Tanzania are very intense with no documented formal action from the respective governments in

⁶⁸Van der Linde, H., J. Oglethorpe, T. Sandwith, D. Snelson, & Tessema Y. (with contributions from Anada Tiéga and Thomas Price). (2001). *BeyondBoundaries: Transboundary Natural Resource Management in Sub-Saharan Africa*. Washington, D.C., U.S.A.: Biodiversity Support Program

⁶⁹Daily Nation. (2009). *Row over Migingo Intensifies*. Nairobi: NMG Publication Dated 12/4/2009

the area.⁷⁰ The shared resource can be a cause of conflict if the management is skewed to favor one state as it is claimed by the Republic of South Sudan in the dispute over the Ilemi Triangle.

1.7 Disputed Sharing of the Ilemi Triangle

The Ilemi Triangle is under claim from Ethiopia, Kenya, and South Sudan. This explains the lack of development initiatives in the Triangle by any local government.⁷¹ The Ilemi Triangle is on the border of South Sudan where commercially viable oil deposits were discovered. However, no findings have been undertaken in the conflict area due to the ongoing insecurity resulting from the long civil conflict in South Sudan and laxity on the part of the local administration. The area lacks infrastructure and other facilities and the only cue there is Kenyan frontier post.⁷² The geopolitical prominence of the Horn of Africa, where Ilemi lies makes it a pivotal factor in the regional balance of power.

The politics of the Ilemi Triangle dates back to the scramble for Africa period, when the continent was partitioned by various colonial powers. Political developments in Ethiopia by a large extent explain the politics surrounding the Ilemi Triangle since it was not colonized and there was no urgency for delimitation of Kenya-Sudan – Ethiopia border, which was under British emperor. Emperor Menelik II succeeded Tewodros II of Ethiopia who died at the critical time when both British and Germany were mapping out their territories in Africa.

⁷⁰ Kameri-Mbote, P. (2005). *Sustainable Management of Wildlife Resources in East Africa: A Critical Analysis of the Legal, Policy and Institutional Frameworks*. International Environmental Law Research Centre Working Paper

⁷¹ Ibid.

⁷² Ibid.

Ethiopia's unification was hampered by imperial interests and in 1891 Emperor Menelik II sent circulars to the imperial powers outlining the size of his territory. In 1896 he began development of Ethiopia southwards the growth of British realm.⁷³ Menelik with advanced weapons and sound military policy conquered and consolidated remote areas just as the British did. The region declared by Menelik encompassed Lake Turkana that he named the Samburu Sea. He suggested Ethiopia's territory to start from the south of Lake Turkana to the Indian Ocean. He based his declarations on slave attacks. He also established administrative centers and garrisons to fully consolidate the territory.

Britain expressed a different opinion with Menelik's suggestion and instead through Captain Philip Maud and Mr. Archibald Butter investigated Ethiopia's boundaries with British East Africa⁷⁴ in 1902 to 1903 and identified the Maud line' as the Kenya-Ethiopian border.⁷⁵ Emperor Menelik continued with slave raiding which depopulated Kenya and Sudan and this necessitated the British to conduct military expeditions to contain such depopulation and secure its territory a move that was welcome to both Kenya and Sudan. The demise of Menelik II dealt a big blow to the political development of Ethiopia and his appointed grandson LijIyasu, aged 11, to succeed him did not deliver any meaningful achievement to the Amharic nation.⁷⁶

His death slowed down the resolution of the border conflict and Kenya, Uganda and Ethiopia did not hold any meaningful discussion to rectify the border issue until the

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ Ibid.

⁷⁶ Harold, M. (1975). *The life and times of Menelik II Ethiopia 1844-1913*. Oxford: Clarendon Press.

crowning of Emperor Haile Selassie. The desire to rethink the administrative divisions of British land raised a number of concerns which were key to boundary refinement between Uganda, Kenya, and Sudan. This resulted in the establishment of the Uganda-Sudan Boundary Commission in the year 1914. The core issues here included: identifying Turkana's grazing grounds, admission into Lake Turkana by Sudan.⁷⁷ Uganda also had territorial claims and wanted to expand northwards and bring the Sudanese Acholi to Uganda. The labour patrol of 1918 was commissioned to undertake a study on the issues that each country had. The objectives of the patrol included; the retribution and withdrawal of weapons from the Donyiro, Merille, and Turkana communities who exemplified antagonism to the state and the exclusion of the Abyssinians from East Africa and Uganda Protectorates.⁷⁸

After the Labour patrol, the British were reluctant to invest in the administration of troops due to logistical constraints and causality cost in the event of Ethiopia's military expeditions. In 1902 the Uganda Order in Council of 1902 transferred some parts inhabited by the Turkana's from Uganda to Kenya. Uganda's Eastern Province by then known as Rudolf Province was transferred to British East African Protectorate in Kenya thus minimizing Uganda to 2/3 of its actual size.⁷⁹ The parts transferred to areas occupied by the Turkana who had to move southwards to Kenya's hinterland so as to take advantage from the British protectorate. While at it they lost opportunity of their productive grasslands in Ilemi to Dassanech and Inyangatom communities. Britain

⁷⁷ Mburu, N. (2003). *Delimitation of elastic Ilemi Triangle. Pastoral conflict and official indifference in the horn of Africa. African Studies Quarterly*, The Online Journal for African Studies, Spring

⁷⁸ Ibid.

⁷⁹ Ibid.

proposed that Ilemi be annexed from Sudan and to Uganda. Consequently the British established their administration among the Turkana's.

After 1926, the Kenyan European masters formed a governmental border not matching the Anglo- Ethiopian treaty (of 1907) as a gauge of allowing Turkana to graze their cattle in Kenya and providing the Turkana's protection against Ethiopia's cattle rustlers and Sudanese militia. The boundaries created by the Kenyan administration raised a number of concerns. The first one being a big portion of Turkana dry land was located in the North of the 1914 line; this section did not lie under Kenya.⁸⁰ Second, a number of pastoral communities were put under the authority of the Emperor of Ethiopia who initially was under British dominion and finally the Sudanese and Ethiopian cattle rustlers utilized the areas in Sudan to attack and steal livestock from their unprotected neighbours. The British disarmed the Turkana's and the military balance between them and their Inyangatom and Dassanech neighbours was disrupted who frequently raided and stole their livestock with minimal opposition and in full view of the British authorities.

The military imbalance increased cattle rustling raids and insecurity of the region and Britain understood clearly that providing security to Kenya's border was dependent on Ethiopia's ability to do likewise and hence suggested to European administration to lift the ban it had put on Ethiopia.⁸¹ Starting from 1931 the British were resolute in forming law and order in the Ilemi Triangle and mandated Sudan to contribute yearly towards the

⁸⁰ Ibid.

⁸¹ Mburu, N. (2003). Delimitation of elastic Ilemi triangle. Pastoral conflict and official indifference in the horn of Africa. African Studies Quarterly. *The Online Journal for African Studies*, Spring

cost of managing the territory.⁸² The administration of the territory was not a mean feat as the region required roads and other infrastructure to aid in supplies and therefore for effective delivery of services Kenya demanded an extra figure yearly for the building of infrastructure projects in Ilemi.⁸³

Sudan rejected the proposal and instead attempted to establish the administrative center itself where it was confronted by a number of challenges that made it impossible as it required transporting supplies to the region though River Nile passing through Sudan and unfriendly state that had no infrastructure and to compound the problem constructing the post there could have exposed them to border armed communities from Ethiopia. In 1931 the managers of Turkana (of Kenya) and Mongalla (of Sudan) decided that northern Turkana's grazing land be marked by the Red Line. Sudan accepted that both the Dassanech and the Inyangatom should share grazing lands during the dry spell periods and as a result the Red line was extended northwards into what later was referred to the Green line.⁸⁴

This area was reserved for the Turkana community to pass through to provide pasture and water for their cattle and had to share this area with Inyangatom and Dassanech communities. Ethiopia hastily constructed an administrative center at Namuruputh to interpret that it had formally annexed the areas given to Dassanech and the Inyangatom as grazing lands. Italians invasion of Ethiopia in 1936 demanded the British to re-align its East Africa territory boundaries to contain Italians imperialism in the region. After

⁸² Ibid.

⁸³ Ibid.

⁸⁴ 'Kenya-Abyssinia border 1932-33'

occupying Ethiopia in 1936, Italians claimed the Ilemi triangle basing on claims that Ethiopia's Dassanech were natives of the Ilemi triangle and as a consequence of this the 1902 line was established to be the Ethiopia-Kenya border meant to defend the interests of the British from the claims of the Italians.

British suggested to Ethiopia to cede the Baro Salient to Sudan in substitute for a region southeast of Ilemi that Sudan had not managed before. In Britain's suggestion, Sudan was to occupy 11,000 sq. miles in the Baro Salient in substitute to ceding 6,000 sq. miles east of Ilemi which was to be handed over to Ethiopia.⁸⁵ Kenya was assured that the arrangement would breach Turkana's grazing rights with a promise by Sudan to resolve the Kenya- Sudan border so as to minimize the routes for attacking the Turkana by the rustlers from Ethiopia and Sudan. In 1938 both Kenya and Sudan established a survey team which extended the Red line in northeast direction and established what is referred to as 'Wakefield line' or the 'Provisional Administrative Boundary'. The Red line extended eastwards to encompass watering grounds by the rural communities.⁸⁶

The Inyangatom and the Dassanech conducted a violent raid in 1939 in the UN administered areas of the Turkana and killed hundreds of unarmed women and children of Ilemi. Italians exonerated themselves from the blame indicating that they had no control over the Dassanech and the Inyangatom a move that necessitated revenge from the British who bombs in a punitive raid conducted by the KAR (Kenya Africa Rifles)

⁸⁵ Farah, T. (1976). *The problem of the Baro Salient*. Sudan notes and records. LVII, 21-30.

⁸⁶ Mburu, N. (2003). *Delimitation of elastic Ilemi triangle. Pastoral conflict and official indifference in the horn of Africa*. *African Studies Quarterly*, The Online Journal for African Studies, Spring

and the Royal Air Force.⁸⁷ The British foreign ministry formed the Blue line which expanded the Ilemi Triangle in 1944. Consequently both Ethiopia and Sudan commissioned a survey team to rectify their common boundary. The survey team failed to agree on the exact location of the line to evade breaking up of the Nuer and Anuak ethnic communities.

Ethiopia had a number of suggestions that were to be included in the rectification of the common boundary. Ethiopia suggested that to substitute the Baro salient the general border should encompass in Ethiopia, the grazing grounds for Dassanech and Inyangatom. To supplement this, Ethiopia proposed River Omo to remain in her territory so as to safeguard the fishing rights of the Ethiopian communities. Sudanese government established the Sudan patrol where they forbade Ethiopian and Kenyan grazers in moving towards the west. The Sudan patrol line was not to affect the sovereignty of both Sudan and Kenya and Kenya continued to be paid by Sudan to patrol this line.⁸⁸ In August 1967, former president Jomo Kenyatta made an attempt to prevail the understanding of the British to control the Kenya-Sudan border suggesting the identification of Red Line to be global Kenya-Sudan border. This arrangement was to make the Ilemi Triangle history. During the 1990's the Ethiopian administration equipped the Dassanech with original Kalashnikov guns to give credit to the susceptibility from the Kenyan Turkana and Sudanese cattle rustlers.

⁸⁷ Ibid.

⁸⁸ Martin, J. (2011). *The Ilemi triangle history*. Nairobi: Opinion Kenya Ltd.

The arming of the Dassanech resulted to Koikai massacre that led to death of hundreds of Borans. After the death of Jomo Kenyatta in 1978, Daniel arap Moi assumed power and politics of Ilemi took another dimension. The government of President Moi signed a secret pact with Khartoum, which surrendered Ilemi to Kenya in substitute for stopping armed backing of SPLA by Turkana of Kenya. Moi's government continued to supply arms to Turkana's an indication that led to speculation that Kenya claims the area. Most Kenyan diagrammatic representations have identified the Red line to be the main frontier of Kenya, and not the small round marks which it was made of, as many Kenyan diagrammatic representations portray the 1950 patrol line as the boundary.⁸⁹ Kenya continues to man the territory but the Republic of South Sudan has disputed the administration of the region potentially brewing a new inter-state natural resource conflict.

1.8 Literature Gaps

This review of literature has established that there is absence of formal agreement concerning the collaborative management of the Ilemi Triangle as a shared resource in the Horn of Africa. There is no available information documenting the sharing of the resource potential of Ilemi Triangle among the three sharing countries which presents an academic gap worth of pursuit as well as a policy gap. The literature review also notes keenly a gap in knowledge concerning the political future of the shared Nile River given the contested nature presented by Ethiopia and disputed by Egypt on the utilization of Nile waters.

⁸⁹Mburu, N. (2003). *Delimitation of elastic Ilemi triangle. Pastoral conflict and official indifference in the horn of Africa. African Studies Quarterly*, The Online Journal for African Studies, Spring

This presents a policy gap which needs further probing. Additionally, the literature review reveals lack of institutional legal framework and environmental legislation and specific sectorial legislations, guiding the utilization of the Ilemi Triangle and the Mount Elgon shared resources which presents an opportunity for further investigation by this study. Lastly, the literature review summarizes that without international guidelines, especially in areas beyond the reach of national jurisdictions, shared natural resources are susceptible to the *tragedy of the commons* through depletion or exhaustion as competing states aim at maximizing self-benefit in using the resource.

1.9 Theoretical Framework

This research study adopted the *Neoliberal Institutionalism Theory* which articulates cooperation under anarchy in international relations. It is one of the big ideas in the practice of international relations also known as the democratic peace thesis.⁹⁰ The theory stems from Emmanuel Kant's Philosophy on perpetual peace holding that liberal states do not go to war with other liberal states. The major proponents of the theory include Keohane, Haas and Nye who emphasize that liberal states are peaceful to each other but as well are aggressive as any other type of state in their relations with authoritarian and stateless people.⁹¹ The basic principle guiding *Neoliberal Institutionalism Theory* is the emphasis on commitment to democratic forms of government where interdependence breeds peace. The European Union (EU), is one

⁹⁰ Baylis, J., & Smith, S. (2001) *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York: Oxford University Press

⁹¹ Ibid.

example of neoliberal institution which started like a regional community to encourage multi-lateral teamwork in order to manufacture of coal and steel.

Neoliberal institutionalism is considered by numerous authors as the persuading test to authenticity and neo-pragmatist consideration. The theory stipulates that the route towards peace is to have autonomous states pool their assets and considerably surrender some of their sway to make coordinated groups to advance monetary development or react to territorial issues. This presents transnationalism and complex interdependence. Complex reliance gives the world four essential qualities in view of; expanding linkages among states and non-state performers; new motivation of global issues with no refinement amongst low and high legislative issues; acknowledgment of numerous channels of communication among on-screen characters crosswise over national limits and the decrease of adequacy of military power as an instrument of statecraft.

The *Neoliberal Institutionalism Theory* assumes that states are principal actors in international relations although, not the only significant actors. In their pursuit of national interest, states will use all means available to maximize use of its power to achieve the interests, where as there is no central or supreme authority to regulate the states' actions and relationships with other states in the system. Neoliberal institutionalism theorists see establishments as the intermediary and the means through which cooperation is to be achieved among various entities in the international system. These institutions are considered persistent and having set of rules which govern and propose roles, regulate

actions and outline expectations. Institutions can encompass; Organizations, Treaties, Agreements and formal practices which states accept as binding.

The *Neoliberal Institutionalism Theory* is applicable to this study as it will inform the state behaviour in efforts towards cooperation in an anarchic system. In this regard, shared resource management could enhance inter-state cooperation in the sharing of the resources in the Ilemi Triangle. This could lead to interdependence, and by extension, peace in the region. On the other hand, failure to foster commitment to cooperation in the sharing of such resources could breed divisions and conflict in the area.

1.10 Study Hypotheses

The study will proceed with the following hypotheses;

1. Lack of collaborative management of shared resources in the Horn of Africa region will result in inter-state conflict.
2. Collaborative exploitation of shared resources for sustainable development enhances inter-state cooperation in the Horn of Africa states.
3. Proper strategies for addressing negative effects that arise from shared resources enhance inter-state cooperation in the Horn of Africa states.
4. Addressing the impediments to collaborative management of shared resources in the Horn of Africa enhances inter-state cooperation in the Horn of Africa states.
5. The economic potential of the Ilemi Triangle will result to economic transformation of the Horn of Africa region

1.11 Methodology

This section presents the research methodology of the study. The following titles are thematically covered Research design, Study site, Target population/sampling frame, Sample size and Sampling procedure, Data collection Procedure, Reliability and Validity of research instruments, Ethical issues, Data analysis and presentation, Scope of the study, Limitations of the research and Chapter outline.

1.11.1 Study Design

This study adopted descriptive survey research design to assess the role of shared resource management in enhancing cooperation between states in the Horn of African Region, to examine the extent to which collaborative management of shared natural resources enhances inter-state relations in the Horn of Africa, to investigate strategies used by states in the Horn of Africa in addressing negative effects that arise from shared resources, to critically determine impediments to collaborative management of shared resources in the Horn of Africa, to examine the Interests on the Ilemi Triangle and state cooperation in the Horn of Africa and lastly to examine how the economic potential of the Ilemi Triangle will result in economic transformation of the Horn of Africa region. Mugenda and Mugenda, note that a descriptive research design regulates and states the way things are exactly. Therefore, this research design can bring out information on aspects of education that can benefit policy makers and researchers.⁹² Descriptive survey design was utilized on the grounds that it ensured expansiveness of data and exact distinct

⁹² Mugenda, O.M., & Mugenda, A.G. (2003). *Research methods .Quantitative and qualitative approaches*. Nairobi: Acts Press.

investigation of attributes of a specimen which was utilized to make deductions about populace.⁹³ This design is helpful when a specialist needs to gather information on marvels that cannot be watched specifically. Its favorable position is that, it permits the gathering of a lot of information from a sizeable populace in a profoundly powerful, effectively and in a prudent way, frequently utilizing questionnaires and interviews. Data on shared resource management and collaboration states.

In order to ensure the study encompasses the crucial elements for the research objectives mixed methods approach was applied for triangulation purposes.⁹⁴ In this regard, quantitative and qualitative data collection methods were used to enrich the content of data collected for this study. Questionnaires were employed to collect data on the role of shared resource management in enhancing cooperation between states in the Horn of African Region. However, in-depth interviews were conducted between the researcher and respondents in order to obtain the context of the problem and interpret the findings. It also allowed for analysis of different variables at the same time and thus enabling the researcher to describe the role of shared resources between countries in the Horn of Africa. This gave a way to advanced understanding of phenomenon being studied and helped to view critical factors from the perspective of those being studied.

⁹³ Ibid.

⁹⁴ Saunders, M., Lewis, P., & Thornhill, A. (2015). *Research method for business student* (7th Ed.). New York: Pearson Education.

1.11.2 Study Site

The research site was in the Horn of Africa countries. The three countries of Kenya, Ethiopia and South Sudan were chosen for key respondents on the study topic, because all of them in one way or another are affected by resources in the Ilemi Triangle region. In many cases, one dominant State may seek to acquire the resource in question and deny usage by the other States. This follows a realization in economic opportunity in the shared natural resource which breeds competition. The shared resource can be a cause of conflict if the management is skewed to favour one state as it is the case of the Ilemi Triangle which is being claimed by the three countries. However, the geopolitical prominence of the Horn of Africa, where Ilemi lies makes it a pivotal factor in the regional balance of power. The top officials in the diplomatic corps, security institutions and academicians operating were targeted in the Horn of Africa countries as key respondents with precise information.

1.11.3 Data Collection Methods

The study employed both qualitative and quantitative processes of data gathering. Primary data was collected through questionnaires and in-depth interviews while secondary data was obtained from detailed reviews of journals, newspapers and document analysis on the issues of the role of shared resource management in the Horn of Africa. These sources helped in; explaining, understanding and providing information on the historical background of shared resource management and conflicts between countries and the measures used to curb the negative effects that arise from shared resources.

Questionnaires were the principal tool of quantitative data collection. Questionnaires had both structured and unstructured questions which aided in gathering standardized answers on the relationship between shared resource management and conflicts in the Horn of Africa while alongside providing respondents the opportunity to respond without restrictions. Open ended questionnaires, gave the respondents a chance to express their views, experiences and attitude on the research problem while closed ended questionnaires allowed the respondent to give precise information on the study. However, in-depth interviews were conducted between the researcher and the respondents in confidential and secure ways using an interview guide which had identical questions.

The questionnaire was divided into 5 parts. The first section sought to collect data on shared nature resource management, section II on the impediments to collaborative management of shared resources in the Horn of Africa, section III on strategies used by states in managing shared resources, section IV on competing interest on the Ilemi Triangle and states cooperation in the Horn of Africa, section V on economic potential and social outcome generated from politics of the Ilemi Triangle. The statements in the questionnaire were derived from indicators/parameters of each variable. Combination of these two tools were considered appropriate and important in explaining different variables, understanding the nature of the problem, providing answers and interpreting the results.

1.11.4 Sample Population the Sampling Size

Collecting data for the research in the three countries in the Horn of Africa countries with a combined population of 171,887,458 people is impractical and equally cumbersome.

Therefore a sample has to be chosen to be a representative of the entire set of units termed as “population”.⁹⁵ The sample size for this study was arrived at through sample size computation at 95% confidence level and 5% margin of error.⁹⁶ The study used Proportionate stratified sampling, Purposive Sampling and Random Sampling Techniques. Proportionate stratified sampling was used to identify the necessary study population in Kenya, Ethiopia and in South Sudan. To identify the study units purposive sampling was used to identify the eight study units which included civil servants, government institutions, security agencies and Academicians, NGO’s, Media Professionals, Religious Leaders and Business Entrepreneurs who were well informed and involved in issues surrounding shared natural resource management accounting for 160 key informants.

The target population refers to specified groupings which the researcher intends to study.⁹⁷ Thus, the population should conform to certain specifications, that the study is interested in.⁹⁸ However, from the eight units random sampling technique was used to pick specific professional groups where at least 20 people were interviewed randomly taking into consideration; gender, age and education level. This gave a total of 160 respondents as shown in Table 1.1.

⁹⁵Graziano, A., &Raulin, M. (1997). *Research methods: a process of inquiry*. New York: Longman Pub Group.

⁹⁶Ibid.

⁹⁷Neuman, L. (2006). *Social Research Methods. Qualitative and Quantitative Approaches*. Whitewater: University of Wisconsin, p.224.

⁹⁸Cooper, D.R. &Schindler, P.S. (2003). *Business research methods*. Massachusetts: Allyn and Bacon, p. 560.

Table 1.1 Target Populations and the Sampling Size

Target sample	Size of sample
Civil Servants	20
Academicians	20
Government agencies	20
Security agencies	20
Media Professionals	20
Religious Leaders	20
Business Entrepreneurs	20
NGO's	20
Total	160

The researcher used non-probability sampling method of purposive or judgmental sampling in accordance with the research objectives. Purposive sampling takes into account the ordinary personalities of the kind it is intended to test, it attempts to outline where these groups of people can be found and attempts to investigate them. Accordingly, Focused Group discussions were held with different personalities from the three countries. It helped in obtaining in-depth information on the research problem. The focus group of 48, 48, and 48 were held in Kenya, South Sudan and Ethiopia respectively. This gave a sample population size of 304 (160+48+48+48) as envisaged by the study. The data obtained from the Focus Group Discussions was useful in helping the research to obtain in-depth qualitative information on the research problem. The information obtained from the discussions was also useful in supplementing and confirming issues found from the survey and secondary data.

1.11.5 Data Collection Procedure

Once the proposal was successfully defended and recommended corrections done, the researcher obtained an official note from University of Nairobi allowing him get a research permit from The National Commission for Science, Technology and Innovation (NACOSTI). The researcher trained and hired the services of 9 research assistants. Each three of them collected data from the three countries. The researchers assisted in administering of the questionnaires which consisted of both open and ended questions to different respondents and key informants who were targeted in this study. The key informants included; civil servants, government institutions, security agencies and Academicians, NGO's, Media Professionals, Religious Leaders and Business Entrepreneurs who were well informed and involved in issues surrounding shared natural resource management. The questionnaires were distributed to the respondents and collected after three days this is because most of them had very busy schedules which could not allow them to answer the questions in one day. However, most of them were able to create time out of their busy schedules to; read, understand, and provide reliable answers.

1.11.6 Reliability and Validity of the Research Instruments

1.11.6.1. Reliability

Reliability of measurements deals with how far a given measuring tool gives comparative results over a number of rehashed trials. The study arranged questionnaires and meeting guides and directed them to the comparable respondents' the three nations for pre-testing purposes. These respondents were not utilized as a part of the fundamental investigation.

The pilot examination respondents were dispensed with in the final study. The investigation utilized 15 members for pilot consideration. This is as per Isaac and Michael, who proposed 10 – 30 members, is perfect in pilot research.

1.11.6.2 Validity

It alludes to the extent that a research tool really measures what it is planned or expected to quantify. Drost recommends that there are four sorts of legitimacy that scientists ought to consider. To ascertain the validity of the instruments the researcher conducted a pilot study using both questionnaires and the interview guides in Nairobi a cosmopolitan city by utilizing 15 respondents who represented citizens from the three countries with interests in the Ilemi triangle which is considered (a shared resource). This was done two weeks before the commencement of the actual study.

Validity was also considered since the research intends to cover broad range of areas within the concept under the study. This was done to ascertain that the study measures what it claims to measure. This was checked by administering different data collection instruments to probe the same group of individuals since poor reliability would result into very different but un-complementing results. Throughout the data collection period, at the end of each fieldwork day, the team would meet and discuss the day`s activity with regard to their successes, challenges before planning for the next day. The principal researcher would then collect and keep the completed data, collection tools, an act that would be repeated until the end of the exercise. Validity was considered important because it was to ascertain that the study measured what it claims to measure.

1.11.7 Ethical Issues

While undertaking research, the researcher was conscious of what is satisfactory and what is not. Many a times, undertaking social research presents an infringement on the lives of human beings from whom that information is obtained. The researcher has an ethical and qualified obligation to be moral even where his respondents are not aware about morals. Before commencing with the fieldwork, the researcher sought permission to carry out the research from the Post Graduate School, University of Nairobi, Ministry of Education Science and Technology (NACOSTI), by obtaining an authorization letter and a research permit which allowed him to collect data from the key informants and the respondents. Both tools had introductory information on confidentiality of the information that the respondents provided.

However, the respondents` consent was sought before the commencement of the interview. Where any of the respondents declined to cooperate before or in the middle of the research, they were willingly allowed to pull out and be replaced accordingly. Confidentiality during the entire research period was observed by maintaining anonymity of the respondents. The respondents were guaranteed that the data given was utilized exclusively to scholastic purposes. No weight or affectations of any sort was connected to urge the respondents to wind up members in the examination ponder. Members were permitted to pull back from the procedure in the event that they so wished.

1.11.8 Data Analysis and Presentation

After collecting data, editing, coding, classification, tabulation and analysis was done. Coding involves giving all statements numeric codes based on their meaning for ease of

capturing data. The analysis was carried out using SPSS version 20 and Microsoft Excel. Statistical Packages quantitative data was analyzed in tables and charts. Data from the research was presented using descriptive statistics such as tables, pie charts, bar-diagrams and percentages for interpretation and clarity. Verbal reports that rose during the research process were presented as direct quotations.

1.11.9 Scope and Limitations of the Study

The research covered the shared natural resources in enhancing inter-state relations in the Horn of African States. The study specifically covered the states of; Kenya, South Sudan and Ethiopia between 2011 and 2016. This study was limited by certain challenges which included sensitivity of information. Many respondents were not willing to provide some information. To overcome these challenges, there was need to convince the informants that the confidential information provided was used solely for academic purposes. Language barrier presented another limitation since all communities targeted in the research do not share a common language hence necessitating an interpreter. Lastly transport and logistics presented a paramount challenge due poor infrastructure in the regions, but the researcher employed state of the art automobile (four wheel drive) to navigate the region.

1.12 Chapter Outline

This research comprises seven chapters. Chapter one focuses on introducing the problem of the study, gives its background, states the research objectives and hypotheses, gives the justification of the study, analyzes literature related to the phenomenon under study and gives out the methodology. Chapter two examines the extent to which collaborative management of shared natural resources enhances inter-state relations in the Horn of Africa. Chapter three critically examines the impediments to collaborative management of shared resources in the Horn of Africa. Chapter four investigates strategies used by countries in the Horn of Africa to address the negative effects that arise from shared resources. Chapter five critically examines competing interests in the Ilemi triangle and state cooperation in the Horn of Africa. Chapter six looks at how the economic potential of the Ilemi Triangle will result to economic transformation of the Horn of African region. Lastly Chapter Seven gives the summary of the findings, conclusion as well as recommendations.

CHAPTER TWO

AN OVERVIEW ON MANAGEMENT OF SHARED RESOURCES AND INTER-STATE CO-OPERATIONS

2.1 Introduction

This chapter scrutinizes the extent to which collaborative management of shared natural resources enhances inter-state relations in the Horn of Africa. To achieve that, the chapter makes a detailed review and critique of shared natural resources shared by sovereign states, particularly in Africa from respondent's opinions and from the existing literature to derive the policy gaps and issues therein. Fundamentally, this chapter lays emphasis on four thematic issues on shared natural resource management which include; shared inter-state natural resource in the Horn of Africa, a SWOT examination and challenges of shared inter-state natural resources, emerging issues on shared natural resource management and the resultant inter-state relations emanating from managing shared natural resources.

Further, this chapter examines the effectiveness of shared natural resources as an instrument of improving inter-state relations by coordinating the activities and fostering cooperation among governments in the Horn of Africa. It also seeks to comprehend the environment under which shared resources can be used as a tool of cooperation among states, reasons for its failure in certain sections and provide a way forward on how to make it better. First, the research sought to establish some of the known shared natural resources in the Horn of Africa. The following were the most notable shared natural resources reported by respondents.

2.2 A review of Shared Resource Management in Africa

In its simplest explanation, shared resource management is the process of cooperation between states which increases the chances of getting a proper institutional framework of managing natural resources and conserving biodiversity.⁹⁹ There exists a lot of study and theories explaining the efficiency of shared resource management as an instrument of fostering collaboration between different states in addition to diffusing resource-fueled conflict. This is because state boundaries pass over some shared resources thus presenting a management challenge. International boundaries have divided ethnic groups into different countries and resources which have been shared over time long before colonialism. The following are some selected shared resource management cases in Africa, which abundantly inform the nature and context of the resulting inter-state relations.¹⁰⁰

Table 2.1 Shared Resources

Shared Resources	No. Sharing of states
Lake Victoria	11 (riparian-Upstream/downstream)
Mt. Kilimanjaro	2
Mt. Elgon	2
Ilemi Triangle	3
Nile River Basin	11
Lake Turkana	2
Maasai Mara National Reserve	2
Lake Jipe	3
The Ilemi Triangle	3
Umba River	2

Source: Field Data, 2017

⁹⁹Van der Linde, H., J. Oglethorpe, T. Sandwith, D. Snelson, & Tessema, Y, (with contributions from Anada Tiéga and Thomas Price). (2001). *Beyond Boundaries: Trans-boundary Natural Resource Management in Sub-Saharan Africa*. Washington, D.C. Biodiversity Support Program. P.8

¹⁰⁰ Ibid.

The discussion focused on the experiences and procedures of collaboration at four natural shared resources which include the; Nile River Basin, the Mount Elgon experience, the Kilimanjaro Heartland case and the shared Ilemi Triangle. These cases shed light on the state interactions as they collaborate to control natural resources collectively shared. The review of above cases is imperative in informing on the Strengths, Opportunities, Weaknesses and Threats of shared resources.

First, this research sought to know the respondents perception concerning the importance of shared resources management between the Republic of Kenya, South Sudan and Ethiopia in regards to the Ilemi Triangle. The respondents were required to show the value of forming a joint commission among the three sharing countries to manage and safeguard the territoriality of the Ilemi Triangle. The figure below shows the perception of respondents on the importance of jointly managing such a shared resource.

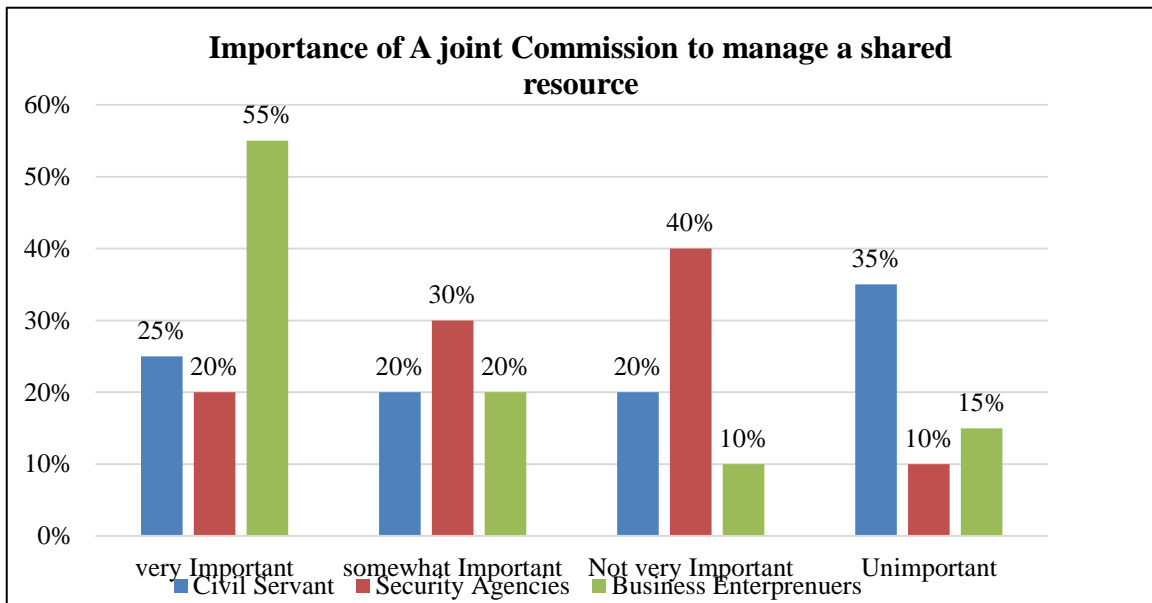


Figure 2.1 Perceptions on jointly managing a shared natural resource

Source: Field Data, 2017

The figure above shows, the perception of respondents concerning the importance of forming a joint commission to investigate and determine aspects of sharing the management of the Ilemi Triangle, which lies across the three countries. The results show that, majority of respondents-55% (business entrepreneurs) preferred that the three countries should form a joint commission of inquiry to determine the bonafide ownership of the Ilemi Triangle. Security agencies (20%) preferred that each sharing country should collaborate with other partner state.

The civil servants who participated in this research (25%) said that, it is imperative for the three countries to collaboratively manage the shared resources through a joint commission. On average, 25% of the civil servant respondents, saw it meaningless for the three sharing states to jointly manage the Ilemi Triangle. 35% of them (civil servants) indicated that, it was not important for the three countries to manage the shared resources, citing lack of national capacities within some of the sharing countries (particularly South Sudan) as the main impediment. This is a classical evidence of cooperation among different sovereign states in an environment, without supranational authority as explained in the cooperation under anarchy theoretical paradigm.

2.2.1 The Nile River Basin

The Nile River is among the world's longest rivers draining through Lake Victoria.¹⁰¹ Nile River is shared with; Burundi, Sudan, Rwanda, Uganda, Ethiopia, Kenya, Egypt, the Democratic Republic of Congo (DRC), Tanzania, Rwanda and Eritrea. Burundi and

¹⁰¹Okidi C. (1994).*History of the Nile and Lake Victoria Basins through Treaties*. London: Cambridge University Press.

Rwanda are linked to the River by Kagera River, which also empties its waters into Lake Victoria.¹⁰² The Nile Basin, is approximately 3 million sq. km, and occupies roughly 10% of the African continent, as well 2.3% of earth's lands.¹⁰³ The Nile Basin depletes an aggregate of roughly 3 million sq. km of domain in 11 riparian conditions of; Ethiopia, Uganda, Sudan, Burundi, South Sudan, Kenya, Egypt, Rwanda, Tanzania, DRC, and Eritrea.¹⁰⁴ The tributaries of the Nile River are joined in Sudan and flow for thousands of kilometers to the Mediterranean Sea where it is estimated that the Blue Nile provides 64% of waters available in Aswan.¹⁰⁵

Additional river sources flow down from Ethiopia's Highlands, Sebat and Atbara and contribute 21% of the waters of the Nile, while the largest tributary-the White Nile (upstream of Malaka, Sudan) contributes just 15%.¹⁰⁶ While the Nile River and its stream empty their waters into the Mediterranean Sea, Lake Victoria provides an outlet to the Nile, and hence gives its water at a single terminus. According to Okidi, over 160 million people, rely on the Nile River for survival.¹⁰⁷ Within the next two and half decades, the Horn region's population will have doubled and this will need more industries and agricultural production.

¹⁰²Hurst, H.E. et al. (1959). *The Nile Basins; The Hydrology of the Blue Nile and Akbara and the Main Nile to Aswan*. Cairo: Government Printing

¹⁰³ Ibid.

¹⁰⁴ Richard, K.P., & Henshaw, T.W (2013). *Trans-boundary governance of the Nile River Basin: Past, Present and Future*. Vancouver: University of British Columbia

¹⁰⁵ Ibid.

¹⁰⁶ Ibid.

¹⁰⁷Okidi, C. (2001). *Legal and Policy considerations for Regional Co-operation on Lake Victoria and Nile River*. Journal of Environmental Policy and Law in Africa Vol.3 No.2

Combined, Nile River and Lake Victoria make up one bowl, to be particular a watershed adding to one principle conduit, lake, stream, or other fundamental end. The Nile together with its tributaries stream particularly into Mediterranean, the same way Lake Victoria drains direct into the Nile.¹⁰⁸ Kagera basin occupies roughly 59,800 km² of Burundi, Uganda, Tanzania and Rwanda and it contributes roughly 25% for every penny of the yearly release to Lake Victoria.¹⁰⁹ According to Henshaw and others, water cutting across state boundaries present many issues and there is not a single approach to manage this shared water resource.¹¹⁰ This research sought to establish the nature of state relations which share the Nile Basin. The respondents were asked to indicate whether the relations were peaceful and cooperative or whether they were conflictual and anarchic?

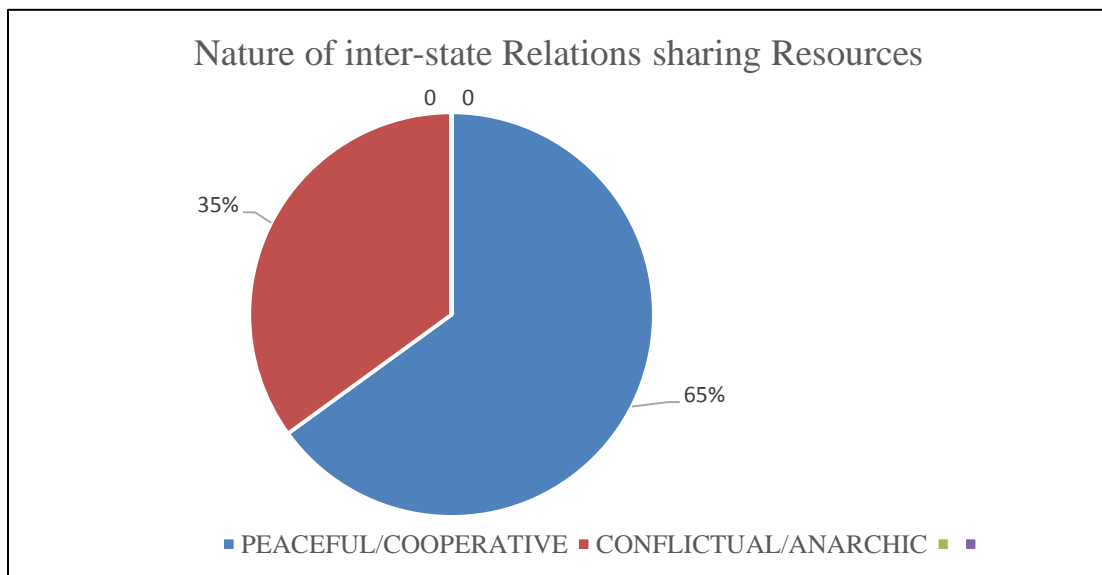


Figure 2.2 Perceptions on Inter-state Relations due to Shared Resources

Source; Field Data, 2017

¹⁰⁸ Ibid.

¹⁰⁹ Mbote, P.K. (2005). *From conflict to cooperation in the management of Trans-boundary Waters: The Nile experience*. Washington, DC.: Heinrich Boell Foundation

¹¹⁰ Ibid.

From the findings established by this study, 65% of the respondents indicated that states which share natural resources are more peaceful and cooperate with each other. 35% of the respondents indicated that states which share resources are more conflict-prone and exist in an anarchic environment. This was echoed by respondent D8 who posited that

‘The sharing states experience different political, economic, social and ecological drivers which hinder cooperation of these states in sharing of natural resources.’

Berlando and Gerlak assert that institutions of joint management play a critical role in addressing conflicts and enhancing cooperation by empowering users of the resource users to effectively deal with rapidly changing social-political and economic circumstances.¹¹¹

Respondent D10 affirmed that;

“Regionally shared waterways encourage pressures and questions about conveyance and utilization of asset administration. The expanded potential for strife escalates dangers to state soundness and national security.”

This research sought to establish some of the established management practices and initiatives adopted by sharing states. The study established that Treaties (68%) were the most quoted practices and initiatives governing the management of shared resources. Joint Commissions (32%) were indicated as other management tools employed by states sharing resources and 5% referred to international initiatives while 5% referred to memorandums of Understanding (MoUs) as the widely used management tools for shared resources.

¹¹¹Berlando, R., & Gerlak, A.K. (2012). *Conflict and cooperation along international rivers. Crafting a model of institutional effectiveness*. Global Environmental Politics Vol.12 No. 1

Table 2.2 Management practices and initiatives adopted by sharing states

Management Tool	(%) of Respondents
Treaties	68
Joint Commissions	22
International Initiatives/MoUs/Conventions	5
Initiatives/Agreements/regulations	5

Source: Field Data, 2017

There exists a special status agreement between Kenya and Ethiopia to facilitate trade and investment between the two countries. The agreement stipulated that both parties be permitted to open offices in each other's territories. From the agreement, Kenya and Ethiopia governments initiated cross-border road infrastructure from Nairobi-Addis Ababa launched in 2012. Also from the agreement the two countries agreed to build an oil pipeline from the Port of Lamu in Kenya to Ethiopia.

Additionally, Kenya and Ethiopia signed a memorandum of understanding in five key areas of cooperation among them cooperation in gas and oil sector. However, under the MOU is the; Lamu Port, South Sudan, Ethiopia Transport Corridor (LAPSSET) project on which the two countries will exchange information on oil and gas laws, policies, institutions framework, agreement and other regulatory framework. Kenya and South Sudan signed a MOU for deployment of 55 civil service support officers to South Sudan on 31st August 2015.

2.2.2 Nile Waters Agreement

On the 7th of May 1929, an accord was assented to pitying Egypt and Britain, where Britain represented Sudan in what produced the 1929 Egyptian-Sudanese Nile Waters Agreement.¹¹² Article II of accord provides that; besides previous agreements entered into by the government of Egypt, neither the river nor any of its branches was to be, nor should be annexed from the lakes feeding the Nile as long as they are in Sudan or in British territory which may result in prejudicing Egypt in any manner like affecting the quality, amount or date of the water arriving there. The accord is binding between the two parties as well as the countries which were under British administration but not binding on Ethiopia. When Uganda, Kenya and Tanzania achieved independence, they negated from the agreement which Sudan had earlier rejected in 1958. Sudan was to receive 4 Billion Cubic Meters every year, as Egypt controlled the entire flow between January 20 and July 15 while receiving 48 Billion Cubic Meters annually.¹¹³

It is noteworthy to mention that the future needs of Nile waters were not mentioned in the agreement. The agreement only accommodated the long-term interest of Egypt, Sudan and British. Another factor to note is Egypt was ready to utilize meteorological and hydrological statistics coming from East African lakes basin before the countries in these regions even could.¹¹⁴ The accord empowered Egypt to possess data and information necessary to facilitate their national policy involving catchments of Lakes Edward,

¹¹²Melesse, A.M. (2011). *Nile River Basin: Hydrology, Climate and Water Use*. New York: Springer

¹¹³ Wolf, A.T. (1996). *Middle East Water Conflicts and Directions for conflict resolution*. IFPRI 2020 vision Brief 31 April

¹¹⁴ Ibid.

Victoria, Kioga and Albert. The Egyptian government proposed the construction of Aswan Dam which would have a capacity of 1.56 BCM annually in 1952.¹¹⁵

Debate arose among Sudan, Ethiopia, and Egypt concerning the construction of the Dam and concerns were centered on whether the construction was fully owned by Egypt or whether it was a cooperative venture with Sudan. The Ethiopian government, which had remained dormant in the politics of the Nile, notified the riparian states, that it was going ahead to initiate individual development projects on the Nile in 1957 in its territory. In 1958, after failed negotiations, Egypt sent a delegation to Sudan that also failed and this moved the states from diplomacy closer to armed conflict.¹¹⁶ The pronouncement of independence among the riparian states brought in another dimension to the colonial agreements. The new independent states adopted the Nyerere doctrine which practically nullified the earlier agreements entered during colonial period.

2.2.3 Cooperative Agreement for shared Utilization of Nile Waters

This study has established that states which share resources cooperate as exemplified by 65% of respondents. This can be explained under the cooperation under anarchy theory since shared waters portray a huge array of issues around water management. The Cooperation under anarchy phenomenon is clearly demonstrated by the Nile Waters Treaty of 1929 between Sudan and Egypt which gave priority to Egypt's needs for water and seemed to accord Egypt a veto power and a right on future power production ventures on communities under British rule like Tanganyika, Kenya, Uganda, and Sudan

¹¹⁵Ibid.

¹¹⁶ Nile Basin Initiative. (2017). *History of the Nile Basin Initiative*. Available online at www.nilebasin.org/nbhistory.htm. Accessed on 17th/8/2017

along the Nile over other riparian states. The 1929 Agreement was precluded by other riparian states, but Egypt used the principle of international law of succession in advancing that the treaty was still operational. Consequently, the 1929 treaty was replaced in 1959 by another treaty referred to as agreement for the full utilization of the Nile waters.¹¹⁷ This agreement assigned the flow of River Nile at the Aswan Dam to Egypt and Sudan.

Surprisingly, this led to strife among the riparian states in the region who invoked the Nyerere Doctrine (named in honor of Tanzanian president Julius Kambarage Nyerere, which called for re-negotiation of accords signed during colonial administration within two years failure to which they become obsolete).¹¹⁸ Regional tensions further complicated the cooperation on the Nile waters. There was a growing mistrust between Egypt and Ethiopia as well as distrust between Sudan and Egypt. The upstream countries rejected the Nile agreement treaty due to its apportionment of the Nile waters to downstream countries utilizing colonial-era treaties.

The 1959 treaty provided an opportunity on sharing of the Nile waters and for full utilization which dictated that 74 BCM annually would be shared by Sudan and Egypt. From this, Egypt would get 48 BCM with Sudan remaining with 4 BCM. The remnant 22 BCM annually would be shared in a ratio of 7.5 BCM annually to Egypt while 14.5 went

¹¹⁷Metawie, A. (2004). *History of cooperation in the Nile Basin*. International Journal of water resources development. Vol.20 No.1

¹¹⁸ Salman M, A., & Salman, T. (2013). *The Nile Basin Cooperative Framework Agreement: A peacefully unfolding African spring*. Water International. Vol.38 No.1

to Sudan.¹¹⁹ In sum Egypt got 55.5 BCM annually while Sudan got 18.5 BCM annually.¹²⁰ Any additional increases in yield were to be shared equally; with a technical committee set up to deliberate any accruing decreases while Egypt was to pay 15million (Egypt pounds) to Sudan in case of floods or relocations.¹²¹

The riparian states in the Nile basin have agreed to implement the stipulations of the 1959 agreement where, any states south of Egypt should acquire Egypt's endorsement for water system or hydro-power tasks with the goal that those activities do not lead to decrease of water levels in Egypt. This set Egypt against nations such as Tanzania and Kenya, whose intention was to utilize Lake Victoria's waters for home use and water system activities¹²². It is critical that 1959 Nile waters was foremost two-sided accord signed between Sudan and Egypt. The accord additionally constitutes an acknowledgment by the two states that they had a special neighborhood intrigue which had the potential of postage against others. This move opened the path for thought of a comparing course of action among upper riparian states that ascertain their common needs and interests.

