

**THE ROLE OF STRAINED BILATERAL RELATIONS IN MEDIATION  
BY SUB REGIONAL ORGANIZATIONS.  
A CASE STUDY OF IGAD MEDIATION IN THE SUDAN  
CONFLICT BETWEEN 1993 AND 2005.**

**BY**

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**REGN. NO. R50/P/9297/04**

**IN PARTIAL FULFILMENT FOR THE AWARD OF A DEGREE IN  
MASTER OF ARTS IN INTERNATIONAL STUDIES AT THE  
INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES**

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## DECLARATION

This Dissertation is my original work and has not been presented for examination at any University.

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This Dissertation has been submitted to the Board of Post Graduate Studies at the University of Nairobi for examination with my approval as University Supervisor.

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Mr. Robert Mudida

## DEDICATION

This study is dedicated to my husband Robert, my daughters Angela and Maria, my sons Brolin and Brian, my mother Grace, and my late father Jeremiah. God bless them always.

## **ACKNOWLEDGEMENTS**

First and foremost. I would like to thank the almighty God for His blessings. Secondly, I thank my supervisors Mr. Mudida and Prof. Mwangi for their patience, guidance, thoroughness, and inspiration that they accorded to me throughout this Research Project. Special thanks to Mina. Ann and Nancy for their material and moral support. More thanks to Mr. Sigadah for his support, and to my husband for his tireless effort. Finally, a big thank you to my sister Pamela, and my children.

## LIST OF ACRONYMS

AU	African Union
CPA	Comprehensive Peace Agreement
DOP	Declaration of Principles
DRC	Democratic Republic of Congo
ECOWAS	Economic Community of West Africa
EU	European Union
GOS	Government of Sudan
IDIS	Institute of Diplomacy and International Studies.
IGAD	Inter Governmental Authority on Development
IGADD	Inter Governmental Authority on Drought and Desertification
IGO	Inter Governmental Organization
IMC	IGAD Mediation Committee
JLEI	Joint Libyan and Egyptian Initiative
NAP	Northern Alliance Party
OAU	Organization of Africa Unity
SADC	Southern Africa Development Community
SPLM	Sudanese People's Liberation Army
UK	United Kingdom
UN	United Nations
US	United States
ZANU	Zimbabwe African National Union

ZAPU Zimbabwe African Peoples Union  
NDA National Democratic Alliance  
EIIPD Ethiopia International Institute for Peace and Development  
NIF Northern Islamic Front

## ABSTRACT

The study was to examine the role of strained bilateral relations in mediation by sub regional organizations. A case study of IGAD mediation in the Sudan peace process. The objectives were, to assess the impact of strained bilateral relations within and outside IGAD, to IGAD mediation of the Sudan conflict, and to find out how strained bilateral relations among states brought new actors, issues, concerns and interests in the IGAD mediation of the Sudan conflict.

The methodology of research was through both primary and secondary data analysis. Primary data was collected from officials who attended the Sudan peace process as delegates, or in any other capacity. These respondents provided the information through filling of a questionnaire. More primary data was obtained through observations and discussions involving relevant officials from the ministry of Foreign affairs as well as officials from the Sudanese embassy.

The findings were that strained bilateral relations which existed among states during the period covered by this study impacted both positively and negatively to the mediation. But the negative impact took a larger share of the repercussions. The study also revealed that these strained bilateral relations shaped the interests, issues and roles of the actors in the mediation. That is why the IGAD mediation in the Sudan conflict took longer than it was anticipated.



## TABLE OF CONTENTS

	Page
<b>CHAPTER ONE</b> .....	1
<b>BACKGROUND AND SCOPE OF THE STUDY</b> .....	2
INTRODUCTION.....	1
STATEMENT OF THE RESEARCH PROBLEM.....	3
OBJECTIVES OF THE STUDY.....	5
JUSTIFICATION OF THE STUDY.....	5
LITERATURE REVIEW.....	6
Conflict and Conflict Management.....	7
Conflict Management by Africa Sub-Regional Organizations.....	8
Causes of Sudan Conflict.....	10
IGAD Management of the Sudan Conflict.....	12
THEORETICAL FRAMEWORK.....	14
HYPOTHESES.....	16
METHODOLOGY.....	16
Primary Data.....	16
Secondary Data Analysis.....	17
CHAPTER OUTLINE.....	18
SCOPE OF THE STUDY.....	19
 <b>CHAPTER TWO</b> .....	 20
<b>DEBATES IN MEDIATION</b> .....	20
INTRODUCTION.....	20
RIPE MOMENT FOR MEDIATION.....	22
IMPARTIALITY IN MEDIATION.....	24

DETERMINANTS OF A GOOD MEDIATOR.....	26
DETERMINANTS OF SUCCESSFUL MEDIATION.....	28
SETBACKS IN MEDIATION.....	31
THE MOTIVES OF THE MEDIATOR.....	32
CONFLICT MANAGEMENT BY SUB REGIONAL ORGANIZATIONS.....	34
<b>CHAPTER THREE.....</b>	<b>36</b>
<b>IGAD MEDIATION IN SUDAN CONFLICT.....</b>	<b>36</b>
INTRODUCTION.....	36
SUDAN AND OTHER IGAD STATES.....	37
SUDAN'S RELATIONS WITH EGYPT.....	41
SUDAN'S RELATIONS WITH THE US.....	42
THE MACHAKOS PEACE PROCESS.....	45
THE NAIVASHA PEACE TALKS.....	47
THE STRUCTURE OF THE PROCESS.....	48
<b>CHAPTER FOUR.....</b>	<b>50</b>
<b>A CRITICAL ANALYSIS OF THE CASE STUDY ON THE ROLE OF STRAINED BILATERAL RELATIONS IN MEDIATION.....</b>	<b>50</b>
INTRODUCTION.....	50
IGAD MEDIATION IN THE SUDAN CONFLICT: AN APPRAISAL.....	52
Advantages of Strained Bilateral Relations within IGAD to its Mediation.....	52
How Sudan's Strained Relations with Egypt and US Promoted Mediation.....	54
THE CONSTRAINTS IN IGAD MEDIATION OF SUDAN CONFLICT.....	58
Constraints Caused by Member States.....	58
Constraints Caused by Sudan's Strained Relations with Egypt and US.....	61

TOWARD ACHIEVING CONFLICT RESOLUTION THROUGH MEDIATION BY SUB REGIONAL ORGANIZATIONS.....	65
<b>CHAPTER FIVE.....</b>	<b>68</b>
<b>CONCLUSION.....</b>	<b>68</b>
TOWARD ENHANCING EFFECTIVENESS OF IGAD IN CONFLICT RESOLUTION.....	69
<b>APPENDIX ONE.....</b>	<b>71</b>
<b>APPENDIX TWO.....</b>	<b>72</b>
<b>BIBLIOGRAPHY.....</b>	<b>77</b>

## CHAPTER ONE

### BACKGROUND AND SCOPE OF THE STUDY

#### INTRODUCTION

In 1963 when Kenya had a conflict with Somalia over their common boundary, they differed on who the mediator would be. Kenya had proposed Uganda while Somalia proposed Djibouti. Somehow no mediation took place and the conflict was ended militarily. The Uganda conflict of 1985 also ended militarily. When The Intergovernmental Authority on Development. (IGAD), came on board the Sudanese accepted it as the mediator in their conflict. IGAD originally known as Intergovernmental Authority for Drought and Desertification. (IGADD), redefined its mandate in 1996 to involve conflict management in the Horn of Africa region. Its member states are Kenya, Uganda, Eritrea, Sudan, Ethiopia, Djibouti, and Somalia. It is a recognized regional grouping and was an official mediator in the Sudan conflict during the period covered by this study. The success of its mediation has been appreciated by many scholars. However one may agree that the peace process took longer than anticipated.