Due to varying political and geographic differences among the riparian states, some scholars have predicted that tensions over the Nile waters will lead to a full blown open conflict.¹²³ However, as a result of external engagement and interactions between the riparian states, the Nile basin riparian states have taken bold steps to ensure cooperation

¹¹⁹ Op cit.

¹²⁰ Ibid.

¹²¹ Ibid.

¹²² Berardo, R., & Gerlak, A.K. (2012). *Conflict and cooperation along international rivers: crafting a model of institutional effectiveness*. *Global Environmental Politics*, 12(1).

¹²³ Yohannes, K. (2013). *Turmoil in the Nile River Basin: Back to future?* *Journal of Asian and African studies*, 28(2).

and solve the stalemate which can lead them to war. One of the bold steps towards that end was the cooperation in adopting the Nile Basin Initiative (NBI) of 1999.

The Nile Basin Initiative (NBI) aimed at creating a comprehensive and long lasting Nile basin framework with rules and institutions to administer the usage of the Nile River waters. A number of riparian states are signatories but some have not including; Egypt, Sudan and South Sudan.¹²⁴ In December 1992, water ministers from riparian states met in Uganda to discuss and adopt the setting up of a Technical Cooperation Committee for the Promotion of the Development and Environmental Protection of the Nile Basin (TECCONILE).¹²⁵ The TECCONILE agreement became operational in January 1993 with the signing of Egypt, Tanzania, Rwanda, Tanzania and DRC. Kenya and Ethiopia declined to sign and become parties arguing that the framework did not take care of equal apportionment of water of the Nile and dominance of Egypt in water distribution.

The Nile Basin Initiative and TECCONILE frameworks, mandates Nile Basin nations to cooperate to build up the assets of the Nile River for the advantage of all inside a setting long heritage of common recriminations, territorial clash, dry spell and different issues. It began as participation around logical data sharing. The mutual vision of the Nile Basin Initiative is to accomplish feasible financial improvement through fair usage of, and advantage from the regular water resources of the Nile River. This is a clear example of interstate cooperation under anarchy realized in the context of vested national interest.

¹²⁴ International Water Law Project. (2013). *The agreement on Nile River Basin Cooperative Framework*. Available at [www. Internationalwaterlaw.org/documents/regionaldocs. Nile_River_Cooperative_Framework](http://www.Internationalwaterlaw.org/documents/regionaldocs.Nile_River_Cooperative_Framework). Accessed on 17th /8/2017

¹²⁵ Ibid.

2.3 The Mount Elgon Experience

The Mt. Elgon mountain ecological unit is shared by two neighbouring sovereign states; Kenya and Uganda. The mountain is home to a myriad of ecosystems and is globally recognized as an important natural resource.¹²⁶ It is a shared resource because it covers an enormous area cutting across frontiers (boundaries) of two countries and home to many natural systems with protected species. The area around the mountain is densely populated with majority of the inhabitants being poor people who depend on the various forest products from the mountain. Some of the identified ecosystem threats include the increased agricultural encroachment, deforestation, poaching, over-grazing and forest degradation.¹²⁷ In both countries, extensive efforts have been made to protect the valuable forest resources and biodiversity found on the mountain. Mt. Elgon in essence provides an exceptionally suitable forum to explore the topic of shared biodiversity management, its possibilities and constraints.

2.4. Cooperative utilization of Lake Victoria as a Shared Natural Resource

Lake Victoria is originally shared amongst three neighbouring countries with Kenya having 6%, Uganda having 45% and Tanzania the remaining 45%.¹²⁸ However, in feeding the lake, Tanzania contributes 61.2% of the water, Kenya empties 37.6% of the water with Uganda contributing just 1.3%.¹²⁹ The implication is that sovereign authority by the riparian states will be done incongruently. This is because in the international

¹²⁶Kaboggoza, J. et al. (2006). *Trans-boundary Biodiversity Management Challenges; the Case of Mt. Elgon, Uganda and Kenya*. Kampala. Makerere University, Uganda, Faculty of Forestry and Nature conservation

¹²⁷ Ibid.

¹²⁸Wirkus, L., & Boege, V. (2006). *Trans-boundary Water Management on African International Rivers and Lakes. Current State and Experiences*". In Waltina S. and Susan N. (2006) (Ed), *Trans-boundary Water Management in Africa. Challenges for Development Cooperation*. Bonn: Deutsches Institute

¹²⁹ Ibid.

system, a nation is charged by the much it brings on the table and since these states do not contribute equally, they should not share equally. Furthermore, the amount of water each brings into the lake influences how they see the rights of managing shared resources across the region.

Uganda has 45% of the lake under its territory, it only feeds 1.3% of the Lake and therefore does not deserve to control such a large mass of the Lake as it is disadvantageous to Kenya and Tanzania.¹³⁰ On the other side, Kenya owns just a portion of the Lake but is clearly seen to do more intensive fishing on the Lake waters as compared to her other riparian neighbours due to its superior fishing technology and high number of fishermen. These activities cause more damage to the ecology of the lake and also causes more harm to economies of the states sharing Lake Victoria. Widely accepted norms of shared resources demand that riparian states should share territorial integrity and sovereign power in regards to utilization of shared natural resource.¹³¹

2.4.1 Unshared Management

According to Were, the administration of Lake Victoria's regular assets, falls under the Lake Victoria Basin Commission and the Lake Victoria Fisheries Organization Convention, yet the real administration has been consigned to the individual member countries.¹³² From the state level provision in the convention setting up the Lake Victoria

¹³⁰ Ibid.

¹³¹ Rahaman, M. (2009). *Principles of Trans-boundary Water Resource Management and Ganges Treaties: An Analysis, Water Resource Development*, Vol. 25 No. 1. pp. 159-173.

¹³² Ibid. p.10

Fisheries Organization, partly states have been enabled to found laws and controls that specifically deal with usage of assets to their greatest advantage.

The formation of the Lake Victoria Basin Commission within the EAC was done with the view that the lake and its resources constitute an area of common interest to all member states and necessitated a regional economic zone to look after its interest. The administration of the Lake focused on lining up cross-border aspects by coming up with guidelines which aimed at increasing cooperation and extending partnerships between states in strategic areas of social, cultural, political, research, economic, security, technology, defense, judicial, and legal for the benefit of every member state.¹³³ Kenya alone has more than 500,000 people who specifically rely on the natural resources of the Lake while more than one million in the East African region are directly employed by the lake activities.¹³⁴ The wider mandate for managing Lake Victoria lies with the Lake Victoria Basin Commission.

While Lake Victoria Basin Commission includes a more extensive order inside the Lake Victoria Basin, the Lake Victoria Fisheries Organization was set up deliberately to blend residential laws and directions for the maintainable utilization of living assets of Lake Victoria and create and embrace protection and administration measures.¹³⁵ At the core of the order, in any case, lie protection, extraction, use and advertising of Lake Victoria's

¹³³ Adar, K. (2011). *East African Community. First International Democracy Report*. Moncalieri: Center for Studies on Federalism

¹³⁴ Ibid.

¹³⁵ LVFO. (2013). *Lake Victoria Fisheries Organization, Regional Status Report of Lake Victoria Biennial Surveys between 2000 and 2012*. Jinja: LVFO

assets for the advantage of state, anglers, fishmongers, angle processors, angle advertisers and fish transporters among others.¹³⁶

2.4.2 Growing Suspicion among Sharing States

Although there has been a sustained cooperation in the utilization of natural resources found in Lake Victoria, there have been numerous cases of suspicion among the sharing states over which states could be benefiting more than others in the exploitation of Lake's resources. Uganda has held the belief that Kenyan resident fishermen have long exploited Ugandan fish in complete disregard for national fishery laws and guidelines. This has been defended by the vast majority of Kenyan fishermen and vessels operating in Ugandan waters. Their effect on fish numbers has attracted negative reaction and provoked Uganda specialists to target them amid implementation of the fisheries laws and policies.

Some of them undergo frequent arrests for illicit fishing in Ugandan waters, angling minus grants, unlawfully exchanging Ugandan fish, as well as utilizing unlicensed apparatus to angle in Ugandan waters. Comparative cases have been accounted for in Tanzania against Ugandan and Kenyan fishers. Kenya has not recorded such dissensions against fishers from the neighbouring states most likely due to little extent of the lake or shortage of fish on its segment of the lake. Actually, Kenya has filled in as a prepared fish consumer for angle from Tanzania and Uganda.

¹³⁶ Ibid.

What is more, the nation has created a single fish processing factory that has pulled in fish investments from the neighbouring states. The suspicion among the partner states has occasionally soured relations between these states particularly Kenya and Uganda. Although there is no documented state response from arrests made against Kenyan Fishermen by Ugandan authorities, there continues to be distrust and suspicion that Uganda is encroaching on Kenya's territorial waters which public opinion holds as violation of Kenya's territorial integrity.

2.5 The Kilimanjaro Heartland Case

The Kilimanjaro Heartland is a shared Resource between sovereign states of Kenya and Tanzania. It encompasses the semi-arid vegetation in the larger Amboseli ecological habitat and is situated north of Mt. Kilimajaro (Africa's tallest mountain), in Tanzania. Other features of the of the Kilimanjaro Heartland include the Amboseli National Park (located in Kenya) and a major tourist attraction, six Maasai ranches (situated in Kenya and Tanzania); Arusha and Kilimanjaro National Parks in Tanzania, and Lake Natron as well as the savannas of Longido.¹³⁷ Amboseli-Longido region originates in Kenya and spans across the Tanzania borders, an area referred to as Kilimanjaro Heartland. Descending from the mountains are low-lying regions in both states and these are inhabited by East Africa's livestock keeping communities.

¹³⁷Muruthi, P., & Frohardt, K. (2003). *Study on the Development of Trans-boundary Natural Resource Management Areas in Africa: Kilimanjaro Heartland Case study*. Nairobi: African Wildlife Foundation.

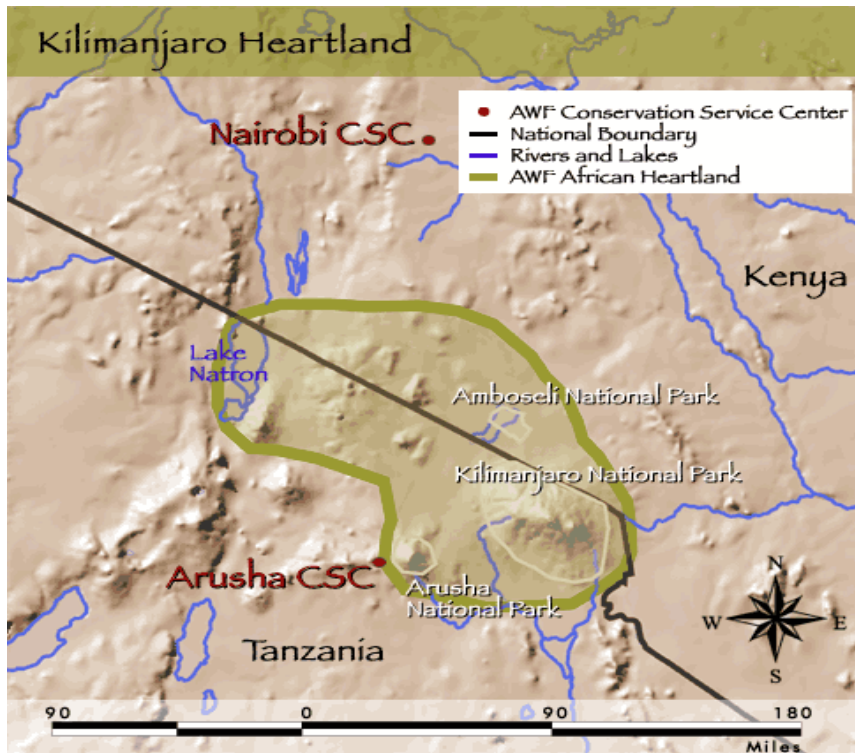


Figure 2.3 Map showing Kilimanjaro Heartland

Source: African Wildlife Foundation

As indicated by Barrow, Tanzania and Kenya agree that preservation adds to a scope of national and international goals. All things considered, protection related laws and approaches in Kenya and Tanzania make a complex institutional and strategy regime where orders on land and rights over assets are not clearly spelt out.¹³⁸ The two nations are signatories to protection accords such as; World Heritage, CITES, African Convention on Nature and Natural Resources, Biosphere Reserves, and the Convention on Biodiversity (CBD).¹³⁹

¹³⁸ Barrow, E.H., & Gichohi A. (2000). *Rhetoric or reality? A review of community conservation and practice in East Africa*. International Institute for Environment and Development, London, UK.

¹³⁹ Ibid.

Tanzania has honoured the Ramsar Convention to which Kenya is a signatory.¹⁴⁰ A few destinations inside the Kilimanjaro Heartland have global acknowledgment. For example, Amboseli National Park is a United Nations Educational, Scientific and Cultural Organisation (UNESCO) Man and Biosphere and Kilimanjaro National Park is a heritage site.¹⁴¹ Under the guidance of United Nations Environmental Programme (UNEP), the Lusaka Agreement on helpful requirement operations which aimed at curbing illicit trade in animals and plants was assented to in September 1994. The pact setting up the East African Community (EAC), assented to in November 1999, empowers states to attract global cooperation in protection of local activities.

Tanzania and Kenya are preparing guidelines that will decentralize the administration of wildlife, giving more powers to the neighbourhood groups residing out of the national parks.¹⁴² Elephant dispersal information demonstrate that some move over the outskirt every day, leaving great territories in Tanzania to drink at Kenya's water sources (e.g., Amboseli environment system of marshes) and back once more. This Trans-boundary elephant populace, and also vast ungulate populaces (counting occasional relocations), can profit by scene scale preservation steps.¹⁴³ This is also climaxed by the annual wild beast migration which starts from Kenyan side and ends in the Tanzania's side attracting international attention and out-pouring of tourists who frequent the Kilimanjaro Heartland to witness what has been termed as the Eighth Wonder of the World.

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

¹⁴² Wamukoya, G.M. (2000). *Environmental management in Kenya. A guide to the Environmental Management and Coordination Act*. Nairobi: Center for Research and Education on Environmental Law

¹⁴³ Dobson, A. P. (1996). *Conservation and biodiversity*. New York: Freeman and Company

2.5.1 Shared Resources

In the Heartland of Kilimanjaro, the common highlights and their association propel at any rate some level of powerful preservation. The transient and spatial circulations of natural life advance such an expansive scale way to deal with protection and management. Notwithstanding occasional relocations, there are day by day developments of untamed life and residential ungulates between the bogs and waterholes in Kenya and the higher touching grounds in Tanzania.¹⁴⁴ Transient species, for example, flamingoes eat at Amboseli in Kenya and go home at Lake Natron in Tanzania crossing the political boundaries of the two states.

A sharing approach can possibly battle a few of the dangers that originate from either the two sides of the outskirts. This is especially so for those that require joint shared fruitful outcomes. For instance, dangers, such as poaching, fire, and infections, or rinderpest. As of now there is a joint law authorization programme between the secured zones to battle poaching and dangers to tourism.¹⁴⁵ This unofficial agreement between the Kenya Wildlife Service (KWS) staff and their partners in Tanzania appears to function admirably.

An existing collaborative sharing arrangement in the Heartland of Kilimanjaro has additionally energized collaboration by different segments across state lines such as; culture, immigration and customs, agriculture and education. As proved at the HCP meeting held in December 2000, joint arrangements can bring lawmakers and other

¹⁴⁴Ibid.

¹⁴⁵Newmark, W.D. (1991). *The conservation of Mt. Kilimanjaro*. IUCN: Gland.

stakeholder from the two nations together.¹⁴⁶ This has been made easier by common culture and traditions of the Maasai and dialects basically Kiswahili and English between the two nations. The process of dealing with tourism in the Kilimanjaro area would get the advantages of expansive scale, more guests and more monetary advantages to a wide range of partners, including administration of both nations.

The Kilimanjaro Heartland offers solid potential for the improvement of financial activities focused on maintainable utilization of untamed life and other characteristic assets.¹⁴⁷ Despite the fact that Kenya and Tanzania have of late substantially encountered a reinvention of their tourism industry, more could be accomplished in the Kilimanjaro Heartland. Amboseli National Park is one of Kenya's best natural life visitor goals, outstanding for its set up elephant populace and perspectives of Kilimanjaro. Despite dismal success, groups in Kenya have endeavoured to profit by building up their own tourism structures, and by having tourism ventures such as; crafts, campgrounds, and group run concession zones.

2.6 The Ilemi Triangle

The Ilemi Triangle is a resource jointly shared by Kenya, Ethiopia and South Sudan.¹⁴⁸

The Ilemi Triangle is on the border of South Sudan, which is rich with unexplored oil.¹⁴⁹ The Ilemi Triangle is the area joining Kenya, Sudan and Ethiopia, roughly

¹⁴⁶ Op cit.

¹⁴⁷ Milich, L., & Varady, R.G. (1998). *Managing Trans-boundary Resources: Lessons from River-Basin Accords*. Environment, 40(8):

¹⁴⁸ Martin, J. (2011). *The Elemi triangle history*. Nairobi: Opinion Kenya Ltd.

¹⁴⁹ Waithaka, E., & Maluki, P. (2016). *Emerging Dimensions of the Geopolitics of the Horn of Africa*. International Journal of Science Arts and Commerce. Vol. 1 No. 4

measuring between 10,320 and 14,000sq kilometers and named after Anuak Chief Ilemi Akwon.¹⁵⁰The Triangle is on the fringe of Southern Sudan and is inhabited by five communities: the Turkana, Toposa, Didinga, Dassanench and Inyangatom who fit into larger heterogeneous communities in their home states but are known to migrate and move within the Triangle since time immemorial.¹⁵¹ The politics of the Ilemi Triangle dates back the period when Africa was being partitioned by colonial powers. Political developments in Ethiopia by a large extent explain the politics surrounding the Ilemi Triangle since it was not colonized and there was no urgency for delimitation of Kenya-Sudan – Ethiopia border.¹⁵²

In 1924 officials representing the three countries of Kenya, Uganda and Sudan met at Kitgum in Uganda to discuss the delimitation of the Ilemi Triangle which had become a territorial issue. The delegates from Kenya and Uganda convinced their Sudanese counterparts to redraw the Triangle so as to include Turkana grazing field.¹⁵³ The Sudan also undertook to give 1,167 sq. miles of the triangle to Kenya and add another 90 sq. miles which would be recovered from the Red Line.¹⁵⁴ Elements of the King's African Rifles (KAR) were positioned at the Ilemi and Kenya increased its police presence to 7 posts by 1947, containing 200 police officers, and 200 armed Turkana reservists.¹⁵⁵

¹⁵⁰ Collins, R. (2010). *The Ilemi triangle*. Santa Barbara: University of California.

¹⁵¹ Robert O., & Collins O.R (2004). *The Ilemi Triangle*. University of California Santa Barbara

¹⁵² Ibid.

¹⁵³Mburu, N. (2003). *Delimitation of elastic Ilemi triangle. Pastoral conflict and official indifference in the horn of Africa*. African Studies Quarterly, The Online Journal for African Studies, Spring

¹⁵⁴Mwaura, P. (2005). *Kenya's claim over Sudan, Ethiopia border triangle precarious*. Khartoum: Sudan tribute.

¹⁵⁵ Ibid.

South Sudan contacted the United Nations (UN) Security Council looking for mediations to recover a few sections of the Ilemi Triangle that reaches out into the Kenyan region. South Sudan's fear was that if oil exploration in Kenya goes on, at that point they will remain to lose more oil down Turkana wells located on the downside of the oil-table as compared to wells in South Sudan. They have in this manner intended to make a contention circumstance as a path for (South Sudan) to purchase time to investigate and bore more oil inside their territory before Kenya bores theirs at Ngamia 1 and other different Blocks.¹⁵⁶. The contention will make Kenya not to initiate oil exploration since they will be occupied with settling this strife. Kenya remains to have the *de facto* control of the Ilemi Triangle and has continued to arm the Turkana in the region to protect themselves against external threats posed by the nomadic raiders from the neighbouring Ethiopia.

South Sudan and Kenya are set to engage in a diplomatic row if the former takes it head on that the Triangle in question lies in its territory and embarks on castigated measures to reclaim it. Territoriality is therefore a new dimension that is cropping up in the new republic and the new state seems to avoid the ugly traditional conflict resolution by filing its claims at the International Court of Justice and the African Union (AU). South Sudan argues that it inherited the Ilemi Triangle from Sudan before it gained independence. During the Sudanese civil war the leader of SPLA/M Dr. John Garang entered into a Treaty with the Kenyan administration to give up the Ilemi triangle to Kenya getting both logistical and military support during the war in exchange. But upon the attainment of

¹⁵⁶Olaka, H. (2010). *Economic Implications of the Oil Discovery in Kenya*. Nairobi: The Centre for Research on Financial Markets and Policy

South Sudan independence in 2011, the new state revisited the claims on Ilemi pointing an accusing finger on legality of Kenya's ownership.¹⁵⁷ South Sudan has established diplomatic ties with regional powers like Kenya to catalyze its infrastructural development as is evidenced by the LAPSSSET which aims at linking the three countries. The attainment of the activity will increase cross-border business it will administer a transit network encompassing the Standard Gauge Railway (SGR) which is intended to go all the way to Juba, oil pipelines, refineries and three airports.¹⁵⁸

Additionally South Sudan has forged mutual cooperation with the Republic of Ethiopia, through signing of memorandum of understanding (MoU), to construct a pipeline running from Djibouti through Ethiopia to South Sudan which will facilitate transportation of crude oil to the international markets. Ethiopia's claim on the Ilemi Triangle is rooted in a 1907 Treaty between the British and Ethiopia. This was a casual accord characterizing the customary touching ground of the Turkana in the Triangle.¹⁵⁹ The Ethiopian Dassanetch being indigenous inhabitants of the Triangle, quickly settled on the outskirts posts along the Ethiopian boundary with Kenya and Sudan. In 1964 Kenya and Ethiopian authorities met to deliberate re-demarcation of their boundaries that brought about an exchange of frontiers especially the key Ethiopian post of Naturopath given to Kenya that confined the free movement of the Dassanetch to Lake Turkana as shown in the figure 2.4 below.¹⁶⁰

¹⁵⁷Sophie, H., & Max, H. (2013). *South Sudan*. London: Bradt Travel Guides

¹⁵⁸ Ibid.

¹⁵⁹ Robert, O., & Collins, O. R. (2004). *The Ilemi Triangle*. University of California Santa Barbara

¹⁶⁰ See. Waithaka & Maluki p.9-10

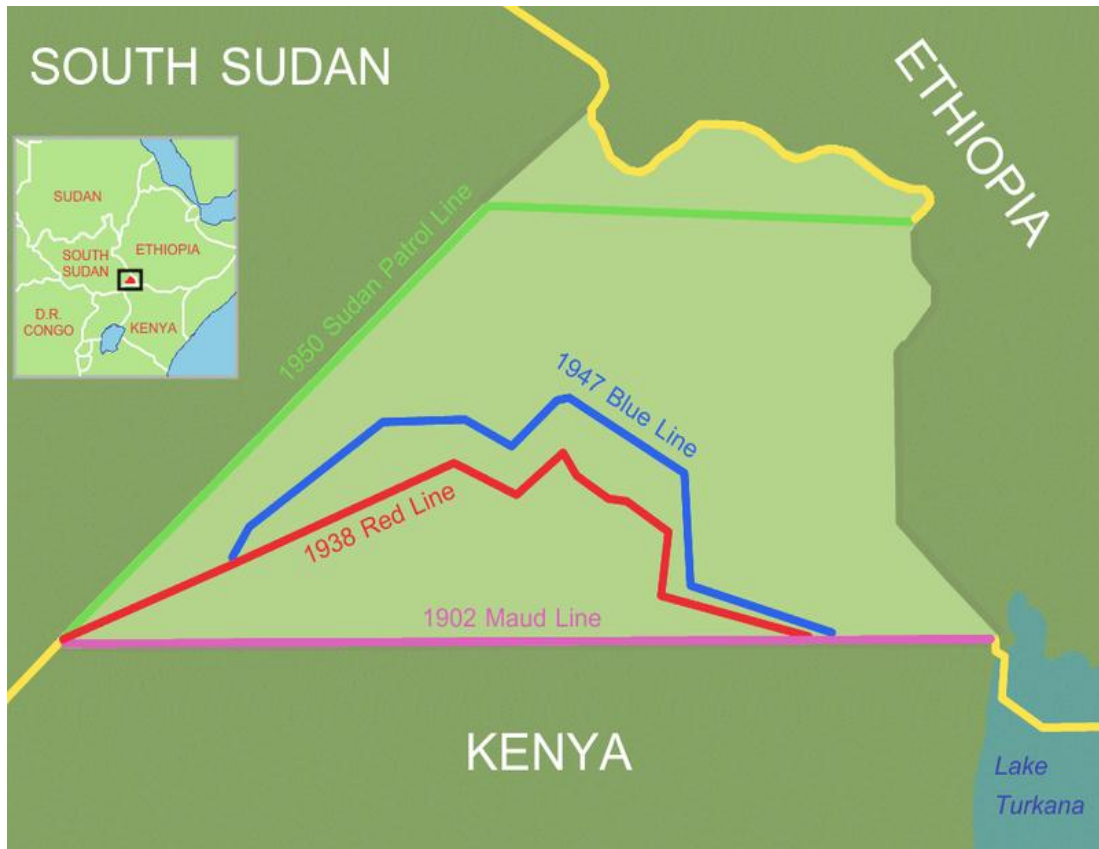


Figure 2.4 Map showing the Ilemi Triangle

Source: [http://en.wikipedia.org/wiki/file: Ilemi triangle map](http://en.wikipedia.org/wiki/file:Ilemi_triangle_map).

Ethiopia stands to benefit from the Ilemi Triangle by accessing pastures for her Dassenech pastoral community, which could graze in the area harmoniously, given that both South Sudan and Kenya will cooperate to utilize the Triangle mutually. Ethiopia relies on River Omo which is adjacent to the Ilemi and would certainly prefer a stable neighbourhood. It is also a partner state in the LAPSSET project and her economic development is pegged on peaceful sharing of economic potential of the Ilemi Triangle.

2.6.1 Inter-State stalemate from sharing Ilemi as a Resource

This study sought to establish how the economic potential of the resources available in the Ilemi Triangle, can be exploited with the aim of benefiting the three countries; Kenya, Ethiopia and South Sudan. The respondents were required to opine on the nature of state relations concerning the sharing of the Ilemi Triangle and the appropriate means, through which the economic potential of the disputed territory can be exploited. There was a growing concern among the respondents that, no single state can manage to effectively control the resource shared among other sovereign states, without conflict and therefore, it was imperative for the sharing states to adopt joint initiatives, which need collective responsibility drawn from the sharing states for the mutual benefit of both states as exposed by *Neoliberal Institutionalism Theory*.

This study sought to establish some of the initiatives employed by the states sharing the Ilemi Triangle in order of priority. The initiatives reflected different state's interest and were made from rational decision-making calculation. Although, there were different means quoted in the field, the responses centered on the economic exploitation of the resources in the Ilemi Triangle and means of increasing interstate cooperation, given that the states were sovereign and acted on their own volition without higher authority to regulate their behaviour. Some of the preferred means of exploiting Ilemi potential are shown in the figure 2.5 below.

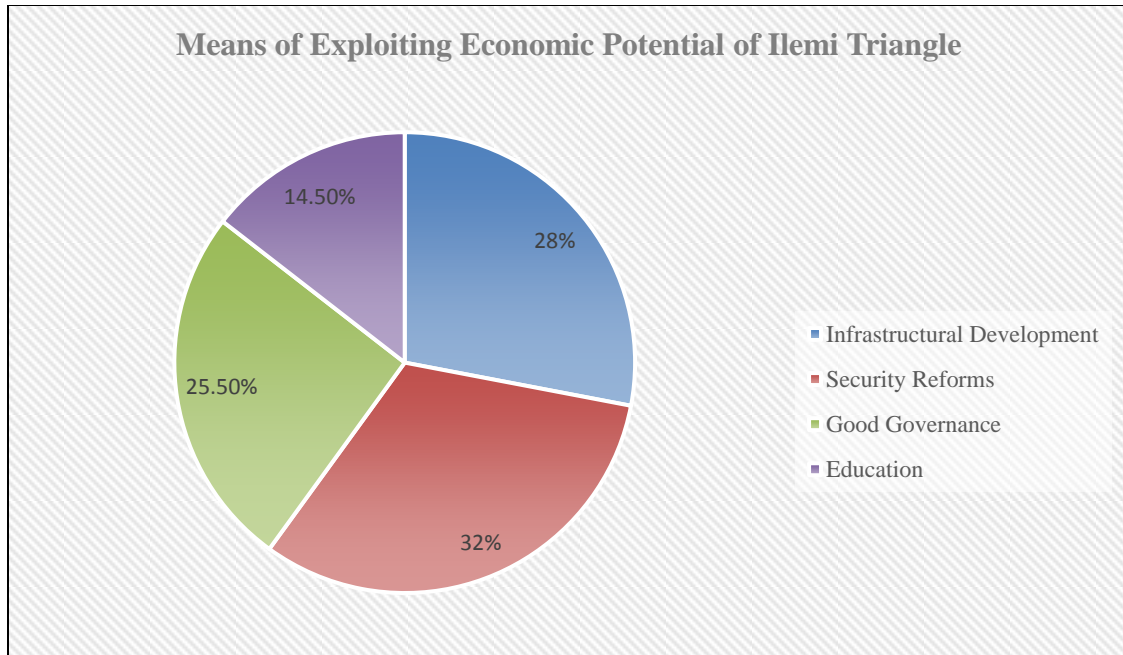


Figure 2.5 Respondents’ perceptions for exploiting resource potential of the Ilemi Triangle

Source: Field Data, 2017

From the response obtained in this research, majority of all the respondents (32%) preferred security reforms, as the best means through which Ilemi sharing states can optimally exploit economic potential of the Ilemi Triangle. Security reforms were more preferred to infrastructural development, which was quoted by only 28% of all the respondents. Good governance and education were cited by 25.5% and 14.5% of all respondents respectively as the most appropriate means of exploiting the economic potential of Ilemi. The study also sought to establish, whether the resources were in any way fueling interstate conflict as states sharing Ilemi competed with each other to control the resources.

Respondent D11 indicated that;

“There are growing political developments in Sudan and South Sudan, which have reignited the old rivalries surrounding the ownership of the Triangle with the latter claiming ownership and reporting Kenya to the International Court of Justice in a case of territoriality. This has created an international stalemate which needs an international arbitration.”

This study undertook to understand the economic and political policies initiated by Kenya to consolidate her grip on the Ilemi Triangle and which led to the fallout with the Republic of South Sudan. South Sudan invoked liberal institutionalism principal by referring the dispute to the *International Court of Justice (ICJ)* as part of dispute resolution anchored on good offices abandoning the anarchic root of going to the war.

The respondents were asked to indicate on a level of 0-10, the prioritization of security reforms, humanitarian and social reforms, governance and administration, economic transformation and reforms programmes and infrastructural development programmes by the Republic of Kenya in controlling the Ilemi Triangle. The results show that security reforms (7.5) were highly rated as the priority programme initiated by Kenya in her bid to control and exploit the Ilemi Triangle. Infrastructural development was given a score of 5.5 on average by respondents while humanitarian and social reforms was given a score of 4.5 on average by all respondents. Economic transformation reforms programmes and governance/administration were rated by a score of 2.5 and 1.5 respectively.

Table 2.3: Economic transformation reforms programmes and governance/administration

Political & Economic Policy	Priority Scale (0-10)
Humanitarian and social programmes	4.5
Governance and administration	1.5
Economic transformation and reforms programmes	2.5
Infrastructure development programmes	5.5
Security reforms	7.5

Source: Field Data, 2017

From the above results, the government of Kenya has prioritized security of the Ilemi Triangle over the other economic and political policies. The prioritization of security reforms is specifically targeted at securing the inhabitants and the resources found in the area. The policy of initiating infrastructural development reforms is higher on the scale indicating concerted efforts by the Republic of Kenya to exploit the resource endowment of the Ilemi Triangle. The issue of good governance recorded the lowest score of 1.5 on a scale of 10 perhaps due to decades old marginalization of the region by successive Kenyan Governments.

From the above findings Respondent D13 affirmed that;

‘The prioritization of security reforms in the Triangle has triggered a new territorial competition capable of harming inter-state relations.’

Historically, the conflict surrounding the Ilemi Triangle originated from the lack of clarity of the 1907 Treaty signed between the Ethiopian government under Emperor Menelik and the British, which in fact became the Ethiopia-Kenya boundary, latter referred to as the 1914 Line. Recently there have been sporadic conflicts between the Dassanech of Ethiopia and Turkana of Kenya on the Ethiopian side of Karamoja cluster.¹⁶¹ Ethiopian Dassanech elders have held peace meetings with their Kenyan counterparts to arbitrate on the ongoing conflict, while at the national level, the Kenya-Ethiopia Joint Border Commission has made efforts to de-escalate conflict through peaceful conflict resolution measures. The joint border commission is premised on acknowledgement that democratic countries do not go to war, and use of good offices and institutions deepens interdependence and promotes cooperation and peace.

South Sudan lays a claim over Ilemi given that its Toposa ethnic community roams the area in search for dry season pasture and water for their livestock. Their claim is further solidified by the discovery of oil deposits closely adjacent to the Triangle. Being the youngest state in Africa and with no capacity to erect modern infrastructure or a military expedition, South Sudan has written to the ICJ asking for international resolution to get back portions of the Triangle that extends to the Kenyan territory.¹⁶²

2.7 SWOT Analysis and Challenges of Shared Inter-State Natural Resources

The respondents were asked to mention some of the shared Strengths, Weaknesses, Opportunities and Threats experienced due to sharing of natural resources. The

¹⁶¹ Ibid.

¹⁶² Mburu, N. (2003). *Delimitation of elastic Ilemi triangle. Pastoral conflict and official indifference in the horn of Africa*. African Studies Quarterly, The Online Journal for African Studies, Spring

respondents opined that Natural Resources present a number of Strengths, Weaknesses, Opportunities and Threats to countries which share them. Given the multiple reasons as to why different states share natural resources, there exists multiple opportunities and threats which present themselves in such arrangements.

Respondent D13 further added that,

“Resources exhibit various ecological, social-cultural, political and economic opportunities. Social prospects encourage restoration in collaboration and social ties among groups separated by boundaries, and expand welfare for populace. Economic prospects flourish the advancement, for example, in tourism and economies to a bigger scale. Political prospects enhance security in outskirts territories and upgrade straightforwardness and responsibility in the utilization of natural resources.”

The respondents in this study were of the opinion that sharing can be a successful way for common resources administration and biodiversity preservation, where shared inter-state dangers can be handled together and common advantages can be picked up cooperatively over a border.

For instance respondent D8 was of the opinion that Kenya, South Sudan and Ethiopia were to benefit from cooperative sharing of natural resources in the boundaries of these countries.

She said;

“Turkanas from Kenya graze in the Ilemi triangle just as Toposa and Inyangatom from South Sudan. Both countries should cooperate to jointly construct a meat processing plant, which will benefit all these pastoralists communicate and enhance international trade among the three countries, hence promoting peace and security.”

Sharing is not in any case, a widespread panacea for administration of resources over state lines. Now and again it is more compelling for nations to deal with their mutual

assets freely on the grounds that there is minimal net pick up from joint efforts. Derived from the case of the Ilemi Triangle, it is evident that administration of natural resources found therein is more meaning and feasible when done unilaterally, than when it is a shared venture with other states, which constitutes one of the weaknesses of sharing resources . This study undertook to establish some of the benefits of sharing these resources. The respondents had varied opinions on the benefit accrued to a particular state as a result of sharing natural resource.

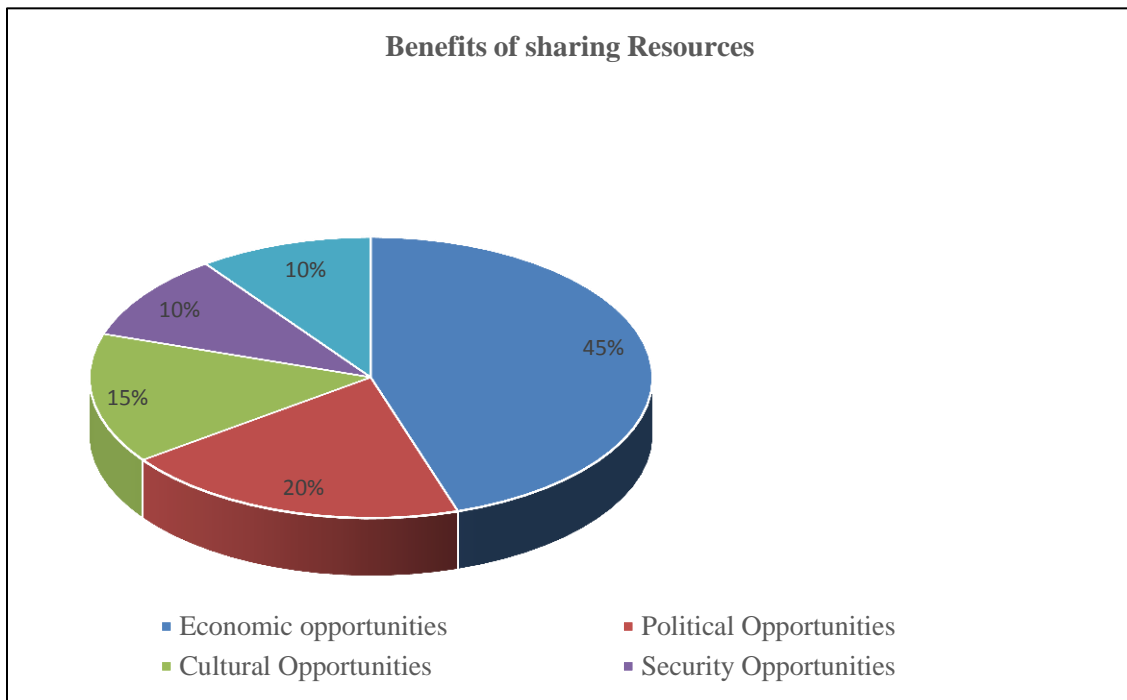


Figure 2.6 Benefits of Shared Resources

Source Field Data, 2017

On economic opportunities as the shared benefit which states stand to gain as a result of managing a shared natural resource, 20% of the respondents remarked that political gains

could be realized. Additionally, 15% termed cultural opportunities as the tangible benefits while security opportunities and environmental and biodiversity opportunities were preferred by 10 % of the respondents. From shared resource comes a shared identity which citizens from the sharing states adopt and identify with consequently, solidifying cultural ties from the sharing states. Kenya, South Sudan and Ethiopia have communities which graze in the Ilemi Triangle and share numerous common cultural practice and similar security needs.

The existing literature reviewed in this chapter has revealed that agreements among countries have not been broadly tested and proven to be beneficial. Most of them take considerably a long time to be implemented and to yield any significant results. For instance in the case of Kilimanjaro Heartland, the negative sides effects of protecting wild animals and life is detrimental to locals in terms of restricted access to clean water, denied user rights and very few resources to be shared in terms of income. In Kenya and Tanzania therefore, the locals cannot be said to have benefitted from joint wildlife preservation.¹⁶³

Resource management should be founded on trust and openness. Trust builds over time and openness will come from shared behaviour. Shared resources must hence be flexible and point towards the needs of each stakeholder. Monitoring and evaluation of any partnership is critical on a frequent basis, and change according to need. The case of the Ilemi Triangle shared among South Sudan, Kenya and Ethiopia is one where trust issues

¹⁶³ Barrow, E.H., & Gichohi, A. (2000). *Rhetoric or reality? A review of community conservation and practice in East Africa*. International Institute for Environment and Development, London, UK.

have taken hostage of the delimitation process and delayed the demarcation of the international boundaries. For shared resources to be successful there must be political will and durable commitment. Good relations between political leaders on the global stage can facilitate shared resources which can be constrained by state interests and national security. There must be collaboration so as to handle local-level conflicts across state borders through establishment of common ground on shared objectives.¹⁶⁴

Shared resources can bring solutions to neighbourhood level cross-fringe strife by discovering shared conviction and shared goals. It can build security and control over assets in outskirts zones so their legitimate proprietors advantage more from them. Great diplomatic engagements between neighbouring nations can significantly help shared resources management, and are essential for bigger scale activities. The respondents were asked to give opinion on the impact of shared resources on particular country's sovereignty. The respondents were skeptic of adopting shared resources management with anxiety of states losing sovereignty through sharing resources, due to ceding of control of parts of their territory to neighbouring states. However, by submitting part of her territory to share administration, countries will gain much from shared resource management process. They were also concerned over security. The respondents were asked if security of their states improved with adoption of shared resource management. Respondent D5 was of the opinion that sharing natural resources was a recipe for conflict as well as an opportunity for cooperation.

She said;

¹⁶⁴ Ibid.

“Shared management of natural resources increased the risk of insecurity significantly. These include porousness of the boundaries which can lead to free movement of illegal migrants and criminal elements and light weapons from countries with different economic capabilities infused with spread of disease and pests.”

National security and territorial sovereignty aspects are likely to constrain the ability of states to cooperate and manage their shared resources collectively.¹⁶⁵ Pursuant to *Neoliberal Institutionalism Theory* sharing of natural resources presents aspects of interdependence, where states hold mutual interests in the management and exploitation of such resources, thereby increasing mutual benefits which necessitate integration and cooperation.

The respondents were asked to mention some of the shared regional and continental protocols and treaties relevant to shared resource management. Some of the mentioned Conventions and Agreements related to management of climate and natural resources on the African Continent while others were for protection of biodiversity. Although some of the quoted shared resources management agreements and conventions were not found in the Horn of Africa, they were found on the African continent with shared responsibility.

2.8 Chapter Summary

This chapter has realized that shared resource management can effectively be a tool of managing natural resources as shared problems and challenges will be easily shared and riparian states benefit equally and mutually. Shared natural resources can be found in various places in the Horn of Africa which are managed collaboratively by various states

¹⁶⁵ Mburu, N. (2003). *Delimitation of elastic Ilemi triangle. Pastoral conflict and official indifference in the horn of Africa*. African Studies Quarterly, The Online Journal for African Studies, Spring

where they are located. The cases provided in this study and the responses obtained from respondents have demonstrated that shared natural resources present a possibility of all major stakeholders benefiting and where the cost-benefit analysis will be favorable. Shared resource management has proven to be functional in a number of ways which incorporate protection of endangered species; efficient use of scarce resources like water, forests, rangeland, wildlife and ecosystems. Ilemi is not exceptional.

This can be demonstrated by the Kilimanjaro Heartland case which provides a good case for progress in economic spheres that will focus on using natural resources and wildlife sustainably. Even if Tanzania and Kenya have seen improved tourism numbers in the recent days, more gains can be realized in the Kilimanjaro Heartland. An opportunity and challenge in shared resource is collective involvement of the private sector which can exponentially increase the value due to cooperation and constant improvement of products, security and infrastructure instead of competing for investment opportunities from each other as neighbouring riparian countries. In the next chapter, the study will explore the impediments to collaboratively manage shared resources in the Horn of Africa by outlining specific social economic and political factors which hinder state cooperation in utilization management of shared resources.

CHAPTER THREE

IMPEDIMENTS TO COLLABORATIVE MANAGEMENT OF SHARED RESOURCES IN THE HORN OF AFRICA

3.1 Introduction

This chapter sets to critically determine the impediments to collaborative management of Shared Resources (SR) in the Horn of Africa (HOA). In this regard, the study conceptualizes various forms of obstacles to such collaboration such as: regime types and political status; ideological differences; conflict created by economic difference, alliance systems; different levels of development and economic and socio-cultural differences. Secondary and primary data are used to cast light on the effect of these impediments with a special focus on the Ilemi Triangle.

3.2 Regime Types

The regimes in which countries find themselves have the propensity to impede collaborative management of SR the world over. This has been evidenced in cases where unstable governments in the HOA have seen numerous conflicts. When this happens, it becomes a hard feat for governments to sit down and amicably put in place strategies aimed at abetting collaboration in the exploitation and management of SR.¹⁶⁶

¹⁶⁶ Plaut, M. (2010). "Report of the 2010 Atlanta Peace Conference on the HOA," Broadcast of BBC's From Our Own Correspondent, available at http://www.bbc.co.uk/iplayer/episode/p00cjwpw/From_Our_Own_Correspondent_25_12_2010/ (accessed on 25 December 2010).

In order to test the veracity of the previous statement, the researcher posed the question: “Have unstable governments in the HOA made it hard to put in place strategies aimed at enhancing collaboration in the exploitation and management of shared resources?” to the respondents. The findings obtained were presented in Figure 3.1

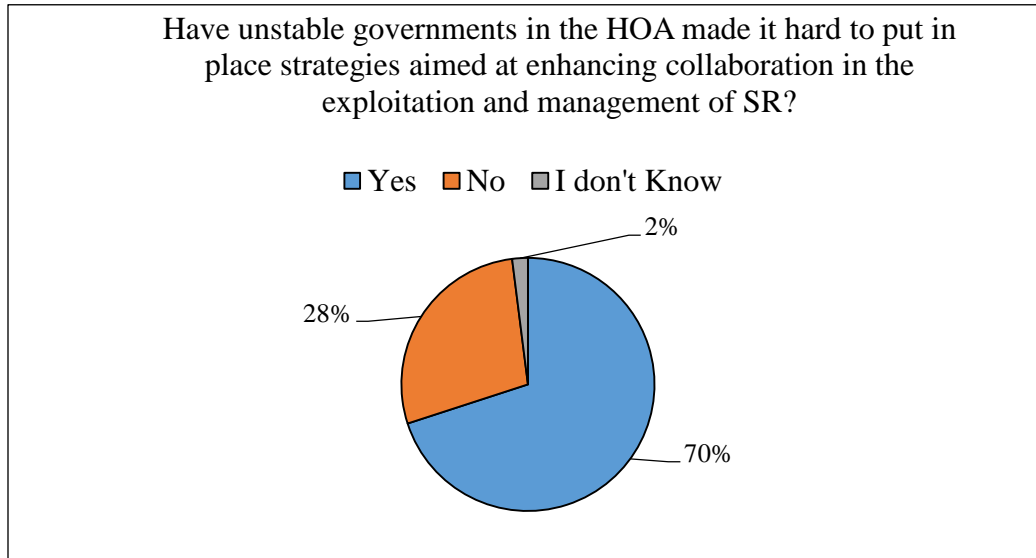


Figure 3.1: Unstable Governments in the HOA

Source: Field Data, 2017

The findings obtained, with 70% of the respondents saying yes, show that instability among some of the governments in the region have made it hard to formulate and implement strategies aimed at enhancing collaboration in the management of resources such as those in the Ilemi Triangle in the region.

The researcher sought to find out if the state of inter-state relations affected collaboration in the management of SR in the region. To this end, the following question was posed to the respondents: “Have the decades of conflict between some countries in the HOA

contributed to a situation in which governments plot against one another?" The responses obtained were presented in Figure 3.2.

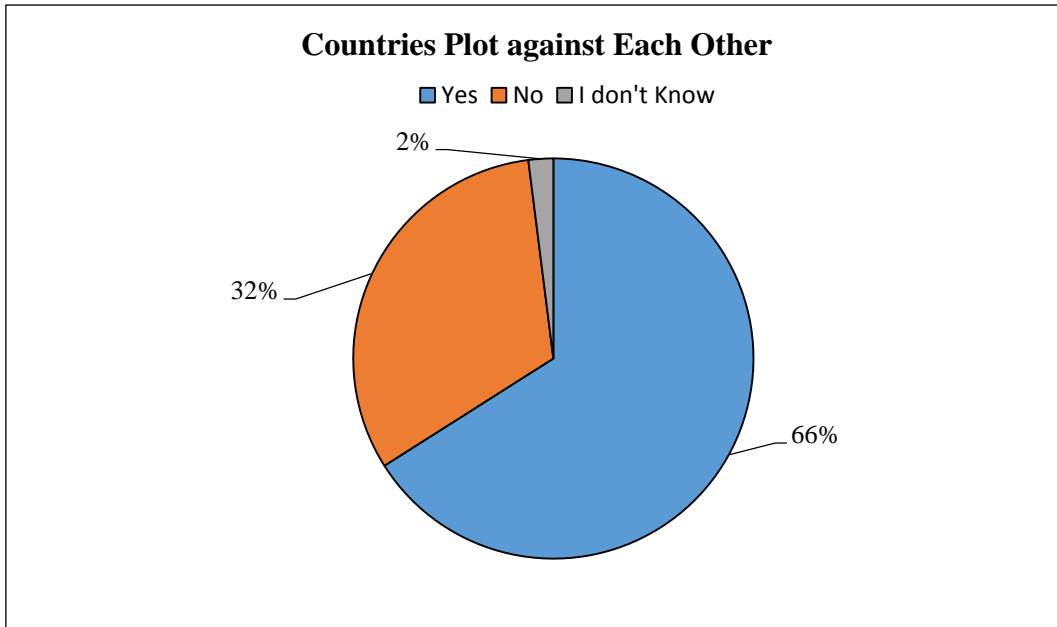


Figure 3.2: Countries Plot against each Other

Source: Field Data, 2017

The findings obtained show that in some instances, agreement by the majority of the respondents (66%), there were cases in which some countries plotted against each other in the region. This could lead to bad blood between such countries hence making collaboration in the management of SR hard to realize. This agrees with extant literature that in the region, decades of conflicts in countries such as the former Sudan, Somalia and regions of Uganda have led to a situation in which governments often plot against one another.¹⁶⁷

¹⁶⁷ Ibid.

The fact that states are often caught up in superficial cooperation and bad blood means that interdependence is often hard to realize. In the case of the HOA, it can be argued that efforts aimed at enhancing cooperation between states would lead to peaceful coexistence and cooperation as pointed out by the *Neoliberal Institutionalism Theory*.¹⁶⁸

Some of the literature shows that state support of opposition groups often challenged cooperation among states. The researchers presented the following question to the respondents: “*Are there instances in which some governments in the HOA support the opposition to undermine regimes in neighbouring countries?*” The findings obtained were presented in Figure 3.3.

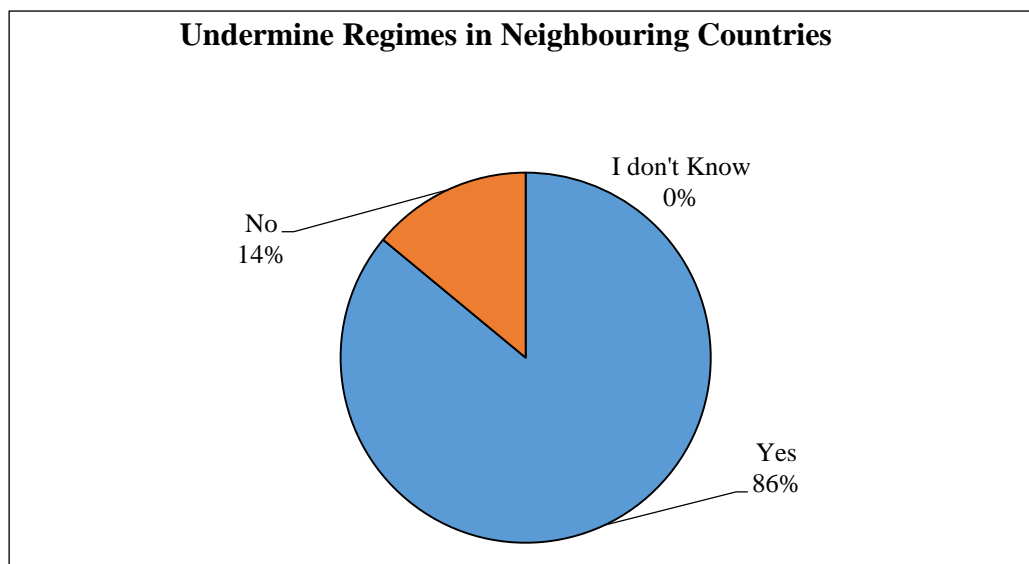


Figure 3.3: Undermine Regimes in Neighbouring Countries

Source: Field Data, 2017

¹⁶⁸ Baylis, J., & Smith, S. (2001). *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York: Oxford University Press

As shown by 86% of the respondents who answered yes, the findings show that there have also been instances where governments support opposition to undermine regimes in neighbouring countries. This has led to bad blood between governments; making cooperation untenable as posited by Plaut.¹⁶⁹

Another challenge facing the collaborative management of resources in the HOA was intermittent cross-border skirmishes in which light weapons infiltrated to otherwise peaceful areas. In this regard, the researcher posed the following question to the respondents; “Do rebels cross borders in the HOA and support the infiltration of light weapons and ammunition?” The responses obtained were presented in Figure 3.4

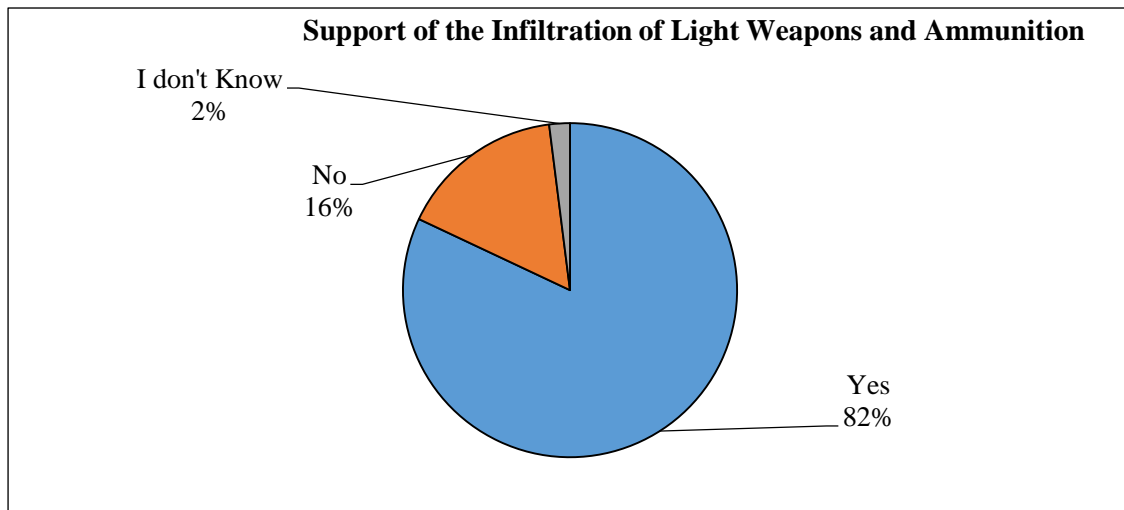


Figure 3.4: Support of the Infiltration of Light Weapons and Ammunition

Source: Field Data, 2017

Most of the respondents (82%) show that rebels indeed crossed national borders and that this contributed to the spread of weapons in the region. This supports the premise of Plaut

¹⁶⁹ Ibid.

who pointed out that the HOA has historically been characterized with intermittent cross border skirmishes with rebels crossing borders and supporting infiltration of light weapons and ammunition.¹⁷⁰ This often fuels rebellion in the region. In this backdrop, the region has often seen conflict and war and this has made collaborative management of SR hard to realize.

When rebels cross borders, a form of anarchy is sustained and this makes it hard to foster independence in sharing of resources as envisaged by the *Neoliberal Institutionalism Theory*.¹⁷¹ This position is echoed by Respondent D6 who had this to say:

“In some instances, anarchy at border points cannot be avoided. This is due to the fact that guns are always being run in these areas. It is thus hard to maintain real peace and rebels and armed combatants cross national lines. This makes it hard to share resources in these dangerous areas.”

The researcher went on to investigate if there were instances of mistrust between states in the region. The findings obtained were presented in Figure 3.5.

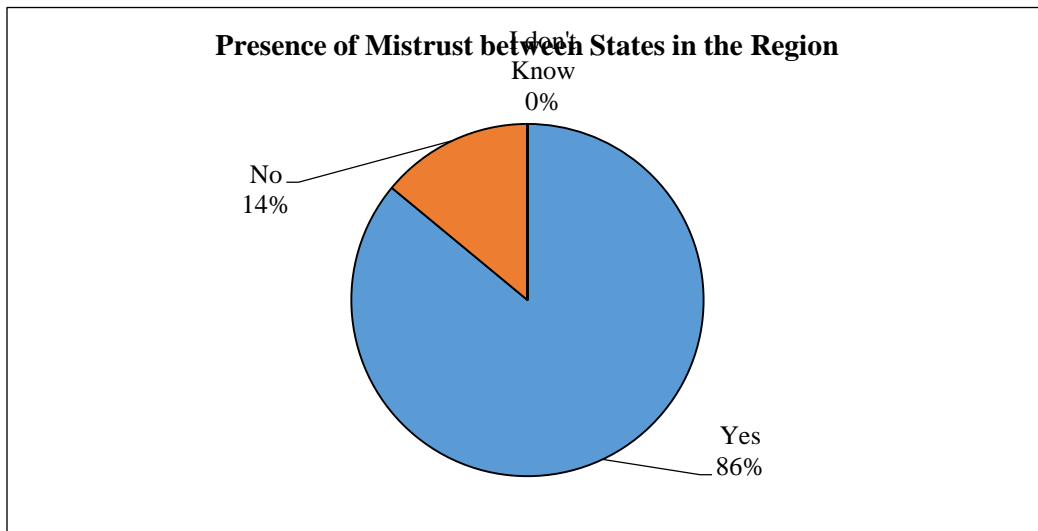


Figure 3.5: Presence of Mistrust between States in the Region

Source: Field Data, 2017

¹⁷⁰Ibid.

¹⁷¹Ibid.

From the findings obtained, and as shown by 86% of the respondents who answered yes, it is evident that deep mistrust has flourished between some governments, making it easier to support conflict as opposed to nurturing peace. This has left the region awash with retributory tendencies and counter retribution especially on shared borders. Essentially, the region has had little room for democratic dialogue. This, and as pointed out by respondent D12, shows that the ideals of the *Neoliberal Institutionalism Theory* that put emphasis on commitment to democratic forms of government where interdependence breeds peace are not fostered in the HOA. To this the respondent pointed out that:

“Although many states in the HOA say that they honour democracy, this is far from the truth. In shared borders, clashes, rather than dialogue and democratic practices, is the norm. This makes it hard for such states to constructively put in place mechanisms for peacefully sharing resources at border points.”

This means that peace and security have been hard to secure.¹⁷² This has thus hindered collaborative management of SR as envisaged by the *Neoliberal Institutionalism Theory*.

The researcher went on to find out from the respondents if: “Any meaningful coexistence and cooperation in sharing of resources in the HOA has been challenged by poor stability and sanity in interstate relations.” The findings obtained are presented in Figure 3.6.

¹⁷² Ibid.

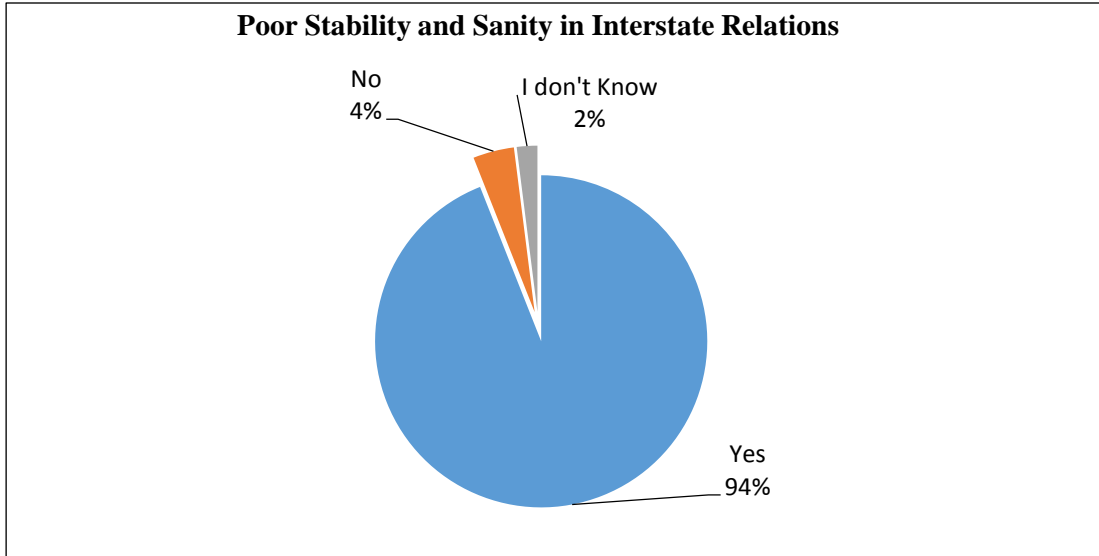


Figure 3.6: Poor Stability and Sanity in Interstate Relations

Source: Field Data, 2017

The majority of the respondents (94%) agreed that meaningful coexistence and cooperation in sharing of resources in the HOA had been challenged by poor stability and sanity in interstate relations. This agrees with Thabo Mvuyelwa Mbeki, the former President of South Africa, who points out that guns have often assumed the place of reason in the HOA. In this context, the prevailing political atmosphere in the region has often been against lasting peaceful resolution of disputes. Since any meaningful coexistence and cooperation in sharing of resources needs stability and sanity in interstate relations as envisaged by the *Neoliberal Institutionalism Theory*, it has never been easy to check conflicts in the use of SR in the region.¹⁷³ In the same accord, respondent D9 had this to say:

¹⁷³Mbeki, T. (1998). "The African Renaissance Statement," ANC. Available on 13 August 1998 from: <http://www.anc.org.za/ancdocs/history/mbeki/1998/tm0813.htm>.

“In most cases, cooperation in the region is hard to secure. This emanates from the fact that conflicts are always erupting, adding salt to the injuries caused by previous conflicts. This leaves the region badly divided. It is thus hard to sustain peaceful coexistence which is requisite to sharing of resources in the region.”

This situation has left unsolved disputes among some major SR such as Lake Victoria, Indian Ocean as well as the Ilemi Triangle as in the case of this current study. The researcher went on to investigate whether the political climate breeds internal conflicts hence making it hard for collaborative management of SR. The findings obtained were presented in Figure 3.7.

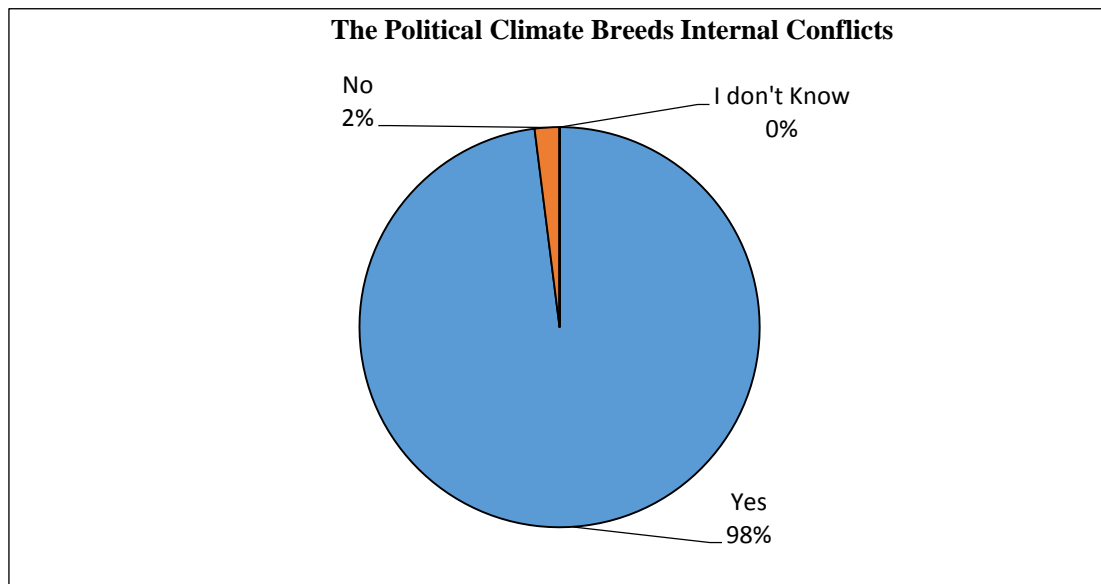


Figure 3.7: The Political Climate in the HOA Breeds Internal Conflicts

Source: Field Data, 2017

From the findings obtained, 98% of the respondents show that the political atmosphere in the HOA breeds internal conflicts making it hard for collaborative management of SR. These findings agree with existing literature that the prevailing political climate in the

HOA has also bred internal conflicts. This situation has been aggravated by the nature of state power in almost all the countries in the region. Currently, the prevailing political status is such that the winner takes all after elections. In this light, most of the wealth and resources end up in the hands of a small clique of ruling elites. This leaves large populations in the country disempowered and bitter; which are key recipes for conflict since democracy as provided for in the *Neoliberal Institutionalism Theory* is never realized. In this context, it is often hard to realize collaborative management of resources in the HOA as argued by respondent D10 who posited that:

“In many instances, elections as provided for in democratic republics in the region do not yield beneficial results to all. A small click of winners often gets everything. This leaves the vast majority impoverished. This should not be the case because the end-result is chaos and anarchy in some instances. This undermines peaceful coexistence and sharing of resources.”

The researcher went on to investigate if ethnic loyalties in government affect corroborative management of resources. The findings obtained are presented in Figure 3.8.

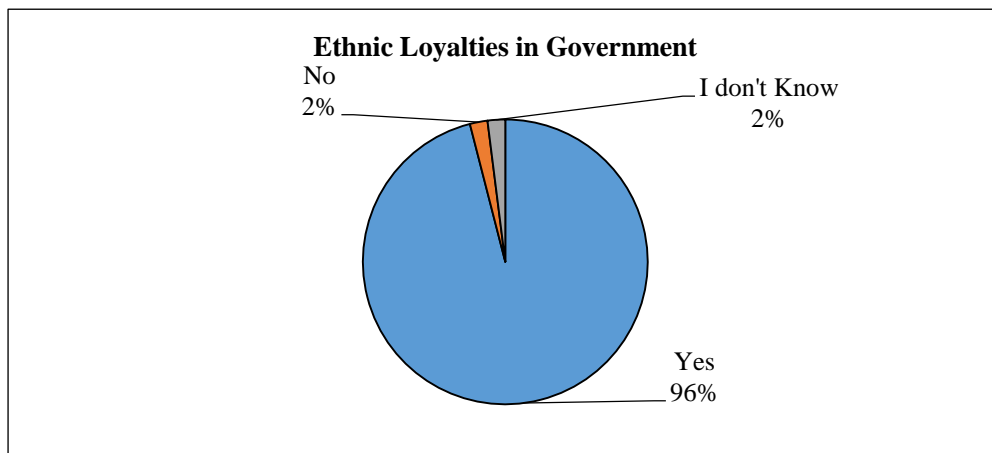


Figure 3.8: Ethnic Loyalties in Government

Source: Field Data, 2017

The findings obtained, as shown by 96% of the respondents who agreed with the question, point out that the vast majority of the governments in the region are sustained by ethnic loyalties. This breeds a culture of impunity and autocratic tendencies. There are also immense cases of militarization since some of the regimes, such as those in Uganda, Somalia and South Sudan, emerged from a liberation front background. Wrenching power from these regimes through democratic processes are often hard feats in the wake of military backed intimidation of the opposition, ethnic loyalties and state control of resources.¹⁷⁴ In the same light, one of the respondents (D5) pointed out that

“Some countries have built strong armies after emerging from armed liberation campaigns against former governments. These strong armies make it hard for open and sincere dialogue on sharing of resources. As a result, it is often hard for everybody to have uninhibited access to natural resources.”

The scenario painted by respondent D5 often leads to internal conflicts, making cooperation in the management of SR untenable as postulated by the *Neoliberal Institutionalism Theory*.¹⁷⁵

The researcher went on to find out if unaccountable regimes in the HOA affect collaborative management of SR. The findings obtained were presented in Figure 3.9.

¹⁷⁴ Tadesse, M . (2004). *New Security Frontiers in the HOA*. ‘ Friedrich- Ebert-Stiftung Dialogue on Globalization.

¹⁷⁵ Ibid.

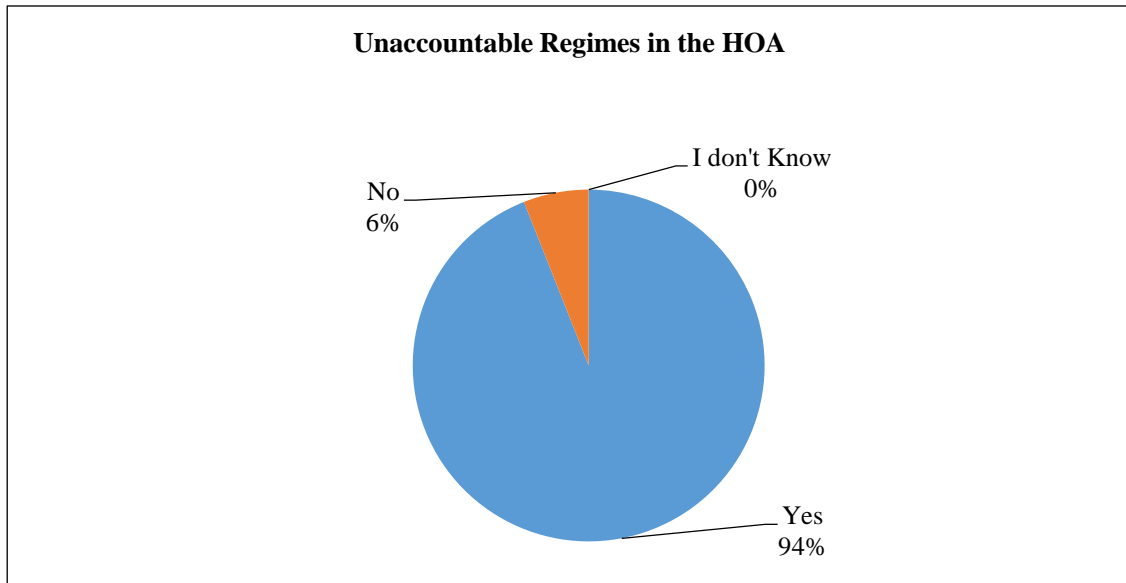


Figure 3.9: Unaccountable Regimes in the HOA

Source: Field Data, 2017

From the findings obtained, 94% of the respondents are of the view that the HOA is also faced with unaccountable regimes. This situation is exacerbated by insufficient accountability of leaders, despotic governance that does not respect the rule of law, poor human rights records and corrupt exploitation of state resources. Since some of the SR fall “prey” to these rulers, it is often hard to implement existing frameworks for collaborative management. This goes on to defeat cooperation in the management of these resources.¹⁷⁶

The researcher went on to find out if immense spending by the ruling regimes on the military therefore denies the countries in the HOA access to resources that could enhance cooperation in the management of SR. The findings obtained were presented in Figure 3.10.

¹⁷⁶ Ibid.

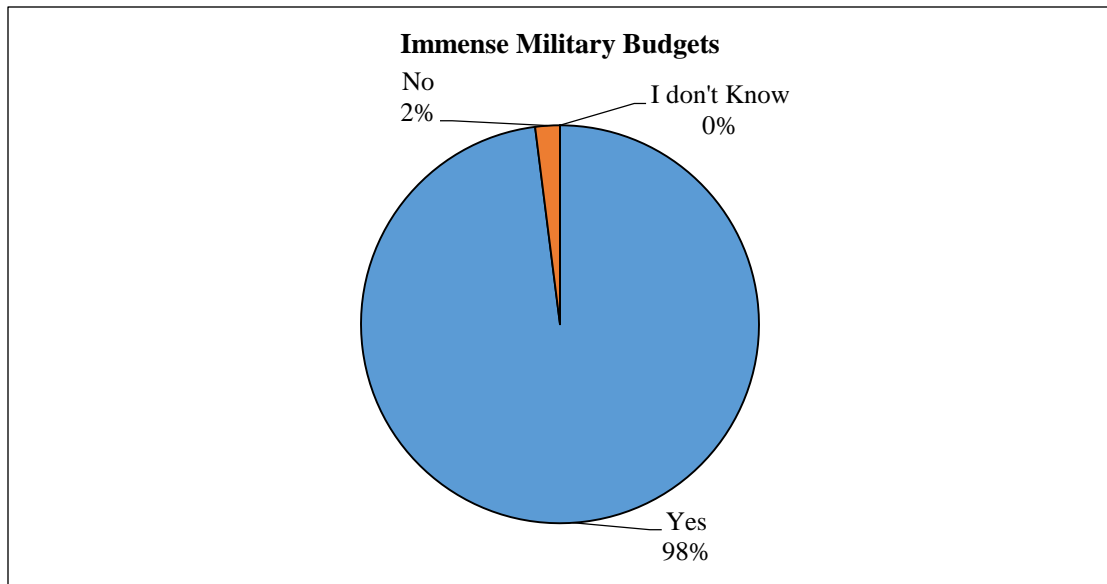


Figure 3.10: Immense Military Budgets

Source: Field Data, 2017

From the findings obtained, and as shown by 98% of the respondents, immense military budgets denied countries in the HOA access to resources for enhancing cooperation in the management of SR in the region. Literature shows that in the HOA, there is high tendency to cling to state power by ruling parties or even individual rulers. This promotes dictatorships, which makes it hard to realize “democratic peace”¹⁷⁷ as postulated by the *Neoliberal Institutionalism Theory* which articulates cooperation under anarchy in international relations. These rulers maintain large militaries and claim that it is only them that have capacity to deal with attacks from other states and rebel movements. This

¹⁷⁷ Baylis, J., & Smith, S. (2001). *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York. Oxford University Press

deprives the country of the requisite resources to manage SR in the region as more and more budgets are committed to the defense.¹⁷⁸ To this, respondent D12 opined that:

“When despots hold on to power in the HOA, there is wanton wastage of state resources. This makes it hard to share (resources) as there is never enough money to use in supporting shared frameworks and agreements for the management of these resources.”

These findings support extant literature that shows that the bid to sustain these major military budgets also leads to unsustainable utilization of resources, including SR such as those in the Ilemi Triangle as is the premise of this current study. This ought not to be so in a region faced with dwindling resources and immense economic crises. High militarization among some members states of the HOA could also have unanticipated political consequences. Although regimes that have increased military spending tend to have ulterior motives, such militaries often turn against them. This is particularly so when a politically compromised and restless military takes over state power and resources.¹⁷⁹

3.3 Ideological Differences

Ideological differences (leaning regime types) in the HOA often thwart the efforts aimed at collaborated management of SR. To begin with, the researcher investigated whether some ideologies had relegated non-military solutions to conflicts in the region to the last place. The findings obtained were presented in Figure 3.11.

¹⁷⁸ Samson, W. (2002). *Conflict and State Security in the HOA: Militarization of Civilian Groups.* African Journal of Political Science, vol.7 no.2

¹⁷⁹ Ibid.

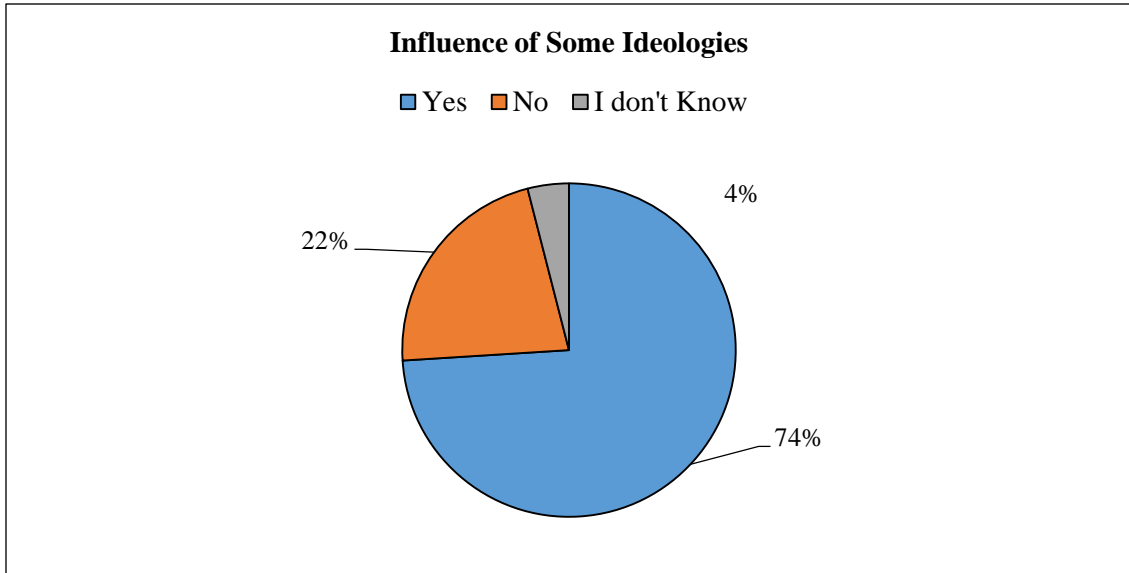


Figure 3.11: Influence of Some Ideologies

Source: Field Data, 2017

From the findings obtained, 74% of the respondents agreed that some ideologies had relegated non-military solutions to conflicts in the region to the last place. In this regard, and according to extant literature, when governments tend to value military approach to conflicts related to SR, the results are always dire. This is particularly so, since this sustains decades of human crises and deprivation of access to resources in conflict zones. The situation is often sorry since some wars are fought for ignoble reasons.¹⁸⁰ As a result, it is often hard to amicably establish collaborative frameworks for managing SR in the region. This is supported by respondent D11 who is of the view that collaboration is often hard to due to ideological differences between Kenya, South Sudan and Ethiopia. To this, the respondent pointed out that:

¹⁸⁰ Abbink, J.(2003). “*Ethiopia-Eritrea: Proxy Wars and Prospects of Peace in the HOA,*” *Journal of Contemporary African Studies* 21, no. 3 (2003): 407-425;

“Although Kenya has been independent for a long period of time, strongly capitalistic tendencies see resources as ripe for exploitation by all means. This is opposed to some faction groups in South Sudan where nationalism and collective utilization of resources is favoured in the backdrop of increased capitalistic tendencies in the oil-dependent government headquartered in Juba. These ideological differences and seeing that the South was fighting for equity after many years of marginalization by the Arabic North means that South Sudan is still lost between actualization of pre-independence ideals and adherence to its current capitalistic realities. The situation is almost more complex in Ethiopia. After decades of communism under the Dergue, the country has to content with its current capitalistic democracy that has taken root since the ousting of Mengistu Haile Mariam. In this melting pot of varying ideologies, it is often hard to have synchronized approach to the management of SR resources in the region.”

These findings show that democracy and peaceful coexistence as envisage in the *Neoliberal Institutionalism Theory*¹⁸¹ is hard to obtain in the region. This challenges collaborative sharing of SR. The researcher went on to find out whether imposition of ideological as well as religious values on citizens of other creed by the governing authorities had affected cooperation in the management of SR. The findings obtained were presented in Figure 3.12.

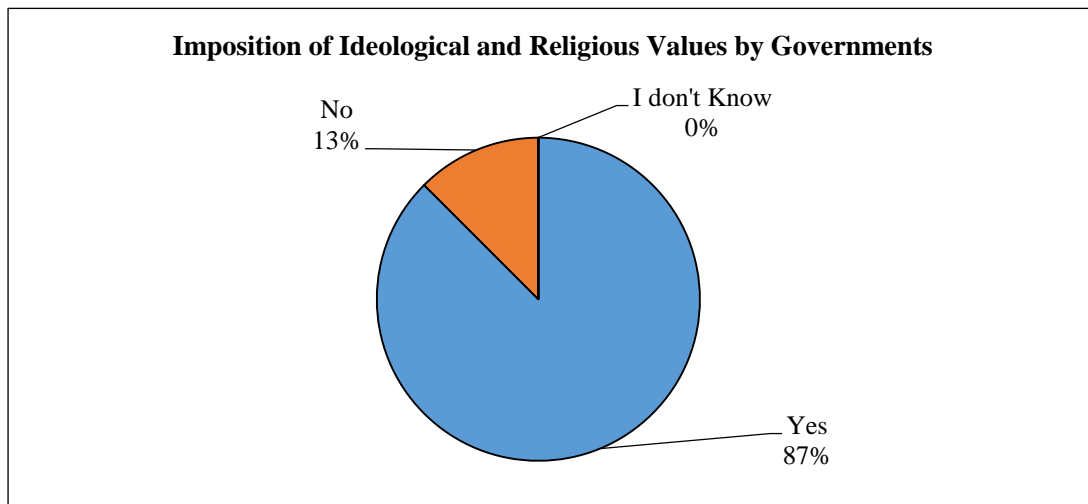


Figure 3.12: Imposition of Ideological and Religious Values by Governments

Source: Field Data, 2017

¹⁸¹ Baylis, J., & Smith, S. (2001). *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York: Oxford University Press

In this question, 87% of the respondents answered in the affirmative. Indeed, it is evident from available literature that some wars and conflicts in the region have been fought for reprehensible reasons. In some instances, and in areas such as Somalia and Sudan, conflicts have often arisen as leaders tend to impose their ideological or religious values on other peoples. This has led to decades of proxy wars. In this regard, some governments have supported militia to fight on their behalf. In the case of Somalia, proxy war was exhibited since 2006 with Ethiopia and Eritrea supporting insurgents in the country.¹⁸² In this context, it is often hard to secure commitment to democratic forms of government where interdependence breeds peace as postulated by the *Neoliberal Institutionalism Theory*.

This position is also held by respondent D3 who pointed out that:

“Ideological differences, and especially when they these are used to support opposing groups and rebels in either country often results in conflict. Some states in the HOA have been accused of supporting armed militia in other countries. This supports mistrust between countries. As a result sharing of resources becomes untenable.”

The researcher went on to find out from the respondents if ideological differences has made it hard for governments in the HOA to amicably discuss issues related to collaboration in shared resource management. The findings obtained were presented

¹⁸² Ibid.

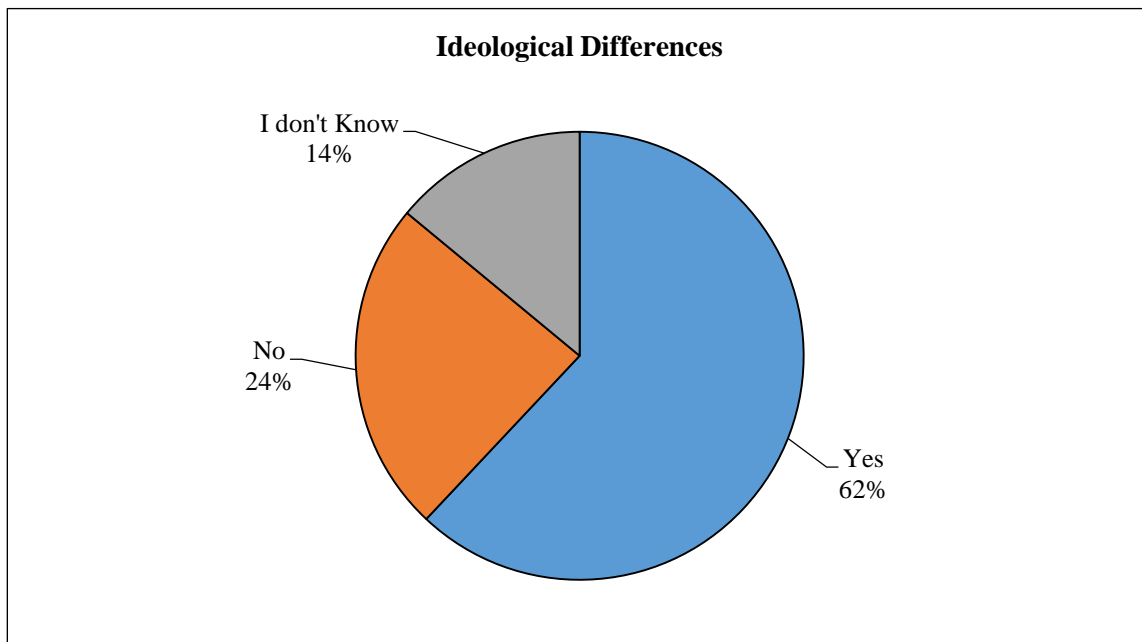


Figure 3.13: Ideological Differences

Source: Field Data, 2017

As shown in Figure 3.14, most of the respondents (62%) agree that ideological differences makes it hard for governments in the HOA to amicably discuss issues related to collaboration in shared resource management. These findings agree with those of Teodorescu who argues that owing to immense ideological differences, it is often hard for governments to come to a round table and amicably discuss issues related to border disputes not to mention conflicts related to SR.¹⁸³ This thus challenges collaborate management of such resources. In most cases, countries with the same ideological leanings (Christian, Islamic, Capitalist, Socialist etc.), tend to agree on a wide range of ideas as opposed to those with opposing ideologies.¹⁸⁴ This makes it hard for these

¹⁸³ Cristian, C., & Teodorescu, M. (2012). "Proxy Warfare in the HOA: Terrorist Organization Al-Shabaab Prospering from the Chaos in the Failed State of Somalia," International Proceedings of Economics Development & Research, 28 215-220

¹⁸⁴ Thakur, R. (2006). *The United Nations, Peace and Security* .Cambridge: Cambridge University Press

countries to implement policies regarding the management of SR such as those in the Ilemi Triangle as in the case of this study.

The researcher went on to find out if ideological differences in practices such as transhumance and irredentism in the HOA affected collaborative management of SR. The findings obtained were presented in Figure 3.14.

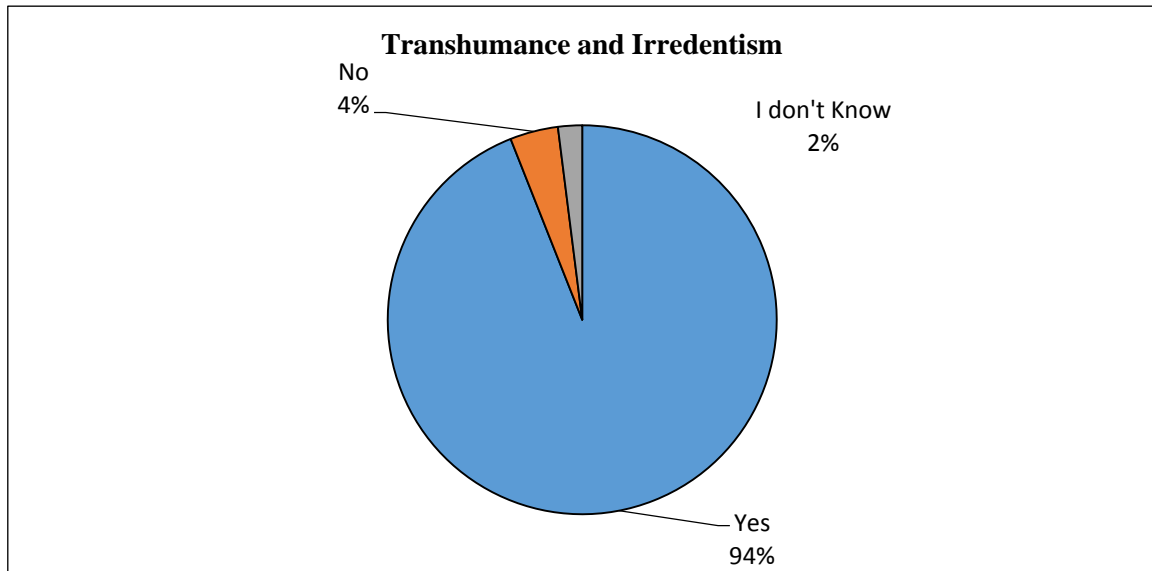


Figure 3.14: Transhumance and Irredentism

Source: Field Data, 2017

As shown in Figure 3.14, ideological differences in practices such as transhumance and irredentism in the HOA affected collaboration in the management of SR. This agrees with Mengisteab who argues that in most African countries, including the HOA, conflicts take on various dimensions. They may be fueled by boundary and territorial differences, internal conflicts, succession conflicts after long periods of colonization and most

importantly and, ideological differences in practices such as transhumance and irredentism among others.¹⁸⁵

This findings echo those of respondent D15 who pointed out that:

“It is not uncommon for pastoral communities to fight with non-pastoral communities over alluded historical rights over grazing land. This leads to anarchy and makes it hard for peaceful coexistence and collaborative management of shared resources.”

These findings show that it is common for communities that identify with transhumance to have conflict with those who do not. In other instances, communities that lost land due to colonialism may fight to recover it from settled communities that befitted from this land after the end of colonialism.¹⁸⁶ This causes conflict and hinders the peaceful coexistence advanced by the *Neoliberal Institutionalism Theory*. This is the case with the Ilemi Triangle whereby South Sudan claims the land as being historically theirs, a form of irredentism.

On another note, the researcher sought to find out if Cold War politics has led to ideological divides and irreconcilable differences that made it hard to collaboratively manage SR in the HOA. The findings obtained were presented in Figure 3.15.

¹⁸⁵ Mengisteab, K. (2011). *Critical Factors in the HOA's Raging Conflicts*. UK: Lightning Source UK Ltd.

¹⁸⁶ Ibid.

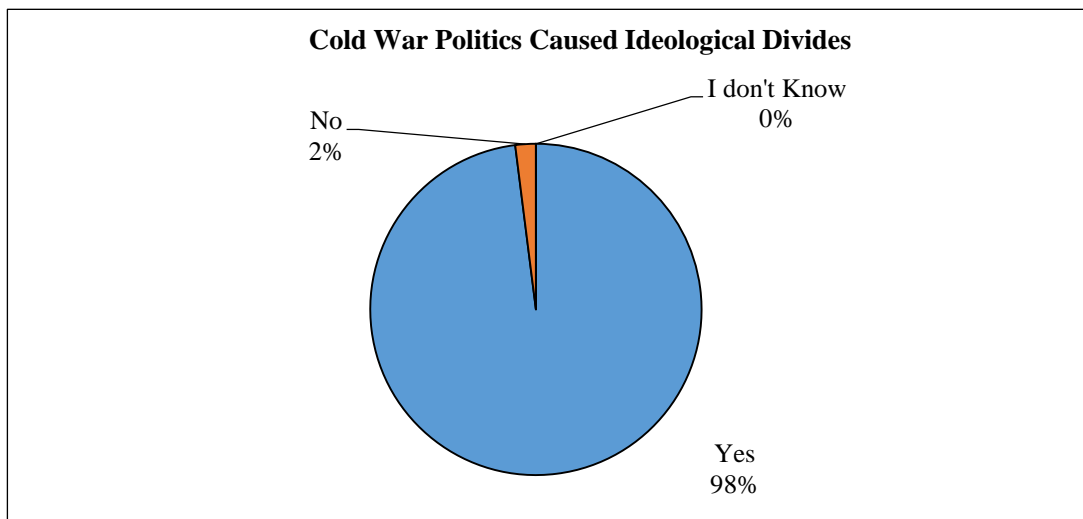


Figure 3.15: Cold War Politics Caused Ideological Divides

Source: Field Data, 2017

The majority of the respondents (98%) posit that cold war politics caused ideological divides and irreconcilable differences that hindered the collaborative management of SR in the HOA. This agrees with the premise of Mengistu that during the Cold War period, the leaning of various governments to both superpowers (USA and Soviet Union) fueled immense conflicts in the region. In this regard, the regimes that leaned on either side of the ideological divide had astronomical and irreconcilable differences.¹⁸⁷

The situation was aggravated by the fact that the ruling political party was often supported by the bloc that the country leaned on. In this case, the other bloc supported the opposition, often harming them. This led to cases of sustained war in these countries. A good example of this was the Ethiopian military junta (the Derge) which while being supported by the Soviet Union was strongly opposed by the Tigrayan rebels supported by the USA. During the confrontations between these two groups, the country was seriously

¹⁸⁷ Muhabie, M.M. (2015). *The Root Causes of Conflicts in the HOA*. American Journal of Applied Psychology. Vol. 4, No. 2, pp. 28-34.

ravaged.¹⁸⁸ In this backdrop, it is worth noting that ideological differences often lead to conflict and bad blood between neighbours. This often makes it hard for such countries to amicably cooperate in the management of SR.

3.4 Economic and Socio-cultural Differences

Economic and socio-cultural differences often lead to conflict the world over. According to Khan, war is often linked to poverty. This is particularly so since the poor tend to have comparative advantage in conflicts. When war starts, those with less resources have nothing much to lose (low opportunity cost), they thus resort to conflict easily as compared to those who have more resources.¹⁸⁹

In the HOA, and as argued by this current study, economic differences influence the propensity of the communities living there to take to arms in cases of conflict. Currently, Ethiopia is the largest economy by GDP with a GDP of 174 Billion USD as at 2016, slightly higher than Kenya's 170 Billion USD which it overtook in the same year. South Sudan trails far behind at a GDP estimated at 20 billion USD at the same time.¹⁹⁰ Undoubtedly, economic disparities explain the longstanding cattle rustling conflicts in the region. This supports the Khan's thesis of resource curse in which the have-nots tend to contend with those who have in the control of such resources.¹⁹¹

¹⁸⁸ Ibid.

¹⁸⁹ Shaheen, R.K. (ed) (2008). *Regional Trade Integration and Conflict*. Routledge.

¹⁹⁰ indexmundi.com/factbook/compare/ethipio.south-sudan

¹⁹¹ Ibid.

In the wake of such conflicts, it often becomes hard for states to collaborate in the management of SR as argued by this chapter. In this regard, the researcher sought to find out if interstate cooperation was thwarted by immense socio-cultural differences.

The findings obtained were presented in Figure 3.16

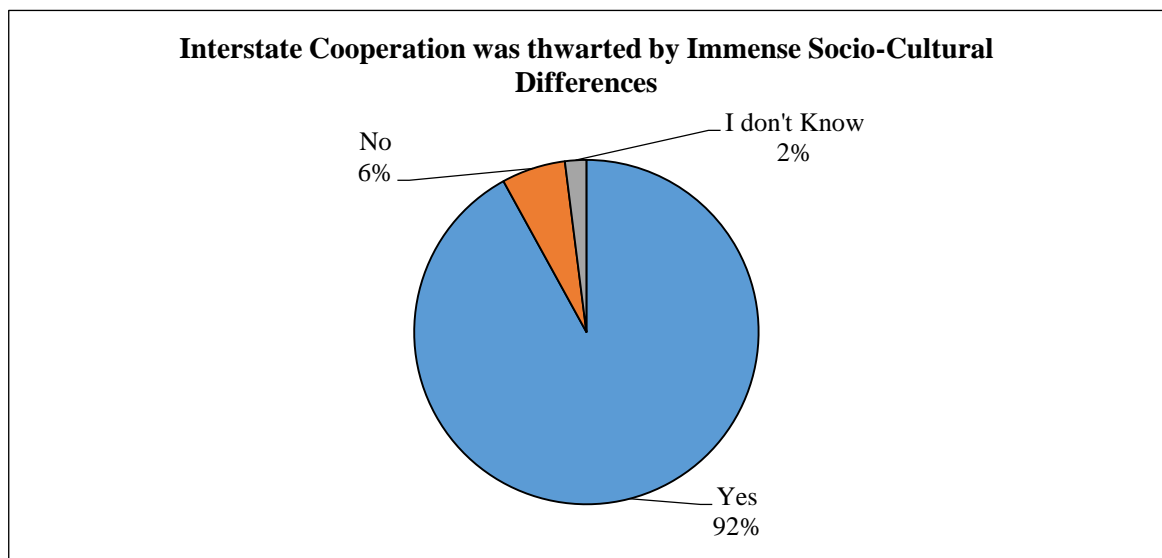


Figure 3.16: Interstate Cooperation was thwarted by Immense Socio-Cultural Differences

Source: Field Data, 2017

As shown by 92% of the respondents who said yes, socio-cultural differences also tend to influence cooperation. In some cases, religious extremism in politics such as in the case of Sudan and Somalia undermines peace and security. It also makes it hard for interstate cooperation in the wake of immense socio-cultural differences. In the HOA, tension emanating from emerging radical religious groups means that resolving resource-based conflicts is a hard nut to crack. In the region, ethnic polarity is another major challenge facing communities. This is particularly so in the context of numerous ethnic groups with

divergent socio-cultural value systems. The situation is aggravated by state sponsored exclusion of some ethnic groups from reaping the benefits of national development and access to economic opportunities.¹⁹² In this regard, it is often hard to secure cooperation in managing SR especially in the wake of civil conflicts in the areas where such resources are based.

In Ethiopia, economic and social-cultural differences and the associated conflicts have been exhibited in the case of the Amhara people where the Oromo and other ethnic groups regard the former to be the major beneficiary of previous governments. This has often led to interstate as well as inter-ethnic skirmishes in the country. In this backdrop, the perceived socio-economic differences have been used by politicians to nurture ethnic and regional sentiments. Another challenge facing the HOA is the separation of peoples by colonial governments such as the case of the Kenyan, Somali and Ethiopian Somalis who are supposed to think that they are members of different social groups and nationalities. The resultant cultural detachment and governance differences often breed chaos in shared borders.¹⁹³

This is in line with the position of respondent D4 who said

“There are myriads of tribes with different aspirations and value systems in the region. This challenges the nationalism at the state level as some groups feel more affiliated to their close neighbours across national borders. This can thwart peaceful independence (as argued by the Neoliberal Institutionalism Theory) in the region.”

¹⁹² Ibid.

¹⁹³ Ibid.

The researcher went on to find out if conflict over cultural affiliations in cross border related communities hindered collaborative management of SR. The findings obtained were presented in Figure 3.17.