Civil wars and regional conflicts in Africa have a tendency to become internationalized. Mwangi attributes the complexity of conflicts to their internationalization. He notes that it is important to understand the processes and mechanisms of the diffusion of conflict before developing effective management mechanism. Internationalization binds regional conflicts thus necessary to address such conflicts in terms of the conflict systems they belong, so that different actors in different countries are involved and their needs understood. States internal conflicts

become internationalized due to cross national sympathies and identities. But there is more cohesion in the world societies of states than within most states.<sup>1</sup>

However, Gurr admits that the outside world has a role. As it abundantly contributes to the problems it can also help address them. Economic activities do not thrive in conflict ridden conditions.<sup>2</sup> As noted by Salih, the responses from regional and international groups have been lukewarm and ineffective. Regional groups like IGAD have only limited impacts as they focus on state rather than human security.<sup>3</sup> Sudan, is the biggest land mass in Africa therefore its problems are also far reaching thus requiring much involvement in finding their solutions.

Zartman indicates that conflict resolution is best carried out in concert and that to improve chances of success a number of mediators should be available, friends and allies to the parties and to the mediators have to be taken into consideration. Societies which are relatively peaceful are those that manage their conflicts well, rather than those that experience no conflict.<sup>4</sup>

Dougherty and Pfaltzgraff observe that, the regional subsystem consists of two or more proximate and interacting states and whose ethnic, linguistic, cultural, social and historical bonds and sense of identity is sometimes increased by the actions and attitudes of states external to the system.<sup>5</sup>

Keller asserts that since the Cold War is over and there are no superpowers to support regional clients, Africa is left to its own devices.<sup>6</sup> That is why African leaders consider external intervention to settle domestic disputes. It is clear that what were

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<sup>1</sup> See Burton J. Functionalism and Resolution of Conflicts, in Groom and Farber, eds. Functionalism, (London, University of London Press Ltd, 1975), pp. 241-265

<sup>2</sup> See T.R.Gurr, Why Men Rebel? (Princeton: Princeton University Press, 1970) pp. 16-57

<sup>3</sup> See article by M. Salih, Horn of Africa: Security in the New World Order, 1990, pp. 130-132

<sup>4</sup> M. Light, and A.J.R. Groom, International Relations, A Handbook of Current Theory (London, Pinter Publishers, 1985), p.129.

<sup>5</sup> E.J. Dougherty and P.L. Pfaltzgraff, Contending Theories of International Relations, A Comparative Survey, (New York, Harper & Row Publishers, 1990) p. 163

<sup>6</sup> E. Keller, African Conflict Management and the New World Order, (Los Angeles: Institute of Global Conflict and Co-operation, 1995), p.2

once thought to be domestic conflicts can be potential sources for regional insecurity. The Horn of Africa conflict system is not an exception. The epicentres always shift from one state to another. In Sudan the main protagonists to the conflicts, the Sudan Peoples Liberation Movement Army (SPLM/A) and the Sudan government repeatedly failed to agree on the frameworks of solving the crises. A series of meetings and negotiation under the auspices of IGAD strived to produce concrete outcomes.<sup>7</sup> The government of Sudan declined to sign the IGAD proposed Declaration of Principles and occasionally pulled out of the peace talks. This study therefore seeks to examine the reasons why this happened. Following closely the debates of conflict and mediation the study will examine the shortcomings of IGAD in its mediation in the Sudan conflict, paying attention to the importance of existing bilateral relations to mediation outcomes. It will suggest to IGAD member states where an improvement is needed for future intervention.

## STATEMENT OF THE RESEARCH PROBLEM

IGAD is a Sub-regional organization made up of states from the Horn of Africa, and thus consequently remains less influential than its creators.<sup>8</sup> Through IGAD regional actors were expected to function as a unit. Using Papp's observation<sup>9</sup> as a framework of understanding, decisions in IGAD were expected to be reached quickly and policies easily implemented. There was to be no perceived dictatorship in decision-making and policy implementation. The member states were required to cooperate throughout the period they were managing the conflict.

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<sup>7</sup> See article by H.Seyoum, The Political-Economic Crises in the Horn of Africa: People Who Suffice, 2001, p.3(<http://www.sidamaconcern.com/press/horn-crisis.htm>).

<sup>8</sup> D.S. Papp, Contemporary International Relations: Frameworks for Understanding (3<sup>rd</sup> ed), (New York, Macmillan, 1991), p.82

<sup>9</sup> D.S. Papp, Contemporary International Relations: Frameworks for an unstable World (2<sup>nd</sup> ed), (New York, Macmillan, 1991), P.567

However as noted by Mwagiru coalition mediation may be a good approach to conflict management but it has its stresses and complications. Group consultations are tedious and individual interests in the conflict may differ. IGAD mediation in the Sudan conflict had its share of stresses and complications. IGAD member states had strained relations amongst themselves during the period under this study. For example Ethiopia and Eritrea at one time during the conflict management were at war. Sudan itself had strained diplomatic relations with its neighbors. The US, a superpower and sponsor of IGAD was fighting terrorism, and Sudan had been accused of harboring terrorists. Kenya, the host was at loggerheads with Uganda. These conditions are indeed not favorable for an effective conflict management. It is possible that loopholes created by these poor relations influenced the mediation outcome.

Mwagiru acknowledges Bercovitch's views that third parties do not get involved in conflicts merely for altruistic reasons but for other rewards too, and that international organizations get involved in order to fulfill the obligations of the charters that formed them.<sup>10</sup> It is clear that the conditions highlighted above were not conducive for any cooperation in the mediation team. This parties complicated issues in the conflict since they had interests both in the region and with the belligerents.<sup>11</sup>

IGAD region contains states that belong to three different conflict systems, the Horn of Africa, East Africa and Great Lakes region. These states are characterized by sharp differences in political, economic and social systems and the states have different forms of governments. This makes it interesting to study the role of IGAD in the Sudan conflict, pointing out the complications it brought in the peace process. Furthermore in order to make any decision or hold any meeting, the heads of states

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<sup>10</sup> Mwagiru, M. Conflict: Theory, Processes and Institutions of Management. (Nairobi, Watermark Publications, 2000), pp.55-56

<sup>11</sup> Ibid pp.39-42

<sup>12</sup> see EPRC Research papers Issue 01/07, Sudan Conflict and Signing Of Conventional Peace Agreement in 2007 at <http://www.eprc.or.ke> p.7.

had to be consulted. This must have posed difficulties to the peace process, as the various heads of states may not have been available.

## **OBJECTIVES OF THE STUDY**

1. To assess the extent to which strained bilateral relations within and outside IGAD affected its mediation in the Sudan conflict.
2. To examine the extent to which strained bilateral relations brought other actors, issues, concerns and interests in the Sudan conflict.
3. To find out how issues, concerns, and interests brought in the conflict by IGAD team influenced the outcome.

## **JUSTIFICATION OF THE STUDY.**

It is important for this study to be done to clarify the challenges met by African sub regional organizations in their attempts to resolve conflicts. Many scholars agree with Nhara in observing that most African sub regional organizations have been born of a need for economic co-operation and have only recently been expected to play a role in security co-operation and conflict management. This results to a poor fit between roles and structures. This has been observed in SADC.<sup>13</sup> As well as in ECOWAS.

The approaches in mediation agreed upon by many scholars are the normative approach also known as the prescriptive approach, the descriptive approach and the contingency approach.

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<sup>13</sup> See W. Nhara Conflict Management and Peace Operations. The Role of OAU and Sub-Regional Organizations in Malan M. (ed) Resolute Partners: Building Peacekeeping Capacity in South Africa. ISS Monograph Series, 21. Institute for Security Studies, Halfway House, Feb. 1998, pp. 9-11.



The descriptive approach treats all mediation cases as different and assumes that no linkage exists between the kind of mediation and the mediation outcomes. The normative approach on the other hand assumes that there is no conflict that will not be resolved by experienced third parties, as long as the conflict prescription is properly outlined.

This study echoes Bercovitch's contingency approach to mediation. According to this approach three variables, are taken into account. These are, firstly, context variables which include nature of the mediator, nature of the parties and nature of the dispute. Secondly, process variables like the mediator behavior, and thirdly, outcome variables like success or failure of mediation. This study therefore contributes to this approach to enable mediators to also consider interstate rivalry as another important factor that affect the process and outcome of mediation.

The study will also provide recommendations to policy makers on how sub regional organizations such as IGAD should adjust themselves, in terms of their structures and roles to accommodate the expanded mandate of conflict management. It will also suggest ways of dealing with inter mediator conflicts before managing the epicenter conflict.