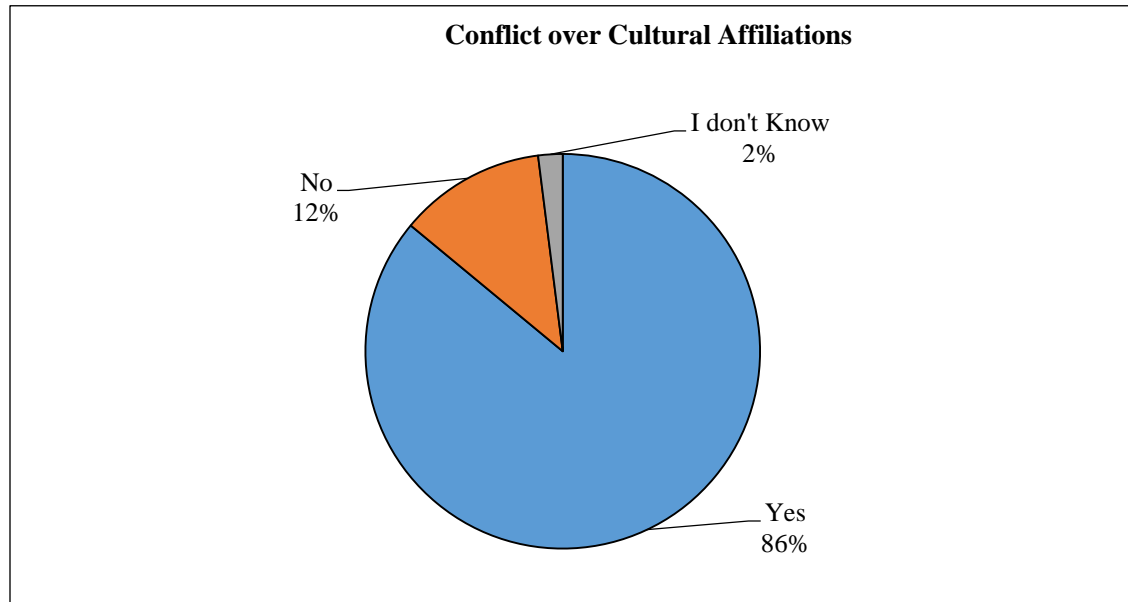


Figure 3.17: Conflict over Cultural Affiliations

Source: Field Data, 2017

As shown by 86% of the respondents, it was made manifest that conflict over cultural affiliations in cross border related communities hindered collaborative management of SR. These findings agree with Khan who argues that in most cases political entrepreneurs and ethnic activists use this confusion to fan ethnic conflicts among these tensed groups to go to ethnic conflicts.¹⁹⁴ In this context, and as argued by this current study, it is often hard to foster collaborative management of SR in such areas. This is particularly so, making peace as advanced by the *Neoliberal Institutionalism Theory* hard to garner, thus making collaboration untenable.¹⁹⁵

¹⁹⁴ Ibid.

¹⁹⁵ Ibid.

3.5 Alliance Systems

The existing alliance systems between countries and even within a country affect the way the country runs its affairs with its neighbours. This has been exhibited in the conflict in Somalia where Ethiopia and Eritrea armed militias in the country. As is always the case, when the country's opposition joins up with hostile neighbours, securing internal security in the country is challenged.¹⁹⁶ Importantly, managing SR often becomes hard in the case of the ensuing conflicts since suspicious neighbours find it hard to come to a round table and establish collaborative frameworks for sharing such resources. This is particularly so when neighbours extend support to opposing factions during conflicts.¹⁹⁷

In this background, the researcher set to find out if cooperation between a country's opposition and hostile neighbours affected collaborative management of shared resource management. The findings obtained were presented in Figure 3.18.

¹⁹⁶ Tomlinson, C. (2006). "UN: *Ethiopia, Eritrea Take Rivalry to Somalia*," Associated Press, October 28, 2006

¹⁹⁷ International Crisis Group. (2006). *Can the Somali Crisis Be Contained?*, Africa Report no. 116, August 10, 2006.

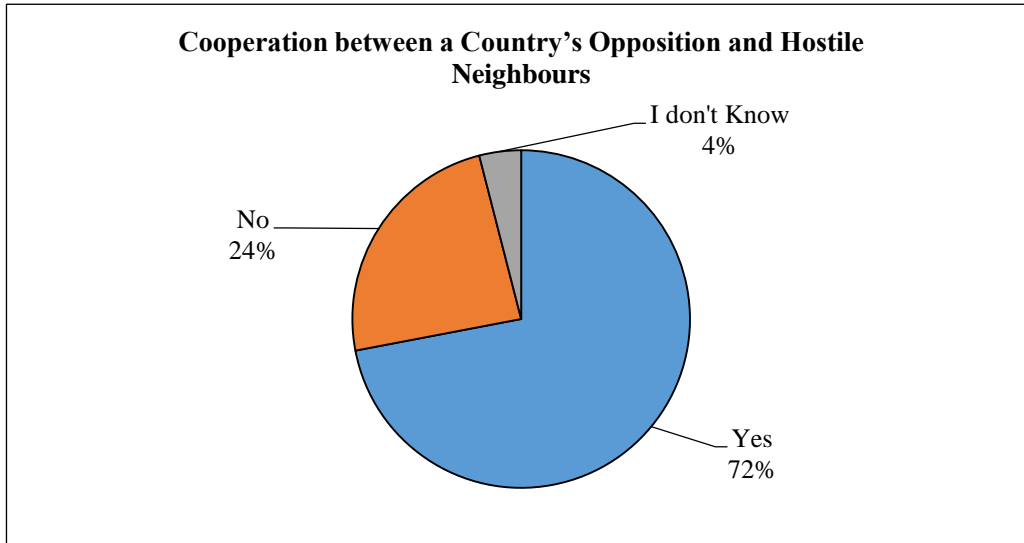


Figure 3.18: Cooperation between a Country's Opposition and Hostile Neighbours

Source: Field Data, 2017

The findings obtained, with 72% answering in the affirmative; confirm that cooperation between a country's opposition and hostile neighbours affected collaborative management of shared resources. This buttresses the findings of the International Crisis Group.¹⁹⁸ This was also alluded to by respondent D7 who pointed out that:

“When troublesome opposition groups of one country in the region gets supported by other governments in the region, it becomes hard to secure lasting peace and collaboration in the management of SR in the region.”

In the absence of peace, as postulated by the *Neoliberal Institutionalism Theory*, it is impossible to come up with treaties on collaborative SR and implement them. On another note, the researcher sought to find out if international alliances based on political, religious and ethnic ideologies hindered collaborative management of resources in the HOA. The findings obtained were presented in Figure 3.19.

¹⁹⁸ Ibid.

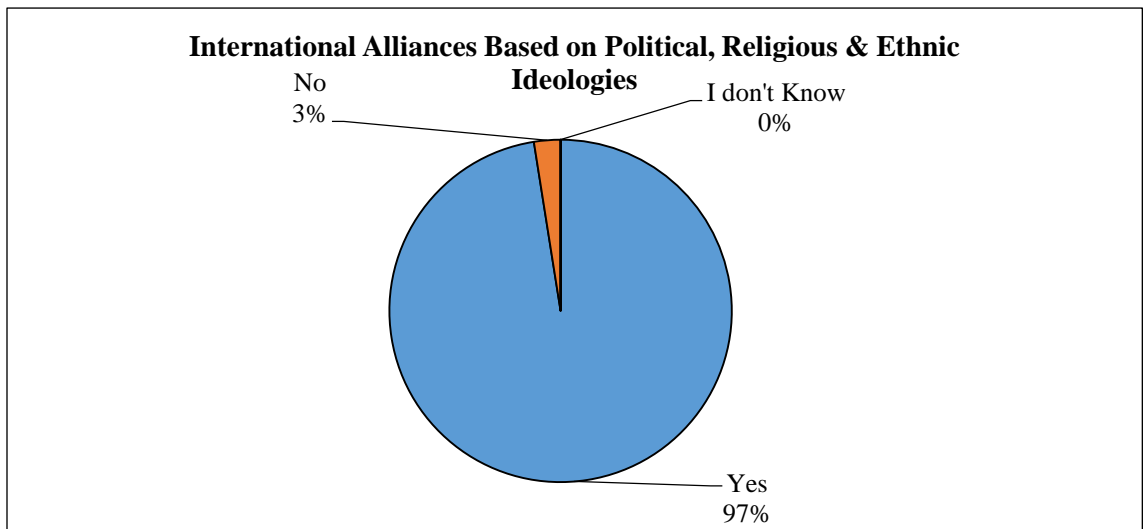


Figure 3.19: International Alliances Based on Political, Religious & Ethnic Ideologies

Source: Field Data, 2017

As shown by 97% of the respondents, international alliances based on political, religious and ethnic ideologies hindered collaborative management of resources in the HOA. These findings agree with Rice and Goldenberg who posit that different ideological differences, as already pointed out, fanned violence in the HOA during the post-independence era. Leaning to the Eastern Bloc and other Soviet Allied countries such as Cuba, created long standing animosity between Ethiopia and Somalia. This was through constant access to weapons by the regimes in either country from European sources due to cold war politics. Furthermore, attachment to international alliance based on religion and ideology also supports armed conflict in the HOA. This has gone on to sustain civil war in some

countries. In Sudan specifically, alliance with the Arab League and the Islamic Ideology led to war between the Islamic North and Christian South.¹⁹⁹

In some instances, tribal alliances (where closely related people come up together to fight for common causes), has sustained cattle rustling and insecurity in parts of the HOA. In this case, pastoral communities form alliances to protect their livestock and families, procure weapons and mete retribution on attacks. This tends to support transnational armed conflicts and proliferation of weapons in the region.²⁰⁰ Such conflicts further challenge successful collaboration in the management of SR.

3.6 Different levels of Development

Studies have shown that there is positive and significant relationship between the average income per person and the propensity to take to civil war. In this case, countries with lower per capita income often tend to result to armed conflict whenever differences arise and vice versa.²⁰¹ As such, disparities in economic development increase the propensity to result to armed conflict between neighbours, making collaboration in the management of SR a hard feat.

Piketty argues that after colonialism; most African countries were beset with the challenge of perennial economic inequality. This led to activism against these immense

¹⁹⁹ Rice, X., & Goldenberg, S. (2007). 'How the US Forged an Alliance with Ethiopia over Invasion', The Guardian, www.guardian.co.uk/world/2007/jan/13/alqaida.usa

²⁰⁰ Beurden, J. (1999). "Ethiopia Vs Eritrea: A Devastating War Between Former Friends" in Searching for Peace in Africa. Utrecht: European Platform on Conflict Prevention and Transformation

²⁰¹ Collier, P., & Hoeffler, A. (2004). *Conflicts*. In *Global Crises, Global Solutions*, ed. B Lomberg, pp. 129–55. Cambridge, UK: Cambridge Univ. Press

levels of economic differences, often leading to social unrest.²⁰² Over time, disenfranchised groups often took to arms as the conflict over limited resources intensified. This has been the case in the Ilemi Triangle where numerous groups fight for control of resources. In this regard, it is often hard to manage these resources in the midst of intermittent conflicts.

In post-colonial Africa, conflict has been centered on ethnicity rather than on class. In most cases, conflicts in the region have had geographical and economic attributes. When some areas are marginalized at the expense of others, rebellion has always tended to erupt. Studies show that between 1945 and 1998, about 15% of the tribes in the continent groups have participated in rebellions.²⁰³

In most cases, civil war is often triggered by internal domestic factors such as the real or perceived uneven development. In some instances, ethnocentric characteristics of the state are also responsible for armed conflict. Deng is of the view that in the HOA, civil war is often fueled by perceived exclusion in access to national resources and development.²⁰⁴ This goes on to challenge peace in cross border areas. As a result, authorities tasked with collaborative management of SR often find it hard to operate in the wake of such conflict.

Kidane Mengisteab argues that in the HOA, uneven socioeconomic development is responsible for most of the conflicts existing in the region. As such, these conditions have

²⁰² Piketty, T. (2014). *Capital in the Twenty-First Century*. Cambridge, MA: Harvard Univ. Press

²⁰³ Fearon J.D. (2006). *Ethnic mobilization and ethnic violence*. In *The Oxford Handbook of Political Economy*, ed. BR Weingast, DA Wittman, pp. 852–68. Oxford, UK: Oxford Univ. Press

²⁰⁴ Deng, L.B. (2005). “*The Sudan Comprehensive Peace Agreement: Will it be Sustained?*”, *Civil Wars*, 7(3), 244-57.

made nation-building in the region hard to realize. In most cases, the successor states of post-colonialism in the region have failed to correct exclusionist development and the associated challenges. This has continued to fuel conflict, making the management of SR untenable in the absence of peace as postulated by the *Neoliberal Institutionalism Theory*, in most cases.²⁰⁵

Based on the preceding arguments, the researcher sought to find out if differences in socio-economic development affected collaboration in the management of SR in the HOA. The findings obtained were presented in Figure 3.20.

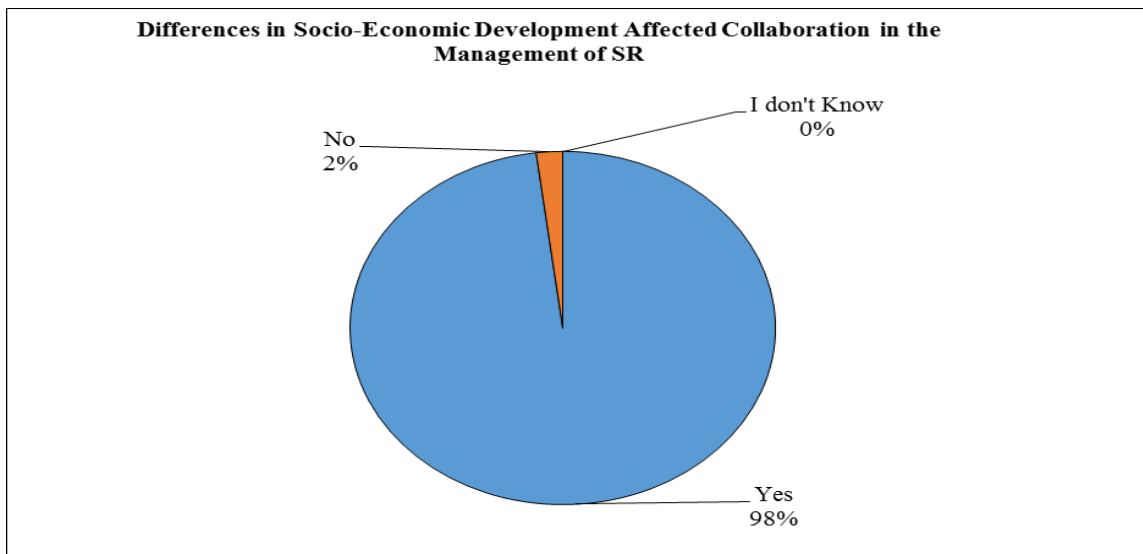


Figure 3.20: Differences in Socio-Economic Development

Source: Field Data, 2017

Most of the respondents (98%) agreed that differences in socio-economic development affected collaboration in the management of SR in the HOA. Still in the same light, one of the respondents D4 posited that:

“Undeniably there are instances when communities that find themselves in an area with divergent levels of development as opposed to their neighbours develop a sense

²⁰⁵ Ibid.

of exclusion. This situation can sometimes boil down to conflict among the previously peaceful neighbours”

“As shown by the preceding findings, it can be deduced that divergent economic development often results in discord. This hinders peaceful coexistence which is key to cooperation in interstate matters as postulated by the neoliberal institutionalism theory.²⁰⁶ In this context, collaborative management of shared resources becomes a tall order.”

Lastly, the researcher set to find out if state-sponsored exclusion of others and the resultant underdeveloped bred conflict and lack of cooperation in the management of SR.

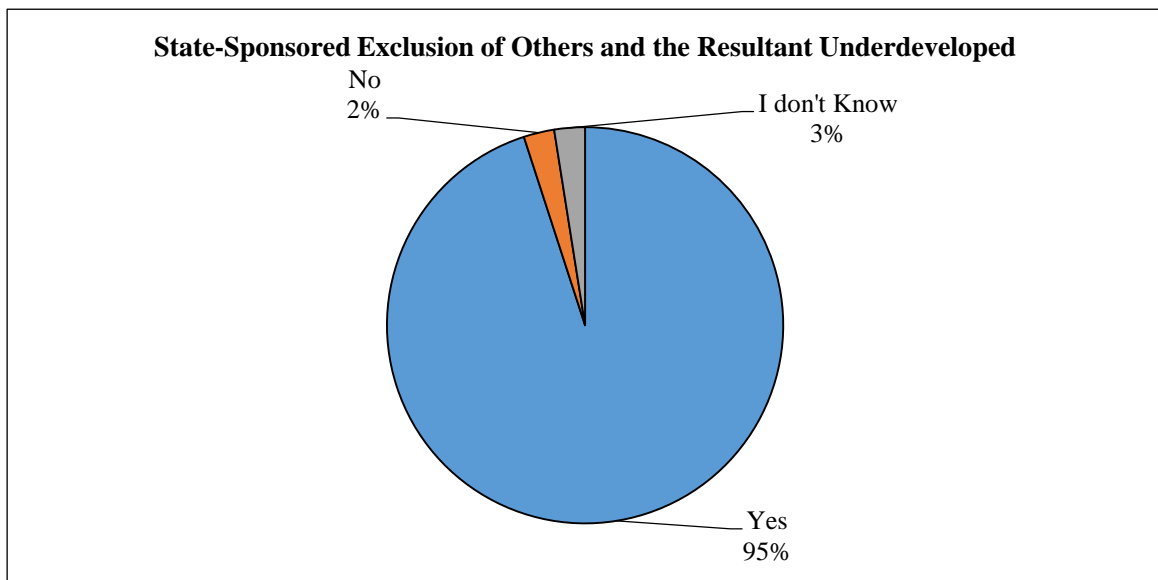


Figure 3.21: State-Sponsored Exclusion of Others and the Resultant Underdeveloped

Source: Field Data, 2017

As shown by 95% who agreed, it is evident that state-sponsored exclusion of others and the resultant underdeveloped bred conflict and lack of cooperation in the management of SR among neighbouring countries in the HOA. In the same accord, findings respondent D4 posits that:

²⁰⁶ Baylis, J., & Smith, S. (2001) *The Globalization of World Politics. An introduction to international relations.* (2nd Eds). New York: Oxford University Press

“It has been noted that when communities are left without the basic expectations from the state, it become hard for them to live at ease with their neighbours. The end result is always bad. This stems from the fact that those who feel excluded can often start violent confrontation with their prosperous (those who have benefited from government supported development) neighbours.”

As such, conflicts among economically marginalized pastoral communities such as those in the Ilemi Triangle could hinder cooperation in the management of SR among neighbouring countries. The findings as shown in Figure 3.21, agree with extant literature that in countries where authoritarian regimes supervise state wastage of resources, poverty often creeps in. This breeds dissatisfaction among groups that do not benefit from state sponsored development. As a result, dictatorships in most African countries always end up in armed conflict as people fight for resources. In Somalia, decades of state sponsored exclusion of some Somali clans led to civil war in which war lords fought for anything “sellable” in the country.²⁰⁷ The nexus between poverty and conflict is thus undeniable and can challenge cooperation in the management of SR as war ranges on among some of the states that share such resources.

²⁰⁷ Hegre, H., & Sambanis, N. (2006). Sensitivity analysis of empirical results on civil war onset. *J. Confl. Resolut*, 50,508–35

3.7 Chapter Summary

This chapter shows that there are various impediments to collaborative management of SR in the HOA. To begin with, it is evident that the regimes in which countries find themselves have the propensity to impede collaborative management of SR the world over. This has been evidenced in cases where unstable governments in the HOA have seen conflicts after conflicts. When this happens, it becomes a hard feat for governments to amicably negotiate strategies aimed at abetting collaboration in the exploitation and management of SR.²⁰⁸

In some instances, there were cases in which some countries plotted against each other in the region. This led to bad blood between such countries hence making collaboration in the management of SR hard to realize. When some governments support opposition to undermine regimes in neighbouring countries, bad blood between such governments results. This makes cooperation in collaborative management of SR untenable as posited by Plaut.²⁰⁹ Another challenge facing the collaborative management of resources in the HOA is cross-border skirmishes in which light weapons infiltrated otherwise peace areas. The coexistence and cooperation in sharing of resources in the HOA is therefore challenged by poor stability and sanity in interstate relations.²¹⁰ This situation has left unsolved disputes among some major SR such as Lake Victoria, Indian Ocean as well as the Ilemi Triangle as in the case of this current study. It is also evident that unstable and

²⁰⁸ Plaut, M. (2010). "Report of the 2010 Atlanta Peace Conference on the HOA," Broadcast of BBC's From Our Own Correspondent, available at http://www.bbc.co.uk/iplayer/episode/p00cjwpw/From_Our_Own_Correspondent_25_12_2010/ (accessed on 25 December 2010).

²⁰⁹ Ibid.

²¹⁰ Mbeki, T. (1998). "The African Renaissance Statement," 13 August 1998, available at <http://www.anc.org.za/ancdocs/history/mbeki/1998/tm0813.htm>.

dictatorial regimes that sustain major military budgets also lead to unsustainable utilization of resources, including SR such as those in the Ilemi Triangle as is the premise of this current study. This ought not to be so in a region faced with dwindling resources and immense economic crises.

Ideological differences (leaning regime types) in the HOA often thwart the efforts aimed at collaborated management of SR. In this regard, and according to extant literature, when governments tend to value military approach to conflicts related to SR, the results are always dire. This is particularly so since this sustains decades and decades of human crises and deprivation of access to resources in conflict zones.

Findings also show that ideological differences makes it hard for governments in the HOA to amicably discuss issues related to collaboration in shared resource management. These findings agree with those of Teodorescu who argue that owing to immense ideological differences, it is often hard for governments to come to a round table and amicably discuss issues related to border disputes not to mention conflicts related to SR.²¹¹ This challenges collaborate management of such resources. In most cases, countries with the same ideological leanings (Christian, Islamic, capitalist, socialist etc.) tend to agree on a wide range of ideas as opposed to those with opposing ideologies.²¹²

²¹¹ Teodorescu, C.C. (2012). "Proxy Warfare in the HOA: Terrorist Organization Al-Shabaab Prospering from the Chaos in the Failed State of Somalia," *International Proceedings of Economics Development & Research*, 28 (2012): 215-220

²¹² Thakur, R. (2006). *The United Nations, Peace and Security*. Cambridge: Cambridge University Press..

Economic and socio-cultural differences also lead to conflict. In the HOA, and as argued by this current study, economic differences influence the propensity of the communities living there to take to arms in cases of conflict. This explains the longstanding cattle rustling conflicts in the region. This supports the Khan's thesis of resource curse in which the have-nots tend to contend with those who have in the control of such resources.²¹³ In the wake of such conflicts, it often becomes hard for states to collaborate in the management of SR as argued by this chapter.

The existing alliance systems between countries and even within a country affect the way the country runs its affairs with its neighbours. This has been exhibited in the conflict in Somalia where Ethiopia and Eritrea armed militias in the country. As is always the case, when the country's opposition joins up with hostile neighbours, securing internal security in the country is challenged.²¹⁴ Importantly, managing SR often becomes hard in the case of the ensuing conflicts since suspicious neighbours find it hard to come to a round table and establish collaborative frameworks for sharing such resources.²¹⁵

It was also established that international alliances based on political, religious and ethnic ideologies hindered collaborative management of resources in the HOA. These findings agree with Rice and Goldenberg who posit that different ideological differences, as already pointed out, fanned violence in the HOA during the post-independence era. Leaning to the Eastern Bloc and other Soviet Allied countries such as Cuba created long

²¹³ Ibid.

²¹⁴ Tomlinson, C. (2006). "UN: Ethiopia, Eritrea Take Rivalry to Somalia," Associated Press, October 28, 2006

²¹⁵ International Crisis Group, Can the Somali Crisis Be Contained?, Africa Report no. 116, August 10, 2006.

standing animosity between Ethiopia and Somalia. This was through constant access to weapons by the regimes in either country from European sources due to cold war politics.

The study also established that per capita income is usually systematically and negatively affected by civil war. In this case, countries with lower per capita income often tend to result to armed conflict whenever differences arise and vice versa.²¹⁶ As such, disparities in economic development increase the propensity to result to armed conflict between neighbours, making collaboration in the management of SR a hard feat.

In the HOA, it is evident that disenfranchised groups often took to arms as the conflict over limited resources intensified. This has been the case in the Ilemi Triangle where numerous groups fight for control of resources. In this regard, it is often hard to manage these resources in the wake of intermittent conflicts in the area. The nexus between poverty and conflict is thus undeniable and can challenge cooperation in the management of SR as war ranges on among some of the states that share such resources.

In the next chapter we discuss strategies used by the Horn of African countries in addressing the negative effects arising from shared resources. In this regard, the associated triggers of conflict and the remedial strategies used to deal with these conflicts are identified and discussed. Lastly a comparative analysis of the strategies used by Kenya, Ethiopia and South Sudan are presented.

²¹⁶ Collier, P., & Hoeffler A. (2004). *Conflicts. In Global Crises, Global Solutions*, ed. B Lomberg, pp. 129–55. Cambridge, UK: Cambridge Univ. Press

CHAPTER FOUR

STRATEGIES USED BY HORN OF AFRICAN COUNTRIES IN ADDRESSING THE NEGATIVE EFFECTS ARISING FROM SHARED RESOURCES

4.1 Introduction

The chapter sought to “investigate strategies used by countries in the Horn of Africa in addressing negative effects that arise from shared resources.” It starts by highlighting some of these negative effects. This is followed by an analysis of the triggers of such negative effects in the region. Herein, identified, are the numerous underlying causes for conflict in the Ilemi Triangle.

Further, the broad strategies that are used by these countries in addressing these negative effects are assessed. The emergent significance of these strategies within the process of addressing the negative effects emanating from shared resources is then drawn. Lastly, the policies, as key strategies, that could be harnessed in addressing negative effects of shared resources in the Ilemi Triangle are assessed. A country by country comparative analysis of these policies is then presented. The key differences are thus drawn out in the backdrop of existing literature. Lastly, a conclusion is included.

4.2 Negative Effects of Shared Resources in the Horn of Africa

The chapter sought to establish some of the negative effects (conflict) arising from shared resources in the Horn of Africa. The findings obtained are presented in Table 4.1

Table 4.1: Conflicts over Resources

Resource Causing Conflict	Rating					N	Weighted Mean
	1	2	3	4	5		
Water	2	3	6	45	99	155	5
Pasture	0	4	6	44	101	155	5
Fishing Ground	3	5	7	50	90	155	4
Lebensraum (Traditional Land)	2	2	5	44	102	155	5
Average Weighted Mean							5

Source: Researcher (2017)

The respondents were presented with a Likert-type question on the resources that had the potential to spark conflict in the Horn of Africa. The respondents were asked to show the level to which four resources had the potential to cause conflict on a 1 to 5 scale where 1 is strongly disagree, and 5 is strongly agree. The weighted means were obtained and used to show the average level that the respondents tended to rate resources.

The findings show that the respondents tended to strongly agree (weighted mean of 5) that water; pasture and lebensraum (ancestral claim over land) were the main resources over which conflict easily arose across borders. The least rated resource was fishing ground (tendency to agree, weighted mean of 4). This is evident in conflicts over fishing such as the case of Misingo Island in Lake Victoria where Kenya and Uganda contested the ownership of the island. In the same accord, respondent D6 pointed out that:

“In many cases conflict over the use of shared resources often erupts. This often occurs as nations contest over limited resources such as access to water or pasture for their cattle. In the wake of these conflicts, securing lasting peace is often untenable.”

From the findings obtained in this study, it is apparent that the shared resources in the Horn of Africa had potential to breed conflict. This contravenes the *Neoliberal Institutionalism Theory* where interdependence breeds discord and conflict instead of bringing peace. These findings agree with extant literature which shows that the region has immense shared resources. Some of the major shared resources in the region are the Lake Victoria and the Nile Riparian Basins. For several years now, there has been immense standoff between Egypt and other Nile Basin Countries such as; Sudan, South Sudan, Ethiopia, Rwanda, Burundi, Kenya and Uganda over usage of the Nile waters. The country lays claim to exclusive use of the Nile waters due to historical claim over the water by Ancient Egypt. This has complicated negotiations. This makes Egypt ready to go to war in case of tempering with the Nile waters thus threatening national security among the Nile Riparian States.²¹⁷

The claim by Egypt over the water, one of the resources rated highly by the respondents in this study (weighted mean of 5), has impacted on interstate cooperation in the past, with Ethiopia and Tanzania being states that have befallen victims of Egypt’s threats, evident through Egypt arming Somalia separatists in Ethiopia as already pointed out. These threats have in the recent past made the states to enter into agreements and

²¹⁷ Beaumont, P. (1997). *Water and armed conflict in the Middle East e Fantasy or reality?* 1997. In N. P. Gleditsch (Ed.), *Conflict and the environment* (pp. 355e374). Dordrecht, Netherlands: Kluwer Academic

treaties.²¹⁸ The claims over natural historical rights over the Nile waters by Ancient Egypt have created a negotiations focal point all through the upstream states. For Egypt, tempering with the Nile waters is tantamount to meddling with its national security. This has the likelihood to invoke potential conflict and could lead to war over the water.²¹⁹

The Mara-Serengeti continuum is a major conservation area that is shared by Kenya and Tanzania. The area has numerous shared seasonal rivulets and wild animals. Due to its richness of wildlife, the area is a major tourism attraction for the two countries. This raises potential of conflict over among other factors; wildlife crossing, shared water resources²²⁰, pasture for livestock and management of poaching. The fact that conflict over pasture for wildlife and livestock is a major resource that attracts conflict across borders verifies the results that show pasture (weighted mean of 5) is a resource that readily attracts conflict in the Horn of Africa.

4.3 Rivalry over Economic Benefits of Shared Resources in the Ilemi

The study went on to investigate the level to which selected economic benefits had led to rivalry among bordering states. Data was captured on a scale of 1 to 5 where 1 is strongly disagree, and 5 is strongly agree. The weighted means were obtained and used to show the average level that the respondents tended to rate the various economic benefits

The findings obtained are presented in Table 4.2.

²¹⁸ Song, J., & Thomas, W. (2004). *Why have some countries on international rivers been successful negotiating treaties? A global perspective*. *Water Resources Research* 40: W05S06.

²¹⁹ Beaumont, P. (1997). *Water and armed conflict in the Middle East e Fantasy or reality?* 1997. In N. P. Gleditsch (Ed.), *Conflict and the environment* (pp. 355e374). Dordrecht, Netherlands: Kluwer Academic

²²⁰ Gleditsch, N.P., Furlong, K., Hegre, H., Lacina, B., & Owen, T. (2006). *Conflicts over shared rivers: Resource scarcity or fuzzy boundaries*. *Political Geography*, 25, pp. 361–382

Table 4.2: Rivalry over Economic Benefits of Shared Resources in the Ilemi

Rivalry Over	Rating					N	Weighted Mean
	1	2	3	4	5		
Oil Prospects	0	0	3	57	95	155	5
Rich Grazing Ground	0	0	0	45	120	165	5
Underground Water	0	0	2	42	111	155	5
High Agricultural Potential	1	1	3	43	107	155	5
Average Weighted Mean							5

Source: Researcher (2017)

With weighted means of 5, the respondents strongly agreed the listed economic benefits had the potential to cause rivalry and negative effects in the Ilemi Triangle. To this end, the respondents show that oil prospects; rich grazing grounds; underground water and; high agricultural potential were economic interests that caused rivalry.

In the same light, respondent D6 posited that:

“Existing and anticipated economic benefits in Ilemi has been the root cause of conflict in the Northern Frontier of Kenya. Tribes living in the area have historic claims to waters and pasture and are known to take to arms if they felt that access to these resources is threatened.”

The findings obtained agree with available literature that negative effects over shared resources in the Horn of Africa are triggered by various conflicting national economic interests among the nations bordering the Ilemi Triangle. This further contravenes the

Neoliberal Institutionalism Theory where interdependence is supposed to bring peace but ends up breeding conflict.

Secondary data shows that the recent discovery of hydrocarbons south of the Triangle has invoked national interests in the wake of anticipated economic benefits associated with striking oil.²²¹ Furthermore, the region has historically been a rich grazing ground for the Turkana people.²²² Enjoying immense underground water resources, the land has high agricultural potential.²²³ This is a soft spot of trouble as resources continue to dwindle in the region. Literature also shows that the much natural wealth has been found in the Ilemi Triangle is a recipe for renewed interest in the region.²²⁴ In the bid to enhance social economic returns from likely oil finds in the region, South Sudan has taken Kenya to the ICJ. This is in the wake of possible enhancement of its economic standing if the oil finds translate to financial gains.²²⁵ The position of South Sudan underpins the reason as to why Kenya still holds on to the region. This is due to the fact that, and as held by the World Bank Group (WBG), nations regard fossil fuels as key to enhancing socio-economic development the world over.²²⁶

However, Ilemi is a hard nut to crack. Although international frameworks do exist for enabling consultative exploitation of natural resources whereby the local population gets

²²¹Kinyanjui, B (2012). *Kenya strikes oil in Turkana County but drilling could take years*. Daily Nation

²²²Mburu, N. (2003). *Delimitation of elastic Ilemi triangle. Pastoral conflict and official indifference in the Horn of Africa*. *African Studies Quarterly*, The Online Journal for African Studies, Spring

²²³ Waithaka, E., & Maluki, P. (2015). *Emerging Dimensions of the Geopolitics of the Horn of Africa*, International Journal of Science Arts and Commerce)

²²⁴ Nnoli, O. (1998). "Ethnic Conflicts in Eastern Africa." In O. Nnoli (Ed) *Ethnic Conflicts in Africa*. Dakar, Senegal: CODESRIA.

²²⁵WBG. (2009). *Extractive Industries Value Chain. A Framework for Managing Non-renewable Resources: Do Local/Subnational Priorities Really Matter*.

²²⁶Pegg, S. (2006). Mining and poverty reduction: Transforming rhetoric into reality. *Journal of Cleaner Production*, 14(3), 376-387.

gains as such resources are exploited, the fact that there is contention over the sovereignty of the Ilemi Triangle would make it hard for local populations to fully benefit from any substantive oil extraction in the region. In resolving the territorial claims of the Ilemi Triangle, it would be important for the nations bordering the region to ensure that existent frameworks, such as that of the World Bank²²⁷, for exploiting hydrocarbon resources in contentious environments are honoured. All the nations in the Ilemi Triangle are member states of the World Bank and this makes way for international consultation so as to ensure peace and mitigate socio-environmental risks in handling the diverse interests of the member states.²²⁸

4.4 Negative Effects Due to the Political Interests

This chapter went on to investigate the level to which selected political interests had led to rivalry among bordering states. The findings obtained are presented in Table 4.3.

Table 4.3: Negative Effects Due to the Political Interests

Political Interest	Rating					N	Weighted Mean
	1	2	3	4	5		
Secure Territorial Sovereignty	0	0	0	43	112	155	5
Potential for Interstate Trade	0	0	1	35	119	155	5
Land for Infrastructural Development	0	1	2	42	110	155	5
Average Weighted Mean							5

Source: Researcher (2017)

²²⁷Liebenthal, A., Michelitsch, R., & Tarazona, E. I. (2005). *Extractive Industries and Sustainable Development: An Evaluation of World Bank Group Experience*. World Bank Publications.

²²⁸WBG. (2011), *The World Bank Group in Extractive Industries 2011 Annual Review*

As shown in Table 4.3, data was captured on a scale of 1 to 5 where 1 is strongly disagree, 2 is disagree, 3 is neutral, 4 is agree and, 5 is strongly agree. The weighted means were obtained and used to show the average level that the respondents tended to rate the negative effects emanating from political interests. From the findings obtained, it is evident that numerous negative effects arose in the bid to secure territorial sovereignty, push for use of the resources in interstate trade and pursuit of land for infrastructural development, all rated 5 (strongly agree). Furthermore, respondent D9 pointed out that:

“As the region develops, there has been awakened push for sovereignty in the Ilemi by South Sudan. Furthermore, the use of the resources in the area has constantly invoked bad blood between South Sudan and Kenya where legal settlement of the ownership of the area has been sought at the ICJ.”

These findings agree with existing literature that politically, and as the world sees ever decreasing *Lebensraum*, nations have often fought for land in the bid to secure territorial sovereignty.²²⁹ Whenever this happens the anticipated interdependence (which should promote cooperation in management of SR) is never achieved in the wake of conflict in contrast to the *Neoliberal Institutionalism Theory* where interdependence is supposed to bring peace instead of conflict. The creation of South Sudan has enabled the Southern Sudanese people to consider its resources and resolve long standing border issues. The Ilemi Triangle offers immense potentials for states cooperation, trade and infrastructural development among other benefits.²³⁰

Another aspect of the Ilemi Triangle that arouses national interests is the bountifulness of pasture for the numerous pastoral communities living in and around the area. Since April

²²⁹MoF. (2009). *Foreign policy framework*. Nairobi: GoK.

²³⁰Ibid.

1924, the free pasture lands in the Ilemi Triangle were reserved. This came following a conference held in Kitgum, Uganda which was graced by colonial administrators from Sudan, Kenya, and Uganda.²³¹ The region includes the Lower Omo Valley which is a rich grazing ground for numerous pastoral communities in the region.²³² The richness of the Ilemi Triangle has had great national interests since the colonial era. Herein, numerous expeditions were carried out by the Turkana, the Dassanetch, the Nyangatom, El Molo, Borana, Rendile Burji, and Gabra tribes in the years preceding 1920²³³. As a result of its permanent pasture, which relies on waters from River Tarach, Lotagipi swamp as well as other smaller rivers and swamps, the area was set aside as a neutral zone by colonial authorities. This was in the bid to minimize conflict among the numerous tribes living in and around the region.

The Ilemi Triangle was set aside as a safety net following Kitgum Conference Resolution of 1924 for numerous pastoral communities living around the region. For years, these communities had been involved in strife because of water and pasture lands rights in the Triangle during drought. Under the resolution, the numerous communities such as the; Merile (Dassanetch), the Nyangatom and the Tirma (Ethiopia); the Toposa (Sudan), and; the Turkana (Kenya) were given access to the region.

²³¹Tornay, S.A. (1993). "More Chances on the fringe of the state? The growing power of the Nyangatom; a border people of the Lower Omo Valley, Ethiopia (1970-1992)" in T. Tvedt (Ed). *Conflicts in the Horn of Africa*: human and ecological consequences of warfare. Uppsala, Sweden: Upp

²³² Ibid.

²³³ Amutabi, M.N. (1999). "Cattle Rustling Among Pastoralists in Northern Kenya: The Genesis and the Truth", article presented at conference on Community Education co-hosted by Action-Aid and Association for World Education (AWE), Isiolo, Kenya, August 25th - 28th, 1999.

Herein, these tribes were allowed to access the pastures and water in the region under the command of British administrators in Kenya. Even so, the region has been hard to secure. Owing to the fact that the Triangle became the first to be armed among African communities, it thus contributed in the escalation of arms race in the region. In this context, the region has often seen the earliest violent skirmishes among pastoral communities in Africa. The region continues to be home to a multiplicity of arms since the outset of the 1990s with globalization.²³⁴

In the wake of richness of pasture in the region, the Ilemi Triangle is of immense interest to Kenya and South Sudan. Although Ethiopia has never officially laid claim to the land, the fact that its pastoral communities are often involved in close border conflicts with Kenyan and South Sudanese pastoralists.²³⁵ Resolution of territorial claims in the region would create way for peaceful coexistence and exploitation of resources in the region. This would immensely benefit the countries in the region.

4.5 Rivalry over Security Issues

The chapter went on to investigate the level to which security concerns have led to rivalry among bordering states. The findings obtained are presented in Table 4.4.

²³⁴Amutabi, M.N., & Were, E.M. (2000). *Nationalism and Democracy for People-Centered Development in Africa*. Eldoret, Kenya: Moi University Press.

²³⁵Amutabi, M.N. (1999). "Cattle Rustling Among Pastoralists in Northern Kenya: The Genesis and the Truth", article presented at conference on Community Education co-hosted by Action-Aid and Association for World Education (AWE), Isiolo, Kenya, August 25th - 28th, 1999.

Table 4.4 Rivalry over Security Issues

Security Interest	1	2	5	4	5	N	Weighted Mean
Cross border Skirmishes	0	0	0	0	155	155	5
Cattle Rustling	0	0	0	12	143	155	5
Proliferation of Small Arms	0	0	0	22	133	155	5
Average Weighted Mean							5

Source: Researcher (2017)

The respondents tend to strongly agree (weighted means of 5) that some of the negative effects of shared resources in the Ilemi Triangle were triggered by security concerns. The respondents pointed out the shared resources in the region led to cross border cattle rustling and proliferation of small arms. In relation to these findings, respondent D9 points out that:

“Sharing of resources in Ilemi has always brought chaos. Tribes living in the areas are often known to cross borders into neighbouring regions in cattle rustling excursions. This leads to bloody confrontations since all the tribes are usually armed with firearms.”

These findings show that sharing of resources does not yield to peaceful coexistence as postulated in the *Neoliberal Institutionalism Theory* which argues that ‘peace democracy’ is supposed to prevail in such contexts as opposed to violent resolution of conflicts. Furthermore, the findings corroborate secondary data which shows that the Kenya’s northern frontier, which includes the Ilemi Triangle, has seen decades of cross border

skirmishes, cattle rustling and proliferation of small arms.²³⁶ This has led to serious concerns by the national government on how to best contain insecurity in the region. Resolution of chronic insecurity in the region could enhance better resource management and lead to economic benefits.

Cattle raiding have been an important feature of Turkana, Ilemi Triangle and its neighboring regions. The main reason of raiding in the region has been for restocking purposes, access for water resources as well as expansion into new grazing areas.²³⁷ Although conflicts have happened between the Turkana and other Kenyan tribes from areas such as; Samburu, Baringo, Marsabit and, West Pokot, it has also occurred with ethnic groups from South Sudan, Ethiopia, and Uganda.²³⁸ This makes security in the region of utmost importance to the nations bordering the Ilemi Triangle.

As already pointed out, the Ilemi Triangle has been subjected to the proliferation of modern weapons for decades now. The proliferation and influx of modern weaponry has been enhanced by armed conflicts in Uganda, Ethiopia, the former Sudan and Somalia. This has seen the shift from bows and arrows, to sophisticated weapons such as *Kalashnikovs* (AK-47) and other automatic weapons.²³⁹ Furthermore, influence from local politicians in Kenya has made it hard to curb cross border skirmishes in the region. In this light, and as opposed to the *Neoliberal Institutionalism Theory*, politicians in

²³⁶Amutabi, M.N., & Were, E.M. (2000). *Nationalism and Democracy for People-Centered Development in Africa*. Eldoret, Kenya: Moi University Press.

²³⁷Omolo, N. (2011). *Gender and climate change-induced conflict in pastoral communities: Case study of Turkana in northwestern Kenya*. African Journal on Conflict Resolution, 10(2), 81–102.

²³⁸Cordaid. (2015). *Oil exploration in Kenya: Success requires consultation*.

²³⁹Triche, R. (2015). *Pastoral conflict in Kenya: Transforming mimetic violence to mimetic blessings between Turkana and Pokot communities*. African Journal on Conflict Resolution, 14(2), 81-101.

Kenya often fuel conflict among pastoral communities rather than advancing “peace democracy” as advanced by the *Neoliberalism Institutionalism Theory* in a country where democracy is entrenched in the constitution. To this, respondents D3 posited that:

“It is common knowledge that some politicians instigate violence among pastoral communities at Ilemi in the bid to get political influence. Some politicians are known to issue rhetorical statements that advocate for violence as opposed to peace among pastoral communities. The situation may not change soon.”

The fact that cattle rustling among the communities that surround the Ilemi Triangle have some cultural connotations, has reduced political will to deal with among many government stakeholders.²⁴⁰ In this backdrop, resolving the conflict in the region is a national interest priority for the countries surrounding the Ilemi Triangle.

Kenya has suffered immensely due to cross border conflicts involving communities living around the Triangle. In November 2012, The Kenyan Police lost around 30 Kenyan police officers through a military-style ambush in Baragoi at the border with Samburu. Although this was alleged to have been carried out by Turkana cattle rustlers, the main perpetrators have never been squarely identified.²⁴¹ The attack also left several villagers dead. This has been one of the most violent attacks on Kenyan security agencies in the region. Although the attack did not take place within the Ilemi Triangle, it shows the volatility of the areas surrounding it. More often than not, perpetrators of armed attacks cross this region into neighbouring countries as they evade arrest by authorities.

²⁴⁰Schilling, J., Akuno, M., Scheffran, J., &Weinzierl, T. (2014). *On raids and relations: Climate change, pastoral conflict and adaptation in north-western Kenya*. Conflict-sensitive adaptation to climate change in Africa, 241.

²⁴¹CNN. (2012). Oil in Kenya. <http://edition.cnn.com/2012/03/26/world/africa/kenya-oil/>

4.6 Strategies used by States in the Horn of Africa

The researcher sought to determine the strategies that were used to address the negative effects of shared resources in the Horn of Africa. To this end, the respondents were posed with a number of questions regarding the strategies that were used in managing the various shared resources in the region. The findings obtained were presented in Table 4.5.

Table 4.5 Strategies used by States in the Horn of Africa

Strategies Used	1	2	5	4	5	N	Weighted Mean
Agreements i.e. Nile Waters Agreement, NBI &TECCONILE	0	0	0	2	153	155	5
Cooperative Agreement for shared Utilization of Resources	0	0	2	11	142	155	5
Collaborative Interstate Security Initiatives	0	0	1	17	137	155	5
Interstate Diplomacy	0	0	2	21	132	155	5
Average Weighted Mean							5

Source: Researcher (2017)

The findings obtained show that States in the Horn of Africa were using various strategies within the process of addressing the negative effects of shared resources. To this, the respondents tended to strongly agree (weighted means of 5) that States were using strategies such as agreements i.e. Nile Waters Agreement, NBI & TECCONILE; Cooperative Agreement for shared Utilization of Resources; Collaborative Interstate Security Initiatives and Interstate Diplomacy. These findings are supported by respondent D7 who points out that:

“There are numerous interstate agreements, some historical and comes from the colonial era, and others recent that are supposed to guide the use of SR in the HOA. Most of the countries in the region have ratified or are bound to adhere to these agreements.”

As a result of external engagement and interactions between the riparian states, the Nile basin riparian states have taken bold steps to ensure cooperation and solve the stalemate which can lead them to war. This is in line with the *Neoliberal Institutionalism Theory* which emphasizes on commitment to democratic forms of government where interdependence breeds peace. One of the bold steps towards that end was the cooperation in adopting the Nile Basin Initiative (NBI) in 1999.²⁴²

The NBI is aimed at creating an all-inclusive long-lasting Nile basin legal and institutional regime to govern the use of Nile waters. Although a number of riparian states have signed the accord, some including; Egypt, Sudan and, South Sudan, have not.²⁴³ The Technical Cooperation Committee for the Promotion of the Development and Environmental Protection of the Nile Basin (TECCONILE) treaty started operating in January 1993 with signing by; DRC, Rwanda, Egypt, Sudan, and Tanzania. One of the challenges facing the TECCONILE is that Kenya and Ethiopia refused to sign and join as full members arguing that the framework did not touch on the matter of unbiased apportionment of water and dominance of Egypt in water distribution.²⁴⁴

²⁴² Yohannes, K. (2013). *Turmoil in the Nile River Basin: Back to future?* Journal of Asian and African studies. Vol. 28. No. 2

²⁴³ International Water Law Project. (2013). *The agreement on Nile River Basin Cooperative Framework*. Available at www.internationalwaterlaw.org/documents/regionaldocs.

²⁴⁴ Ibid.

The Nile Basin Initiative and TECCONILE frameworks brings the Nile Basin states in coordinating efforts to grow resources provided by Nile for mutual gain of member countries bearing in mind mutual accusations, droughts, conflicts in the region, and other problems.²⁴⁵ The shared vision of NBI is to gain maintainable economic and social progress by equally sharing, using and sustaining of the Nile resources. In the same light, respondent D6 pointed out that:

“Countries living within the Nile Basin have formulated an Initiative which fosters cooperation in the utilization of resources around the basin so as to avert anticipated conflicts in their use.”

The cooperation through strategies such as the Nile Basin and TECCONILE frameworks support the scenario foreseen by the neoclassical institutionalism theory which posits that the route towards peace is to have autonomous states pool their assets and considerably surrender some of their sway to make coordinated groups to advance monetary development or react to territorial issues.