## **LITERATURE REVIEW**

Many scholars have written on conflict and conflict management. Sub regional groupings, as interveners in regional conflicts have been discussed at length and their weaknesses and strongholds established. In particular, several scholars have studied the cause of the conflict in Sudan and how IGAD intervened to manage it.

The literature reviewed on conflict and conflict management is to enable the researcher to understand the two concepts in the Horn of Africa set up. That, reviewed

on African sub-regional organizations and conflict management is to establish the role of such organizations in conflict. Literature reviewed on causes of the Sudan conflict enhances the understanding of the type of conflict in question. While literature reviewed on IGAD management of the Sudan conflict exposes other studies that have been done before on the same topic. Therefore the aim is to establish the gap that other researchers have created, of not being specific on the complexities experienced by IGAD, due to existing strained bilateral relations.

### **Conflict and Conflict Management**

Zartman defines conflict as the underlying issue that causes incompatible objectives between parties.<sup>14</sup> Reuck defines it as a situation arising between parties who perceive that they possess mutually incompatible objectives.<sup>15</sup> Wallestain and soilenberg define conflict as a battle between incompatible interests over government and/or territory where armed force is being used and where at least one of the parties involved represents the national government.<sup>16</sup> Zartman defines conflict management as the elimination, neutralization or control of the means of pursuing the conflict.<sup>17</sup> It is important to identify conflict in society, its causes and early warnings to ease its management. Mwangi notes that to do this, one needs to look at the real issues in the conflict, he agrees with Gurr and Davies that conflict always displays early warnings which people should always be on the look out for.<sup>18</sup> These scholars do not specify what these 'real issues' and 'signs of early warnings' are.

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<sup>14</sup> W. Zartman, Ripe for Resolution: Conflict and Intervention in Africa. (New York, Oxford University Press, 1989) p.3

<sup>15</sup> A. Reuck, The Logic Of Conflict: Its Origin, Development and Resolution PP.97 -111

<sup>16</sup> P. Wallestain and S. Margareta, Armed Conflict, Journal of Pence Research, Vol. 37 (5) pp.635 – 649

<sup>17</sup> Ibid P.3

<sup>18</sup> Mwangi, Conflict: Theory, Processes and Institutions of Management, (Watermark Publications, 2000), p

Rourke posits that the role played by Inter Governmental Organizations (IGOs) in conflict management should be mainly of mediation and conciliation and not coercion.<sup>19</sup> Dougherty warns on emphasis on the improvement of indigenous factors while giving scanty attention to the impact of conflict and influences from outside the area of conflict.<sup>20</sup> Any outside power trying to reduce conflict and help the parties channel their energies into more useful activities must not only look at its own interests but must also act in accord with the dynamics of the parties.<sup>21</sup> While carrying out studies on causes of internal conflict, one of the lessons learned is that change that is to be stable cannot be imposed; it must be based on consensus and consent.<sup>22</sup> This scholar does not state the underlying causes of influence outside the area of conflict.

#### **Conflict Management by African Sub-regional Organizations.**

Traditionally, regionalism implies co-operation among states in geographically proximate and delimited areas for the pursuit of mutual gain in one or more issue areas.<sup>23</sup> Inter Governmental Authority on Development, (IGAD), Economic Community of West Africa (ECOWAS), and Southern Africa Developmental Community (SADC) among others are some of African sub regional organizations that have attempted to manage or actually managed conflict in sub Saharan Africa. Burton defines functionalism as the decision making within a specialized area by persons skilled in that area, whose self esteem and loyalties relate to their

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<sup>19</sup> J. Rourke International Politics on the World Stage 4<sup>th</sup> ed. (Sluice Dock, Guilford, Connecticut, the Dush's Publishing Group Inc 1993) p. 317

<sup>20</sup> J.E. Dougherty and R.L.Pfarzger, Contending Theories of International Relations: A Comparative Survey 3<sup>rd</sup> ed. (New York Harper and Row Publishers, 1990), p.333

<sup>21</sup> W.I. Zartman Ripe for Resolution: Conflict Intervention in Africa. (New York, Oxford University Press, 1989) p.255

<sup>22</sup> J. Burton, Violence Explained. (Manchester, Manchester University Press, 1997), p.17

<sup>23</sup> M. Maran, The OAU and African Sub Regional Organization- A Closer Look at The Peace Pyramid. (Institute for Security Studies, 1999) P.49

specialization.<sup>24</sup> According to this definition, IGAD is a functional institution. The legitimacy of a functional institution is determined by its effectiveness in producing expected results. However, a functional unit requires its members to be committed to a common goal, but at the same time member should be allowed to pursue their own interests. Burton ignores the fact that looking at conflict management from this dimension complicates issues and the end result is conflicts take longer to be resolved.

International functional institutions do not yet have tasks, roles and responsibilities that attract the most skilled administrators and specialists in particular fields except on short-term assignments. One would therefore expect inefficiencies and extravagant procedures.<sup>25</sup> Nhara posits that for the purpose of conflict management, partnership of UN and AU, together with sub regional Organizations should be akin to a pyramid with UN at the apex, and sub regional organizations at the bottom, while AU serves as a linkage between the two.<sup>26</sup> He does not bear in mind that this pyramidal relation fetches more actors into the conflict and its management thus complicating issues further. Again, a gap emerges if IGAD benefited from this pyramidal relation. Regional security arrangements should emphasize on simple but reliable structures for security co-operation, one that can stabilize relations, prevent the spillover of conflicts, secure emerging common values and lay foundation for nascent regimes.<sup>27</sup> Nhara's appreciation of simple and reliable structures makes us want to examine their advantages.

The concept of functionalism as developed by Fisher means, problem should be broken down into smaller parts, little issues to be kept little and not linked to larger

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<sup>24</sup> See J.W. Burton, Functionalism and Resolution of Conflict, in Groom and Taylor, Functionalism, (London, University of London Press Ltd., 1975) pp. 238 -249

<sup>25</sup> Ibid. P. 242

<sup>26</sup> See V. The Conflict Management and Peace Operations: The Role of OAU and Sub Regional Organizations in Malan, M. UnResolute Partners: Building Peace-keeping Capacity in Southern Africa, (ISS Monograph series, 21 Institute for Security Studies, Issue 998) p.9

<sup>27</sup> Ibid. P. 3

issues, and that when the simpler issues are resolved, the parties begin venturing into more complex ones.<sup>28</sup> Fisher does not distinguish between simpler issues and complex ones. In functionalism coercive means of influence are discouraged, but promise of rewards, persuasion, reliance on the legitimacy of claims and opponent's awareness that one understands their position is good method of influence. But this is only possible in ideal situations where there is total cooperation among all actors. Fisher proceeds to assert that no organization is very successful in managing conflicts between members of different blocks.<sup>29</sup> There is need to examine the truth in this. Nye in his neo-functionalism theory argues that integration involves a degree of collective action based upon a value consensus for the achievement of common goals in which the parties have long run expectations of mutually compatible behavior and in which the processes are self-maintaining.<sup>30</sup> He ignores the tediousness involved in coordinating actors so as to reach this consensus.

### **Causes of the Sudan Conflict.**

Causes of internal conflicts are driven by ancient hatred many ethnic groups have toward each other.<sup>31</sup> An identity crisis is an important factor to note. Deng defines identity as a concept of how people define themselves and is defined by others on the basis of race, ethnicity, culture, language and religion.<sup>32</sup> The northern Sudanese see themselves and by others as Arabs, while the southern Sudanese see themselves and by others as Africans. This subjective perception already splits Sudan into two

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<sup>28</sup> R. Fisher, The Concept of Functionalism: International Conflict for Beginners, (New York, Harper and Row, 1969), p. 164 - 165.

<sup>29</sup> IBID P. 165

<sup>30</sup> See J. Nye, Papers on International Regionalism - New Functionalist Mode, Regional Institutions Role In Handling of Conflicts Between States In Peace In Paris, in AJR Groom and Taylor P (ed), International Organization Conceptual Approach, (London and New York, Frances Pinter Ltd and Nichols Publishing Company, 1978) pp. 347- 430

<sup>31</sup> M. Dunstan, The Africa - Arab Conflict in the Sudan, (New York and London Africa Publishers, 1981) p.8.