4.7 Drafting of Policy by Kenya on the Ilemi Triangle

The study went on to find out if the drafting of policies was a key strategy employed by Kenya, South Sudan and Ethiopia in addressing the Negative Effects of Shared Resources. The first question posed to the respondents was whether Kenya had drafted a policy to create a framework for addressing conflicts related with the Triangle. The draft policy is essential since it can be used to investigate if the claims by Kenya on the Ilemi

²⁴⁵ Ibid.

triangle were true or the country wanted to engage itself in a tussle with Ethiopia and South Sudan. The findings are showed in Figure 4.1

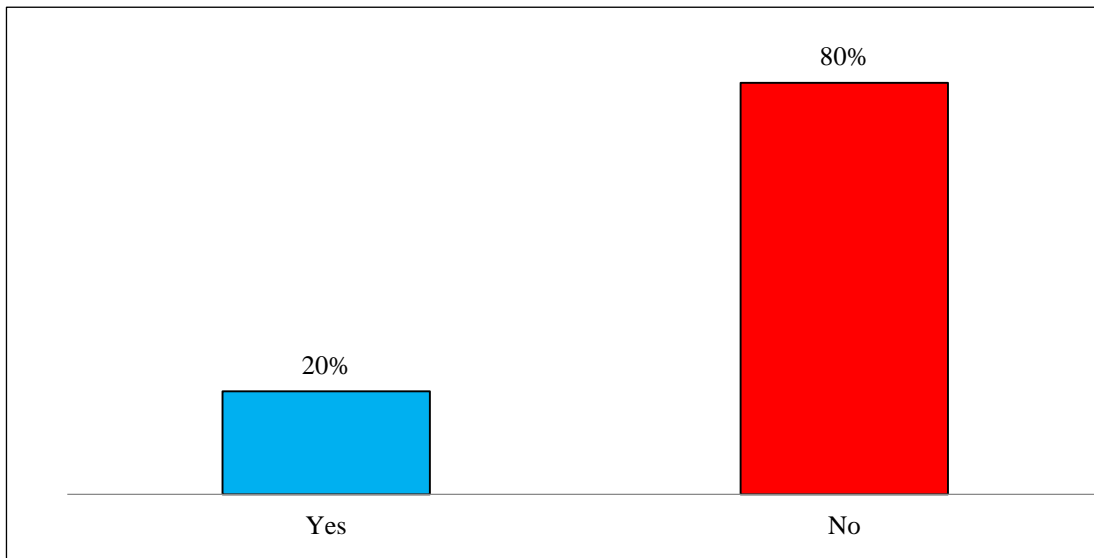


Figure 4.1 Drafting of Policy by Kenya on the Ilemi Triangle

Source: Researcher (2017)

From the findings, majority (80%) of those consulted felt that Kenya had not drafted policies on the Ilemi Triangle while 20% were of the contrary opinion. This is supported by the fact that Kenya's continued usage of the Nile as well as the Ilemi is uncertain because of bureaucratic red tapes and conspiracy theories and lack of appropriate drafted policy.

From existing literature, when we talk of government policy, we refer to a strategy that the government employs to change certain actions. In this case Kenya has not drafted any policy on the Ilemi Triangle and hence for it to claim legitimacy on the Ilemi Triangle will be hard to prove. Policies are very important because they provide frameworks for guiding the specific actions to be taken in different circumstances.

Government strategies explain a line of action, generating a preliminary position for alterations. They determine how the society behaves, migration positions and legal rules among others. While strategies are known to be non-discriminatory, they can influence particular groups of persons. Strategies are not rules, but they can lead to rules. In light of the above, Kenya should draft policies on the Ilemi Triangle if it really claims it, only then it will be able to maximize on welfare of its people staying around the area fully and reduce tension.

4.8 Drafting of Policy by South Sudan on Ilemi Triangle

Conflicts in the Ilemi Triangle can be prevented if there are sound policies in place to guide any dispute surrounding the oil resource. The study sought to establish whether South Sudan has a draft policy on the Ilemi Triangle. This was of benefit to the study since it could ascertain whether South Sudan had appropriate policies to lay claim to Ilemi Triangle. The findings of the study were as shown below.

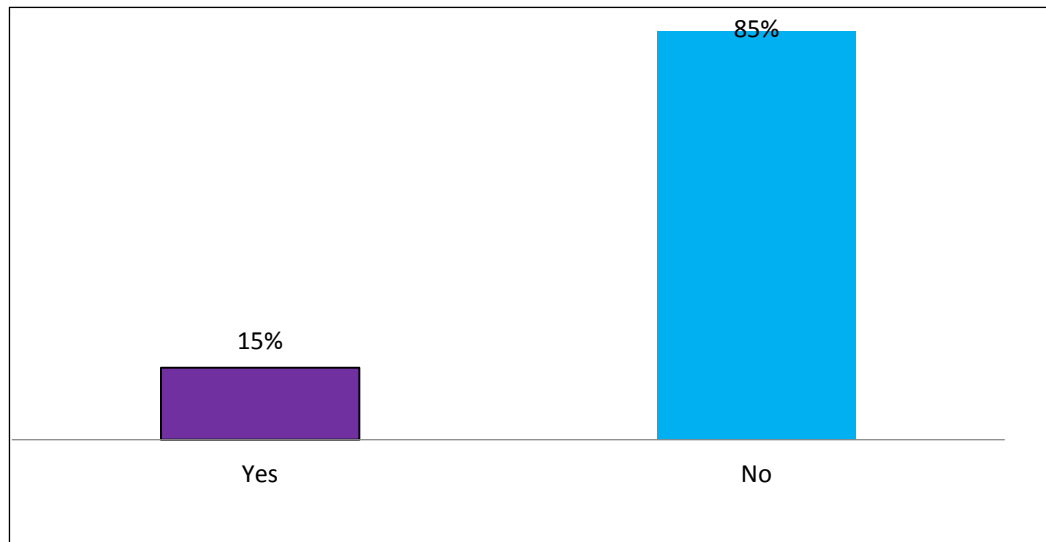


Figure 4.2 Drafting of Policy by South Sudan on Ilemi Triangle

Source: Researcher (2017)

As per the findings (85%) of respondents said South Sudan had not drafted policies on the Ilemi triangle while 15% were of the contrary opinion. This depicts that South Sudan does not have drafted policies on the Ilemi Triangle. In this respect, respondent D7 pointed out that:

“It is a known fact that the current claims to the territory by both Sudan and Kenya are both suspect due to lack of drafted policies by both countries”.

When policies are not put in place, it is often hard to realize cooperation in the sharing of resources. This is due to the fact that there is tendency to have policy gaps on how to ensure peaceful coexistence and interdependence as envisaged in the *Neoliberal Institutionalism Theory*.

First, it is claimed that Sudan as well as Britain acknowledged the Red Line to be mutually shared borderline must be authenticated. Be that as it may, Kenya would still

face hardship in stating why it chose the Blue Line in 1944 and subsequent of its recognition in 1947 as the official boundary line as it sits on Sudanese territory hence compromising their territorial integrity.²⁴⁶

Additionally, one-sided studies by Sudan call for clarification. Its outline of the Sudanese Patrol Line of 1950, located west of Blue Line, denies Kenyan and Ethiopian herders from utilizing fields and water west of the line and hereafter experts in Khartoum relinquished policing obligations east of the line. This could infer a 'quiet' regional admission to Kenya and Ethiopia for assets east of the Sudan Patrol Line yet the understanding of such activity under the global law is too late to the present study.²⁴⁷

South Sudan having gained independence on July 9th 2011 is the youngest nation in the world today.²⁴⁸ As such, it is a country which is still coming up in terms of policy making and decisions. The Ilemi Triangle has three markings which have set up well signifying where Kenya, South Sudan and Ethiopia meet. There have been disputes in the fullness of time concerning the Ilemi Triangle. Communities neighbouring one another clash over resources, they traverse border lines in search of food and water; others raid cattle from their neighbours.²⁴⁹ All of these have led to clashes between these groups of people; Turkana of Kenya, Merille of Ethiopia and Toposa of South Sudan, although all these ethnic communities came from same forbearer. South Sudan at one time it drafted a letter

²⁴⁶ Mwaura, P. (2005). *Kenya's claim over Sudan, Ethiopia border triangle precarious*. Khartoum: Sudan tribute.

²⁴⁷ Ibid.

²⁴⁸ Sophie, H., & Max, H. (2013). *South Sudan*. London: Bradt Travel Guides

²⁴⁹ Lokwei, I. (2012). *The Ilemi Triangle*. Youth Agenda Kenya.

to the United Nations (UN) Security Council in search of solutions to regain some areas of the Ilemi Triangle that juts into the Kenyan soil.²⁵⁰

South Sudan refutes this allegation terming it hateful allegation, but there is likelihood that current unearthing of oil in Turkana County sparked South Sudan's intention to disturb peace in the Ilemi Triangle. South Sudan worries that if oil discovery continues, then they will be seen to lose a lot of the oil resource from the underground wells in Turkana that are situated on the Lower side of the oil-table than the wells in South Sudan. They have intended to generate a dispute scenario as a method for South Sudan to gain time to discover and make more of the oil resource on their end prior to Kenya digging hers at Ngamia 1 and the diverse Blocks. Although the above argument was based on the belief that the dispute scenario will look into it that Kenya does not begin digging because it will be occupied in determining the dispute. However, this seemed to have been overtaken by events since Kenya has already begun drilling oil and was ready to export starting June, 2017.

4.9 Drafting of Policy by Ethiopia on Ilemi Triangle

The chapter sought to establish whether Ethiopia has drafted policy on the Ilemi Triangle. This was important as it would enable the researcher to identify whether Ethiopia had interests in the Ilemi triangle. The findings of the study were as shown below:

²⁵⁰ Ibid.

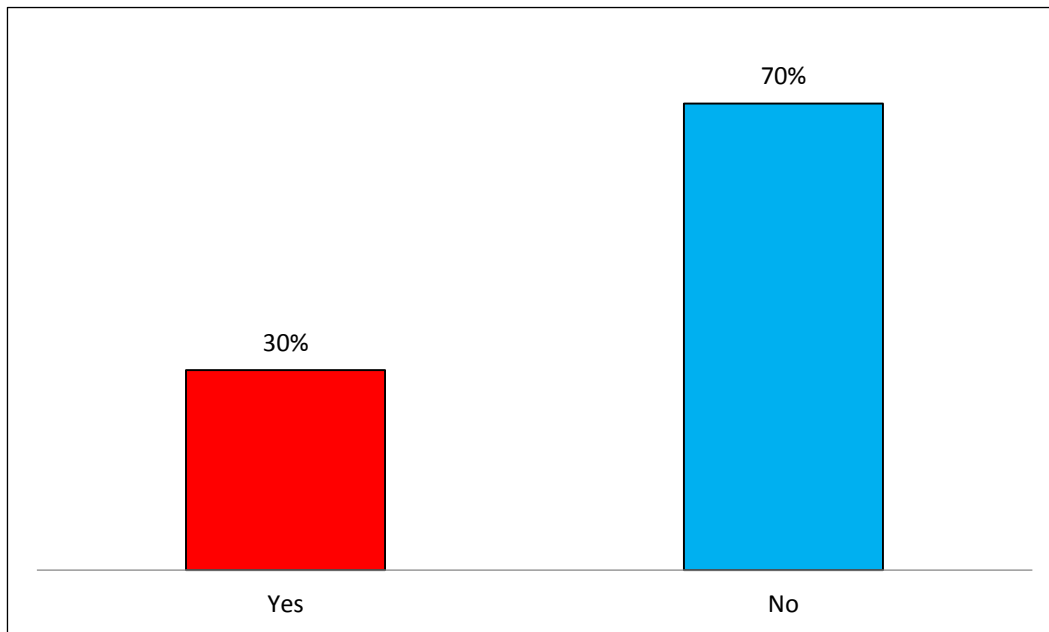


Figure 4.3 Drafting of Policy by Ethiopia on Ilemi Triangle

Source: Researcher (2017)

According to the findings, many respondents (70%) indicated that Ethiopia had not drafted policies on the Ilemi Triangle while 30% were of the contrary opinion. This depicts that Ethiopia does not have drafted policies on the Ilemi Triangle since it has never claimed ownership per se. This is explained by the argument that Ethiopia has not laid any claim to the Ilemi Triangle and in truth concurred that it belonged to Sudan in 1902, 1907, and 1972 settlements. Ethiopian head Menelik made a case for Lake Turkana and suggested a limit with British to keep running from southern tip of the lake eastbound to the Indian Ocean, which was moved northward when the British and Ethiopian governments marked an agreement.²⁵¹ In December 1907, Anglo-Ethiopian understanding bargain was marked amongst Ethiopia and British East Africa. In spite of

²⁵¹Parker, G. (1988). *The Military Revolution*. Cambridge: Cambridge University Press.

the fact that it was unclear on the exact points of interest of where the fringe was found, it unmistakably set the whole Ilemi on the Sudan's Ethiopia-Sudan border.

There are different types of policies, but of significance here is that of social policy. The social policy is intended to maximize the well-being of the people living around the Ilemi Triangle. This is exactly the role of the government. According to one scholar, William Beveridge, who stated that scarcity, poor physical condition, poor infrastructure, inadequate teaching and joblessness are the five social ills that afflict today's society.²⁵² For Beveridge, blocking these communal evils was a necessary piece of post-war rebuilding. Once there are services and policies in place to address the above social ills then it will bring tremendous change to the people.²⁵³

4.10 Comparative Analysis of Policy Priorities undertaken on Ilemi Triangle

This section compares the policy priorities undertaken by the three countries (Kenya, South Sudan and Ethiopia) on the Ilemi Triangle. A breakdown of the prioritized policies is presented in Figures 4.4

²⁵² Beveridge, W. (1995). *Power and influence*. Beechurst Press.

²⁵³ Beveridge, W. (1930). *Unemployment: A problem of industry*. Longmans: Green & Co.

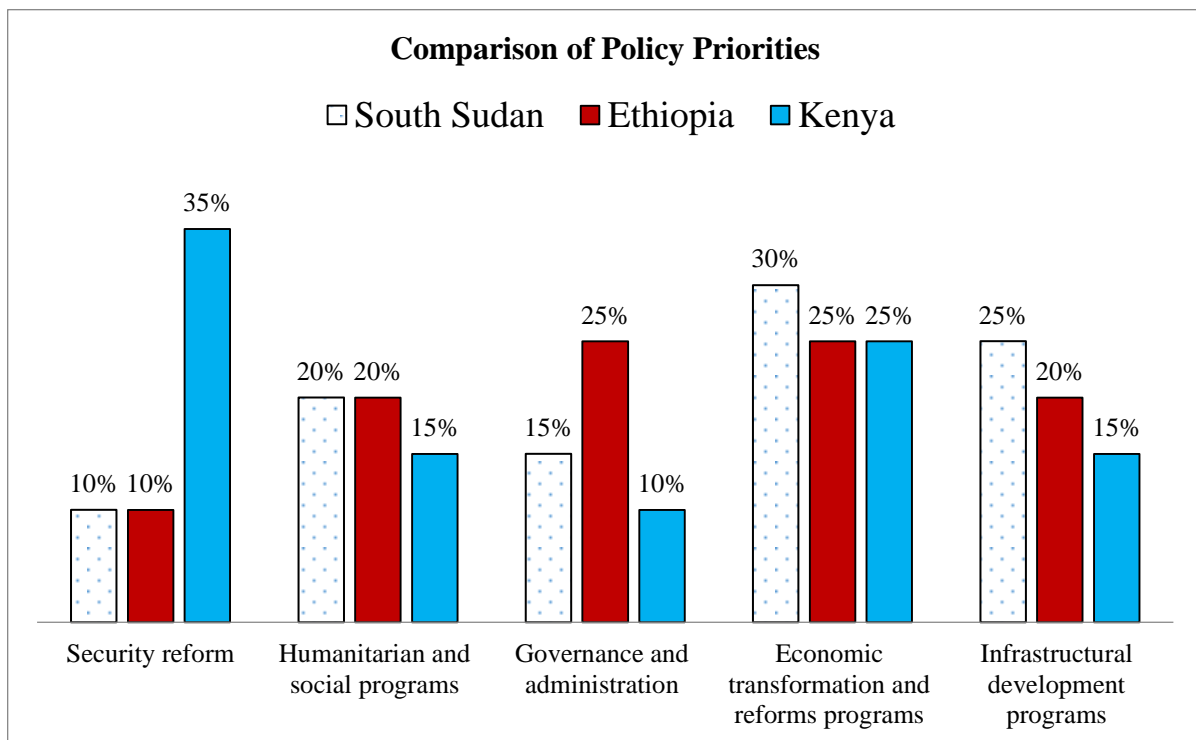


Figure 4.4 Augmented Comparisons of Policy Priorities

Source: Researcher (2017)

The findings obtained that the three countries had prioritized the five policy areas to various levels as presented in Figure 4.8. These findings show that the three countries had significantly different goals for the Ilemi Triangle.²⁵⁴ As such, it is important to understand why each country had prioritized each area (security reforms, humanitarian and social programmes, governance and administration, economic transformation and reform programmes and infrastructural development programmes) to various extents. The following section provides an item by item analysis of this prioritization.

²⁵⁴ Mix, T.L., & Shriver, T.E. (2007). *Neighbours, nuisances and noxious releases: Community, G. 1968. The Tragedy of the Commons. Science, 162 (3859), pp. 1243–1248.*

From the findings above 35% of respondents said Kenya has prioritized on security reform policies with regard to the Ilemi Triangle, 25% indicated economic transformation and reforms, 15% indicated humanitarian and social programmes and infrastructural development programmes policies respectively, while 10% indicated governance and administration. This shows that Kenya has prioritized on security reform policies including mediation with regard to the Ilemi Triangle. This is supported by the fact that Kenya belongs to a number of regional inter-governmental organizations which are instrumental in preservation of peace and stability in the region. They have been critical in conflict resolution and mediation between warring parties in the region.

The Intergovernmental Authority and Development (IGAD), which is a fundamental organization in peace and stability in the Great Lakes region has been in the forefront in stabilizing the war-torn South Sudan. The Kenya-led IGAD Process successfully mediated among the Government of Sudan (GOS) and the Sudan People's Liberation Army/Movement (SPLA/M). In this context the Kenya-led IGAD process was an institutional setup that was legitimately empowered to pursue peace in Sudan and ensure security of the region. The unfolding political events in the Greater Horn of Africa region enabled the Kenya-led IGAD process to succeed in the mediation process between SPLA/M and, the GOS a move that fosters confidence in the states that belong to the authority reducing conflict potentiality.²⁵⁵

²⁵⁵Obala L.M. (2012) *South Sudan and Kenya: The Relationships*, Al JazeeraCenter for Studies.

In the findings, 25% of the respondents felt that Ethiopia has prioritized on economic transformation and reforms programmes, and governance and administration with regard to the Ilemi Triangle respectively, 20% indicated humanitarian and social programmes and infrastructural development programmes respectively, while 10% indicated security reform. This indicates that Ethiopia has prioritized on economic transformation and reforms programmes on governance and administration with regard to the Ilemi Triangle respectively. This is supported by the facts that just like her neighbouring counterparts, Ethiopia foreign policy is anchored on the pillar of economic development, democratization and good governance through a way that is cognizant of the Ethiopian situation, identifying the prime doctrine of unity in diversity as well as the urge of accommodating one another and tolerance.²⁵⁶

Ethiopians claim on the Ilemi Triangle dates back the colonial days when imperialists demarcated international boundaries. Although the Dassanech of Ethiopia claims to the indigenous inhabitants of the Ilemi Triangle, recently there have been sporadic conflicts between the Dassanech of Ethiopia and Turkana of Kenya on the Ethiopian side. Ethiopian Dassanech elders have held peace meetings with their Kenyan counterparts to arbitrate on the ongoing conflict, while at the national level; the Kenya-Ethiopia Joint Border Commission has made efforts to de-escalate conflict through peaceful conflict resolution measures. These include preventing livestock raids, requiring the return of stolen livestock and promoting peace-making between the hostile pastoral groups. Other measures include: state to state cooperation on major development projects.

²⁵⁶ MoF. (2014). *International relations: the principals of Ethiopia's foreign policy*. Addis Ababa: Government of Ethiopia

In this accord, respondent D8 pointed out that:

“There are instances of state cooperation between Kenya, South Sudan and Ethiopia among security agencies in the bid to address cross-border conflicts among pastoral groups. This is usually supposed to bring peace and coexistence.”

The findings agree with the *Neoliberal Institutionalism Theory* that posits that interdependence (as in the case of collaborating in enforcing peace) in the Ilemi Triangle by peace agencies brings peace. In this context, it becomes easy to address the negative effects of sharing resources as interdependence and peaceful coexistence are mainstreamed. On one hand Kenya and Ethiopia are engaged in the LAPPSET project which is a communication line starting from Lamu Port all the way to Ethiopia and South Sudan.²⁵⁷ On the other hand, there is the renaissance dam on Blue Nile where Ethiopia has agreed to supply with electricity generated from this dam. Such development cooperation is in line with argument with zero sum game where each country strives to maximize benefits from regional relations. This is expected to reduce tension between Kenya and Ethiopia leading to an amicable resolution

30% of the respondents felt that South Sudan has prioritized on Economic transformation and reforms programmes with regard to the Ilemi Triangle respectively, 25% indicated infrastructural development programmes, 20% indicated humanitarian and social programmes, 15% indicated governance and administration, while 10% indicated security reform. This depicts that South Sudan has prioritized on economic transformation and

²⁵⁷ Government Communication Affairs Office –GCAO. (2012). *Ethiopia’s Foreign Policy and its Achievement*. Addis Ababa. GCAO

reforms programmes with regard to the Ilemi Triangle respectively. The soil as well as weather patterns there, make it possible for many crops to flourish.²⁵⁸

These findings are supported by respondent D16 who posits that:

“South Sudan has many economic reform programmes with regard to the Ilemi Triangle. They have plans to implement infrastructural development, governance, social and security reforms among others.”

The push for governance reforms in the area can institute “democratic ways” of resolving conflicts among pastoral communities in South Sudan as postulated by the *Neoliberal Institutionalism Theory*. Literature goes on to show that more than 80% of the populace get their business from subsistence agribusiness cultivating and keeping domesticated animals. Around 78% of family units rely upon vegetable cultivating or creature farming as their essential wellspring of vocation.²⁵⁹ Farming constitutes around 33% of the nation's GDP utilizing evaluated 67% of the populace.²⁶⁰ A complete and harmonizing method that includes spending in areas both at home and nationwide stage to develop farming and maintain the living standards of different groups of people particularly susceptible human female and young human beings, will stand for the initial pace to conquer food shortage in the country.

In addition, since conflict can be termed as a cause and an effect of under-development that has an impact on food security, it is important to involve conflict interventions in any livelihood programmes on the ground and vice versa. Deliberate efforts have to be made

²⁵⁸ Waithaka, E., & Maluki, P. (2015). Emerging Dimensions of the Geopolitics of the Horn of Africa, *International Journal of Science Arts and Commerce*.

²⁵⁹ FAO. (2008). *Food Security and Livelihoods Interventions in Southern Sudan*. Food and Agricultural Foundation. July 2008

²⁶⁰ Ibid.

to include developing infrastructure, water and pasture that trigger war. Similarly, peace-building initiatives backed up by constant monitoring of the situation so as to identify and handle security issues can greatly reduce tensions and to allow for productive economic engagements to reduce poverty and food insecurity in the region.

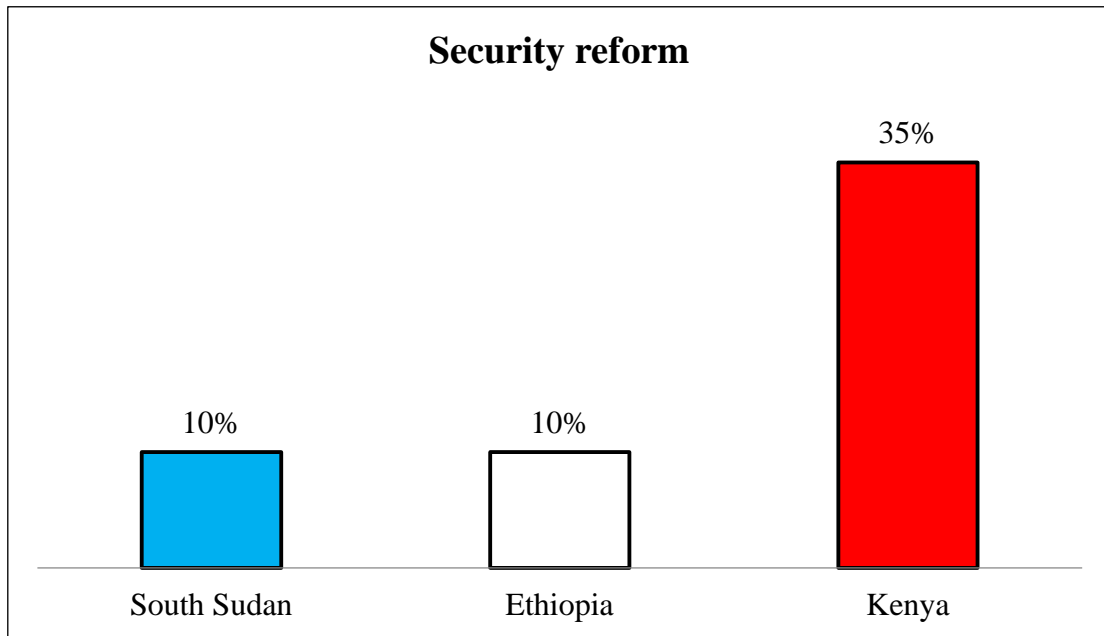


Figure 4.5 Comparisons on Security Reform Policies

Source: Researcher (2017)

The findings show that comparatively, Kenya had the highest emphasis on security reforms on the Ilemi Triangle (35%) as opposed to South Sudan each at 10% against the other policy areas. This shows that Kenya has prioritized on security reform policies including mediation²⁶¹ with regard to the Ilemi Triangle. This is supported by the fact that Kenya belongs to a number of regional inter-governmental organizations which are instrumental in preservation of peace and stability in the region. They have been critical

²⁶¹ Charter of the United Nations and statute of the International Court of Justice. 1945. SAN FRANCISCO.

in conflict resolution and mediation between warring parties in the region.²⁶² In addition, and as shown by existing literature, the Kenya's foreign policy is inclusive of respect for each state's sovereignty and territorial integrity and maintenance of her national security and sovereignty.²⁶³ To this end, Kenya had undertaken numerous strategies aimed at augmenting security.

These preceding findings are further supported by respondent D7 who posited that:

“Kenya belongs to a number of regional inter-governmental organizations which are instrumental in preservation of peace and stability in the region. This has enhanced and strengthened her capacity to deal with conflicts between warring parties in the region.”

These findings corroborate the *Neoliberal Institutionalism Theory* which posits that liberal states are peaceful to each other and cooperate in many ways to avert war. This is in line with the current study which argues that Kenya is party to joint mechanisms aimed at conflict resolution in the HOA region. These findings also show the century old efforts, since colonial days, of ensuring security in Kenya's northern frontier. According to existing literature, the Kenyan colonial masters set up an administrative borderline related to Anglo-Ethiopian Treaty of 1907 as a yardstick of catering for Turkana's ancestral pasture fields within Kenya and offering the Turkana's protection against Ethiopia's cattle rustlers and Sudanese militia.²⁶⁴ This shows that security in the area has been of major security concern to Kenya than her two neighbours in the region.

²⁶² Siefulaziz, M. (2004). *Baseline study for the Ethiopian side of the karamoja cluster*. Addis Ababa: National Institute Research for Ethiopia

²⁶³ Khadiagala M., & Terrence, L. (2013). *African Foreign Policies. Power and Process*. London: Lynne Rienner

²⁶⁴ Peter, M. (2005). *Kenya's claim over Sudan, Ethiopia border triangle precarious*. Nairobi: Daily Nation.

The findings further corroborate secondary data that shows that Kenya's northern frontier, which includes the Ilemi Triangle, has seen decades of cross border skirmishes, cattle rustling and proliferation of small arms.²⁶⁵ This has led to serious concerns by the national government on how to best contain insecurity in the region. Resolution of chronic insecurity in the region could enhance better resource management and this could come with unparalleled economic benefits. As such, having sufficient security policies can safeguard Kenya from the challenges associated with insecurity in the region.

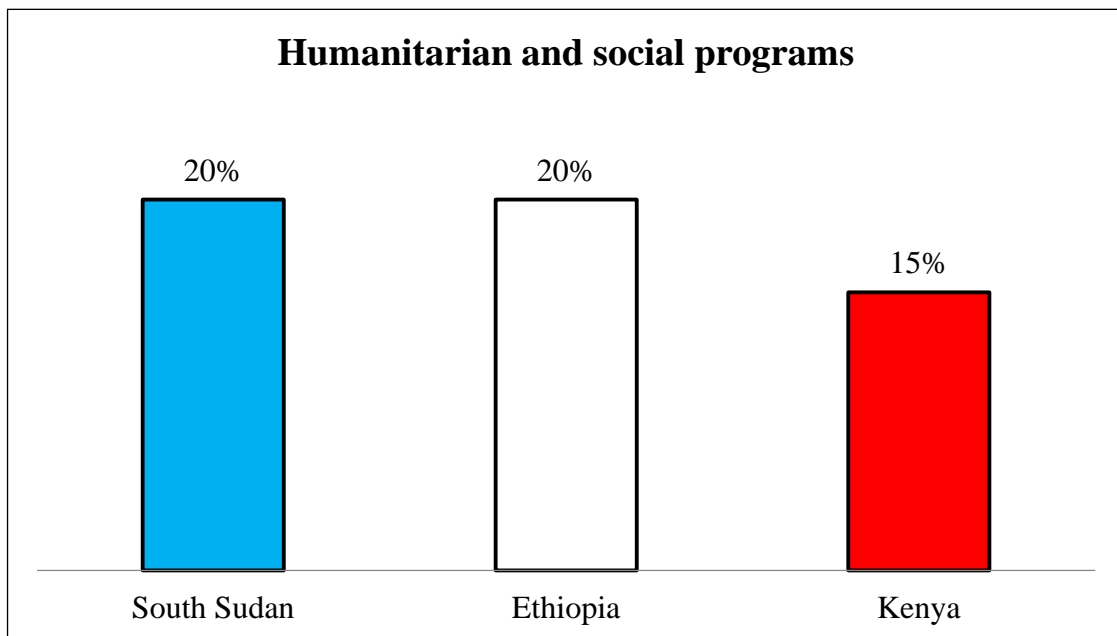


Figure 4.6 Comparisons on Humanitarian and Social Programmes

Source: Researcher (2017)

The findings show that Sudan and Ethiopia (Each at 20%) had undertaken more humanitarian and social programmes in Ilemi Triangle in comparison to Kenya's 15%. This shows that the two countries were utilizing more resources in ensuring that the lives of the inhabitants of the area (in their own quarters of the Triangle) were taken care of

²⁶⁵ Amutabi, M.N., & Were, E.M. (2000). *Nationalism and Democracy for People-Centered Development in Africa*. Eldoret, Kenya: Moi University Press.

as opposed to Kenya. The corroborate findings show that there have been decades old marginalization of the region by successive Kenyan Governments.²⁶⁶ These findings are supported by respondent D14 who posited that:

“Decades and decades of state condoned marginalization of the so considered “low potential districts” (which includes the Ilemi Triangle) led to impoverishment of the inhabitants of the Northern Kenya”

This could thwart peaceful coexistence of people in an otherwise liberal country like Kenya as envisaged by the *Neoliberal Institutionalism Theory*. The areas around the Ilemi Triangle were considered closed during colonial times. It was inaccessible to many other people for one had to obtain a permit from the colonial government to travel there. As such, only few persons, usually government officials and missionaries, could access the area. After independence, things did not change. Inaccessibility continued, leading to immense marginalization of the area.²⁶⁷

In Ethiopia, although to a lesser extent, marginalization could be exhibited in the Dassanech pastoral economy whereby in late decades, intense outer political and financial powers, have constrained the larger part of Dassanech to migrate to regions along Omo River and its dynamic delta and surroundings along northeastern shores of Kenya's Lake Turkana as Gibe III dam was being constructed.²⁶⁸

²⁶⁶ McCabe, J.M. (2004). *Cattle bring us to our enemies. Turkana ecology, politics, and raiding in a disequilibrium system*. Michigan: University of Michigan press

²⁶⁷ Ibid.

²⁶⁸ Carr, C.J. (2012). *Humanitarian catastrophe and regional armed conflict brewing in the border region of Ethiopia, Kenya and South Sudan: The proposed Gibe III Dam in Ethiopia*. Africa Resources Working Group (ARWG), p. 250

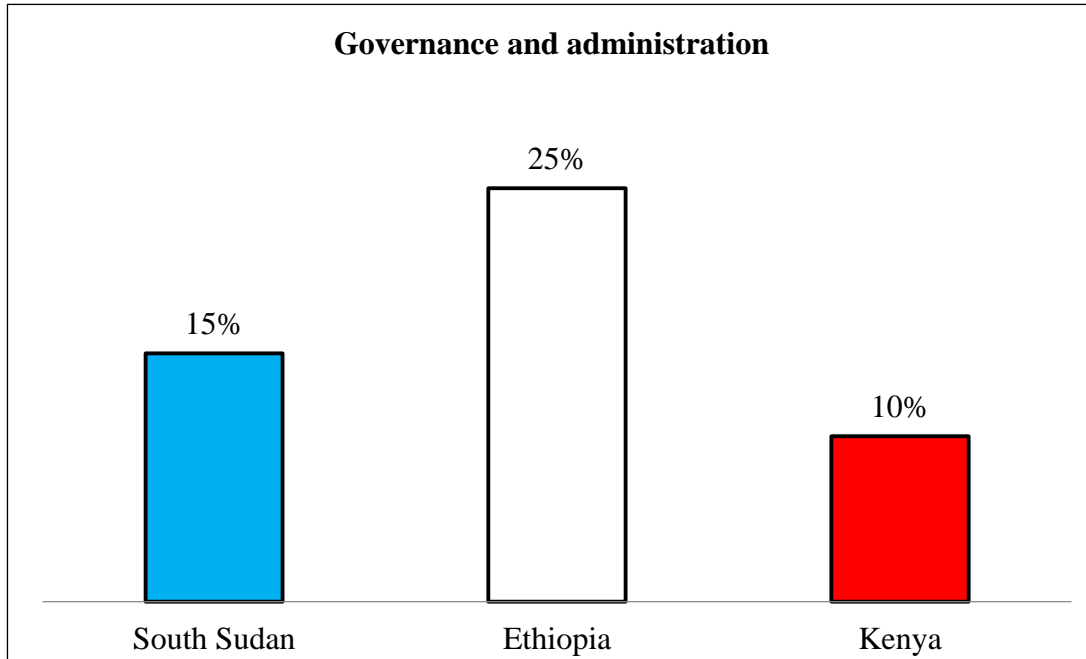


Figure 4.7 Comparisons on Governance and Administration Policy Priorities

Source: Researcher (2017)

The findings show that Ethiopia had the highest level of prioritization of policies on governance and administration (25%). This was followed by South Sudan (15%) and Kenya (being least) at 10%. The findings show more prioritization of governance and administration policies in its southern districts including the land occupied by the Dasanech and the Oromo.²⁶⁹

On its part, South Sudan faces serious governance challenges that impends its ability to meet the aspirations of its citizen. The local populace suffered because of this which led

²⁶⁹ Ibid.

to their compulsory dislocation and loss of living means.²⁷⁰ In the same light, respondent D16 had this to say:

“There is conflict in South Sudan. This is fueled by poor governance and the inability of the government to ensure that the aspirations of all citizens in the country are met. In some cases, conflict and the inability of the government to provide peace has led to dislocation of people. This has left them poor and bitter.”

The fact that South Sudan has not been able to maximally secure peace in conflict zones has caused grave consequences in the sharing of resources. In the wake of the inability of the government to secure peace for all, it is hard to realize interdependence in the sharing of resources as postulated by the *Neoliberal Institutionalism Theory*.

The fact that Kenya has no strong policy priorities on governance and administration on the Ilemi Triangle is attributable to perpetual marginalization of its northern frontier areas since pre-colonial times.²⁷¹ The trend is however changing with the promulgation of the new Constitution 2010. Poor governance measures in the area leaves it vulnerable to armed conflicts during cattle rusting and gunrunning endeavors as small and light weapons exchange hands in the expansive and arid area. Furthermore, the inability of the national security agencies to adequately police the area means that insecurity, often backed with poor policies, remains to be a major challenge in the area.²⁷²

²⁷⁰Yager T.R. (2015). *The Mineral Industry of South Sudan*, 2013 Minerals Book, U s Geological Survey.

²⁷¹ McCabe, J.M. (2004). *Cattle bring us to our enemies. Turkana ecology, politics, and raiding in a disequilibrium system*. Michigan: University of Michigan press

²⁷²Mburu, N. (2003). *Delimitation of elastic Ilemi triangle. Pastoral conflict and official indifference in the horn of Africa. African Studies Quarterly*, The Online Journal for African Studies, Spring.

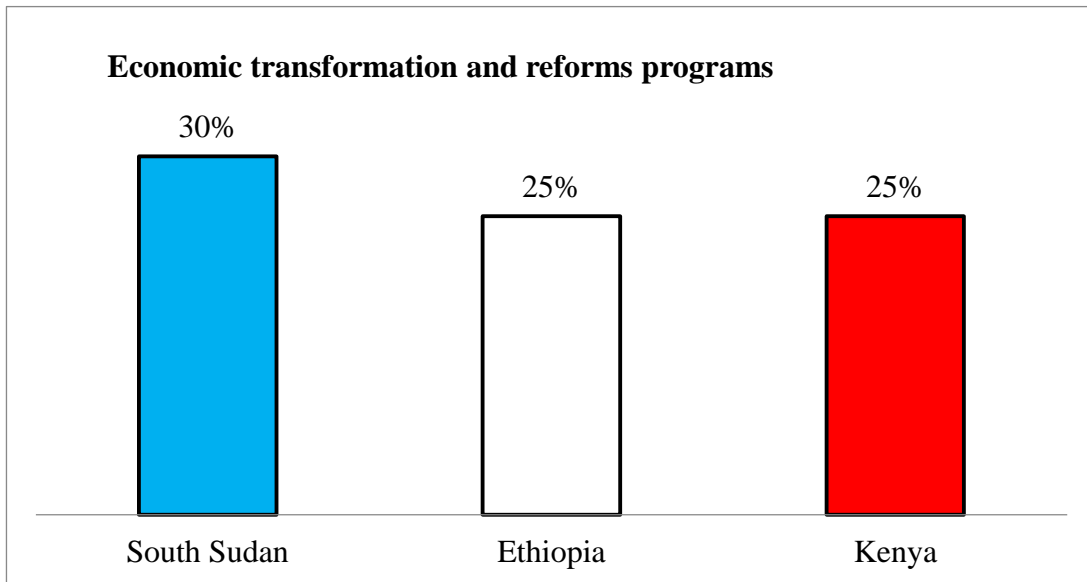


Figure 4.8 Comparisons on Economic Transformation and Reforms Programmes

Source: Researcher (2017)

The findings obtained show that South Sudan (30%) had prioritized economic transformation and reform programmes in the areas more than Kenya and Ethiopia each at 25%. This prioritization of the economic reforms by South Sudan is enhanced by the fact that the country lays claim to Ilemi since its Toposa ethnic community roams the region in search for dry season pasture and water for their livestock. In addition, the discovery of oil deposits in the Ilemi Triangle has made the country to come up with policies aimed at developing the area.²⁷³ In the same light, respondent D6 posited that:

“Now that there are oil prospects around the Ilemi Triangle, the government of South Sudan is coming up with robust plans to ensure the economic development of the south of the country as it eyes the possible economic benefits that come with oil.”

²⁷³ Mburu, N. (2003). *Delimitation of elastic Ilemi triangle. Pastoral conflict and official indifference in the horn of Africa*. African Studies Quarterly, The Online Journal for African Studies, Spring

The economic boom expected with state sponsored development of the southern region could foster peace in the region, leading to reduction of conflict over resources in the area through dialogue and democratic processes as postulated by the *Neoliberal Institutionalism Theory* that emphasizes on commitment to democratic forms of government where interdependence breeds peace. This is particularly so since economic development averts conflicts.²⁷⁴

In addition, and as shown by available literature, the fact that South Sudan's 90% estimated 640,000 square kilometers of land in the Ilemi Triangle is taken as suitable for farming of which 50% is under farming.

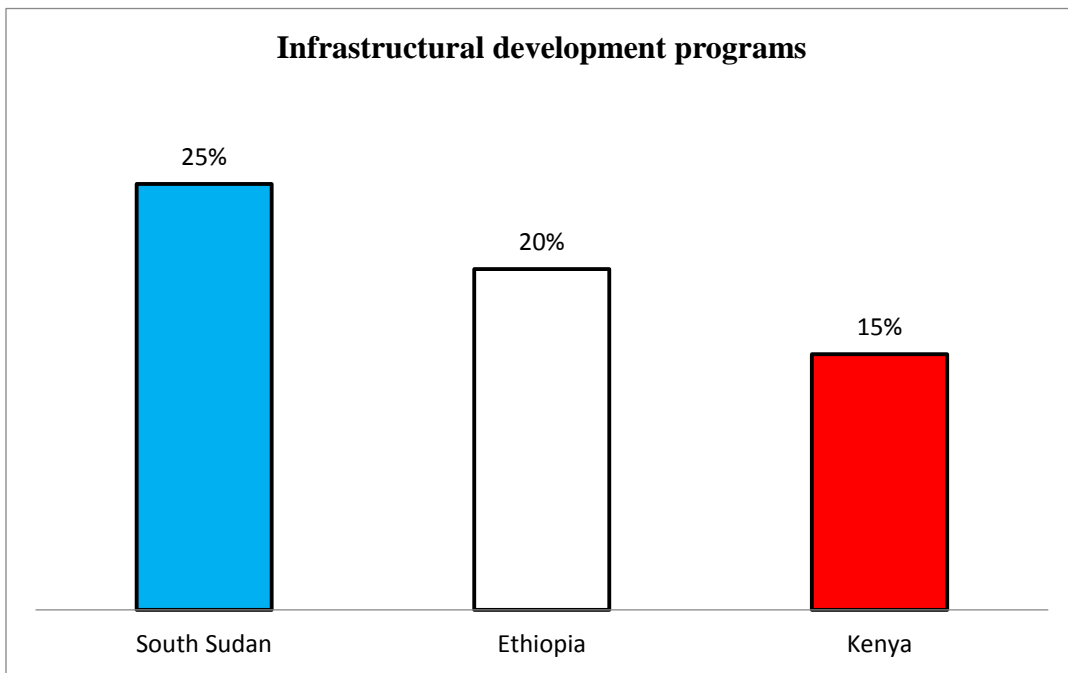


Figure 4.9 Comparisons on Infrastructural development programmes

Source: Researcher (2017)

²⁷⁴ Piketty, T. (2014). *Capital in the Twenty-First Century*. Cambridge, MA: Harvard Univ. Press

The findings show that South Sudan had the highest priorities on infrastructural development programmes in Ilemi triangle. This can be supported by the fact that since independence the country has enabled its people to consider its resources and resolve long standing border issues. In this regard, South Sudan has infrastructural development priorities for the Ilemi Triangle since it considers the area to have immense potentials for interstate trade and infrastructural development among other benefits. On one hand Kenya and Ethiopia are engaged in the LAPPSET project which is a communication line starting from the Lamu Port all the way to Ethiopia and South Sudan.²⁷⁵ This project is expected to immensely open up the area to further development.

4.11 Chapter Summary

The chapter highlights some of the negative effects that arise over shared resources in the Horn of Africa. Thereafter, analyses of the triggers of such negative effects in the region and the broad strategies that are used by these countries in addressing these negative effects undertaken. Lastly, the policies, as key strategies, that could be harnessed in addressing negative effects of shared resources in the Ilemi Triangle were assessed.

From the findings obtained in this study, it is apparent that the shared resources in the Horn of Africa had potential to breed conflict. The respondents strongly agreed that oil prospects; rich grazing grounds; underground water and; high agricultural potential were economic interests that caused conflict. This chapter went on to investigate the level to which selected political interests had led to rivalry among bordering states. From the findings obtained, it is evident that numerous negative effects arose in the bid to secure

²⁷⁵ Government Communication Affairs Office –GCAO. (2012). *Ethiopia's Foreign Policy and its Achievement*. Addis Ababa. GCAO

territorial sovereignty, push for use of the resources in interstate trade and pursuit of land for infrastructural development.

The study also found out that some of the negative effects of shared resources in the Ilemi Triangle were triggered by security concerns. Respondents pointed out the shared resources at the region led to cross border cattle rustling and proliferation of small arms. Cattle raiding has been an important feature of Turkana, Ilemi Triangle and its neighboring regions. The main reason of raiding in the region has been has been for restocking purposes, access for water resources as well as expansion into new grazing areas. This makes security in the region of utmost importance to the nations bordering the Ilemi Triangle.

The Triangle had for decades been subject to the proliferation of modern weapons. The proliferation and influx of modern weaponry has been enhanced by armed conflicts in Uganda, Ethiopia, the former Sudan and Somalia. This has seen the shift from bows and arrows, to sophisticated weapons such as *Kalashnikovs* (AK-47) and other automatic weapons.²⁷⁶ Furthermore, influence from local politicians in Kenya has made it hard to curb cross border skirmishes in the region.

The researcher sought to determine the strategies that were used to address the negative effects of shared resources in the Horn of Africa. To this end, the respondents were asked a number of questions regarding the strategies that were used in managing the various

²⁷⁶Triche, R. (2015). *Pastoral conflict in Kenya: Transforming mimetic violence to mimetic blessings between Turkana and Pokot communities*. African Journal on Conflict Resolution, 14(2), 81-101.

shared resources in the region. The findings obtained show that States in the Horn of African were using various strategies within the process of addressing the negative effects of shared resources. These included strategies such as agreements i.e. Nile Waters Agreement, NBI & TECCONILE; Cooperative Agreement for shared Utilization of Resources; Collaborative Interstate Security Initiatives and Interstate Diplomacy.

The chapter went on to find out what strategies were employed by Kenya, South Sudan and Ethiopia in addressing the negative effects of shared resources. From the major findings (80%) of the respondents indicated that Kenya had not drafted policies on the Ilemi Triangle while 20% were of the contrary opinion. This is supported by the fact that Kenya's continued use of the territory is clouded in bureaucratic red tape and conspiracy theories and lack of appropriate drafted policy.

On South Sudan, the majority (85%) of the respondents indicated that South Sudan had not drafted policies on the Ilemi Triangle while 15% were of the contrary opinion. This depicts that South Sudan does not have drafted policies on the Ilemi triangle. This is supported by the fact that the existing claims to the territory by both South Sudan and Kenya lack integrity due to lack of drafted policies by both countries.

As far as Ethiopia was concerned, majority (70%) of the respondents indicated that Ethiopia had not drafted policies on the Ilemi Triangle while 30% were of the contrary opinion. This depicts that Ethiopia does not have drafted policies on the Ilemi Triangle since it has never claimed ownership per se. This is explained by the argument that

Ethiopian government does not lay any claims to the Triangle and through the 1902 to 1972 treaties, agrees that it is squarely in Sudanese territory.

The findings obtained indicate that the three countries had prioritized the five policy areas to various levels. These findings show that the three countries had significantly different goals for the Ilemi Triangle.²⁷⁷ As such, it is important to understand why each country had prioritized each area (security reforms, humanitarian and social programmes, governance and administration, economic transformation and reform programmes and infrastructural development programmes) to various extents in enhancing cooperation between states on shared resources.

In the next chapter we examine competing interests on the Ilemi Triangle and state cooperation in the HOA. In this regard, the chapter will address Kenya's interest towards the disputed Ilemi Triangle and the reasons why South Sudan claims ownership over the Triangle as well explore what drives Ethiopia's interest over the disputed region. Furthermore, the chapter will analyze areas of cooperation in the region as well as the negative implications resulting from sharing resources in the area.

²⁷⁷ Mix, T.L., & Shriver, T.E.(2007). *Neighbours, nuisances and noxious releases: Community*.1968. The Tragedy of the Commons. Science, 162 (3859), pp. 1243–1248

CHAPTER FIVE

COMPETING INTERESTS ON ILEMI TRIANGLE AND STATE

COOPERATION IN THE HORN OF AFRICA

5.1 Introduction

This chapter examines the country's competing interests on the Ilemi Triangle and areas of cooperation that have shaped inter-state relations in the Horn of Africa. The chapter specifically addresses Kenya's interest towards the disputed Ilemi Triangle and the reasons why South Sudan claims ownership over the Triangle. It also explores what drives Ethiopia's interest over the disputed region. Whereas, there are vested national interests over Ilemi, states in this region have cooperated in a number of areas for their mutual benefit. First, the chapter will offer a detailed discussion on how these interests compete both positively and negatively. Secondly, it will analyze areas of cooperation and thirdly, it will explore the negative implications resulting from sharing the disputed area.

5.2 Kenya's Interest on Ilemi Triangle

5.2.1 Political interest

Kenya has the *de facto* administration of the Ilemi Triangle. This stems from the controversial wording of the 1914 Treaty which had tried the movement of Turkana community into the area with their livestock.²⁷⁸ The Ilemi Triangle is a piece of arid hilly terrain inhabited by the Turkana from the Kenyan side who regard its boreholes and grass during drought essential for their survival and worth fighting for. The nomadic Turkana

²⁷⁸ Collins, R.O. (2005). *The Ilemi Triangle*. Annales d'Ethiopie. Vol.20 p.5-12

move back and forth in the Ilemi Triangle between Kenya and South Sudan in a transhumance process where they graze and trade with their Didinga, Nyangatom and Toposa from South Sudan as well as the Dassanech from Ethiopia.²⁷⁹ The first interest of Kenya towards the control over the Ilemi Triangle has been the need to protect the Turkana People from raids orchestrated by other nomadic communities who frequently clash over traditional grazing lands as well as cultural practices commonly known as *razzia* where young warriors raid other communities to replenish their livestock and improve their wealth through cross-breeding with raided livestock. This is reiterated by respondent D14 who had this to say:

“Cultural tendencies and the pursuit for water and pasture has often led to conflict between the Turkana people and the surrounding people, with neighbours often attacking neighbours in the bid to replenish their livestock supplies.”

Kenya’s political interest regarding the Ilemi Triangle is primarily driven by the need to assert her regional power over the neighbouring states, as exhibited by the political exchanges between Kenya’s retired President Daniel arap Moi and the late SPLM leader John Garang. Top on the political agenda between these two leaders was the independence of South Sudan which Kenya was to broker through mediation in exchange for the “unwanted” territory. After 1926, the Kenyan colonial authorities established an administrative boundary that did not coincide with the Anglo-Ethiopian Treaty of 1907 as a measure of accommodating Turkana’s ancestral grazing area within Kenya. Therefore, Kenya could have included the Ilemi Triangle in her official maps for prestige and control.

²⁷⁹ Ibid.

5.2.2 Security interest

The need to protect Turkana by Kenyan government arose from the Kitgum Convention of April 1924 attended by representatives from Kenya and Uganda which looked into the perennial border problem that would later lead to modification of the frontier. The representatives from Kenya and Uganda persuaded those from Sudan to cede the territory to either Kenya or Uganda by redrawing the borderline to encompass the northern end of the grazing fields of Turkana. Either country to which the territory would be ceded would enable it provide protection to Turkanas. In 1928, Kenya was granted leave by Sudan to deploy military units at their now redrawn border point in Lokitaung which lies across the 1914 line so as to guard the Turkanas during the dry season against the armed Dassanech from Ethiopia and Nyangatom raiders.²⁸⁰ In the same light, respondent D8 had this to say:

“The persistent need for security has seen the Kenyan government deploy security units along their common border with Sudan, now South Sudan. This has been necessitated by Kenya’s need to secure its borders in the wake of intermittent armed conflict among the Turkana’s and other pastoral communities across the border.”

According to Nene Mburu, Turkanas live in both South of Sudan and North of Kenya and their livelihood is multi-resource cattle keeping which involves pastoralism, fishing, commerce, gathering, and raiding.²⁸¹ Pastures for their livestock are only found in Ilemi where they graze their cattle for approximately eight months annually. Kenya protects the Ilemi Triangle probably for it qualifies as a pastoral region par excellence which gives good grass for Turkana cattle grazing. This is confirmed by the 1978 Kenya’s unilateral and public administration of Ilemi in regard to Turkana grazing line of 1938 (Wakefield

²⁸⁰ Mburu, N. (2009). *Delimitation of the Elastic Ilemi Triangle: Pastoral Conflicts and Official Indifference in the Horn of Africa*. Vol. 7 No.1. African Studies Quarterly

²⁸¹ Ibid.

Line) which marked the Kenya Sudan international boundary.²⁸² The need to protect the Turkana from their regional rivals and affirm territoriality with the three Horn of Africa states constitutes a rational state-centric interest which defines Kenya's interest in the Ilemi Triangle. The rational state centric interests are pursued in an anarchic international order void of any supreme authority. The need to create institutions to manage the border lines and international boundaries is the basis upon which joint conventions like the one in Kitgum was established conforming to the *Neoliberal Institutionalism Theory* dictum.

5.2.3 Economic interest

The discovery of commercially viable oil deposits in Turkana County by a British Oil exploration company Tullow placed Kenya's interest on controlling the Ilemi Triangle at a higher value than before. The former Kenyan President Mwai Kibaki announced that Tullow Oil had discovered commercial oil deposits in Kenya's Ngamia 1 within Turkana County on 26th March 2012.²⁸³ The chief basin in Turkana on its own, holds more than 600 million barrels of oil as per the UK-based working organization Tullow Oil.²⁸⁴ The economic value has been affirmed and Tullow's investigation executive infers that "northern Kenya can possibly turn into a noteworthy new hydrocarbon region."²⁸⁵

²⁸² Collins, R.O. (2005). *Civil War and Revolution in the Sudan; essays on the Southern Sudan and Darfur: 1962-2004*. Amsterdam: Tsehai Publishers

²⁸³ Nsehe, M. (2012). *Kenya Strikes Oil for the First Time*. Forbes: Jersey City.

²⁸⁴ Tullow Kenya. (2014). *Operational Update*. Available at: <http://www.tulloil.com/index.asp?pageid=137>. Accessed on 23/10/2017

²⁸⁵ Ibid.

The commercial viability of oil found in Kenya could achieve 100 000 barrels a day.²⁸⁶ How quick Kenya will turn into an oil exporter will likewise rely upon the oil pipeline, proposed to keep running over a separation of 850 km slicing through the nation from Turkana to an oceanic terminal in Lamu, situated at the shoreline of southeast Kenya.²⁸⁷ The pipeline will be a piece of an immense foundation venture called LAPSSET (Lamu Port– South Sudan– Ethiopia Transport). The goal of LAPSSET is to attach South Sudan and Ethiopia with Kenya's drift through railroads, highways, and oil pipelines. This is one area of cooperation among the three Horn of African states which brings them on development course with mutual benefit for each partner state. The cooperation of the three Horn of African states under the LAPSSET project for economic development follows the dictates of the *Neoliberal Institutionalism Theory* of supra-national bodies.

Kenya is categorized as a low income economy aiming to achieve middle income status by the year 2030. According to Kenya's Economic Survey 2017, the GDP per capita in Kenya averaged \$ 2925 per Annum.²⁸⁸ The country is mainly an agricultural based economy and a net importer of petroleum and petroleum products which account for over 24 per cent of the total import bill. The discovery of commercially viable oil deposits is set to catalyze the economic growth and place the country in oil-producing league and development path. The commercial manufacture of oil in Kenya could achieve 100, 000 barrels a day.²⁸⁹ The legislatures of Kenya and Uganda as of late settled on a pipeline to

²⁸⁶Standard media. (2015). Kenya could export Crude Oil next year. Available at [www.standardmedia.co.ke>business](http://www.standardmedia.co.ke/business) Accessed on 2/12/2017

²⁸⁷ Ibid.

²⁸⁸ KeNBS. (2017). *Economic Survey 2017*. Nairobi: Government Printer

²⁸⁹ Tullow ,supra Note

transport oil from Albertine, Uganda, to Lokichar. The pipeline, whose construction will be completed in 2020, is assessed to cost KSH 400 billion / USD 4.8 billion.²⁹⁰

The economic potential of the Ilemi Triangle is held by respondent D14 who pointed out that:

“Oil resources in the Ilemi Triangle can boost the economic activities of Kenya. This means more money for the country. It could also grow the economy of the country and lead to development of infrastructure in the country.”

The researcher sought to establish if Kenya had drafted any policy strategy for specifically addressing the economic endowment of the Ilemi Triangle. The findings reveal a rather optimistic picture of a country determined in the economic exploitation of the Ilemi Triangle where 75.8 % of the respondents indicated that Kenya had drafted a policy strategy aimed at harnessing the economic potential of the Ilemi Triangle. Contrasting the claim by the majority were another 14.2 % indicated that Kenya had not drafted any policy for engaging the economic potential of the Ilemi Triangle while 10.0 % of the respondents indicated that they were not aware or rather declined to respond.

Notably, the LAPSSET project which is jointly undertaken by Kenya, South Sudan and Ethiopia constitute the major policy strategy by the Republic of Kenya in relating with the historically marginalized Ilemi Triangle probably to exploit the oil and water resources available in the region. The construction of an Oil pipeline from Lokichar area in Turkana County to Lamu in the coastal city of Kenya, was halted by Ugandan

²⁹⁰ LAPSSET. (2015). *Kenya and Uganda strike deal on route for sh400bn Oil pipeline*. Available at <http://www.lapsset.go.ke.newscast/pages> Accessed on 23rd 10/2017

government citing security and cost concerns in Kenyan territory.²⁹¹ Although Uganda preferred Tanzanian territory for her 2020 Oil exports, Kenya is set to construct her own pipeline from the production sites in the Ilemi Triangle to the coastal port of Lamu. The figure below shows the perceptions of respondents.

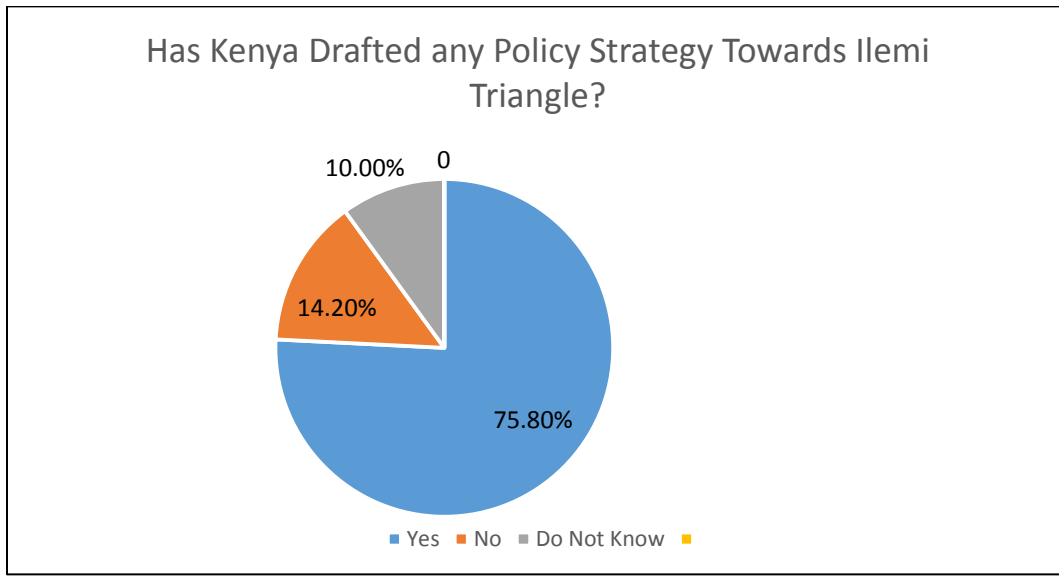


Figure 5.1 Respondents Perceptions on the Kenya’s Policy towards Ilemi Triangle

Source, Field Data, 2017

The location of the oil discovery lies at close proximity to the Ilemi Triangle and the Kenyan government plans to use Lokichar in Turkana as the hub of the oil project. The discovery of oil deposits has the potential to ignite resource fueled conflicts as states and non-state actors compete to exploit and benefit from natural resources as witnessed in some parts of the African continent. There are several studies exploring the effects of oil exploitation on communities, although none has been done on pastoralists. For instance in Nigeria, the detrimental effects of oil exploitation on the environment and the communities are well studied, while in Angola, oil exploration did not lead to rural

²⁹¹ The Guardian. (2017). *Uganda chooses Tanzania over Kenya for Oil pipeline route*. Available at www.amp.theguardian.com. Accessed on 28/10/2017

development but rather created conflicts and caused bloodshed.²⁹² The previous studies have documented that the presence of oil in the African continent has been accompanied by protracted intra-state as well as inter-state conflicts, making them to come to a shameful conclusion that the oil resource was a *curse*.

5.2.4 Cultural Interests

Kenya's interests to have territorial claims and control over the Ilemi Triangle were partly influenced by the need to protect Turkana's ways of life, which entailed nomadic transhumance and fishing. The Government of Kenya particularly armed the Turkanas with AK47 assault rifles to defend themselves against their raiding counterparts from Ethiopia-Dassanech. The Turkanas who inhabit and graze in Ilemi during the dry season popularly identified themselves as Kenyans and were subject to Kenyan laws and jurisdiction. These findings are corroborated by respondent D9 who said:

“The need to safeguard the way of life of the Turkana, which was always under constant threat from their neighbours led to the decision by the Kenyan government to arm them (the Turkanas). This was particularly important since neighbouring communities were often displacing them as they sought to access water and pasture in the region.”

Before the Anglo-Ethiopian agreement of 1907, raiding served as a cultural instrument which served several functions among them as a coping strategy to replenish their livestock wealth in the event of drought and counter raids. Raiding was also practiced as a rite of passage for young *Morans* which symbolized masculinity and prestige in the community. Being a way of life and an ideology rooted in societal social fabric, the

²⁹² Schilling, J. et al. (2015). *The nexus of Oil, conflict and climate change vulnerability of pastoral communities*. London. Earth Syst: Dynam

Government of Kenya saw it appropriate to preserve the cultural identity of these people and their livelihood thereby, issuing them with weapons.

5.3 South Sudanese Interest on Ilemi Triangle

5.3.1 Political interest

The Republic of South Sudan was born out of a Comprehensive Peace Agreement (CPA) signed in 2005 which provided a prospect for a national referendum which led to self-determination of peoples of South Sudan. The country therefore got independence from Sudan in 2011 becoming an independent sovereign state after decades of civil war.²⁹³ The gaining of independence did not bring with it the much anticipated nation building since internal political strife ensued soon afterwards between the political divide in the country. Sporadic conflicts erupted throwing the country into a civil war which escalated since 2013 producing large number of refugees and tremendously increasing humanitarian suffering in the country.

The administration of South Sudan derives about 98% of its spending incomes from oil which is traded through two pipelines that are connected to refineries and transportation offices at Port Sudan on the Red Sea.²⁹⁴ South Sudan's aggregate oil riches is evaluated at \$38 billion and incorporates assessed future incomes from existing oil fields. South Sudan inherited the claim to the Ilemi Triangle from Sudan, after it gained independence in 2011.²⁹⁵ Following the Anglo-Ethiopian agreement treaty of 1907 the entire Ilemi

²⁹³ Schomerus, M. et al. (2014). *The Borderlands of South Sudan; Authority and Identity in Contemporary and Historical perspectives*. New York: Palgrave Macmillan

²⁹⁴ Ibid.

²⁹⁵ Supra note 285.

Triangle was placed in the Sudanese side which bore the Sudanese patrol line.²⁹⁶ Subsequently in 1914, the Uganda- Sudan commission which was mandated with demarcation of Uganda- Sudan international boundary, increased Sudanese access to Lake Turkana via Sanderson Gulf, a move that bred conflict and caused deaths occasioned by raids from the Dassenech and the Nyangatom from Ethiopia who were angered by the move.

Sudan refrained from the administration of the Ilemi Triangle since 1956. Kenya's first President Mzee Jomo Kenyatta, made a formal request to British Foreign Office for the area to be seceded to Kenya and it was domesticated in the Kenyan maps which started showing the 1950 Sudan patrol line as the international boundary. During the Sudanese civil war, the leader of SPLA/M Dr. John Garang entered into an arrangement with Kenya to give away the Ilemi Triangle to Kenya in exchange of both logistical and military support during the war.²⁹⁷ Nevertheless, upon the realization of independence, South Sudan revisited these claims on Ilemi faulting the legality of Kenya's ownership. These claims, and as posited by respondent D11 could be due to:

“The need for territorial integrity, and maybe diversionary politics, where the government wants to divert the attention of citizens from other pressing national challenges, could have fueled South Sudan's recent claims to the Ilemi Triangle.”

5.3.2 Economic considerations

South Sudan wrote to the United Nations (UN) Security Council seeking interventions to reclaim some parts of the Ilemi Triangle that extends into the Kenyan territory. However,

²⁹⁶Ibid.

²⁹⁷Supra note. 283

South Sudan's Ambassador to Kenya later refuted this report claiming that it was a 'malicious accusation'. South Sudan fears that if Oil exploration in Kenya goes on, then they will stand to lose more Oil from the wells in Turkana which are on the Lower side of the oil-table than the wells in South Sudan.²⁹⁸ They have therefore planned to create a conflict situation as a way for (South Sudan) to buy time to explore and drill more Oil on their side before Kenya drills theirs at Ngamia 1 and the various Blocks. The conflict situation will see to it that Kenya does not start drilling since they will be engaged in resolving this conflict first. This is in the bid to boost the economic standing of South Sudan as posited by respondent D14 who had this to say:

“Oil resources in the Ilemi Triangle can boost the number of barrels produced by South Sudan per day. This means more money for the country. It could also grow the economy of the country and lead to development of infrastructure in the country.”

South Sudan and Kenya are set to engage in a diplomatic row if the former proceeds on with the legal suit that the Triangle in question lies in its territory and embarks on castigated measures to reclaim it. Territoriality is therefore a new dimension that is cropping up in the new republic and the new state seems to avoid the ugly traditional conflict resolution by filing suit documents at the ICJ and the AU claiming the now resource rich region. The reference of the territorial case to the ICJ confirms the centrality of *Neoliberal Institutionalism Theory* to the dispute resolution involving sovereign states which exists in an anarchic international system. The conviction of the states that an international institution can resolute their dispute solidifies the claim that democracies do not go to war rather employ institutions to make peace. The researcher

²⁹⁸Okonkwo. T. (2017). *Maritime Boundaries Delimitation and Dispute Resolution in Africa*. Beijing Law Review, 8, 55-78

sought to establish if South Sudan had drafted any policy as a strategy of addressing the negative impacts of the Ilemi Triangle.

The findings indicate that majority of the respondents (66.8%) had no idea of any policy strategy by South Sudan towards the Ilemi Triangle. A significant 24.2% indicated the new state had a policy strategy in partnership with neighbouring countries particularly in developing common infrastructural projects to open up the economic potential of the country. A minority 9 % of the respondents was neutral and skipped the questions. The implication from the findings shows clearly that the Ilemi Triangle has not been a priority area of concern by the new state that is the reason why the region has featured less prominently in domestic policies of the country. The results are shown in the figure below.

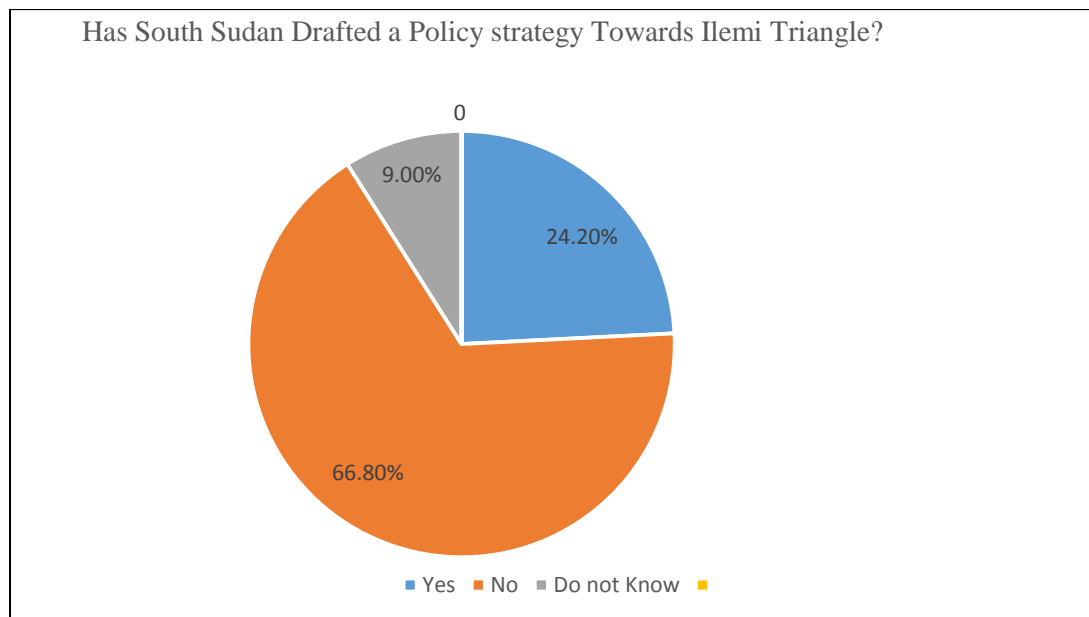


Figure 5.2 Respondents Perceptions on South Sudanese Policy towards Ilemi Triangle

Source; Field Data, 2017

The new South Sudan is still in the formative stages of nation-building and is more concerned with putting in place a cohesive state and a government which can formulate a comprehensive national policy that ensures maximum national interest and regional cooperation. From the foregoing and the perceptions presented by the respondents, it is quite clear that the Ilemi Triangle does not feature prominently in the domestic policies of the country more than the Abyei region which shares similar characteristics as the Ilemi Triangle.

5.4 Ethiopia's Interest in Ilemi Triangle

5.4.1 Political Interest

Ethiopia's political interest in the Ilemi triangle is much influenced by the 1907 Treaty between the British and Ethiopia.²⁹⁹ With more sophisticated weapons and a better Army, the Emperor of Ethiopia conquered and established an administrative post around Lake Turkana which he called Samburu Sea.³⁰⁰ He used the conquered area to establish a thriving slave trade running from Lake Turkana all the way to the Indian Ocean. Ethiopia also armed the Dassanech and the Inyangatom people to raid the Turkanas and protect themselves which in effect increased the volume of small arms and light weapons in the region. The interest of Ethiopia to Ilemi Triangle is particularly influenced by her Dassanech ethnic community which herds cattle in the Ilemi Triangle. This position is also held by respondent D5 who said:

“The fact that some of Ethiopian nationals graze in the Ilemi Triangle, and government's need to politically appease their citizens so as to vote for them in elections, makes the Ethiopian government show interest in the Triangle.”

²⁹⁹Supra note. 246

³⁰⁰Op cit.

5.4.2 Security considerations

Agreements between the Ethiopian and Kenyan governments regarding the Ilemi Triangle resulted in the exclusion of Dassanech, Nyangatom, Turkana, and Toposa pastoralists from a vast region of the eastern Ilemi Triangle even though these groups all had longstanding access to Ilemi lands for their herds.³⁰¹ By these agreements between Ethiopia and Kenya during the 1960s, the Ilemi was to be a buffer zone where ethnic groups would remain in their respective countries. In this regard, respondent D6 had this to say:

“The land (Ilemi Triangle) is important to Ethiopia since it demarcates the shared grazing areas. It is significant because it keeps numerous tribes from crossing into each other’s territory and fighting over livestock, although this has been hard to realize.”

With no knowledge whatsoever of the population sizes of particular groups, they were assigned to Ethiopia or Kenya. Kenya continued to administer the Ilemi, with police posts at Kibish, and several other areas. Ethiopian border presence remained minimal until the 1980s, when the government began increasing its presence along the Lower Omo River. A relatively strict exclusionary policy was maintained for the Ilemi lands, with the Kenyan police frequently seizing livestock herds belonging to the poachers, as they were considered, sometimes even shooting the herders.

The Dassanech were then effectively confined to a small segment of their traditional lands east of the Kibish River, then later, effectively confined to lands between the Kibish River and the Omo River (they were threatened by the Hamar east of the Omo River).

³⁰¹Carr, J.C. (2012). *Humanitarian Catastrophe and regional Armed Conflict Brewing in the Trans border Region of Ethiopia, Kenya and South Sudan: The Proposed Gibe II Dam in Ethiopia*. Washington D.C. University of California at Berkeley

This exclusionary policy effectively split the Nyangatom into two geographic segments: one settled in villages along the Kibish River and the Omo River, and the other settled nearby the Toposa to the northwest of the exclusionary lands.³⁰² The Turkana who had been herding in the Ilemi were pushed back southward into Kenya.

5.4.3 Ethiopia's Socio-economic Interest

The Ethiopia's socio-economic interests in the Ilemi Triangle are greatly driven by the Omo River which flows from its territory in which more than tens of thousands of Dassanech residing in the Omo basin rely for food security and lake resources. The Omo River's annual flood between August and December is essential for replenishment of lake waters as well as for the sustainability of the lake's fisheries, and therefore for the subsistence of the indigenous people.³⁰³ The Ethiopian government is highly repressive in the Lower Omo Basin, with indigenous communities reporting beatings and arrests of villagers protesting or resisting eviction from their Omo riverine lands.³⁰⁴ Both the Kenyan and Ethiopian governments have greatly increased their police and military presence in the region as they begin implementing plans for further expropriation of indigenous lands for major infrastructure construction, increasing diversion of Omo River waters, and commercial agribusiness. In this light, respondent D7 had this to say:

“Water resources from the Ilemi Triangle are important to the inhabitants of the Ethiopia. They can be used for agriculture among other uses. As such the Ethiopian government has had immense interests over the land since the 1980s.”

³⁰² Ibid.

³⁰³ Ibid.

³⁰⁴ Op cit.

The researcher sought to establish if the Federal Republic of Ethiopia had a national policy towards the Ilemi Triangle. The respondent's views were summarized as follows; 62.5% of the respondents indicated that Ethiopia had a national policy towards the Ilemi Triangle while 24.5% opined that Ethiopia lacked any comprehensible policy of engaging the Ilemi Triangle. A significant 13.0% indicated that they did not know or they lacked information on the same. The figure below captures the perceptions of respondents regarding the Ethiopia's policy on the Ilemi Triangle.

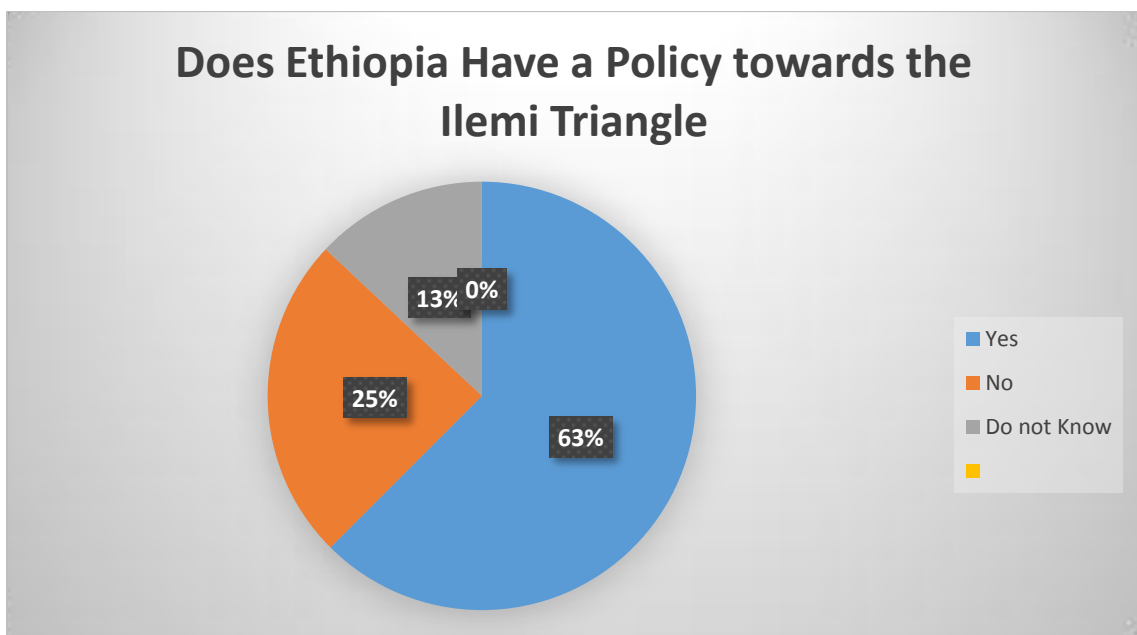


Figure 5.3 Respondents Perceptions on Ethiopia's Policy towards Ilemi Triangle

Source: Field Data, 2017

5.4.3 Economic Considerations

The Ilemi Triangle continues to hold a strategic importance to Ethiopia's Dassanech pastoral community and her inclusion in the regional infrastructure development project (LAPSSSET) is a clear indication of emerging geo-strategic importance of the Ilemi

Triangle. Although the Dassanech communities were kicked out of Kenyan territory around northeast of Lake Turkana, by late 1990s the Kenyan officials started to permit their relocation back to the land. The construction of Gibe III dam from 2008 by the Ethiopian government partly depends on the inter-ethnic cohesion of the communities sharing the Ilemi Triangle.³⁰⁵

The construction of the Dam is deemed to be disastrous to the Dassanech and the Nyangatom communities which rely on the riverine livelihoods of the floods of Omo River. The abrupt drop in Omo stream volume (no less than 60-70 for every penny) would cause the end of flooding in the riverside environments where the Nyangatom, similar to the Dassanech, depend on surge retreat agribusiness.³⁰⁶ The construction of the Dam is challenged by a number of humanitarian actors citing downstream challenges on people who rely on the Lake fed by Omo River.³⁰⁷ Most of these actors posit that communities living downstream would face starvation with the construction of the Dam.

5.5 Areas for state Cooperation in the Horn of Africa Region

Apart from drawing concerted interest in the control the Ilemi Triangle by the three Horn of Africa region states, these states have occasionally cooperated in a number of ways solidifying regional security, furthering economic development and uniting in humanitarian causes. The shift from the region being considered ‘marginal’, yet

³⁰⁵Fong, C. (2015). *A cascade of Development on the Omo River; Downstream Effects of the Gibe III Filling and Associated Commercial Irrigation Projects*. Montreal. Vol. 1 No. 8

³⁰⁶ Carr, C.J. (2011). *Ethiopia's Planned Gibe III Hydrodam: Dismantling Pastoral Survival Systems, Armed Conflict and Political Destabilization in the Kenya-Ethiopia-Sudan Border Region*. American Association for the Advancement of Science, Pacific Division. 92nd Annual Meeting.

³⁰⁷Ibid.

contested, to be one of the most valuable both for the three nation states involved and for the international oil industry, has clearly altered the nature of the policy choices at hand.

The Ilemi Triangle remains a challenged territory by Kenya, Ethiopia and Sudan. Until as of late, the Ilemi was thought to be basically 'valueless'. This circumstance has now significantly changed. The Ilemi's nearness to the extensive war amongst Sudan and South Sudan, alongside the concentrated extractive industry advancement in southern and south focal Sudan, have prompted major new linkages between South Sudan and Kenya.³⁰⁸ Development of roads and significant travel and trade identified with extractive enterprises, other mechanical and agrarian advancement, physical foundation development and a wide range of political and financial trades now overwhelm the relationship between these Horn of African states.

Numerous peace initiatives have been taken, including by the United Nations, the Kenyan government, U.S. Agency for International Development (USAID), and several churches with interests in the region.³⁰⁹ None of these efforts have been successful, however, any traveler in the region is fully aware that most adolescent and adult men have access to automatic weapons or rifles, and this situation is intensifying. Presently, a most fragile peace is maintained in the region. Raids and reprisals for raids among equally disenfranchised ethnic groups have unquestionably worsened, with increasing frequency and elevated levels of killings reported throughout most of the region.

³⁰⁸ Mburu, N. (2007). *Ilemi Triangle: Unfixed bandit frontier claimed by south Sudan, Kenya and Ethiopia*. Milan. Vita house

³⁰⁹ Carr, C.J. (2011). *Major African Human Rights Catastrophe Brewing in Trans-border Region of Ethiopia-Sudan Kenya: Controversy over the Gibe III Hydro-dam in Ethiopia*. American Association of Geographers, Annual Meeting. Seattle, Washington.

For many decades, at least five different ethnic groups have cooperated in utilizing the Ilemi Triangle land and resources therein, establishing settlements and economic activities ranging from livestock herding, opportunistic cultivation and hunting, to engaging in trade and, at times, political conflict with one another. These include the Toposa, Nyangatom (two highly friendly groups that live side by side in one area), Surma, Dasanech and Turkana.³¹⁰

This long-standing presence of these groups in the Ilemi, with numerous neighbouring peoples, has established a web of relationships with areas deep inside Sudan, much of the Lake Turkana region, and the entire Lower Omo River Basin, thus, joining this tri-nation region into a single system of resource utilization. Although, now formally closed to use by the region's indigenous groups, by inter-governmental agreement they apparently continue to use it whenever possible (and are considered 'poachers' by authorities).³¹¹ The close connections among groups along the Omo River (including the Delta) in northwestern Kenya, and well into the South Sudan, continue. This and as posited by the *Neoliberal Institutionalism Theory* could lead to better ways of living of living in the wake of collaboration in the sharing of resources. To this respondent D9 had this to say:

“Cooperation in the exploitation of resources in the Ilemi Triangle could lead to better living standards amongst the communities that live in the region. As such, government should put in place mechanisms for enhancing such cooperation.”

³¹⁰ Ibid.

³¹¹ Bernardi, B. (1992). *Marginality and ethnicity in the Ethiopian-Sudanese-Kenyan borderland*, Uomo, vol. V, no. 1/2, pp. 47-62.

5.6 Inter-state cooperation on the LAPSSET Project

The LAPSSET project is a mega multi-state project consisting of 7 key foundation ventures beginning with another 32 Berth port at Lamu (Kenya); interregional thruways from Lamu to Isiolo, Isiolo to Juba (South Sudan), Isiolo to Addis Ababa (Ethiopia) and Lamu to Garsen (Kenya), raw petroleum pipeline from Lamu to Isiolo, Isiolo to Juba and to Addis Ababa; interregional Standard Gauge Railway (SGR) lines from Lamu to Isiolo up to Addis Ababa; three global Airports: one each at Lamu, Isiolo and Lake Turkana; three resort urban communities and the multipurpose high great falls Dam along the Tana River.³¹² This multi-state project is fostering cooperation among the three Horn of Africa region launched in March 2012 where Kenya and Ethiopia assented to an accord to build a standard Gauge Railway connecting Lamu Port to Addis Ababa.

In attendance during the launch were Kenyan President Mwai Kibaki and Prime Minister Rt Hon. Raila Odinga, South Sudanese President Salva Kiir and Ethiopia's Prime Minister Meles Zenawi.³¹³ The completion of the project was projected to open up the international trade between Kenya-South Sudan and Ethiopia and increase more interaction for mutual benefit of the partner states. South Sudan being a landlocked country was to benefit immensely from the completion of the LAPSSET project where it intended to transport her crude Oil for export through pipelines in the transport corridor. The cooperation of the three states under the LAPSSET project signifies their commitment to utilize common institutions and joint ventures to avert difference and achieve development collectively which follows the dictates of *Neoliberal*

³¹² Gok. (2017). *The LAPSSET Project*. Nairobi. Available at www.lapsset.go.ke Accessed on 29th 10/2017

³¹³ Daily Nation. (2017). *No the LAPSSET Corridor Project has not stalled*. Nairobi. NMG Publication. Available at www.dailynation.co.ke

Institutionalism Theory that democracies do not go to war. The figure below shows the outline of the proposed LAPSSET project in the Kenyan territory.

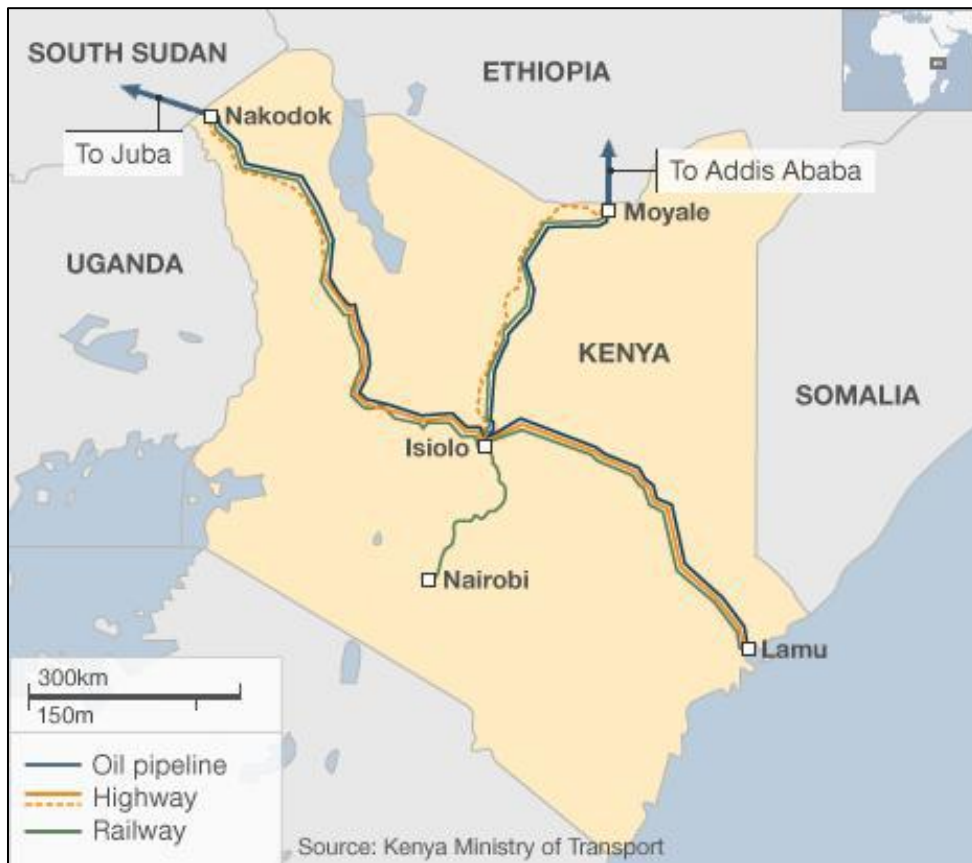


Figure 5.4 Outline of LAPSSET project

Source: Ministry of Transport (GoK), 2017

The project planned for completion over the next ten years, is expected to increase efficiency and ease cargo transportation in the region. Presently, cargo is mainly transported by road which is detrimental to the existing inadequate infrastructure.³¹⁴ The three countries will jointly source for the project funds, and Kenya has already

³¹⁴ Odhiambo, A. (2013). Business daily, April 1, 2013 Kenya sets up agency for \$29bn South Sudan, Ethiopia project. Nairobi

established a railway development fund that attracts 1.5% import levy introduced in its current budget. Rwanda and Uganda have since pledged to establish similar tax measures towards funding the initiative. The cooperation among the three Horn of Africa states bound by the expected mutual utility will be enhanced and sustained through improved infrastructure which will not only facilitate easy access and connectivity but also infuse mergers to create synergies for greater productivity.³¹⁵ This study embraces the notion that transport infrastructure development will play an important role as a catalyst for integration and the subsequent regional economic development. This is affirmed by respondent D3 who said:

“Collaborative projects such as LAPSSET are essential in enhancing the livelihoods of the inhabitants of Ilemi. This is particularly so since such projects can enhance accessibility of the area, attracting investors into the region, which could translate into immense socio-economic gains for the inhabitants of Ilemi and its vicinity.”

5.7 Negative Implications emanating from sharing Ilemi Triangle

The study went on to assess various negative implications emanating from sharing the Ilemi Triangle. The first question posed to the respondents was: *“Do you think sharing the Ilemi Triangle leads to armed conflicts in the region?”* The responses obtained are presented in Figure 5.5.

³¹⁵ Bergeijk, H., & Moons, G. (2008). *Economic Diplomacy and Economic Security*, in C.Costa (ed.), *New Frontiers of Economic Diplomacy*

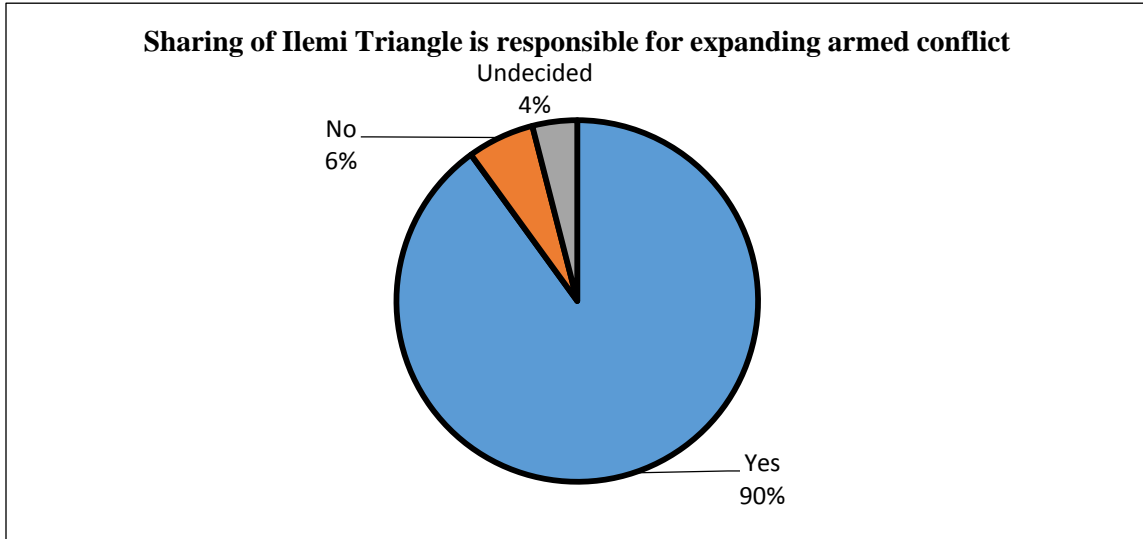


Figure 5.5 Sharing of Ilemi Triangle is responsible for expanding armed conflict

Source; field data, 2017

From the responses obtained as presented in Figure 5.4, it is evident that most of the respondents (90%) were of the view that sharing the Ilemi Triangle was responsible for expanding armed conflicts. Although 6% answered no to the question and another 4% were undecided, the findings make it clear that sharing resources in the Triangle was recipe for armed conflict. These findings are corroborated by extant literature that shows that sharing of the Ilemi Triangle is responsible for intensifying armed skirmishes in the Ilemi Triangle and the border region particularly among the fishermen and the pastoralist competing for the same resources. These findings are also echoed by respondent D6 who posited that:

“There are numerous fishing potentials in Ilemi. If well tapped into, this can lead to immense returns for the inhabitants of Ilemi. It is thus important for the governments who share resources at Ilemi to put in place mechanisms for enhancing exploitation of fish resources in the region. However, this is often not the case since fisher communities are often entangled in conflicts, making it hard to effectively exploit these resources”

Meanwhile the Turkana and the Dassanech have since a long time ago been at odds over access to angling ranges that have enormously extended since the delta's expansion to its present zone of more than 500 square kilometers. These contentions have escalated exponentially as the two gatherings have turned out to be more frantic in monetary survival terms.³¹⁶ This desperation sparks frequent theft of nets between the two ethnic groups and there are increasing instances of violence.

The researcher went on to ask the respondents whether sharing the Ilemi Triangle sustained violence between the Turkana and the Dassanech over fishing grounds. The findings obtained were presented in Figure 5.6.

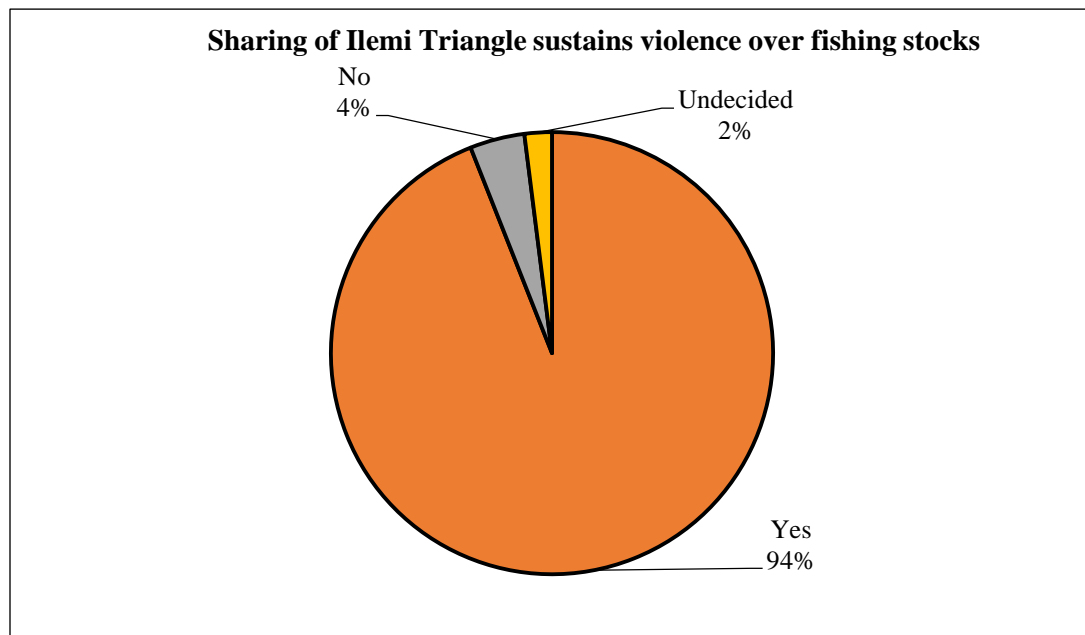


Figure 5.6 Sharing of Ilemi Triangle sustains violence over Fishing Stocks

Source; field data, 2017

³¹⁶ Aukot, E. (2003). *It is Better to be a Refugee than a Turkana in Kakuma: Revisiting the Relationship Between Hosts and Refugees in Kenya*. Nairobi: Vol. 21 No. 3

As shown by the 94% of the respondents who answered “yes”, sharing the Ilemi Triangle was responsible for sustaining violence between the Turkana and Dassanech over remaining fish stocks. This was particularly so as argued by Aukot due to the reason that the remaining fish stocks in Lake Turkana are essential to the survival of both groups. However, the dwindling of fish stocks in the lake is greatly exacerbated by the motorized Ethiopia-based commercial fishing interests, as well as the expanding Ethiopian irrigation schemes reducing river flow and the character of inflow waters into Lake Turkana. On the eastern shores, Turkana fishers must also contend with Gabbra herders at the lake, with whom they have long conflicted. However, there is no conflict between the Turkana and the El Molo. The findings are also buttressed by respondent D9 who had this to say:

“There are numerous conflicts among the pastoral communities of Ilemi... This emanates from the fact that conflicts are always erupting, adding salt to the injuries caused by previous conflicts. This leaves the region badly divided. It is thus hard to sustain peaceful coexistence which is requisite to sharing of resources such as water, fish and pasture in the region.”

Additionally, the researcher posed the question: *“Does the discovery of oil in the area around Ilemi Triangle wield the potential to fuel the existing communal conflicts in the area?”* The findings obtained were presented in Figure 5.7.

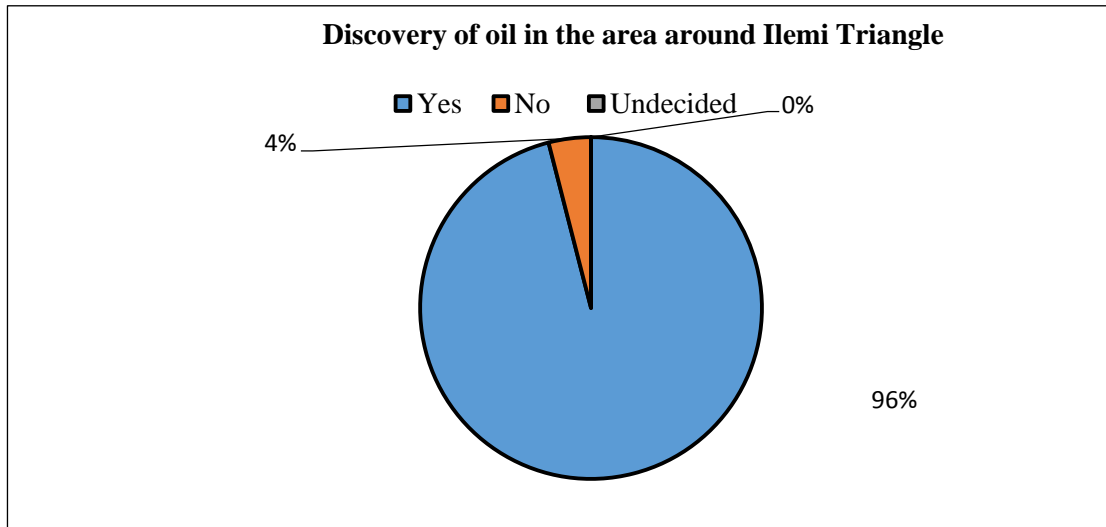


Figure 5.7 Discovery of oil in the area around Ilemi Triangle

Source; field data, 2017

As shown by the vast majority of the respondents (96%) who answered in the affirmative, the discovery of Oil in the region will exacerbate pre-existing communal conflicts. This situation will be made worse if the tri-state region is not delimited and its ownership determined with finality. There has been growing concerns over uprooting of international beacons erected by colonial authorities and which were adopted by the independent states to signify international boundaries.³¹⁷

According to international institutions and the three government's reports the status of the Ilemi Triangle is confusing. In a report carried out in *The Standard* Newspaper, Ethiopia has had no claims to this territory yet, independent reports indicate that despite a 1967 border settlement, Ethiopian forces often disregard the internationally accepted border at Nadapal where Ethiopian forces uprooted beacons at this border point after claiming that international frontier should be at Todonyang which is four kilometers inside the triangle.