<sup>32</sup> M. E. ... W. Confusions, Conflict of Identities in Sudan, (Washington DC, Brookings Institution, 1995), p. 387

identities both internally and internationally. Deng does not emphasize the consequences of this identification to the society.

Identity crisis in Sudan caused the northerners, dominantly constituting the Sudanese government, and religiously subscribing to Islam, to want to make Sudan an Islam state. This thought gained support from Arab allies, while it was rejected by the dominantly Christian southerners who preferred a secular state as suggested in 1972 Sudan's Constitution. The two religious groups were not able to cooperate for a common good. The failure of the northern Sudanese to share power with the southern politicians reinforced the feeling of alienation by the south and the belief that the north was a colonial successor of Britain.<sup>33</sup> This led to a struggle for political power and self-determination by the south. Unequal economic opportunities and access to resources such as land and capital and vast differences in standards of living as noted by Cheruiyot are signs of economic systems, seen by southern Sudanese as unfair and illegitimate.<sup>34</sup>

Mureithi observes that at the core of the crisis within Africa's war affected countries and regions is the desire to acquire power and secure resources by one group of elites or ethno national groups at the expense of others.<sup>35</sup> Substantial segments of the population are therefore marginalized. Gurr argued that its human nature that with prolonged or intense frustration, dissatisfaction and grievance, aggression is most likely to occur.<sup>36</sup> In Sudan, the south had faced complete neglect from the period during the British colonial administration to the government dominated by northern

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<sup>33</sup> M.E. Brown (Ed.), The International Dimensions of Internal Conflict, Cambridge, M.I Press, 1996, p.572.

<sup>34</sup> See R. Cheruiyot, Challenges of Post Conflict Reconstruction and Peace Building: The case study of southern Sudan, 2005, p.27.

<sup>35</sup> T. Mureithi, African Approaches to Building Peace and Social Solidarity, paper presented at University of Cape Town for Peace International Conference on Strategies for Peace with Development in Africa, (Addis Ababa, 2006), P.25

<sup>36</sup> T. R. Gurr, Why Men Rebel? (Princeton, Princeton University Press, 1970), PP.123- 125

politicians.<sup>37</sup> Aggressive behavior stems from a feeling of relative deprivation.<sup>38</sup> People may perceive a gap between their actual and their potential. This has far reaching effects in relationships. As echoed by Chowning, a period of improvement may make people expect continuing improvement and thus more distress in case of a setback.<sup>39</sup>

IGAD states which mainly subscribe to Christianity were sympathizers of the southern Sudanese while taking care not to be partial mediators. Those states allied to the northern Sudanese, like Egypt and Libya were certainly to protect their interests in the Sudan. Khartoum's refusal to sign the Declaration of Principles initiated by IGAD must have distressed the southern Sudanese more.

### **IGAD Management of the Sudan Conflict.**

IGAD intervention in Sudan represented the first time a systemic approach in regional conflict management in the Horn of Africa was undertaken.<sup>40</sup> The first IGAD mediation committee (IMC) comprised heads of state of Kenya, Eritrea, Ethiopia and Uganda. The meeting was held at Kampala on 6<sup>th</sup> Nov 1993.<sup>41</sup> Djibouti and Somalia were not represented. Meaning their view on the conflict management approach was not represented. Despite several meetings, IMC could not harmonize the values of the northerners and southerners. IGAD ended the "dialogue of the deaf"<sup>42</sup> and proposed a Declaration of Principles in 1994. The Declaration of Principles was accepted by the Government of Sudan after three years. Cheruiyot ignores the details why this dialogue was for the deaf and why the DoP was not accepted till three years later.

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<sup>37</sup> M. Salih, *Horn of Africa, Security in the New World Order*, in Thomas and Vilkin (Eds) 1998, p. 130

<sup>38</sup> B. Russett, and H. Starr., *World Politics, The Menu for Choice*, New York, W.H Freeman and Company, 1989, p. 88

<sup>39</sup> D. Chowning, *When Men Revolt and Why*, (New York, Free Press, 1979)

<sup>40</sup> M. Mwangi, *Conflict: Theory, Processes and Institutions of Management*, (Watermark Publication, 2000), p. 80

<sup>41</sup> R. Cheruiyot, *Challenges of Post Conflict Reconstruction and Peace Building: The Case of Southern Sudan*, Unpublished Thesis, University of Nairobi, 2005, p.32

<sup>42</sup> Ibid p. 51

Cheruiyot further notes that, although the DDP was inclusive of various stakeholders, IGAD initiative came to a standstill attracting external actors like the US, the UN and friends of IGAD like the Netherlands, UK, Norway, Canada and Italy.<sup>45</sup> The success of a peace settlement is inextricably tied to the interest of neighboring regional powers and their overall commitment to the peace process.<sup>44</sup> But Egypt, not a member of IGAD, did not wish that Southern Sudan succeeds in its self-determination since this would interfere with Egypt's usage of the headwaters of river Nile. IGAD therefore needed to incorporate the interests of Egypt in the peace process. Amongst IGAD members and other neighboring states differences emerged in their support to Sudan. Cheruiyot notes that, Libya, South Yemen and Ethiopia supported SPLM/A.

According to Burton, as a functional institution is expected to have values, which are compatible with the values of parties in conflict.<sup>45</sup> One essential of functionalism is a complexity of shared roles, like an intricate structure of a solid, a society is held together, not by a central control, but by inter connections of parts, without which, it's a pile of sand.<sup>46</sup> Most IGAD members were biased and sympathized with Southerners, due to the threats by GOS to make Sudan an Islam state. Arab states, notably Libya and Egypt supported the GOS through the JLEI, a competing peace initiative of IGAD.<sup>47</sup> IGAD members feared a spillover of the Sudan conflict to the neighborhood, as Sudan was only an epicenter of the conflict in the

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<sup>44</sup> Ibid p. 52

<sup>45</sup> F.O. Hampson, Nurturing Peace: Why Peace Settlements Succeed, (Washington DC, United States Institute of Peace, 1996) pp.37-52

<sup>46</sup> See J. Burton, Functionalism and Resolution of Conflict, in Groom and Taylor, Functionalism, London, University of London Press Limited, 1975), p.243.

<sup>47</sup> Ibid P.245

<sup>48</sup> See African Security Analysis Programme Forthcoming Occasional Paper 13, The Sudan IGAD Peace Process: Sign Posts for the Way Forward, (Institute for Security Studies, Feb.2004), p.5



Horn of Africa. Mwangi observes that ICAD ignored non-state actors and took aboard only state actors.<sup>48</sup>

This approach displays some rough edges as noted by Mwangi. The identification of the epicentre of the conflict system and which third party is suited to manage the conflict becomes difficult.<sup>49</sup> He also observes that the mediation of the Sudan conflict by ICAD states took along time than expected. Inter mediator conflicts affected the process. Sudan had strained relations with Eritrea, Ethiopia and Uganda while the May 1998 war between Eritrea and Ethiopia as well as strained relations between Kenya and Uganda faltered the peace process.<sup>50</sup> One can be sure that all these inter mediator conflicts had to be managed first before the conflict was managed.

Zartman indicates that problems are compounded when the crisis originate with third parties in which great powers have an interest.<sup>51</sup> It is important to bring on board what drives superpowers to influence third parties. He goes on to suggest the best time for conflict resolution when he talks of ripeness for resolution. This occurs at a mutually hurting stalemate, when parties arrive at deadlocks and deadlines. The parties perceive they can not achieve their aims, resolve their problem nor win the conflict. What Mwangi does not provide for is the fact that actors in conflict management may influence mediation to begin even before the ripe moments.

## THEORETICAL FRAMEWORK

The theory informing this study is that of mediation as a power brokerage. This theory borrows mainly from the neo-(realist) mainstream of theorizing about

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<sup>48</sup> M. Mwangi, *Conflicts: Theory, Processes and Institution of Management* (Nairobi: Water Mark, 2000), p.80

<sup>49</sup> Ibid P. 84

<sup>50</sup> Ibid PP. 102 - 103

<sup>51</sup> Zartman, W.L. *Ripe for Resolution: Conflict and Intervention in Africa*. New York, Oxford University Press, 1989, p.3

international politics. The proponents of this theory are Waltz, Keohane, Krasne and Gilpin.

The theory of mediation as power brokerage rests on the assumptions that, the international conflict is endemic to the anarchical international system, which consists of many sovereign states and lacks a central authority to govern them. That international politics is characterized as a zero-sum game in which national interests continuously clash as a result of competition for scarce resources in particular security. This competition waters down the motives of functionalism and hinders states from achieving functional unity. IGAD, as a functional unit was expected to exhibit maximum cooperation towards resolving a conflict in the region. But the interest of each state in the conflict may have defined the destiny of its management. This is what drives Vasquez to argue that rivalry between states may prevent them from working together to solve conflicts.<sup>52</sup>

Secondly the international conflict becomes problematic when it escalates into a military confrontation between the parties and threatens to spill over to the neighboring states. Such internationalized conflicts would rather be resolved using a conflict systems approach and thus IGAD is the most ideal in resolving conflicts in the Horn of Africa.

Thirdly, due to the endemic character of conflict, the underlying causes are not easily resolved, but resolution is possible through intermediaries. Thus, mediation implies the restoration of power balance. IGAD mediation in the Sudan conflict was used to balance power in the region while the sub regional hegemony of the time was recognized. Kenya played a major role in this peace process.

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<sup>52</sup> J.A. Vasquez, et al. Beyond Confrontation: Learning Conflict Resolution in the Post-Cold War (Michigan, University of Michigan Press, 1990), p.152

Another tenet of this theory is that major powers tend to intervene in a conflict to advance their national interests and/or to safeguard their stability in the international system.<sup>53</sup> In this study the US and Kenya displayed these characteristics.

Many scholars in International Relations converge on the fact that interest is the governing principal in every act of man and almost every man is under its influence. IGAD has been used by Sudan's neighbors to find lasting solution to the conflict in that country in order to guard their interests and security.<sup>54</sup>

## **HYPOTHESES.**

- i) Strained bilateral relations among IGAD member states complicated issues in the Sudan peace process between 1993 and 2005.
- ii) IGAD mediation was not purely for altruistic reasons: member states had their interests in the management.
- iii) IGAD member states were biased in their mediation in order to preserve their acceptability for future interactions with the parties in conflict.

## **METHODOLOGY**

This study used both Primary and Secondary data.

### **Primary Data**

This study used purposive sampling defined by Nachmias and Nachmias as sampling whereby the researcher selects sampling units subjectively in an attempt to obtain a sample that appears to be representative of the population.<sup>55</sup> The researcher

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<sup>53</sup> Kiehlner K., Understanding Success and Failure of International Mediation, The Journal of Conflict Management vol. 41, No. 2, pp. 360-374 (Sage Publications Inc 1996), pp 379-380

<sup>54</sup> EPRU Research Papers, Issue 01/07, Sudan's Conflict and Signing of Comprehensive Peace Agreement in Nairobi, stadschianning, 2007 p 12

<sup>55</sup> F. Nachmias and D. Nachmias, Research Methods in the Social Sciences, London, St Martin's Press, 1996, p. 184.

obtained respondents from the Sudanese Embassy where structured questionnaires were filled by officials who attended the peace talks, and face to face interviews carried out. Interviews with officials who were involved in the peace talks as representatives of other states were also carried out. Special Envoys filled the questionnaire. Other respondents were obtained from AU offices, IGAD offices as well as from the Kenya Ministry of Foreign Affairs just to ensure that this method of data collection did not yield biased responses.

### **Secondary data analysis**

The study used secondary data because it is available in the public domain and is reliable, as it has undergone scrutiny by other scholars. Secondary data analysis is viewed by Barbbie Earl as a social research method appropriate for studying human communications and other aspects of social behavior.<sup>56</sup> It was easily available for this particular study. Nachmias and Nachmias assert that, secondary data analysis exposes the research to a wider range of material covering different areas and eras. This encouraged greater scope and depth of the study.<sup>57</sup> Secondly data analysis enabled the researcher to compare views of other scholars on issues related to this study.

Secondary data analysis enhances the researcher's exhaustiveness in definitions of concepts, thus gaining new insights<sup>58</sup>. Furthermore, use of existing data is less costly than carrying out a primary data collection.

Secondary data analysis exposes a researcher to data which was collected for a different purpose. Moreover, many researchers have not allowed free and easy access to their research findings. It is also difficult to access data with suitable variables.

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<sup>56</sup> E. Barbbie, The Practice of Social Research, (California: Wardsworth Publishers, 1989), p.29

<sup>57</sup> F. Nachmias, and D. Nachmias, Research Methods in the Social Sciences, (London: St Martin's press, 1996), p. 305

<sup>58</sup> H. Hyman, Secondary Analysis of Sample Surveys, (Middle Town, Connecticut, Wesleyan University Press, 1987), P.17

There is also the danger of analyzing secondary data which is already an analysis of another data. This may distort the meaning of concepts and end up limiting the applicability of the current findings. It is safe to be aware of the method that was used to collect the existing data for secondary analysis. Other Scholars argue that secondary data analysis may create a new text, which diverges from the original source material.

To overcome the above weaknesses, the data was collected from various sources such as journals, books, academic papers, articles, publications, and reports and views of various writers, AU, UN, and IGAD documents and electronic journals from online journal database like Jstor were also used. The researcher read and analyzed the works of the original scholars behind the theories that address this study. The research sought to link the analyses done by other researchers to the original scholarly studies. The analysis of empirical studies was of greater achievement as well as enhancing comparison of the findings by other researchers.

## **CHAPTER OUTLINE**

Chapter One introduces the theme of the study and the methodology of research study.

Chapter Two consists of the debates in the theory of mediation.

Chapter Three is a case study of IGAD mediation in the Sudan conflict.

Chapter Four is a critical analysis of the study.

Chapter Five provides a conclusion of the study.

## SCOPE OF THE STUDY

The study covers the period between 1993 and 2005; it does not cover other attempts of mediation in Sudan more than twenty years before IGAD, and after the signing of the Comprehensive Peace Agreement (CPA) in January 2006. It does not dwell much on contributions made by other sub regional organizations such as SADC and ECOWAS, towards the peace process. However it ventures into the role played by every member state of IGAD as well as that played by other states outside IGAD, in the Sudan peace process and exposes other belligerents, such as the NAP and the western province of Darfur and their significance in the Sudan conflict.

## CHAPTER TWO

### DEBATES IN MEDIATION

#### INTRODUCTION

Pruitt and Kressel define mediation as third party assistance to two or more interacting parties.<sup>1</sup> Kleiboer defines international mediation as a form of conflict management in which a third party assists two or more contending parties to find a solution without resorting to force<sup>2</sup> or invoking the authority of the law.<sup>3</sup>

Mediation is reactive.<sup>4</sup> Parties seek assistance or accept the offer from third parties. It may be passive in which case the mediator communicates to the parties in conflict through facilitation strategies or may be active thus engaging the parties in face to face discussions. Mediation depends on the perception of the nature of the conflict. For it to begin, the parties in conflict must accept not only the idea but also the mediator. Once the parties accept mediation, then they are ready to make concessions. Mediation gives autonomy to the parties in conflict rather than the third party thus most likely to yield positive outcomes<sup>5</sup>

Mediation is one of the oldest forms of conflict resolution. Mediators rely on techniques that have been traditionally employed and accepted in their society.<sup>6</sup> It is less expensive and takes into consideration all aspects of the conflict. Bercovitch and

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<sup>1</sup>See D.G.Pruitt, and K. Kressel (eds). Introduction: An overview of Mediation Research. The Process and Effectiveness of Third Party Intervention. (San Francisco, C.A. Jossey – Bass,1989).