³¹⁷ Standard Digital. (2009). *Silent war over Eleme Triangle*. Available at www.standardmedia.co.ke Accessed on 29th/10/2017

The confusion is intensified by the UN map on South Sudan which classifies the Triangle as South Sudan “claimed” Kenyan “de facto” and Ethiopian “claimed” territory.³¹⁸ In the same accord, respondent D8 had this to say:

“It is hard to establish clearly the sovereignty status of Ilemi in the wake of conflicting international reports and the shifting claims of the governments in the area in the absence of internationally recognized borders.”

On another note, the researcher sought to find out if there were negative consequences associated with construction of Gibe III Dam in Ethiopia across Omo River which drains into Lake Turkana. The findings obtained as presented in Figure 5.8

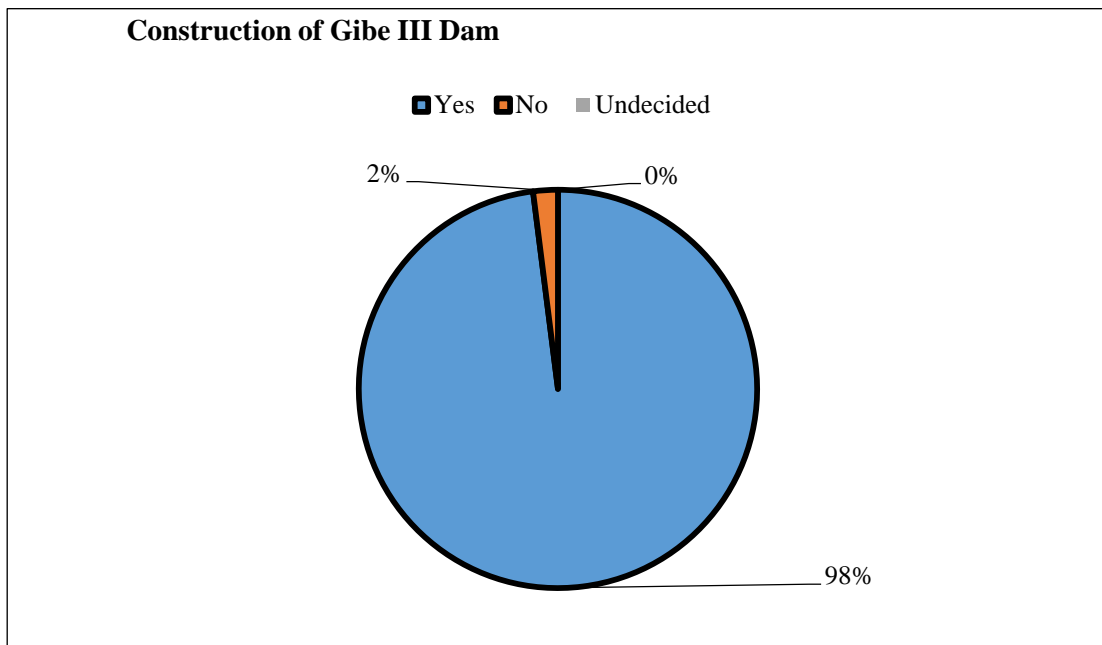


Figure 5.8 Construction of Gibe III Dam in Ethiopia

Source; field data, 2017

As evidenced by 98% of the respondents who answered “yes” as shown in Figure 5.7, another negative implication emanating from Ilemi Triangle is the negative consequences

³¹⁸ Ibid.

associated with construction of Gibe III Dam in Ethiopia across Omo River which drains in Lake Turkana. The appropriation and diversion of Turkana waters for the construction of the Dam will drastically reduce the volume of the largest lake in Kenya.

The lake sustains majority of Kenya's northwest livelihoods and tampering with it is tampering with lives. The recent Ethiopian government developments in the area have harmfully and profoundly affected livelihoods of the survival of the communities in the Ilemi Triangle and the neighbouring areas. Disregard of trans-border effects in Kenya and South Sudan as well as Ilemi Triangle, inclusive of 300,000 native Kenyans living around Lake Turkana, the fishermen and water resources of Lake Turkana, and native herders in the trans-fringe locale.³¹⁹

The researcher went on to find out whether forceful eviction of inhabitants in the bid to implement government schemes had led to conflicts. The findings obtained were presented in Figure 5.9.

³¹⁹Ibid.

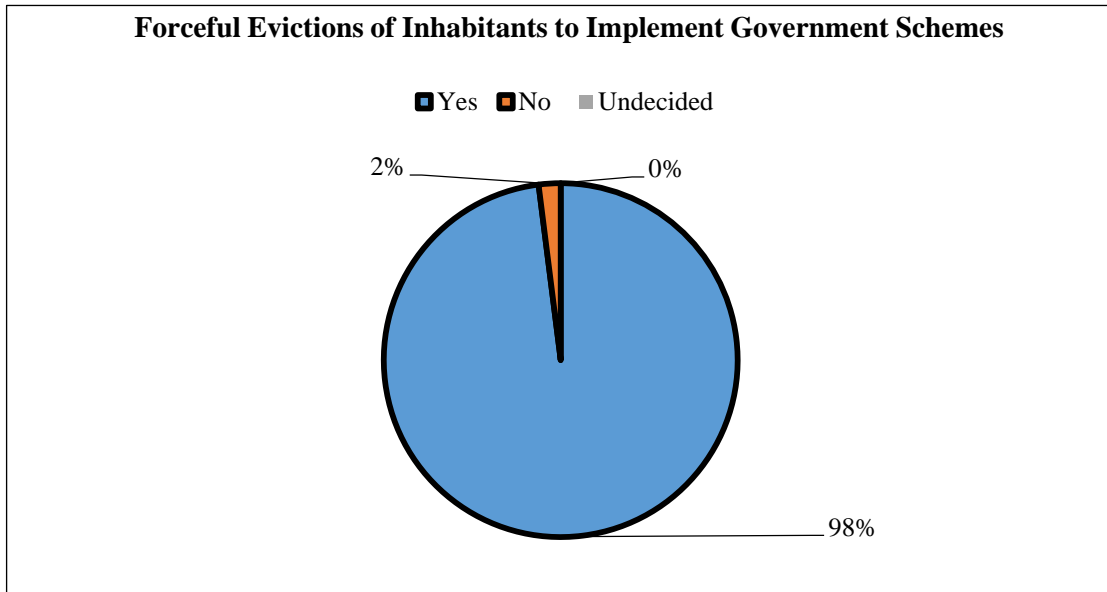


Figure 5.9 Forceful Evictions of Inhabitants to Implement Government Schemes

Source; field data, 2017

As shown by the majority of respondents (98%) in Figure 5.7, conflicts had started to manifest in the areas around the Ilemi Triangle with the forceful eviction of inhabitants to pave way for the implementation of government schemes. This had caused humanitarian suffering since the eviction is not accompanied by compensation or rather resettlement from the government, hence creating Internally Displaced Persons (IDPs) from both Ethiopia and Kenya. There is a growing criticism towards the Ethiopian government for its hard-liner stand and suppression of political dissident particularly for those opposed to the construction of the Gibe III Dam. The government of Kenya has not commenced noteworthy investigation of Gibe III socio-economic effects on approximately 200,000 to 300,000 Kenyan natives as well as other thousands of people living in the Omo Delta and around the area.

The Kenyan National Environmental Management Authority (NEMA), is assigned as a major player in such evaluations. Of late, the Kenyan administration has been consulting with outside financial specialists for horticultural improvement in its fringe area at the northwest of Lake Turkana. The World Bank had before refused to fund the Gibe III Project due to its disregard of the environmental assessments. The construction of Gibe III Dam although economically sound and serves the capitalist ethos of Ethiopia, has ignored the plight of indigenous people who have migrated to clash in the already volatile Ilemi Triangle. The eviction of people from the lower Omo delta has created a humanitarian catastrophe with regional character.

5.8 Chapter Summary

This chapter sought to establish interest on Ilemi Triangle and state's cooperation in the Horn of Africa. The chapter established that the Ilemi Triangle continues to shape states' interests towards the Horn of Africa and every state sharing the disputed area has vested interest anchored on economic inclinations. From each respective state's perspective, is a cocktail of economic plans which aim at exploiting the natural resource endowment of the Triangle and maximizing capital gains from such exploitation. Among the three states is a shared and a cooperative endeavour to harness the Oil resource, found in plenty and recently termed as commercially viable. With such discovery, Kenya and Ethiopia are putting well elaborate and long-term capital intensive infrastructure in form of Oil pipelines, Road networks and railway connectivity to the region to aid in the appropriation of the world's most coveted resource. Established by this chapter is the

joint undertaking by the three states of a collaborative development of inter-state mega infrastructural project, LAPSSSET shared among the three Horn of African states.

There is also a collaborative inter-state effort between the Republic of Kenya and Ethiopia to utilize the Omo River for hydro-power generation from the currently under-construction of Gibe III Dam which is expected to export of 1,870 megawatts of electricity from Ethiopia to Kenya. The construction of the Dam is poised as a good venture as well as a nemesis due to the catastrophic nature of its implication on downstream indigenous population and on the environment. The three Horn of Africa states have collaborated in humanitarian concerns particularly in hosting refugees and asylum seekers in each other's respective territories. Kenya has been hosting close to two million refugees who have fled war-torn South Sudan as well as persecuted Ethiopians at the Kakuma Refugee Camp in Turkana County. Ethiopia too hosts a number of South Sudanese refugees in her territory.

Some of the established negative implications resulting from the Ilemi Triangle is the humanitarian conflict which have been escalating to violent levels emanating from sharing of grazing and watering points among the pastoralist in the region. The need for water and pastures for livestock have occasionally put the communities in Ilemi on a collision path where deaths have been reported particularly among the Turkanas, the Dassanech and the Toposa ethnic groups. States interest over the Ilemi triangle is slowly turning to be a priced competition given the current value-potential of the discovered natural resource in the region as well as a catastrophic consequence for the indigenous people if all due diligence is ignored and anarchy is let to prevail. The subsequent chapter

discusses the economic potential of the Ilemi Triangle and how it could result to economic transformation of the HOA region.

CHAPTER SIX

THE ANTICIPATED ECONOMIC TRANSFORMATION OF THE HORN OF AFRICA REGION DUE TO THE ECONOMIC POTENTIAL OF ILEMI TRIANGLE

6.1 Introduction

This chapter sets to examine how the economic potential of Ilemi Triangle will result to economic transformation of the HOA region. To this, the study conceptualizes that the Ilemi Triangle is replete with numerous resources that can be put into economic use. The end result of the use of these resources is expected to be enhanced economic transformation in the region. This study looks at the economic potentials of the Triangle as well as the level to which these resources can be used to enhance the economic standing of Kenya, South Sudan and Ethiopia. In this regard, secondary and primary data were used to cast light on the anticipated nexus between the existent resources and economic transformation in the area.

6.2 Economic Potential of Ilemi Triangle

The chapter started with an investigation of the extant resources that make Ilemi Triangle have high economic potential. The findings obtained are presented in Figures 6.1-6.6.

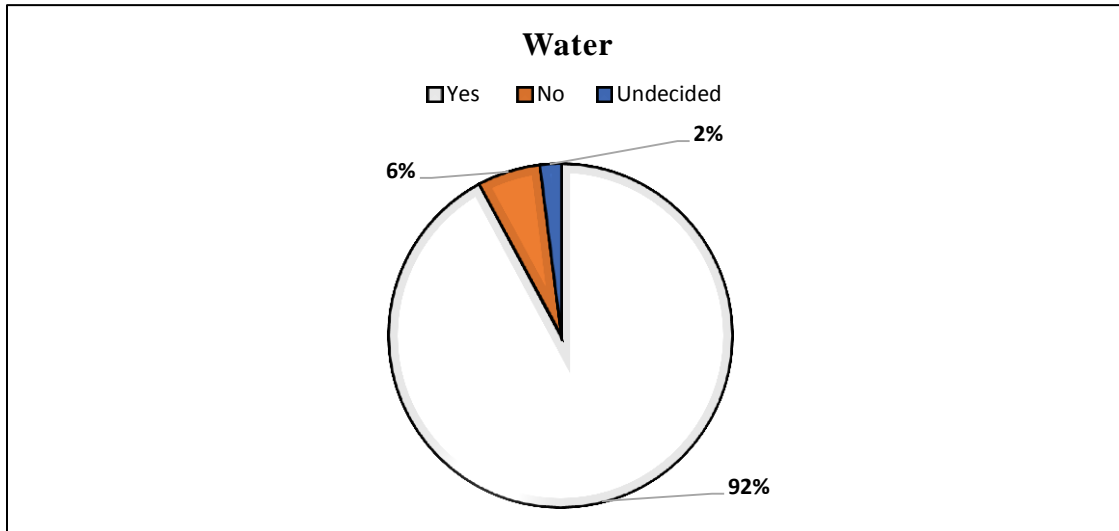


Figure 6.1: Water Resources

Source: Field Data, 2017

As shown in Figure 6.1, most of the respondents (92%) point out that the Ilemi Triangle has immense water resources. These resources can be put into economic use that can go on to transform the region as well as the Horn of Africa as a whole. In the same accord, respondent D7 pointed out:

“There is a lot of water in Ilemi. This can be used for irrigation, fishponds and other uses such as watering cattle. The end result would be better enhanced livelihoods of the inhabitants of the region.”

In line with *Neoliberal Institutionalism Theory*, interdependency (in the exploitation of water resources) can bring about peace and economic development in the HOA region as conceptualized by this current study.³²⁰ This has been exhibited in the shared resources

³²⁰Baylis, J., & Smith, S. (2001) *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York: Oxford University Press

in the region are the Lake Victoria and the Nile Riparian Basins which can translate to the economic transformation of the Nile Riparian States.³²¹

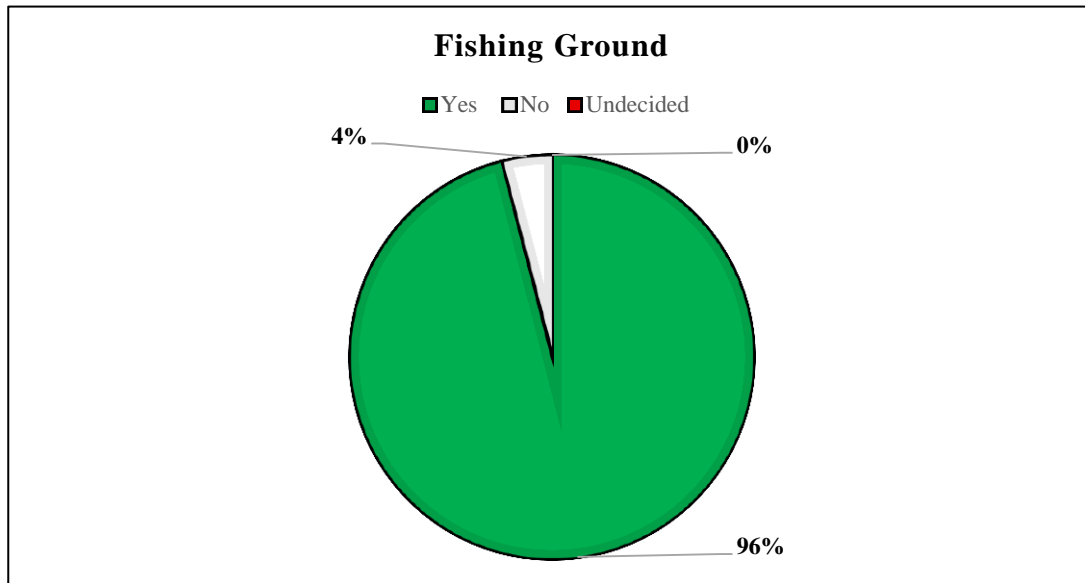


Figure 6.2: Fishing Grounds

Source: Field Data, 2017

Regarding access to fishing grounds, most of the respondents (96%) point out that there are immense fishing grounds in the Ilemi Triangle. Investments in fishing can be put in place to enhance the livelihood of the people in the area as pointed out by respondent D6 who pointed out that:

“There are numerous fishing potentials in Ilemi. If well tapped into, this can lead to immense returns for the inhabitants of Ilemi. It is thus important for the governments who share resources at Ilemi to put in place mechanisms for enhancing exploitation of fish resources in the region.”

³²¹ Beaumont, P. (1997). *Water and armed conflict in the Middle East e Fantasy or reality?* In N. P. Gleditsch (Ed.), *Conflict and the environment* (pp. 355e374). Dordrecht, Netherlands: Kluwer Academic

With interdependence and peace in the region as postulated by the *Neoliberalism Institutionalism Theory*³²², it is possible to foster shared development and utilization of fisheries in the region. This can go on to enhance economic transformation in the region.

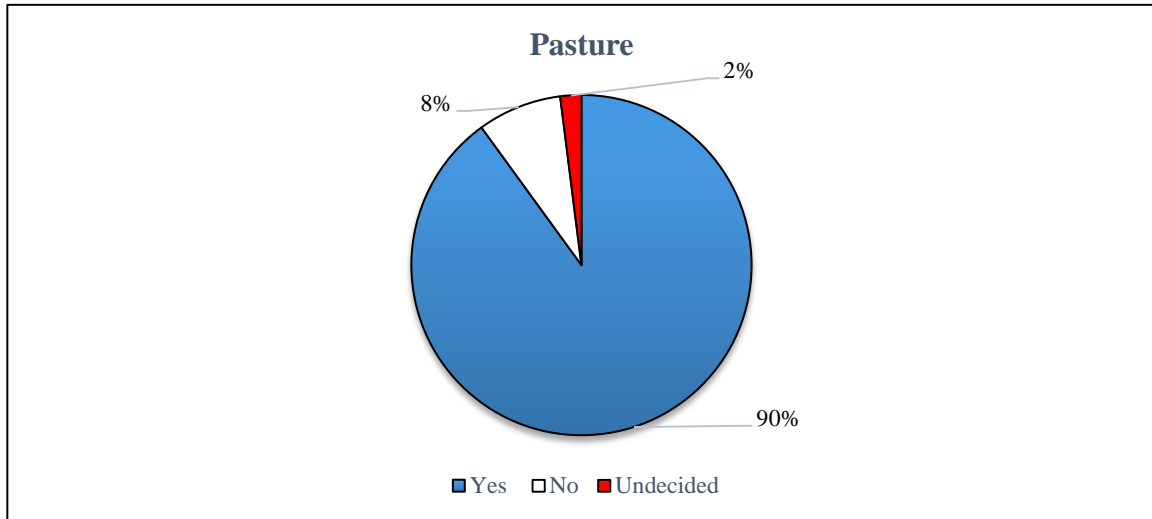


Figure 6.3: Pastoral Potential

Source: Field Data, 2017

The findings obtained also show that there is immense pasturage in the Ilemi Triangle. This can be put to good use with good cooperation between the countries that stride the region as echoed by respondent D8 who pointed out that:

“The economies of the pastoral communities living around the Ilemi Triangle can be enhanced if there is peaceful coexistence between the communities and the countries that share the region.”

The findings make it apparent that the resources in the Ilemi Triangle can be used to enhance the economic standing of the HOA region as posited by the *Neoliberal Institutionalism Theory* where interdependence can bring peace.³²³ When peace persists, it is possible for the inhabitants of the region to share resources. This can go on to

³²²Baylis, J., & Smith, S. (2001) *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York: Oxford University Press

³²³Ibid.

enhance the economic standing of the inhabitants of the region.³²⁴ This is supported by literature that shows that shared resources, especially pasture, such as in the case of the Mara-Serengeti which has numerous shared seasonal rivulets and wild animals can enhance the economic standing of the inhabitants of the people living around the area if used peacefully.³²⁵

6.3 Economic Potential of Resources in the Ilemi Triangle

The study went on to investigate how the potential of selected resources could enhance economic transformation of the Ilemi Triangle. The findings obtained were presented in Figures 6.4 to .6.6

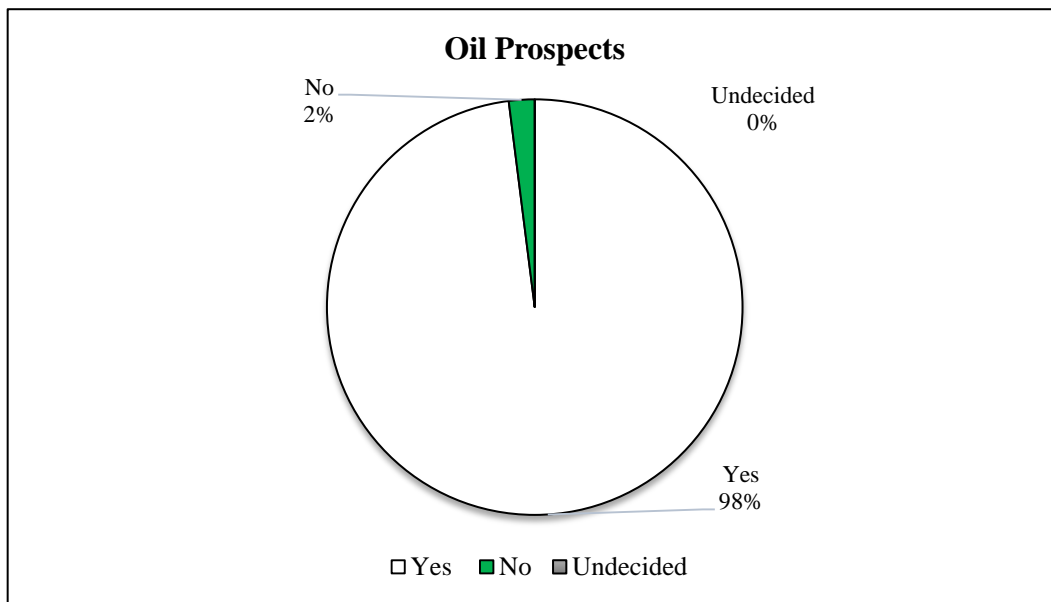


Figure 6.4: Oil Prospects

Source: Field Data, 2017

³²⁴Song, J., & Whittington, T. (2004). *Why have some countries on international rivers been successful negotiating treaties? A global perspective*. *Water Resources Research* 40: W05S06.

³²⁵Gleditsch, N.P., Furlong, K., Hegre, H., Lacina, B., & Owen, T. (2006). *Conflicts over shared rivers: Resource scarcity or fuzzy boundaries*. *Political Geography*, 25, pp. 361–382

As shown in Figure 6.4, oil prospects in the area around the Ilemi Triangle have the potential to enhance economic transformation of the HOA region. This is shown by 98% of the respondents who are of this opinion. Respondent D9 opined that:

“There high propensity to improve the economic standing of the entire HOA region. This is due to the fact that major oil finds at Ilemi could bring in a lot of ‘oil dollars’ that can be used for major infrastructural development in the region.”

Furthermore, secondary data shows that the recent discovery of hydrocarbons south of the Triangle has invoked national interests in the wake of anticipated economic benefits associated with striking oil.³²⁶ As such, if peaceful coexistence as postulated by the *Neoliberalism Institutionalism Theory*³²⁷ can be enhanced in the region, peace can prevail. The result would be peaceful exploitation of any major oil finds at Ilemi. This would go on to contribute to the economic transformation of the region as posited by the World Bank Group (WBG) that is of the opinion that nations regard fossil fuels as key to enhancing socio-economic development.

Most of the respondents (94%) are of the view that the rich grazing grounds of the Ilemi Triangle can enhance economic development in the HOA if peaceful coexistence was fostered in the region as provided for by the *Neoliberalism Institutionalism Theory*³²⁸. These findings agree with secondary data that show the region has historically been a rich grazing ground for the Turkana people.³²⁹

³²⁶Kinyanjui, B. (2012). *Kenya strikes oil in Turkana County but drilling could take years*. Daily Nation

³²⁷Baylis, J., & Smith, S. (2001). *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York: Oxford University Press

³²⁸Op cit.

³²⁹Mburu, N. (2003). *Delimitation of elastic Ilemi triangle. Pastoral conflict and official indifference in the horn of Africa*. *African Studies Quarterly*, The Online Journal for African Studies, Spring

Additionally, the chapter investigated if access to water had the potential to result in economic transformation in the HOA region. The findings obtained were presented in Figure 6.5.

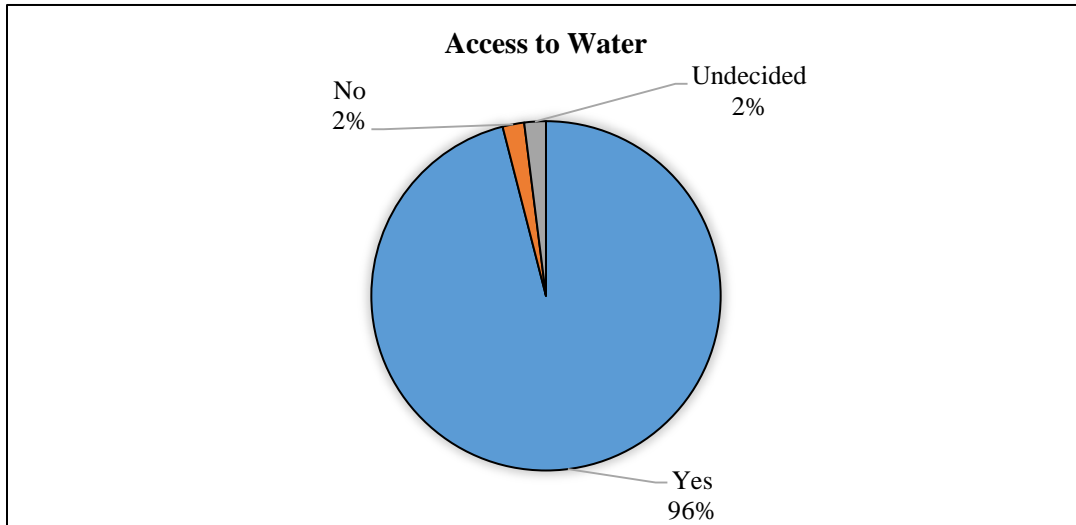


Figure 6.5: Potential of Water Resources

Source: Field Data, 2017

Most of the respondents (96%) show that the water resources at Ilemi have the propensity to enhance the economic standing of the area. This is shown by available literature that posit enjoying immense underground water resources makes part of Ilemi to have high agricultural potential.³³⁰ Exploitation of these immense resources can lead to economic transformation of the HOA region if the countries around the area coexistent peacefully as envisaged by the *Neoliberalism Institutionalism Theory* and exploit such resources consultatively.³³¹ This is echoed in the words of respondent D11 who said that:

³³⁰ Waithaka, E., & Maluki, P. (2015). *Emerging Dimensions of the Geopolitics of the Horn of Africa*, International Journal of Science Arts and Commerce)

³³¹ Baylis, J., & Smith, S. (2001) *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York: Oxford University Press

“The fact that Ilemi has immense water resources is evidence for its ability to bring about real change in the region. Peaceful and consultative exploitation of the resources in the area can yield major economic dividends for the inhabitants of the region.”

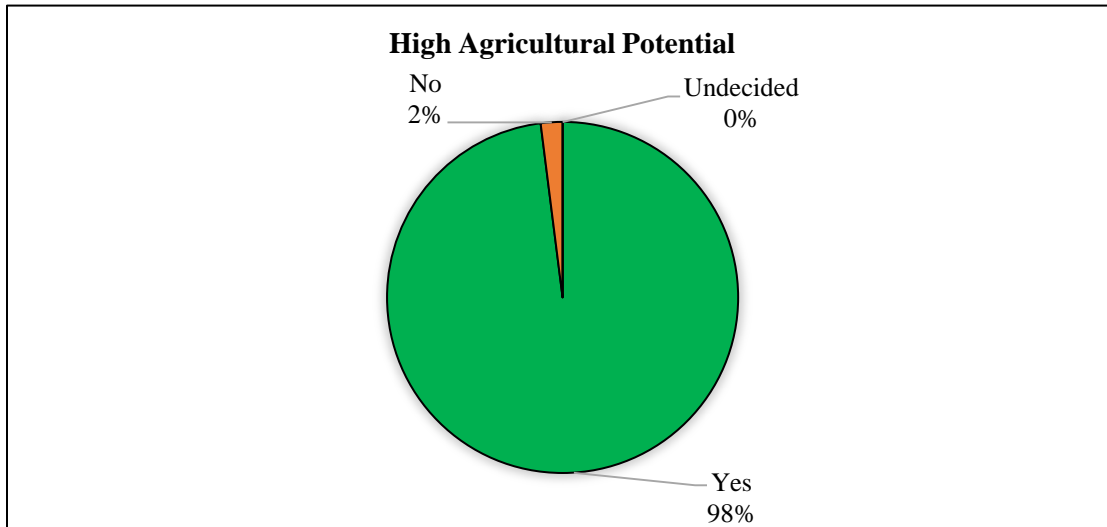


Figure 6.6: Agricultural Potential

Source: Field Data, 2017

As shown by 98% of the respondents, the high potential of agricultural resources at the Ilemi Triangle can lead to enormous economic transformation of the HOA region.

In this light, respondent D9 posited that:

“If used properly without the perennial conflicts in the area, Ilemi has high agricultural potential. This is due to the fact that the land can be put into irrigation. There are also rich pastoral areas with a lot carrying capacity for cattle. If put into good use, the land can transform the area economically.”

The findings obtained agree with available literature that the SRs in the HOA can contribute to the economic development of the countries bordering the Ilemi Triangle.

However, this can only take place if there is interdependence and peace in the region as postulated by the *Neoliberal Institutionalism Theory*.³³²

6.4 Resources at Ilemi Triangle and Economic Transformation in Kenya

The research went on to investigate if the resources at the Ilemi Triangle had the ability to enhance economic transformation in Kenya. The findings obtained were presented in Figure 6.7.

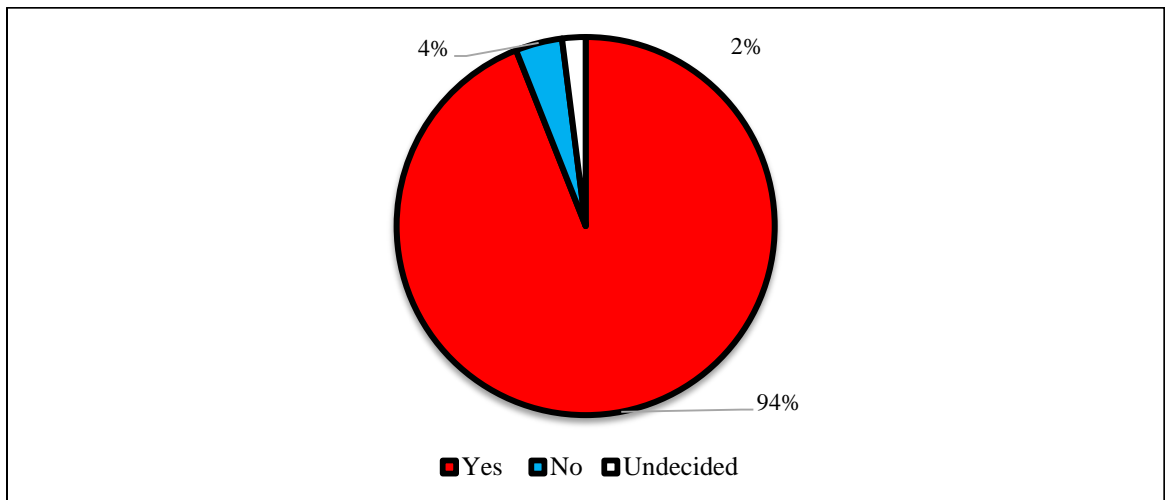


Figure 6.7: Resources at Ilemi Triangle and Economic Transformation in Kenya

Source: Field Data, 2017

Most of the respondents (94%) agree that the resources in the Ilemi Triangle have the potential to contribute to economic transformation in Kenya. This is important since the

³³²Baylis, J., & Smith, S. (2001) *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York: Oxford University Press

country is still developing and better use of resources is important to its economic growth.³³³

Literature shows that even though Kenya is classified as a low income economy, it contains the biggest and most diverse economy in EAC with a median growth of 5% in the region according to the Human Development Index.³³⁴ Its production and human resource provide capacity for increased growth, creation of jobs and reduction of poverty. Kenya being the economic giant in EAC is premised on its effective private sector after post-colonial era. In addition, its political stability and absence of powerful ideological thinking has made it to be in this position. The latest oil discovery in the area around the Ilemi Triangle, provides Kenya with huge potential for its economy to further grow beyond its current limits.³³⁵

Kenya's imperfection lies in its limited resources like water and oil deposits. This is as a result of its weak ecosystems caused by human activities which have negative effects. The forest and soil cover is being drained due to the increase in its citizens and an increase in demand for land, building materials, foodstuffs, oils and medicines.³³⁶ The country's poverty levels have dropped and capital has not been shared evenly amongst its 49.7 million people. Kenya remains unbalanced in revenues, sex and physical allocation. Impoverishment is high in the dry areas which make up 80% of the terrain and are

³³³ELDIS. (2017). *Social, economic and political context in Kenya*. <http://interactions.eldis.org/unpaid-care-work/country-profiles/kenya/social-economic-and-political-context-kenya>

³³⁴Ibid.

³³⁵Kimenyi, S.M., & Kibe, J. (2010). *Africa's Power house*, Brookings. Accessed from: <http://www.brookings.edu/research/opinions/2013/12/30-kenya-economy-kimenyi>

³³⁶UNU. (2017). Kenya: Socio-Economic Setting. Accessed on July 23, 2017 from: http://archive.unu.edu/env/govern/EI/Ino/CountryReports/inside/Kenya/SOCIO-ECONOMIC/SOCIO-ECONOMIC_txt.html

occupied by 20% of the population. This has added misery to the lives of the poor yet resources in the Ilemi Triangle can lead to economic transformation in the country.

Agriculture forms the biggest contributor to Kenya's economy and thus the strongest pillar backing the government's development agenda. More than three quarters of its citizens practice agriculture which contributes more than 25% of Kenya's GDP. Pastoralism in Kenya amounts for up to 75% of rural livelihood and contributes significantly to the economy. Kenyans in rural areas, get much financial gain from animal keeping which incorporates insurance and giving out credit as a measure to spread the risks.³³⁷ Livestock rearing makes up the mainstay of the residents living around the Ilemi Triangle which has seen racial disputes on the rise.³³⁸ In essence, the pastoral potential of the region can be used in enhancing economic transformation in the HOA if there is peaceful coexistence in the area as postulated by the *Neoliberal Institutionalism Theory*.³³⁹ This is in line with respondent D7 who said:

"There are many economic possibilities in Ilemi Triangle. The fact that the area has a lot of pasture can transform the region. This is particularly so if there can be peace in the region."

³³⁷IGAD Center For Pastoral Areas & Livestock Development (ICPALD). (2011). The Contribution of Livestock to the Kenyan Economy, Policy Brief Series http://igad.int/attachments/714_The%20Contribution%20of%20Livestock%20to%20the%20Kenyan%20Economy.pdf

³³⁸Lamphear, J. (1994). "The Evolution of Ateker 'New Model' Armies: Jie and Turkana" cited in *Land and Conflict in the Ilemi Triangle of East Africa* By. Amutabi M.N (2010) Kenya Studies Review Volume 1 Number 2 December 2010.

³³⁹Baylis, J., & Smith, S. (2001). *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York. Oxford University Press

Kenya's products and services make up 40% of the region's GDP, this is ahead of Tanzania with 28%, Uganda with 21%, Rwanda with 8% and Burundi with 3%.³⁴⁰ Kenya thrives on a market based financial system where there is free competition and overseas investments. This can be attributed to its variety of exports which make it less susceptible to external shocks. Meat and agricultural exports from Ilemi can augment the GDP of the country, hence transforming the economy of the country. This agrees with respondent D10 who said that:

“Immense agricultural and pastoral potential at Ilemi can enhance the economic status of Kenya as well as the HOA region as a whole if peace prevails.”

These findings show that if peaceful coexistence and interdependence, as enshrined in the *Neoliberal Institutionalism Theory*³⁴¹, prevails in the Ilemi Triangle, it is possible to enhance economic transformation in the region as well as in Kenya as whole.

In 2010, petroleum and related products accounted for 22% of the total import bill, and such imports have a big bearing on the local currency. Oil discovery at Ngamia I project site in Turkana would unlock vast business opportunities. As more exploration continues, hopes are high, that this will bring a relief to the economy. Once domestic oil productions start flowing, it will reduce high import bill, shrink demand for foreign currencies and reverse imports. Such will see a reduction in the country's high unemployment rate which stood at 12.7% between 2005 and 2006. This shows the ability of oil finds in Ilemi, as already stated, to enhance the economic standing of the country.³⁴²

³⁴⁰Lamphear, J. (1994). "The Evolution of Ateker 'New Model' Armies: Jie and Turkana" cited in Land and Conflict in the Ilemi Triangle of East Africa By. Amutabi M.N (2010) Kenya Studies Review Volume 1 Number 2 December 2010.

³⁴¹Baylis, J., & Smith, S. (2001).*The Globalization of World Politics. An introduction to international relations.* (2nd Eds). New York: Oxford University Press

³⁴²Olaka, H. (2010).*Economic Implications of the Oil Discovery in Kenya.* Nairobi: The Centre for Research on Financial Markets and Policy

6.5 Resources at Ilemi Triangle and Economic Transformation in Ethiopia

The researcher went on to investigate if the resources in the Ilemi Triangle had the ability to enhance economic transformation in Ethiopia. The findings obtained were presented in Figure 6.8.

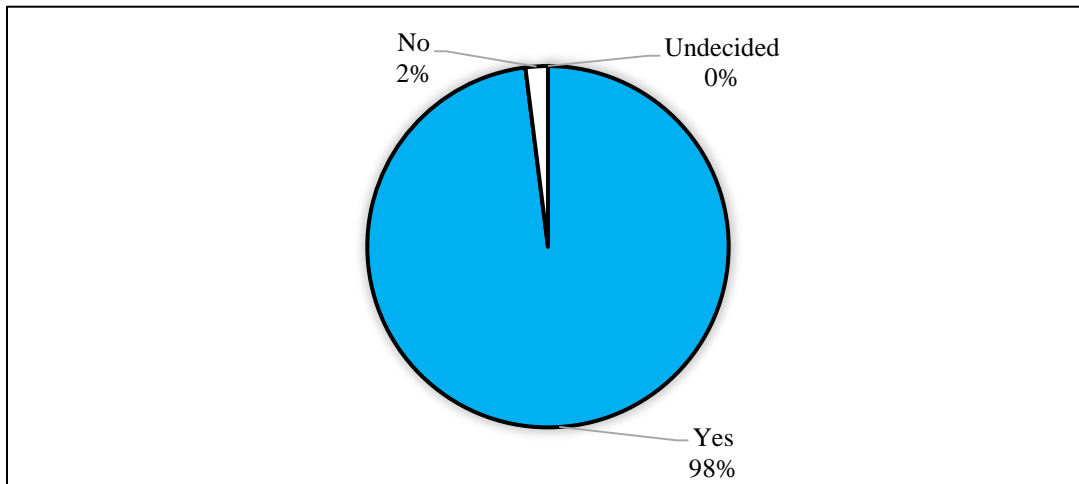


Figure 6.8: Resources at Ilemi Triangle and Economic Transformation in Ethiopia

Source: Field Data, 2017

Most of the respondents (98%) agree that the resources in the Ilemi Triangle have the potential to contribute to economic transformation in Ethiopia. This is essential since as shown in the following discourse, the country is in need for faster economic growth in the wake of poverty and ambitious economic plans.³⁴³

The International Monetary Fund (IMF), positions Ethiopia as one country which has the most steadfast financial structures globally. In 2013/14 its economy went up by 10.3%, making it as one of the best accomplishing financial systems globally and this growth is

³⁴³ ADB. (2016). *Ethiopia Economic Outlook*. African Development Bank
<http://www.afdb.org/en/countries/east-africa/ethiopia/ethiopia-economic-outlook/>

seen to persist in 2015 and 2016 respectively.³⁴⁴ With a big local market and potential outlooks, the country is set to become the region's financial powerhouse, but constant government interference has prevented the somewhat compact economy in the last five years.³⁴⁵ The country's economy is dependent on agriculture which makes up half the states revenues. In spite of Ethiopia's many rivers and lakes, only minimal land is used for irrigation and farming purposes.

Ethiopia is also affected by drought which in turn affects the farmers. Coffee is one of the country's main foreign exchange earners and is one of best top ten suppliers in the world. When the prices took a nosedive in 2006, some Ethiopian farmers resorted to planting *khat* in order to make extra profits. *Khat* is a calm drug and which has been in Ethiopia for many years. The locals chew the leaves which give them a feeling of calmness.³⁴⁶

Despite its remarkable record in the past five years, Ethiopia is one of the poorest states in the world largely due to its high population and it spends a lot on the importation of goods than exports. The increase in prices leads to high cost of standards.³⁴⁷ In this context, and as conceptualized by this current study, the agricultural potential of Ilemi can enhance the livelihood of Ethiopians living around the area. It can also augment agricultural output in the country, which can go on to enhance its economic transformation. This is evidenced by respondent D11 who posited that:

³⁴⁴Ibid.

³⁴⁵Heritage. (2015). *Ethiopia: 2015 Index of Economic Freedom*. <http://www.heritage.org/index/country/ethiopia>

³⁴⁶ Our Africa. (2018). *Economy & Industry: Ethiopia*. <http://www.our-africa.org/ethiopia/economy-industry>

³⁴⁷ Ibid.

“Ethiopia can benefit immensely from Agricultural produce from the Ilemi Triangle. This is particularly so if there is collaborative exploitation of the water resources in the region since irrigation can boost agricultural productivity of the country.”

The hydro-electric power which Ethiopia produces is sent to other states. Expansion work on the three new dam schemes – the Grand Renaissance Dam- have begun as part of an arrangement to supply 20,000 Mega Watts of electrical energy in the next ten years.³⁴⁸

Oil resources from the Ilemi Triangle can be used in the generation of electricity in Ethiopia. This can boost the capacity of its national grid as pointed out by respondents D5 who said:

“Oil finds at the Ilemi Triangle can be used to generate energy which can be added to the net electrical productivity in Ethiopia. This can be used to power the manufacturing sector in the country. This would thus lead to economic transformation of the country.”

The findings as shown by respondent D5 point to the capacity of oil resources at Ilemi to contribute to economic transformation in Ethiopia. However, this can only take place if there is peaceful coexistence and collaboration amongst the countries in the Ilemi Triangle as envisaged by the *Neoliberal Institutionalism Theory*.³⁴⁹

6.6 Resources at Ilemi Triangle and Economic Transformation in South Sudan

Furthermore, the research went on to investigate if the resources in the Ilemi Triangle had the ability enhance economic transformation in South Sudan. The findings obtained were presented in Figure 6.9

³⁴⁸Ibid.

³⁴⁹Baylis, J., & Smith, S. (2001). *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York: Oxford University Press

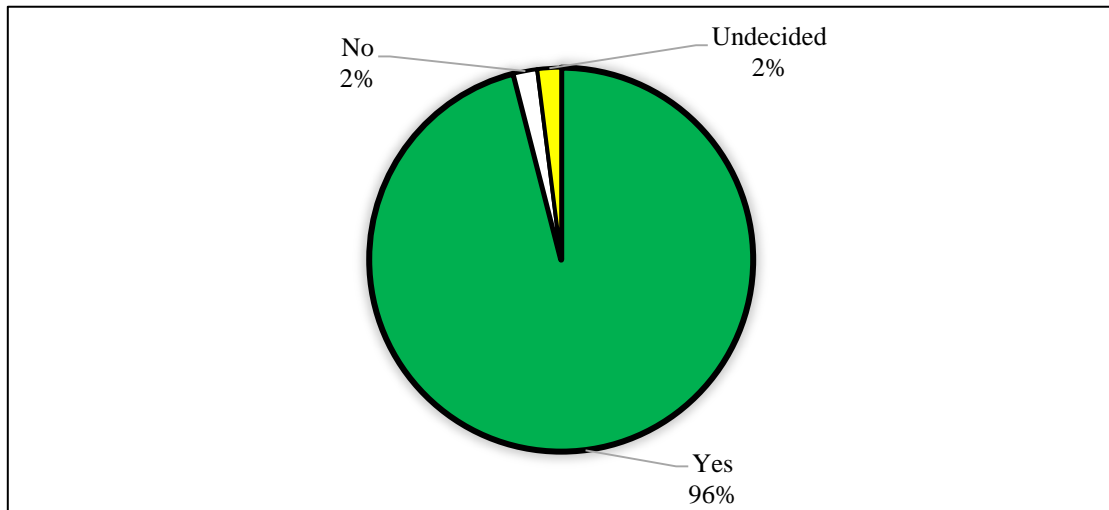


Figure 6.9: Resources at Ilemi Triangle and Economic Transformation in South Sudan

Source: Field Data, 2017

The findings in Figure 6.10 show that the resources in the Ilemi Triangle can enhance economic transformation of South Sudan pointed out by 96% of the respondents. This is vital for a country that is faced with conflict, corruption, poverty and slow economic growth.³⁵⁰

Evidently, the youngest state in the world is in the middle of real development challenges. One of the main management challenges to its peace and stability is the search for national belonging as it strives to uphold the rich cultural diversity. This is considered to be one of the main challenges to peace and social stability with the recognition that this cultural wealth and shared history also plays a key role in finding a

³⁵⁰Media Action, 2012, p.5.

sustainable solution for building a common future. The organization of the oil sector is a key pre-requisite that will decide the prospect of the state. South Sudan with a population of 8.26 million in a disputed census with 51% of its populace below the age of 18 and mostly 83% rural.

The country has many of its people living below the poverty levels which is around 27% and 16% of its women above fifteen who are literate. It is composed of many tribes and languages, English and Arabic are the two most spoken languages in South Sudan.³⁵¹ The economy is still dependent on oil export or donor funding thus increasing vulnerability to external shocks and there is lack of proper mechanisms for revenue allocation and resource distribution in all sectors and regions. Fluctuating oil prices and decreased oil production led to lowered GDP in 2012 which rose in 2013.³⁵² As conceptualized in this study, collaboration in the exploitation of oil finds in the Ilemi Triangle can augment access to oil resources in South Sudan. This can go on to enhance economic transformation in the country as pointed out by respondent D14:

“Oil resources in the Ilemi Triangle can boost the number of barrels produced by South Sudan per day. This means more money for the country. It could also grow the economy of the country and lead to development of infrastructure in the country.”

These findings as presented by respondent D14 show that collaborative exploitation of oil at Ilemi in an atmosphere of peaceful coexistence and interdependence as postulated by the *Neoliberal Institutionalism Theory* could enhance economic transformation of South Sudan.³⁵³

³⁵¹Ibid.

³⁵²Yager, T.R. (2015). *The Mineral Industry of South Sudan*. Minerals Book, U s Geological Survey.

³⁵³Ibid.

Literature shows that the state of South Sudan faces serious governance challenges that impede its ability to meet the aspirations of its citizen. The state inability to provide basic essentials compete and fight over meager resources and the same cascades to its people who are left to compete and fight for the same. The poor infrastructure hinders provision of security and other services. The government is accused of corruption, bias and nepotism. South Sudan is struggling to build a cohesive nation out of different ethnic groups as such maintenance of law and order is a big challenge. With only about 28 000 police officers who are ill equipped and not well trained the government is unable to maintain law and order. South Sudan continues to suffer chronic insecurity at the community level.

There is high insecurity in South Sudan. The major security concerns are cattle raiding, killings, armed robberies, abduction, rape, and proliferation of SALW. Insecurity is still a great concern at the State and the National level. Sources of conflict are due to creation of new administrative areas, conflict over access to land for agriculture, grazing cattle, land grabbing for various purposes, political interference in inter community relationships and lack of sustainable means of livelihoods. This situation can be appeased by increased access to water and pasture. In this regard, access and collaborative utilization of pasture and water resources in the Ilemi Triangle can be panacea to this problems as posited by respondent D14 who had this to say:

“Indeed there are major challenges facing South Sudanese. Lack of continuous supply of water and pasture in the country has led to conflict among pastoralists. In this regard, it is evident that increase in collaborative exploitation of water and pasture at Ilemi Triangle can appease some of these conflicts. This would go on to enhance economic development in the region.”

As argued by respondent D5, collaborative use of water and pasture in Ilemi can check conflict among pastoralists and farmers in South Sudan. This can lead to peace and interdependence as postulated by the *Neoliberal Institutionalism Theory*.³⁵⁴ This can lead to increased agricultural and livestock productivity, augmenting food supply in the country. The net effect of this would be enhanced economic development in the country.