<sup>2</sup>M.Kleiboer. Understanding Success and Failure of International Mediation. The Journal of Conflict Management vol. 40, No. 2, pp. 360-389 ( Sage publication Inc.1996)p.360

<sup>3</sup>J. Bercovitch (ed). Conceptual Issues and Empirical Trends in the Study of Successful Mediation in International Relations. Journal of Peace Research, vol. 28 No 1, pp7-17. (Sage Publication Ltd.,1991),pp.7-

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<sup>4</sup>Ibid P. 13

<sup>5</sup>M. Mwaruru. Conflict Management in Africa. (Nairobi, Friedrich Ebert Stiftung (FES). 2001) P. 24

<sup>6</sup>C.Wall and A.Lynn. Mediation: A Current Review. The Journal on Conflict Management, vol.37, No. 1 pp160-169. Sage Publications Inc.1993, P 169

Houston indicate that mediation can be used to enhance conflict management, or it can be an instrument of distraction if applied unwisely. They point out that an ideal mediation environment supports mediation.

Mediation may be carried out by individuals, states or international organizations, with states being the centre of interest. The underlying differences between states cannot be ended or changed by the formal context in which mediation is taking place. Bercovitch and Schneider argue that mediators' efforts will be of little avail if the members of the group come from a totally different ideological background:<sup>8</sup> and embrace different cultures. They further note that mediators from the same block are more likely to be acceptable and effective than those from different blocks.

Zartman agrees with these scholars that when people from different cultures meet, the cultural difference often result in misunderstandings, incorrect attributions, projections and general confusion about significant values<sup>9</sup>. Bercovitch and Schneider conclude that the demand of a mediator is short term and is a function of a states power and influence at that time, and not of its effectiveness in the mediation market.<sup>10</sup> Since it cannot be enforced, and does not endanger or threaten the inherent right of states, mediation allows states to act as they see fit.

There are several debates in mediation. This chapter will discuss the debates which will promote the research findings of this study. An analysis is required to establish if IGAD worked under a conceptual framework in its mediation or if the

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<sup>8</sup> J. Bercovitch and A. Houston, 'Why do they do it like this? An Analysis of the Factors Influencing Mediation Behavior in International Conflict', *The Journal of Conflict Resolution*, No. 44, No. 2, PP. 170-202 (Sage Publications, Inc. Apr. 2000), pp. 170.

<sup>9</sup> J. Bercovitch and G. Schneider, *Who Mediates? The Political Economy of International Conflict Management*, *Journal of Peace Research*, Vol. 37, No. 1, PP. 145-165, (Sage Publications, Ltd. March 2000), P. 150.

<sup>10</sup> See W. Zartman, *Ripeness: The Hurting, Stalemate and Beyond*, in *International Conflict Resolution after the Cold War*, in P. Stern and E. Druckman (ed) (Washington DC: National Academy Press, 2000).

<sup>11</sup> J. Bercovitch and G. Schneider, *Who Mediates? The Political Economy of International Conflict Management*, *Journal of Peace Research*, Vol. 37, No. 2, PP. 145-165, (Sage Publications, Ltd. March 2000), p. 162.



exercise was carried out on ad hoc basis. The views of various scholars on relevant issues will be discussed, their different arguments carefully noted. Eventually the general facts agreed upon by these scholars will be highlighted.

### **RIPE MOMENTS FOR MEDIATION.**

Bercovitch observes that the timing for mediation is very crucial. According to him, mediation is likely to occur at the following timings: first, the conflict must have gone on for some time. This allows the adversaries to define their objectives explicitly. The mediator is also able to understand the type of the conflict in question, whether it is an intra state, interstate or an internationalized conflict. Secondly, the parties in the conflict should be allowed to exercise their efforts towards winning. When their efforts reach an impasse, then mediation takes place at this time. Conflicts are also ripe for mediation when neither of the actors is prepared for further costs or escalation of the conflict, and lastly, mediation is likely to occur at a time when both parties welcome it. Bercovitch observes that the parties should be allowed what he calls the 'test of strength' before intervention<sup>11</sup>. At this time, the parties in conflict are ready to break their stalemate and cooperate, communicate and be in contact. Mediation efforts initiated between twelve and thirty six months have proven most successful, according to research by Bercovitch<sup>12</sup> and others.

However, Zartman indicates that other than the clock time, social or event time is relevant. According to him a conflict is ripe for resolution when first: a mutually hurting stalemate exists marked by a recent and impending catastrophe. Secondly, when the parties realize that their efforts to impose unilateral solutions are

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<sup>11</sup> J. Bercovitch (ed), *Resolving International Conflicts: The Theory and Practice of Negotiation*, (London, Lyone Riener, 1996), pp.12-23.

<sup>12</sup> J. Bercovitch (ed), *Some Conceptual Issues and Empirical Findings in the Study of Successful Mediation in International Relations*, *Journal of Peace Research*, vol. 28, (1991), pp.7-17, Sage Publication Ltd., 1991.

frustrated and thirdly when the powerful party starts slipping and the underdog starts rising.<sup>13</sup>

These views are contended by other scholars, who view that this is the time when both parties are determined to win and none will heed to mediation. But Zartman advises the African states, that it is important to treat a problem before it draws in outside allies since this poses a problem to the African states on how to handle the situation<sup>14</sup>.

Kleiboer supports Zartman's views by indicating that at such an early stage it's possible to consider possibilities for resolution before the conflict becomes too entrenched and the parties are too inflexible in their attitudes.<sup>15</sup> Edmead who shares the same idea notes that mediation should be done earlier before parties inflict losses on one another. But Northedge and Donelan assert that the ripe moment for mediation is when the dispute has gone few phases and parties are willing to moderate their intransigence and revise their expectations.<sup>16</sup>

Just like various scholars have different views on ripe moments for mediation, sub regional organizations which consist of various states, have each state with their own understanding of the concept mostly driven by the state's interest in the conflict. Observing these characteristics and communicating them effectively is almost impossible. Group consultations are tedious as observed by Mwangi.

However the above scholars together with Touval and others agree on a mutually hurting stalemate marked by an impending catastrophe and a costly continued

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<sup>13</sup> W. Zartman, Ripe For Resolution: Conflict Intervention in Africa (New York, Oxford University Press, 1989).

<sup>14</sup> W. Zartman, Ripeness: The Hurting Stalemate and Beyond, in International Conflict: Resolution after the Cold War, edited by P. Stern and E. Druckman (Washington DC: National Academy Press, 2000) p.282

<sup>15</sup> K. Kleiboer, Understanding Success and Failure of International Mediation, The Journal of Conflict Management vol. 40, No. 2, pp. 360-389 (Sage Publication Inc, 1996, p 363).

<sup>16</sup> P.S Northedge and M.D. Donelan, International Disputes the Political Aspects, (London, Europa 1971), pp.300-301

conflict to be the ripe moment for mediation.<sup>17</sup> They also agree that it's better to mediate than not to mediate since vital interests need to be protected or extended. But parties turn to mediation when they cannot find a solution to their differences on their own.<sup>18</sup> It should be the interest of any mediator to start mediating at the right timing for any successful mediation outcome.

## IMPARTIALITY IN MEDIATION

Young observes impartiality as an important factor for winning confidence of the adversaries.<sup>19</sup> He notes that the existence of a meaningful role of a third party will depend on the party's being perceived as an impartial participant in the eyes of the principal protagonist.<sup>20</sup> Stulberg echoes the same views and suggests that a mediator should have three qualities. These are, neutrality, thus he should have no personal preference on the manner in which the conflict should be resolved. Secondly, a mediator should be impartial and thus treat all parties in comparable ways, both procedurally and substantively and thirdly he should be able to transcend the rhetoric and emotions of the parties.<sup>21</sup> The impartial mediator has an influence advantage, when parties perceive fairness and trust in him, mediation is likely to occur.<sup>22</sup> Other scholars including Ott posit that, a mediator must be acceptable to both parties and should have no interest in the conflict other than achievement of a resolution.<sup>23</sup>

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<sup>17</sup> S. Gouval, The Peace Brokers: Mediators in the Arab-Israeli Conflict, (Princeton, NJ: Princeton University Press, 1982), p.574

<sup>18</sup> J. Berne, (ed), Resolving International Conflicts: The Theory and Practice of Mediation, (London, Lyane Rienner, 1996), p.41