Literature goes on to show that about 50.6% of South Sudan's population are living in abject poverty with huge gaps existing between different classes and areas with massive levels of poverty and deplorable human development situation. Only 10% of its workforce is in employment, the creation of jobs is seen to be a key pointer for the new country and this vital to peace and justice.³⁵⁵ It can thus be argued that, and as pointed out by this study that the resources in the Ilemi Triangle can be used to create employment if they were used collaboratively and in an atmosphere of peace as envisaged by the *Neoliberal Institutionalism Theory*. In corroboration to this position, respondent D17 points out that:

“The resources at Ilemi can create a lot of jobs for South Sudanese. They can create new farming opportunities; work in oil fields, administrative jobs and so on. This can reduce poverty and contribute to economic growth of the country.”

These findings show that the resources at Ilemi can enhance productivity in South Sudan.

This would go on to enhance economic transformation in the country as well as in the entire HOA region.

³⁵⁴Baylis, J., & Smith, S. (2001) *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York: Oxford University Press

³⁵⁵UNPD. (2010) *Governors' Forum of Southern Sudan: Step toward Decentralized Governance*.

6.7 The Economic Potential of Ilemi Triangle and Livelihood Diversification

Lastly, the researcher went on to find out if the economic potential of the Ilemi Triangle led to livelihood diversification, a key recipe for economic growth. The findings obtained were presented in Figure 6.10.

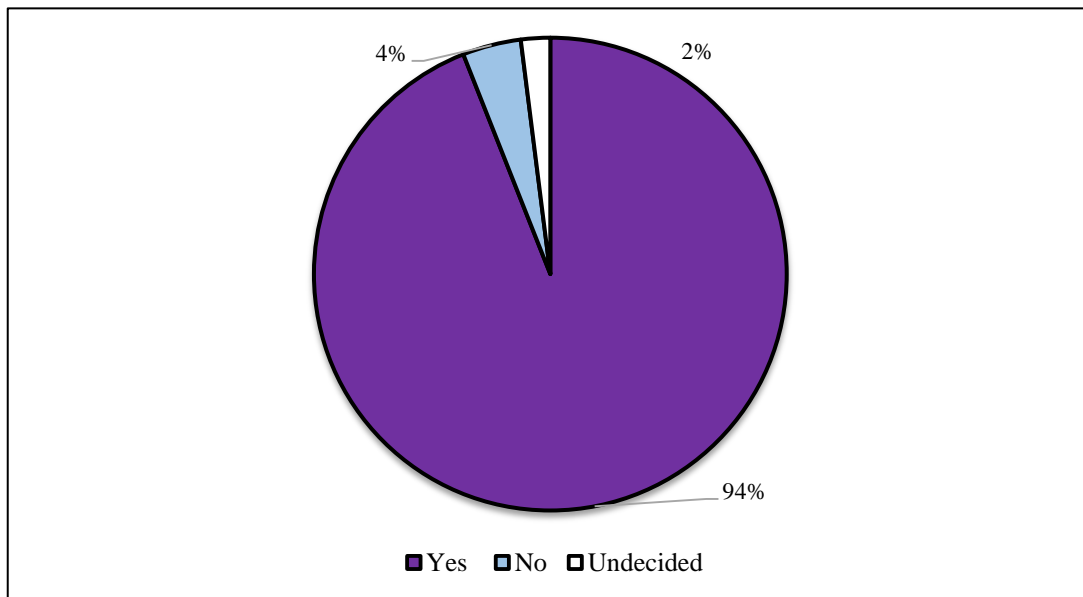


Figure 6.10: The Economic Potential of Ilemi Triangle and Livelihood Diversification

Source: Field Data, 2017

Most of the respondents (94%) show that the economic prospective of the Ilemi Triangle had the potential to lead to livelihood diversification in the area. This is important for a region that is faced with chronic unemployment, slow economic growth, poverty among others as pointed out by Morton.³⁵⁶ Livelihood diversification is also important for pastoralists in Ilemi who have erratic sources of income in the wake of drought and cattle rustling.

³⁵⁶Morton, J. (2008). 'DFID's Current and Potential Engagement with Pastoralism: A Scoping Study', Greenwich: NRI

Herdsman do not stand for any source of income. It is how most people live in Africa.³⁵⁷

Herdsman can be defined as those people who rely on their livestock for food and meat and who graze their livestock in open free spaces and move with their livestock. They engage differently with people in markets.³⁵⁸ Pathways are usually pushed by different factors such as disease, cattle rustling among other factors.

The harsh climate makes up for over 80% of country's landmass supports which translates to 20 – 25% of the populace.³⁵⁹ The harsh and difficult environment with perennial drought spells are slowly pushing pastoralists to death, thus need for diversification. This is as a result of very hot climate which leads to excessive sweating. In most areas the consequence is overgrazing and serious environmental shortfalls which lead to desertification. Change in weather patterns and varied lifestyles have swayed people's livelihoods and income levels.³⁶⁰ This often calls for livelihood diversification. Many studies on the diversification of livelihood pathways in the rural areas of developing countries have been conducted with a bias of survival rather than view as a form of transformation. It can thus be argued that the resources in the Ilemi Triangle if used collaboratively and in peaceful atmosphere as envisaged by the *Neoliberal*

³⁵⁷Ibid.

³⁵⁸Dyer, W.K. (2012). *Pastoralism in the Horn of Africa: Diverse livelihood pathways* edited by Ouma, B., and Mercer E., Future Agricultures Consortium. University of Sussex: Brighton BN1 9RE UK

³⁵⁹ Golicha, D., Ngutu, M., & Charfi, H. (2013). *Livelihood diversification options for pastoralists in mountain and oasis areas of northern Kenya*, Kenya Agricultural Research Institute (KARI), Nairobi: Kenya.

³⁶⁰Inkermann, H. (2015). *Diversification of livelihood strategies and the transformation of pastoralist life among Afar women in Baadu – Ethiopia*, Edited by the section for Development Geography Department of Geography University of Bonn.

Institutionalism Theory can enhance the livelihood diversification in the HOA region.³⁶¹

In this regard, respondent D11 had this to say:

“The immense resources of Ilemi can enhance income diversification in the HOA region. This is more so since numerous economic activities can be sustained by the area. Fishing, farming, cattle keeping and oil exploitation among other can create various forms of employment for people in the area.”

Livelihood diversification in the region can go on to enhance the economic standing of the region as more and more people find employment.³⁶² The Ilemi Triangle and its surroundings is homeland to the biggest pastoralist groups worldwide.³⁶³ Although the discovery of oil in the area may bring a new dimension into the dispute over the Ilemi Triangle and might lead to conflicts, increased willingness by the countries around the area to share the resources may result in increased access to employment by the inhabitants of the region. As such, and at this juncture, it will better for Kenya, South Sudan and Ethiopia to urgently find out peaceful ways to solve the dispute on ownership of the Triangle. This is important since it can safeguard access to employment opportunities by the inhabitants of the area and foster economic transformation as argued by this chapter.

6.8 Chapter Summary

This chapter set to examine how the economic potential of the Ilemi Triangle could result to economic transformation of the HOA region. It was thus evident that the Ilemi

³⁶¹Baylis, J., & Smith, S. (2001). *The Globalization of World Politics. An introduction to international relations*. (2nd Eds). New York: Oxford University Press

³⁶²Ibid.

³⁶³Mburu N. (1999). *Contemporary Banditry in the Horn of Africa: Causes, History and Political Implications*, Nordic Journal of African Studies, University of London: United Kingdom.

Triangle is replete with numerous resources that can be put into economic use. If these resources could be used to create employment and earn revenue for the countries around the Ilemi Triangle, this could result in economic transformation in the region. The study found that Ilemi has immense water resources. These resources can be put into economic use that can go on to transform the region as well as the HOA as a whole.

Furthermore, there are numerous fishing grounds in the Ilemi Triangle. As such, investments in fishing can be developed to enhance livelihood of the people in the area. Indeed, the findings show that with interdependence and peace in the region as postulated by the *Neoliberalism Institutionalism Theory*, it is possible to foster shared development and utilization of fisheries in the region. This can go on to enhance economic transformation in the region.

There is immense pasturage in the Ilemi Triangle. This can be put to good use with good cooperation between the countries that stride the region. The rich pasture in the Ilemi Triangle can be used to enhance the economic standing of the HOA region as posited by the *Neoliberal Institutionalism Theory* where interdependence can bring peace. When peace persists, it is possible to for the inhabitants of the region to share resources. This can go on to enhance the economic standing of the inhabitants of the region.

Furthermore, the recent discovery of hydrocarbons south of the Triangle has invoked national interests in the wake of anticipated economic benefits associated with striking oil. As such, if peaceful coexistence as postulated by the *Neoliberalism Institutionalism*

Theory can be enhanced in the region, peace can prevail. The end result of this would be peaceful exploitation of any major oil finds at Ilemi. This would go on to contribute to the economic transformation of the region since nations regard fossil fuels as key to enhancing socio-economic development.

It was also made evident that the high potential of agricultural resources at Ilemi Triangle can lead to enormous economic transformation of the HOA region. This could take place if Kenya, South Sudan and Ethiopia put in place mechanisms for augmenting collaboration in the access to farmlands, water for irrigation and pasture for livestock.

Lastly, the findings show that the economic potential of the Ilemi Triangle can lead to livelihood diversification in the area. This is important for a region that is faced with chronic unemployment, slow economic growth, and poverty among others. Livelihood diversification is also important for pastoralists in Ilemi who have erratic sources of income in the wake of drought and cattle rustling. Furthermore, livelihood diversification in the region can go on to enhance the economic standing of the region as more and more people find employment. As such, and at this oil discovery stage, it will better for Kenya, South Sudan and Ethiopia to urgently find out peaceful ways to solve the dispute on ownership of the Ilemi Triangle. This is important since it can safeguard access to employment opportunities by the inhabitants of the area which can go on to foster economic transformation. This chapter focused on the economic potential of the Ilemi Triangle and how it could result to economic transformation of the HOA region. The next chapter presents summary of the findings, conclusion and recommendations.

CHAPTER SEVEN

SUMMARY OF THE FINDINGS, CONCLUSION AND RECOMMENDATIONS

7.1 Introduction

This chapter presents the summary of findings established based on the research objectives outlined in chapter one. The findings are contextualized in the broader study objective of examining the role of shared resources in enhancing inter-state relations in the HOA Region. Herein, a case study of the Ilemi Triangle is utilized. Essentially, the research endeavoured to: examine the extent to which collaborative management of shared natural resources enhances inter-state relations in the HOA; investigate strategies used by states in the Horn of Africa in addressing negative effects that arise from shared resources; critically determine impediments to collaborative management of shared resources in the HOA; examine the interests in the Ilemi Triangle and state cooperation in HOA and; examine how the economic potential of the Ilemi Triangle will result to economic transformation of the HOA region. With a conclusion, the researcher will give some policy recommendation suitable for enhancing inter-state cooperation in management of shared resources.

7.2 Summary of Findings

After a detailed examination and consideration of the summary of the findings, the study reached the conclusion which then informed recommendations.

7.2.1 The extent to which collaborative management of shared natural resources enhances inter-state relations in the Horn of Africa

The first objective of this study sought to establish the extent to which collaborative management of shared resources enhances inter-state cooperation in the HOA region. The researcher established that some of the shared natural resources found in the HOA region include; the Nile River Basin (11 riparian states), Mount Elgon (Kenya-Uganda) and Mount Kilimanjaro (Kenya-Tanzania), the Ilemi Triangle (Kenya-South Sudan-Ethiopia) and Lake Victoria (more than 10 sharing states). Economic opportunities rank high since states stand to gain as a result of managing a shared natural resource.

Although states which share natural resources accrue other socio-political and ecological benefits, economic interests pursued by the sharing states to a large extent dictate the nature of cooperation or rather lack of it, thereof. Economic considerations are the driving force characterizing state behavior towards the others and foreign policies are based on these economic considerations as indicated by majority (45%) of respondents who participated in this research. Shared management of natural resources is debatable and produces a myriad of results.

This research reveals that shared management of natural resource is proven unsuccessful due to trust issues and national chauvinistic tendencies. The case of the Ilemi Triangle shared among South Sudan, Kenya and Ethiopia is one where trust issues have taken hostage of the delimitation process and delayed the demarcation of the international boundaries. Despite formation of a number of joint commissions to demarcate and

delimit the Ilemi Triangle little has been achieved, consequently the sharing states are at loggerheads particularly Kenya and South Sudan with the latter referring a delimitation suit to an International Court of Justice (ICJ) for adjudication. The Ilemi Triangle therefore, presents a challenging territory souring inter-state relations in the HOA region.

7.2.2 Strategies used by states in the Horn of Africa in addressing the negative effects that arise from shared resources

In line with the second objective, which investigated the strategies used by states in the region to mitigate the negative consequences of sharing resources, it is apparent that the shared resources in the HOA had potential to breed conflict. The respondents strongly agreed that oil prospects; rich grazing grounds; underground water and; high agricultural potential were economic interests that caused interest. This chapter went on to investigate the level to which selected political interests had led to rivalry among bordering states. From the findings obtained, it is evident that numerous negative effects arose in the bid to secure territorial sovereignty, push for use of the resources in interstate trade and pursuit of land for infrastructural development.

The study also found out that, some of the negative effects of shared resources in the Ilemi Triangle were triggered by security concerns. The respondents pointed out the shared resources at the region led to cross-border, cattle rustling and proliferation of small arms. Cattle raiding have been an important feature of the Turkana, the Ilemi Triangle and its neighbouring regions. The main purpose of raiding in the region has been; for restocking purposes, access for water resources as well as expansion into new

grazing areas. This makes security in the region of utmost importance to the nations bordering the Ilemi Triangle.

The Triangle has for decades been subject to the proliferation of modern weapons. The proliferation and influx of modern weaponry has been enhanced by armed conflicts in Uganda, Ethiopia, the former Sudan and Somalia. This has seen the shift from bows and arrows, to sophisticated weapons such as *Kalashnikovs* (AK-47) and other automatic weapons. Furthermore, influence from local politicians especially in Kenya has made it hard to curb cross border skirmishes in the region.

The researcher sought to determine the strategies that were used to address the negative effects of shared resources in the HOA. To this end, the respondents were posed with a number of questions regarding the strategies that were used in managing the various shared resources in the region. The findings obtained show that states in the HOA were using various strategies within the process of addressing the negative effects of shared resources. These included using strategies such as agreements i.e. Nile Waters Agreement, NBI & TECCONILE; Cooperative Agreement for shared Utilization of Resources; Collaborative Interstate Security Initiatives and Interstate Diplomacy.

The chapter went on to find out the strategies that were employed by Kenya, South Sudan and Ethiopia in addressing the negative effects of shared resources. From the findings majority (80%) of the respondents indicated that Kenya lacked appropriate drafted policies on the Ilemi Triangle while 20% were of the contrary opinion. This is supported

by the fact that Kenya's future linkage to the disputed territory is difficult to establish due to official secrecy and conspiracy theories.

On South Sudan, the majority (85%) of the respondents indicated that South Sudan had not drafted policies on the Ilemi Triangle while 15% were of the contrary opinion. This depicts that South Sudan does not have drafted policies on the Ilemi Triangle. This is supported by the fact that the current territorial claims by both Kenya and Sudan have credibility gaps seemingly due to lack of drafted policies by both countries.

As far as Ethiopia was concerned, majority (70%) of the respondents indicated that Ethiopia had not drafted policies on the Ilemi Triangle while 30% were of the contrary opinion. This depicts that Ethiopia does not have drafted policies on the Ilemi Triangle since it has never claimed ownership per se. This is explained by the argument that Ethiopian government has never made an official claim on the Ilemi and in fact agreed that the land was all Sudanese in 1902, 1907, and 1972 treaties.

The findings obtained that the three countries had prioritized five policy areas to various levels and thereby depicting that the three countries had significantly different goals for the Ilemi Triangle. These priority areas include security reforms, humanitarian and social programs, governance and administration, economic transformation, reforms and infrastructural development programmes.

7.2.3 Impediments to Collaborative Management of Shared Resources in the Horn of Africa

The research examined the impediments to collaborative management of shared resources in the HOA. The findings show that there are various impediments to collaborative management of SR in the HOA. To begin with, it is evident that the regimes in which countries find themselves have the propensity to impede collaborative management of SR the world over. This has been evidenced in cases where unstable governments in the HOA have seen conflicts. When this happens, it becomes a hard feat for governments to sit down and amicably put in place strategies, aimed at abetting collaboration in the exploitation and management of SR.

In some cases, countries plotted against each other in the region and this would lead to sour relations between such countries making collaboration in the management of SR hard to realize. Another challenge facing the collaborative management of resources in the HOA is intermittent cross-border skirmishes in which light weapons infiltrated to otherwise peaceful areas. This challenge co-existence and cooperation in sharing of resources in the HOA. This situation has left unsolved disputes among some major SR such as Lake Victoria, Indian Ocean as well as Ilemi Triangle. It is also evident, that unstable and dictatorial regimes that sustain major military budgets also lead to unsustainable utilization of resources, including SR found in the region.

Ideological differences (leaning regime types) in the HOA often thwart the efforts aimed at collaborative management of SR. In this regard, and according to extant literature,

when governments tend to value military approach to conflicts related to SR, the results are always dire. This is particularly so, since this sustains decades of human crises and deprivation of access to resources in conflict zones.

The findings also show that ideological differences makes it hard for governments in the HOA to amicably discuss issues related to collaboration in shared resource management. These findings agree with those of Teodorescu who argues that owing to immense ideological differences, it is often hard for governments to come to a round table and amicably discuss issues related to border disputes not to mention conflicts related to SR. In most cases, countries with the same ideological leanings (Christian, Islamic, capitalist, socialist etc.) tend to agree on a wide range of ideas as opposed to those with opposing ideologies.

Economic and socio-cultural differences also lead to conflicts. In the HOA, and as argued by this study, economic differences influence the propensity of the communities living there to take to arms in cases of conflict. This explains the longstanding cattle rustling conflicts in the region. In the wake of such conflicts, it often becomes hard for states to collaborate in the management of SR as argued by this chapter.

The existing alliance systems between countries and even within a country affect the way the country runs its affairs with its neighbours. This has been exhibited in the conflict in Somalia where Ethiopia and Eritrea armed militias in the country. As is always the case, when the country's opposition teams up with hostile neighbours, securing internal

security in the country is challenged. Importantly, managing SR often becomes hard in the case of the ensuing conflicts since suspicious neighbours find it hard to come to a round table and establish collaborative frameworks for sharing such resources.

It was also established that international alliances based on political, religious and ethnic ideologies hindered collaborative management of resources in the HOA. Leaning to the Eastern Bloc and other Soviet Allied countries such as Cuba created long standing animosity between Ethiopia and Somalia. This was through constant access to weapons by the regimes in either country from European sources due to cold war politics.

The study also established that the per capita income is usually systematically and negatively affected by civil war. In which case, countries with lower per capita income often tend to result to armed conflict whenever differences arise and vice versa. As such, disparities in economic development increase the propensity to result to armed conflict between neighbours, making collaboration in the management of SR a hard feat.

Lastly, it is evident that disenfranchised groups often took to arms as the conflict over limited resources intensified. This has been the case in the Ilemi Triangle where numerous groups fight for control of resources. In this regard, it is often hard to manage these resources in the wake of intermittent conflicts in the area. The nexus between poverty and conflict is thus undeniable and can challenge cooperation in the management of SR as war rages on among some of the states that share such resources.

7.2.4 Interests on Ilemi Triangle and State Cooperation in Horn of Africa

The fourth objective of the study was to examine “the country’s competing interest in the Ilemi Triangle and areas of cooperation that have shaped inter-state relations in the HOA.” The findings obtained show that Kenya has the *de facto* control over the Ilemi Triangle. The first interest of Kenya towards the control over the Ilemi Triangle has been the need to protect the Turkana People from raids orchestrated by the nomadic communities who frequently clash over traditional grazing lands. Secondly, the discovery of commercially viable oil deposits in Turkana County placed Kenya’s interest on controlling the Ilemi Triangle at a higher value than before. The discovery of oil deposits has the potential to ignite resource fueled conflicts as states and non-state actors compete to exploit and benefit from natural resources as witnessed in some parts of the African continent. Notably, the LAPSSSET project which is jointly undertaken by Kenya, South Sudan and Ethiopia constitute the major policy strategy by the Republic of Kenya in relating with the historically marginalized the Ilemi Triangle probably to exploit the Oil and water resource available in the region.

The government of South Sudan derives nearly 98% of its budget revenues from oil which is exported through two pipelines that run to refineries and shipping facilities at Port Sudan on the Red Sea. South Sudan wrote to the United Nations (UN) Security Council seeking interventions to reclaim some parts of the Ilemi Triangle that extends into the Kenyan territory. However, South Sudan’s Ambassador to Kenya later refuted this report claiming that it was a ‘malicious accusation’. South Sudan fears that, if Oil exploration in Kenya goes on, then they will stand to lose more Oil from the wells in

Turkana which are on the Lower side of the oil-table than the wells in South Sudan. They have therefore, planned to create a conflict situation as a way for (South Sudan) to buy time to explore and drill more Oil on their side before Kenya drills at Ngamia 1 and the various Blocks.

Ethiopia's interest in the Ilemi Triangle is much influenced by the 1907 Treaty between the British and Ethiopia. The country's interest in the Ilemi Triangle is greatly driven by the Omo River which flows from its territory in which more than tens of thousands of Dassanech residing in the Omo basin rely for food security and lake resources.

Both the Kenyan and Ethiopian governments have greatly increased their police and military presence in the region as they begin implementing plans for further expropriation of indigenous lands, for major infrastructure construction, increasing diversion of Omo River waters, and commercial agribusiness. The Ilemi Triangle continues to hold a strategic importance to Ethiopia's Dassanech pastoral community and her inclusion in the regional infrastructure development project (LAPSSSET) is a clear indication of the emerging geo-strategic importance of the Ilemi Triangle. Although, the Dassanech community was kicked out of the Kenyan territory around northeast of Lake Turkana, by late 1990s the Kenyan officials started to permit their movement back to the land.

The construction of Gibe III dam by the Ethiopian government partly depends on the inter-ethnic cohesion of the communities sharing the Ilemi Triangle. The construction of the Dam is deemed to be disastrous to the Dassanech and the Inyangatom communities which rely on the riverine livelihoods of the floods of Omo River. The precipitous drop in

Omo river flow volume (at least 60-70 per cent) would cause the cessation of flooding in the riverside habitats where the Nyangatom, like the Dassanech, rely on flood recession agriculture. Extensive Nyangatom communities between the Omorate latitude through their entire upstream settlement area would face starvation, with no alternatives for survival.

Apart from drawing concerted interest in the control over the Ilemi Triangle by the three HOA region states, these states have occasionally cooperated in a number of ways solidifying regional security, furthering economic development and uniting in humanitarian causes. Apart from state's interest in the Ilemi Triangle, other non-state actors such as the major oil and gas resources companies are identified within the tri-nation border region, with numerous international petroleum corporations actively engaged in exploration activities. The shift from the region being considered 'marginal', yet contested, to be one of the most valuable both for the three nation states involved and for the international oil industry, has clearly altered the nature of the policy choices at hand.

The Ilemi Triangle has never been adequately surveyed to delineate national jurisdiction, at least to the satisfaction of the three countries involved. It remains a contested area by Kenya, Ethiopia and Sudan. Until very recently, the Ilemi was considered to be essentially 'valueless'. This situation has now dramatically changed. The Ilemi's proximity to the lengthy war between Sudan and South Sudan, along with the intensive extractive industry development in southern and south central Sudan, have led to major

new linkages between South Sudan and Kenya. Road development and major travel and interchange related to extractive industries, other industrial and agricultural development, physical infrastructure construction and all sorts of political and economic exchanges now dominate the inter-state relationship.

A recent surge in oil and gas exploration in the region has awakened interest in the Ilemi Triangle and the entire region at large. Sudan, Kenya, and Ethiopia are all making new agreements with international energy corporations and there are new concessions for exploration in the Ilemi itself, in the extreme northwest of Kenya, and most recently, in the Lower Omo Basin of Ethiopia. Numerous oil corporations are active in the region, although oil exploration has been conducted in the region for decades. Already, protests between indigenous communities and organizations have occurred in Turkana County, and the awareness of problems associated with oil exploration is spreading rapidly throughout the region. Major multi-national oil and gas resources are identified within the tri-nation border region, with numerous international petroleum corporations sanctioned by respective states are actively engaged in exploration activities. There is a growing interest by the three states to change tact in the region previously considered ‘unwanted’, yet presently contested as one of most important for both for the three nation states.

7.2.5 The Economic Potential of Ilemi Triangle and Resultant Economic Transformation

The fifth objective of the study was “to examine how the economic potential of the Ilemi Triangle will result to economic transformation of the HOA region.” The findings

obtained show that the discovery of important resources such as oil and gas are both a source of blessings and curses for a state and its populace.

The findings obtained show that the Ilemi Triangle dispute has never been considered as a big deal. However, the discovery of oil in the area may bring a new dimension into the dispute over the Ilemi Triangle and might lead to conflict. At this stage, it is important for Kenya, South Sudan and Ethiopia to urgently find out peaceful ways to solve the dispute on ownership of the Triangle. *Resource Curse* refers to a scenario whereby the affluence of natural resources results to a downturn in the economy and disputes over resources. This affluence of natural resources results to unsatisfactory growth and raises the acuteness of the dispute. Political economy looks at the connections between trade and governments' structure. Political economists study the gains and losses accrued from the activities. Political economy are two inter-connected words. They are not separate.

The findings obtained also show that contest over natural resources can result to violence. This violence can be infuriated for a fight over religious, culture and economic problems afflicting the society. Resources usually have historical and cultural significance, which form part of the character of a people. The World Bank defines natural resources as those comprising of resources in the natural environment and which are important to human beings. The political and economic outlook of any country is that, the resource curse is a combination of ordinary belief that abundance of mineral deposits results to slow growth and those disputing this view tend to agree with the comparative advantage theory which

was enlivened by Smith and Ricardo who opined that rich states have a comparative advantage over poorly managed resource states.

Plenty of resources quicken the resource curse in states which have weak institutions leading to corruption and disputes. Openness and accountability play a critical role in overcoming these challenges and hence worldwide collaboration is important. The resource curse is not unavoidable. There are countries which have benefitted from the abundance of resources. Openness can permit people to look into norms that lead to equal revenue sharing.

Stability and peace in the continent are premised on cooperation; hence, regional bodies such as; EAC, the NBI, IGAD and the larger AU are key in fostering this. It is evident that the continent will require such cooperation to meet its goals. A good example here is Kenya - South Sudan relationship. Their relationship is based on shared respect, history and civilization.

Bilaterally, the increased level of capital and business between states illustrate an anxious association in other perspectives. Most local arrangements for collaboration and assimilation have stated that interdependence is core in any violence and competitive environment between countries. The East African Community is poised for continued economic growth, and certain advantages may allow the region to greatly advance in economic, political, and social ways. There is massive development project consisting of airports, railways, roads and an oil pipeline. The transport network is aimed at connecting

cities in Ethiopia, Kenya, and South Sudan. The US\$23 billion LAPSSSET project, is a huge trade investment in the EAC region and beyond.

Herdsman could be defined as those people who rely on their livestock for food and meat and who graze their livestock in open free spaces and move with their livestock. They engage differently with people in markets. Pathways are usually pushed by different factors such as disease, cattle rustling among other factors.

The harsh climate makes up for over 80% of country's landmass supports which translates to 20 – 25% of the populace. The harsh and difficult environment with perennial drought spells are slowly pushing pastoralists to death, thus need for diversification. In most areas the consequence is overgrazing and serious environmental shortfalls lead to desertification and the change in weather patterns and varied lifestyles has affected people's livelihoods and income levels.

Many studies on the diversification of livelihood pathways in the rural areas of developing countries have been conducted with a bias of survival rather than view as a form of transformation. Recognizing an important change is required about the livelihoods of herdsman. The alteration developments of a culture need to be visible within the wider perspective of external and internal factors that have led to the transformation.

7.3 Conclusion

In conclusion it is clear from the study that the Ilemi Triangle affects the geopolitics of the HOA states. This conclusion was arrived at after considering both the economic and political policy decisions of three HOA states towards the Ilemi Triangle. On this basis, the fifth hypothesis of the study namely, the economic potential of the Ilemi Triangle will result to economic transformation of the Horn of Africa was affirmed.

The study also concluded that security, humanitarian and social programmes were ranked highest in the prioritization of policies in a move to consolidate Kenya's effective control over the Ilemi Triangle. This was attributed to the fact that, good neighborliness would help in settling border issues with Ethiopia and South Sudan.

The study found that, Kenya has come up with a raft of measures such as; occupation of the Ilemi Triangle by Kenyan security forces, including the administration of the area. The area has a Member of Parliament (MP) and border immigration personnel. Setting up of a police base and an air strip at Lokichoggio and arming of the Turkana people are some of the consolidating strategies that Kenya has laid up to claim and control Ilemi. The government of Kenya (GoK) has held bilateral discussions with the concerned parties in an effort to bring to an end the ongoing dispute. This affirms that the third study hypothesis that posits that: proper strategies for addressing negative effects that arise from shared resources enhance inter-state cooperation in the Horn of Africa states. So far, the government has prioritized the maintenance of good relations with Ethiopia and South Sudan over the resolution of outstanding border issues. This can increase tensions and

alienate borderland peoples from the central government, leading them to resort to the organization of armed local defense forces. This in effect affirms the first hypothesis that proposes that lack of collaborative management of shared resources in the Horn of Africa region will result in inter-state conflict.

Further this study concludes that, the planned infrastructural development will improve peaceful coexistence and will open the economic potential of the area as a result of more inter-trade in the region. Infrastructure projects have a direct impact on FDI; it funds and builds the industries and other sectors. Infrastructural projects foster competition and increase efficiency and productivity across the distribution chain. It establishes and ensures continuity of markets. This can enhance the livelihood of the people which is a major determinant of conflicts over shared resources. As such, this affirms the fourth hypothesis that addressing the impediments to collaborative management of shared resources in the Horn of Africa enhances inter-state cooperation in the Horn of Africa states

In addition, it creates job opportunities, raises gains and prospers development. This study concludes that, the Ilemi Triangle dispute has never been considered as an important geographical territory. This in effect affirms the second hypothesis that proposes collaborative exploitation of shared resources for sustainable development, enhances inter-state cooperation among the states in the HOA.

7.4 Recommendations

Based on the study findings, the following policy and academic recommendations are made:

7.4.1 Policy Recommendations

1. Based on the findings established above, this study recommends that the three partner states should examine carefully the underlying causes of dispute in the Ilemi Triangle and use the best conflict resolution approaches in solving any conflicts on the resources available in the Triangle. As pressure on the natural resources continues to increase, it is ever more critical to find out sustainable solutions to its management. Reconciling the impacts of pressure on natural resources requires an understanding of how these systems interact, their interdependencies and their changing relationship over time. A solution would also require an understanding of the consequences of different conflict management approaches.
2. The three independent states need to have an ability to balance the needs of society and the natural resource and willingness for dialogue with relevant stakeholders, in order to tackle the root causes of the dispute on the Triangle and formulate strategies on conflict management. The sharing states should form a joint survey team to delimit and demarcate the international boundaries based on consensus and guided by ideals of regional integration centered on good neighborliness. The study recommends an effective approach for natural resource management in regards to the Ilemi Triangle and its economic potential, so as to collectively address the needs that affect all members and share the benefits equally.

3. Collaborative utilization of shared resource does not provide a one-stop solution to exploitation of resources across state borders. In reality though, it behooves states to manage cross-border resources independently, as so doing may seem profitable than when sharing them with neighbors. At times, cross-border cooperation of states, lead to emergence of cartel networks which intervene in the buying and selling of the products leaving states making losses. Therefore, individual state efforts are more suitable to drive economic benefit and sustainably manage resources. For example, partnership by Horn region states in coming up with cooperative approaches for the protection of the Ilemi Triangle against over-exploitation and monopolization of the territory through hegemonic tendencies.
4. This study recommends effective border control mechanisms among all the Ilemi sharing countries. Effective border control mechanisms are vital for improved intra-state security requirements. Many states are always worried about their sovereignty and ceding of parts of their territory to ‘foreign’ control under the Trans-boundary arrangement. Far from it though, through sharing control of trans-boundary resource management, states can exponentially benefit due to improved administration.
5. Security is another issue to cause worry. There is the fear of insecurity along state boundaries, which may be susceptible to criminal elements crossing over from states in conflict and high number of migrants crossing from low economic zones. In addition, the flow of small arms and light weapons, as well as spread of diseases is also a possibility. National security and compromise over sovereignty become issues which constrain states to cooperate in managing resource collectively.

6. States sharing natural resource should invest in good diplomatic relations among themselves. Improved diplomatic ties amongst neighboring states improve collaborative management of the Ilemi Triangle and play a critical role in setting up large-scale activities such as success of LAPSSSET project. Good diplomatic relations aid in settling cross-boundary strife by employing shared values. This will increase security at the boundaries and ensure states enjoy the benefits of the resources. Good diplomatic relations create foundation for enhanced development within states.
7. The states sharing disputed territories should enter into agreements for a stable and secure HOA region. Agreements and compromise are necessary in cases where solutions are being sought. Cross-border links vary in nature from simple communication between community members sharing resources across borders, to signed Memorandums by states. Agreements and accords can be initiated at informal levels and graduate to formal agreements over years.
8. The three states (Kenya, South Sudan and Ethiopia) are required to energize regional treaties already in place through implementing them together in good faith and use enforcement tools where necessary. For success to be achieved, processes and structures must be put in place and seen to function, through the EAC, IGAD and other regional bodies. Dependence on just national frameworks in the pursuit of cross-border interests results into dominance of those of hegemonic powers in the region. Thus interests of small states run the risk of being ‘trampled upon’.

7.4.2 Academic Recommendations

1. This study recommends further study on the socioeconomic and political implications of the war in south Sudan on her interest in the Ilemi Triangle
2. Studies on the influence of discovery of oil in Turkana as well as South Sudan on the politics of the Ilemi Triangle would also be interesting.
3. Studies on the influence of surrounding countries such as Uganda on the evolving conflict in the Ilemi Triangle are also recommendable.
4. The model to sharing and conservation of joint resources such as the Nile Basin Initiative could also be used to test the recommendations on sharing the resources at Ilemi as recommended by this current study.
5. Studies on the strategies and conflicts over other shared resources such fishing grounds as in the case with Migingo Island are also recommendable for comparative purposes.

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APPENDICES

QUESTIONNAIRE

Appendix I: Research Questionnaire-Kenya, Ethiopia and South Sudan

Dear Respondent.

I kindly request you to provide information my PhD study titled: Ilemi Triangle and geopolitics of the Horn of Africa. The study intends to analyze the role of shared natural resource management (SNRM), strategies used by states in the Horn of Africa in managing resources, Economic and social political impact generated from Ilemi Triangle and Foreign policy of the Horn of Africa states in relation to Ilemi Triangle.

You have been identified to provide critical information to make this study a success. All responses will be acknowledged, credited and strictly used only for academic purposes. Information obtained will be treated in confidence. Your cooperation is highly appreciated.

Thank you.

Edward Waithaka

PhD candidate University of Nairobi, Kenya

SECTION A: Bio Data. Please tick as appropriate

- i. Sex: Male Female
- ii. Age 20-30 31-40 41-50 51-60 61-80
- iii. Highest level of formal education reached:
 None at all
 Primary education
 Secondary education

College education

University education

iv. Organization: Government Ministry Military and Security Agencies

UN AU Academician

Ilemi Triangle questionnaire

Questions on the role of shared Resource Management in Enhancing Inter-State Relations
in the H.O.A Region

Q1. Do you think sharing Ilemi Triangle leads to armed conflicts in the region?"

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Q2. Has sharing Ilemi Triangle sustained violence between the Turkana and the
Dassanech over fishing grounds?

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Q3. Does the discovery of oil in the area around Ilemi Triangle wield the potential to fuel
the existing communal conflicts in the area?

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Q4. Are there any negative consequences associated with construction of Gibe III Dam in Ethiopia across Omo River which drains in Lake Turkana?

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Q5. Has forceful eviction of inhabitants in the bid to implement government schemes led to conflicts?

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Q6. From your knowledge and experience describe any shared natural resource in the H.O.A that you may know?

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Q7. From the description given above, how many states share the natural resource that you described?

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Q8. How can you describe the nature of state relations which share a common natural resource? (a) Peaceful [] (b) Conflictual []

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Q9. Indicate some of the management practices employed by states which shared natural resource?

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Q10. From your knowledge and understanding list some of the Initiatives/Agreements/regulations governing the management of natural resources?

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Q11. List some of the benefits/Opportunities that accrue to a country which shares natural resources

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Q12. List some of the risks/Threats associated with sharing natural resource

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Q13. Briefly, explain how states can improve their cooperation for mutual benefit of exploiting and utilizing a shared natural resource

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Q14. Briefly explain how shared management of natural resource management can lead to strained inert-state relations

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.....Q15. From your knowledge describe some of the challenges facing the management of shared natural resources

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Questions on the impediments to collaborative management of shared resources in the Horn of Africa.

Q16. Have unstable governments in the Horn of Africa made it hard to put in place strategies aimed enhancing collaboration in the exploitation and management of shared resources?

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Q17. Have the decades of conflict between some Horn of African countries contributed to a situation in which governments plot against one another?"

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Q18. Are there instances in which some governments in the Horn of Africa support the opposition to undermine regimes in neighbouring countries?

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Q19. Do rebels cross borders in the Horn of Africa and Support the Infiltration of Light Weapons and Ammunition?

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Q20. Are there instances of mistrust between states in the region?

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Q21. Any meaningful coexistence and cooperation in sharing of resources in the Horn of Africa has been challenged by poor stability and sanity in interstate relations?

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Q22. Does the political climate breeds internal conflicts hence making it hard for collaborative management of shared resources?

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Q23. Do ethnic loyalties in government affect corroborative management of resources?

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Q24. Do unaccountable regimes in the Horn of Africa affect collaborative management of shared resources?

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Q25. Does immense spending by the ruling regimes on the military deny the countries in the Horn of Africa access to resources that could enhance cooperation in the management of shared resources?

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Q26. Have some ideologies relegated non-military solutions to conflicts in the region to the last place?

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Q27. Has the imposition of ideological or religious values by governments on other people had affected cooperation in the management of shared resources?

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Q28. Have ideological differences made it hard for governments in the Horn of Africa to amicably discuss issues related to collaboration in shared resource management?

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Q29. Have ideological differences in practices such as transhumance and irredentism in the Horn of Africa affected collaboration in the management of shared resources?

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Q30. Did Cold War politics lead to ideological divides and irreconcilable differences that made it hard to collaboratively manage shared resources in the Horn of Africa?

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Q31. Has interstate cooperation been thwarted by immense socio-cultural differences?

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Q32. Has conflict over cultural affiliations in cross border related communities hindered collaborative management of shared resources?

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Q32. Has cooperation between a country's opposition and hostile neighbours affected collaborative management of shared resource management?

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Q33. Have international alliances based on political, religious and ethnic ideologies hindered collaborative management of resources in the Horn of Africa?

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Q34. Have differences in socio-economic development affected collaboration in the management of shared resources in the Horn of Africa?

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Q35. Has state-sponsored exclusion of others and the resultant underdeveloped bred conflict and lack of cooperation in the management of shared resources?

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Questions on the strategies used by states in the Horn of Africa in managing resources.

Q36. To what extent do the following resources have the potential to cause conflict in the horn of Africa? Indicate your level of agreement to the following resources on a scale of 1 to 5 where 1=strongly disagree, 2=disagree, 3=neutral, 4=agree and, 5=strongly agree.

	Rating				
Resource Causing Conflict	1	2	3	4	5
Water					
Pasture					
Fishing Ground					
Lebensraum (Traditional Land)					

Q38. To what the extent have the following selected economic benefits led to rivalry among bordering states? Indicate your level of agreement to the following resources on a scale of 1 to 5 where 1=strongly disagree, 2=disagree, 3=neutral, 4=agree and, 5=strongly agree.

	Rating				
Economic Benefits	1	2	3	4	5
Oil Prospects					
Rich Grazing Ground					
Underground Water					
High Agricultural Potential					

Q39. To what the level have the following selected political interests led to rivalry among bordering states? Indicate your level of agreement to the following resources on a scale of 1 to 5 where 1=strongly disagree, 2=disagree, 3=neutral, 4=agree and, 5=strongly agree.

Political Interest	Rating				
	1	2	3	4	5
Secure Territorial Sovereignty					
Potential for Interstate Trade					
Land for Infrastructural Development					

Q40. To what the level have the following selected economic benefits led to rivalry among bordering states? Indicate your level of agreement to the following resources on a scale of 1 to 5 where 1=strongly disagree, 2=disagree, 3=neutral, 4=agree and, 5=strongly agree.

Resource Causing Conflict	Rating				
	1	2	3	4	5
Agreements i.e. Nile Waters Agreement, NBI &TECCONILE					
Cooperative Agreement for shared Utilization of Resources					
Collaborative Interstate Security Initiatives					
Interstate Diplomacy					

Q41. To what extent had Kenya prioritized policies on the following areas? Rank in a scale of 1 to 5 in order of prioritization.

Policies	Rank
1. Security reform	
2. Humanitarian and social programs	
3. Governance and administration	
4. Economic transformation and reforms programs	
5. Infrastructural development programs	

Q42. To what extent had Ethiopia prioritized policies on the following areas? Rank in a scale of 1 to 5 in order of prioritization.

Policies	Rank
1. Security reform	
2. Humanitarian and social programs	

3. Governance and administration	
4. Economic transformation and reforms programs	
5. Infrastructural development programs	

Q43. To what extent had South Sudan prioritized policies on the following areas? Rank in a scale of 1 to 5 in order of prioritization.

Policies	Rank
1. Security reform	
2. Humanitarian and social programs	
3. Governance and administration	
4. Economic transformation and reforms programs	
5. Infrastructural development programs	

Questions on the economic potential and socio-economic outcomes generated by

Ilemi Triangle

Q44. Will Kenya gain comparative advantage over the other countries in controlling resources in Ilemi Triangle?

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Q45.If yes, explain

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Q46.if yes, explain.

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Q47.Will South Sudan gain comparative advantage over the other countries in controlling resources in Ilemi Triangle?

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Q48.If yes, explain

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.....

Q49. How can the economic potential of the resources available in the Ilemi Triangle exploited for the mutual benefit of the three countries (Kenya, Ethiopia and South Sudan)?

Tick one.

Through infrastructural development in the region	
Through security reforms	
Through good governance	
Through education	
All of the above	

Q50. Are the resources in any way fueling the interstate territorial claims on the Ilemi Triangle?

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Q51. If yes, explain.

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Q52. Would the exploitation of the resources in Ilemi Triangle in any way influence the hegemonic status of Kenya in the Horn of Africa region?

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Q53. If yes, explain how

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Q54. Would the exploitation of the resources in Ilemi Triangle in any way influence the hegemonic status of Ethiopia in the Horn of Africa region?

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Q55.If yes, explain how.

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Q56.Would the exploitation of the resources in Ilemi Triangle in any way influences the hegemonic status of South Sudan in the Horn of Africa region?

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Q57. If yes, explain how

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Q58. If ONE of the countries (Kenya, Ethiopia and South Sudan) become the bona fide owner of Ilemi Triangle will it gain comparative advantage over the other countries?

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Q59. What economic benefits does Kenya stand to gain by legal ownership of Ilemi Triangle?

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Q60. What economic benefits does Kenya stand to gain by legal ownership of Ilemi Triangle?

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Q61. What economic benefits does Ethiopia stand to gain by legal ownership of Ilemi Triangle?

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Q62. What economic benefits does South Sudan stand to gain by legal ownership of Ilemi triangle?

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Question on Kenya’s political and economic policy on the Ilemi Triangle

Q63. On a scale of 1-10, where 1 is the lowest and 10 is the highest show how Kenya has prioritized the below policies in a move to consolidate her grip of the Ilemi Triangle

Security reform	
Humanitarian and social programs	
Governance and administration	
Economic transformation and reforms programs	
Infrastructure development programs	

Q64. What measures has the Kenya government undertaken to consolidate her territorial integrity in the Ilemi Triangle?

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Q65. Are the measures undertaken by the Republic of Kenya effective?

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.....

Q66. If your answer to the above question is yes, please indicate the level of effectiveness (Tick one)

Highly effective	
Effective	
Less effective	

Q67. Do you suggest any additional measures the public of Kenya should take to consolidate her territorial claims? List them.

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Q68. Has Kenya government planned any major long term infrastructural development in the region?

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Q69. If yes, list some of the projects.

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Q70. How will Kenya's planned infrastructural development affect her relations with her neighbours concerning the dispute over the Ilemi Triangle?

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Q71. In Your opinion, will Kenya's economic policy in the region lead to socio economic transformation of communities living in the Ilemi Triangle?

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Q72. If yes, explain how

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Questions on South Sudan and Ethiopia’s political and economic policy on the Ilemi Triangle

Q73. In your opinion, how legitimate in Ethiopia’s territorial claims on the Ilemi Triangle?

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.....

.....

Please indicate the level of their legitimacy

Very legitimate	
Somewhat legitimate	
Not very legitimate	
Legitimate	

Q74. In your opinion, how legitimate is South Sudan territorial claims on the Ilemi Triangle?

Please indicate the level of their legitimacy

Very legitimate	
Somewhat legitimate	
Not very legitimate	
Legitimate	

Q75. Has Kenya drafted any policy towards the Ilemi Triangle?

Yes [] No []

Q76. If yes, explain

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Q77. Has south Sudan drafted any policy towards Ilemi Triangle?

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Q78. If yes, explain.

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Q79. Has Ethiopia drafted any policy towards Ilemi Triangle?

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Q80. If yes, explain

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Q81. In your opinion which one of these politics has Kenya prioritized in the Ilemi Triangle? (Please provide your answer in percentage so that the total of five categories adds up to 100%).

Security reforms	
Humanitarian and social programs	
Governance and administration	
Economic transformation & Reforms programs	
Infrastructure development programs	

Q82. In your opinion which one of these policies has Ethiopia prioritized in the Ilemi Triangle? (Please provide your answer in percentage so that the totals of five categories add up to 10%)

Security reforms	
Humanitarian and social programs	
Governance and administration	
Economic transformation & Reforms programs	
Infrastructure development programs	

Q83. In your opinion which one of these policies has South Sudan prioritized in the Ilemi Triangle? (Please provide your answer in percentage so that the totals of five categories add up to 100%)

Security reforms	
Humanitarian and social programs	
Governance and administration	
Economic transformation & Reforms programs	

Infrastructure development programs	
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Q84. Do the two countries (South Sudan and Ethiopia) have any major long term infrastructural development projects planned in the region?

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Q85. If yes, list some of the projects.

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Q86. Critically examine how competing claims of Ilemi Triangle are shaping Foreign policy goals in the Horn of Africa

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Q87. Is the Ilemi Triangle a consideration in shaping Kenya's foreign policy objectives?

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Q88. If yes, explain

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Q89. Is the Ilemi Triangle a consideration in shaping Ethiopia's foreign policy objectives?

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Q90. Is the Ilemi Triangle a consideration in shaping South Sudan's foreign policy objectives?

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Q91. If yes, explain.

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Q92. What measures has South Sudan's foreign ministry taken regarding the Ilemi Triangle?

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Q93. What measures has Ethiopia foreign ministry taken regarding the Ilemi Triangle? List some of the measures.

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Q94. What measures has Kenya's foreign ministry taken regarding the Ilemi Triangle?

List some of the measures

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Q95. Will the judicial process initiated by South Sudan at the International Court of Justice (ICJ) affect her international relations with her neighbours in the Horn of Africa

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Q96. Which considerations would you as a policy maker give priority to in your region on a scale of 105 within each policy category?

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.....

THANK YOU

Appendix 11: Nile Basin and the riparian countries that share the Nile River as a shared resource.




Source: IBRD

Appendix III: Research Permit

**THIS IS TO CERTIFY THAT:
MR. EDWARD LEONARD WAITHAKA
of UNIVERSITY OF NAIROBI, 54984-200
NAIROBI, has been permitted to conduct
research in Nairobi, Turkana Counties**

**on the topic: ILEM TRIANGLE AND
GEOPOLITICS OF HORN OF AFRICA**

**for the period ending:
31st January, 2018**


.....
**Applicant's
Signature**

**Permit No : NACOSTI/P/15/1186/5003
Date Of Issue : 3rd July, 2015
Fee Received :Ksh 1,000**




.....
**Director General
National Commission for Science,
Technology & Innovation**

Serial No. A 5647

CONDITIONS: see back page