<sup>19</sup> See J. B. Stulberg, Intermediaries: Additional Thoughts on Third Parties, Journal of Conflict Resolution 1972 pp.51-65

<sup>20</sup> Ibid p.81

<sup>21</sup> see J. B. Stulberg, Taking Charge: Managing Conflict, (Lexington: Mass: DC. Heath, 1987)

<sup>22</sup> P.J. Carnevali and D.G. Pruitt, Negotiation and Mediation, Annual Review of Psychology, pp.531-543, 1992, p.43

<sup>23</sup> M.C. Ott, Mediation as a Method of Conflict Resolution: Two Cases: International Organization, J.I.S.O., No.4, pp 595-618, Autumn 1972, p.597

Zartman and Touval however, see the mediator's task as one of reframing and persuasion, thus impartiality is not important, but resources that one or both the parties value. They observe that resources are what enable super powers to succeed in mediation unlike medium or small powers.<sup>24</sup> The US and its western allies mediated reconciliation after Shaba despite their close ties with Zaire and strained relations with Angola. Also the US mediation efforts in the Arab-Israeli war were effective even though the US were perceived by the international community as being involved with Israeli war effort. Here impartiality is considered subordinate to possession of leverage by a mediator. Wehr and Lederach suggest an insider-partial mediator-from within the conflict, so long as he/she is trustworthy<sup>25</sup>

Sub regional organizations may be good insider partial mediators if they are accepted to mediate in conflicts in their regions. But if the member states of this sub regional organizations have conflicts among themselves, this affects their impartiality thus less success in conflict resolution.

Both bias and impartiality play a role in mediation, and both can add to the mediator's ability and desire to influence and to the desire of parties in conflict to be willing to be mediated. Although it is most likely that apparent impartiality can enhance attractiveness and influence of a mediator like when the Vatican was selected to mediate in the Chile-Argentina Beagle Channel conflict and the US was rejected due to its interests in the natural resources of the Beagle Channel.<sup>26</sup>

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<sup>24</sup>S. Touval and W. Zartman (eds), Introduction: Mediation, Beverly, Boulder CO: Westview, 1985, pp. 8-12.

<sup>25</sup>P. Wehr, and J.P.Lederach, Mediating Conflict in Central America, Journal of Peace Research, vol. 28 pp. 85-98

<sup>26</sup>J.Bercovitch (ed), Resolving International Conflicts, The Theory and Practice of Mediation, (London, Lynne Rienner, 1996) p.49

Mediators may be external to the conflict or they may come from within the conflict environment.<sup>27</sup> He observes that a biased mediator has "something at stake and is closer to one side than the other politically, economically, and culturally. An impartial mediator is ostensibly balanced, even and neutral in the sense that, he has no opinion regarding the conflict at hand, however unlikely that must be. However influence in mediation can stem both the mediator's impartiality or the mediator's interests and biases."<sup>28</sup>

All in all, all these scholars agree that mediators need to "steer a precise course"<sup>29</sup> between the parties in conflict to avoid losing their credibility and acceptability. However bias in mediation plays a special role especially when it adds to the mediator's capacity and desire to influence, for example in the American mediation in the Israeli-Arab conflict. The favored party may seek sustained relations with the mediator while the disfavored party may seek to earn the mediator's goodwill. A biased mediator is useful if he is the only one capable of influencing the most adamant party.<sup>30</sup>

## DETERMINANTS OF A GOOD MEDIATOR

Young posits that, a reliable mediator enjoys leverage, has commendable originality of ideas, is intelligent, and has stamina and a sense of humor among other characteristics.<sup>31</sup> Leaders of states and high ranking officials constitute good international mediators as they enjoy the legitimacy accorded to them by their states. He argues further that, a good mediator should have had a good relationship with the

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<sup>27</sup> Ibid p.40

<sup>28</sup> Ibid pp.40-41

<sup>29</sup> J. Bercovitch (ed), Resolving International Conflicts. The Theory and Practice of Mediation, (London, Lynne Rienner, 1996),41

<sup>30</sup> Ibid p. 42

<sup>31</sup> See O.R. Young, Intermediaries: Additional Thoughts on Third Parties, Journal of Conflict Resolution, 1972, pp. 51-65.

parties in conflict before. This means if the relationship before was strained then this influences the behavior of the mediator. Sharing a political system with the parties in conflict is an added advantage. A fair ground should be maintained, by carrying out the process in a neutral environment. External pressures, influences from constituents and the media should be checked.<sup>32</sup>

Resources and capabilities of a successful mediator as observed by Ott include, impartiality regarding the issues and conflicts, independence from all parties in the conflict, acceptable by all protagonists, enjoy respect from all parties, has knowledge and skills to deal with issues at hand and has the required physical resources.<sup>33</sup>

But according to Simkin the variables in mediation are numerous and thus futile to attempt to describe typical mediator behavior with respect to sequence, timing or the use or non-use of various functions theoretically available<sup>34</sup>

Mediators may be categorized in two ways. The power mediators and the pure mediators. In high power, high stake mediation, mediators, like brokers are in it for profit<sup>35</sup>. For example, The US mediation efforts in several African states during the Cold War. However Smith observes that power mediators can never at the same time act as impartial pure mediators and when such power mediators are accepted, the belligerents, want access to the power and resources such mediators have. ' If mediation is pure, the mediators rely on their skills to see them through an agreement<sup>37</sup>

<sup>32</sup> Ibid P. 44

<sup>33</sup> M. C. Ott, Mediation as a Method of Conflict Resolution: Two Cases, International Organization, vol. 26, No. 4 pp. 565-618, Autumn 1972, pp.597-600

<sup>34</sup> W. Simkin, Mediation and the Dynamics of Collective Bargaining, (Washington, DC, Bureau of National Affairs, 1971) p. 118

<sup>35</sup> J. J. Heilbrunn, The Peace Brokers: Mediators in the Arab Israeli Conflict, Princeton, NJ, Princeton University Press, 1982), P.321

<sup>36</sup> J.D. Smith, Mediator Impartiality: Banishing the Chimera, Journal of peace research, Vol. 31, No 4 pp. 445-450 (Sage Publications, Ltd Nov. 1994) p. 446

<sup>37</sup> Ibid, p.447

The same views are echoed by Bercovitch. He notes,

“Mediators can temper their biases for one side especially when they have long term interests with the conflicting parties. Biased mediators who had potential for future interaction would be especially concerned about appearing biased and would make a greater effort to equalize outcomes between the parties in conflict in order to preserve their acceptability”<sup>38</sup>

Mediators range from individuals to world organizations. The scholars above and others have revealed that state leaders, representatives of sub regional and regional organizations are the most successful mediators. This would be exemplified by Kissinger’s mediation efforts in the Arab-Israeli conflict as well as mediation efforts by the UN secretaries General.

## DETERMINANTS OF SUCCESSFUL MEDIATION

Bercovitch argues that the success or failure of mediation depends on parties in conflict, social environment or context in which both the conflict and mediation occur, that particular conflict and the mediating agent.<sup>39</sup> It is true that conflicts are not static or uniform events. Variables, among them, the parties in the conflict, the intensity of the conflict and the context within which the conflict occurs must be taken into consideration. He embraces the contingency approach in mediation. In this approach, clusters of context, process and outcome variables referring to specific characters of the party, the dispute, the mediator and the outcome are significant issues. This way, the most successful mediation strategy is evaluated.<sup>40</sup> He observes that mediation is a success when a considerable positive difference is noticeable in the conflict management and subsequently the parties are able to interact. For example the Soviet Union’s mediation efforts in the war between India and Pakistan and the

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<sup>38</sup>J. Bercovitch, (ed) Resolving International Conflicts. The Theory and Practice of Mediation, (London, Lynne Rienner, 1996), p.43

<sup>39</sup>Ibid p.13

<sup>40</sup>Ibid P. 15

Algerian mediation between Iran and the US on the American hostages held in Iran in 1980. It is partially successful when negotiations are initiated between the parties, for example. In Zimbabwe when American and Anglo-American initiatives of between 1976 and 1979 brought Zimbabwe African National Union(ZANU) and Patriotic Front of Zimbabwe African Peoples Union(ZAPU) onto a negotiating table, and unsuccessful when there is no discernible or reported impact<sup>41</sup>. An example to illustrate this is the US mediation efforts in Lebanon in 1982. The agreement brokered this year was rejected by Libya and Syria and Lebanon remained as divided as it was before the Israeli invasion.<sup>42</sup>

A study by Bercovitch and others reveal that mediation is highly successful in previously friendly relations than in those that ever had a dispute.<sup>43</sup> The success of mediation depends mainly on the correct timing and the party's willingness to concede.<sup>44</sup> The American's intervention in the conflict between Angola and Zaire in 1978 was a success because both parties perceived a ripe moment and were ready to negotiate. When conflicts become protracted or recur, then mediation has not worked successfully<sup>45</sup>.

Many researchers including Burton and Mitchell assume that all conflicts, in all contexts can be successfully mediated. They embrace the normative or the prescriptive approach to mediation. According to them therefore, each conflict has its own prescription and can be successfully mediated as long as the mediators are qualified and experienced. But Raymond and Kengley argue that, easy and successful

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<sup>41</sup> J. Bercovitch, (ed) Resolving International Conflicts. The Theory and Practice of Mediation, (London, Lynne Rienner, 1996), p. 19

<sup>42</sup> See W. Zartman, Ripeness: The Hurting Stalemate and Beyond, in International Conflict, Resolution After the Cold War, edited by P. Stern and D. Druckman, (Washington DC: National Academy Press, 2000), pp. 24-32

<sup>43</sup> J. Bercovitch, (ed) Resolving International Conflicts. The Theory and Practice of Mediation, (London, Lynne Rienner, 1996), pp 15-40

<sup>44</sup> See W. Zartman, Ripeness: The Hurting Stalemate and Beyond, in International Conflict, Resolution After the Cold War, edited by P. Stern and D. Druckman, (Washington DC: National Academy Press, 2000), pp. 24-32

<sup>45</sup> M. Mwangi, Conflict Management in Africa, (Nairobi, Friedrich Ebert Stiftung (FES), 2001) pp. 26-27



mediation is achieved when parties share a political system, cultural norms and values.<sup>46</sup>

In a conflict, the power of each party is a significant fact to note before mediation takes place, while many scholars predict easy mediation when the power differences between the parties is less, Deutsch observes that larger power differences, motivate conflict resolution as one of the parties may take advantage of its power<sup>47</sup> to set a good example in making concessions.

Wall and Lynn figure out culture, mediators' training, context of conflict and mediators ideology as factors that determine the techniques employed in mediation<sup>48</sup>. They summarize mediation's outcome into, five. Firstly, mediation settles down the parties in conflict through agreements which prevent subsequent conflicts as the current one is being solved. Secondly, mediation improves communication and encourages reconciliation. Thirdly compromise and fairer agreements are generated through the mediation process.<sup>49</sup> Compliance and party's satisfaction are other positive outcomes of mediation. Kressel and Pruitt echo the same views as they note that mediated agreements entail more compromise and fairness than adjudicated agreements.<sup>50</sup>

Greig in his research findings established that rivals within a conflict do not exist in isolation from the broader international system.<sup>51</sup> Threats of rivalry out of the epicentre of the conflict encourage the parties in conflict to welcome mediation so as

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<sup>46</sup>See C.A. Raymond G.A. and C.W.Kengley, Third Party Mediation and International Norms. A Test of Two Models. *Conflict Management and Peace Science*, vol. 9, 1985. pp.33-51.

<sup>47</sup>M. Deutsch, The Resolution of Conflict (New Haven; Yale University Press.1973). P. 46.

<sup>48</sup>J. Wall and A. Lynn, Mediation: A Current Review, *The Journal on Conflict Management*, vol.37, No. 1 pp 10-194.(Sage Publications Inc.1993), P. 170

<sup>49</sup>ibid pp. 171-172

<sup>50</sup>See K. Kressel and D.G. Pruitt, Themes In The Mediation of Social Conflict, *Journal of Social Issues*, vol. 1 1985, pp.179-198.

<sup>51</sup>M.D.Greig, Moments of Opportunity: Recognizing Conditions of Ripeness For International Mediation Between Enduring Rivals, *The Journal of Conflict Resolution*, Vol. 45, No.6, PP 691-718.(Sage Publications Ltd. 2001) p. 698

to improve their domestic relations, in order to deal with the threats. Thus the number of rivalries in which rivals participate have an implication to the success of mediation.

Simkin notes that it will be an exercise in futility to attempt to describe typical mediator behavior with respect to sequence, timing or the use and non-use of the various functions theoretically available. Lull views territory as an important aspect in conflict and conflict management and contends that mediation hits a snag when the territory is at stake. For example, the conflict between Argentina and England over the Falklands. Each state claimed this piece of territory and mediation proved difficult.<sup>52</sup>

Devising an index to measure successful mediation is complicated. Mediation outcomes are perceived subjectively. An outside observer may not perceive the outcome in the same manner as the parties involved, just as the international community may perceive it differently from the mediator involved. Mediation is successful when a conflict is resolved or a great difference is made. Like the Somali-Kenya skirmishes of 1963 to 1967. It is partially successful when negotiations are initiated and there is dialogue between the parties for example the peace talks between Somalia and Ethiopia over Ogaden. However, it is less successful when only a cease fire or break in hostilities is achieved like the Ogaden cease fire in 1968.

## SETBACKS IN MEDIATION

Success of mediation is hindered by various factors. Wall and Lynn note level of conflict, party's motivations and commitment, scarcity of resources by one or both sides and types of issue,<sup>53</sup> as the most significant hindrances. In cases where there is lack of cohesiveness between the parties in conflict, mediation should take place

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<sup>52</sup> A. Lull, Modern International Negotiation, Principles and Practice, New York, Columbia University Press, 1966, p.104

<sup>53</sup> J. Wall, and A. Lynn, Mediation: A Current Review, *The Journal on Conflict Management*, vol.37, No. 1 pp160-194, (Sage Publications Inc.1993), pp. 173-175

among the factions of the parties as well<sup>54</sup>. This enhances easy making of concessions as well as implementing of the agreements, reached.

Mediation is challenging in situations where one of the factions has its own domestic threat like insurgency and rebellion. Conflicts taking place at the same time within the region may also interfere with the ongoing mediation process as attention of parties is deviated. It is worse if the mediating state is affected. It is difficult to mediate between two parties which regard themselves as so strong with incompatible values. Since mediation is not binding, the mediator only does his best and hopes that the parties will reciprocate.

Kriesberg indicates that some groups or persons try to carry out certain activities for which they lack the resources. They act as if they have the ability to resolve conflicts.<sup>55</sup> It is therefore important to take into consideration the motives of mediator(s) in conflicts.

## THE MOTIVES OF THE MEDIATOR

As observed by young, mediator activity in conflict is guided by cost-benefit calculations<sup>56</sup>. Mwangiru observes that some actors in conflict and conflict management may sabotage the process because of their own interest.<sup>57</sup> Although the mediators' role is disempowering stronger parties and empowering weaker ones, Bailey notes that less altruistic self interests of mediators<sup>58</sup> encourage them to be allied to one of the parties.

<sup>54</sup> J. Kleibner, Understanding Success and Failure of international Mediation, The Journal of Conflict Management vol. 40, No. 2, pp. 360-389 (Sage Publication Inc. 1996). P. 365

<sup>55</sup> J. Kriesberg, Formal and Quasi-Mediators in International Disputes: An Exploratory Analysis, Journal of Peace Research, vol.28, No.1 pp 19-27, Feb 1991 p. 26

<sup>56</sup> See O. R. Young, Intermediaries: Additional Thoughts on Third Parties, Journal of Conflict Resolution, 1972 P.

<sup>57</sup> M. Mwangiru, Conflict Management in Africa (Nairobi, Friedrich Ebert Stiftung (FES), 2001) pp 25-30

<sup>58</sup> S.D. Bailey, Non-Official Mediation In Disputes: Reflections On Quaker Experience; International Affairs vol. 61, pp.205-222

Touval and Zartman come up with two types of motives of the mediator. The defensive motives and the expansionist motives. The defensive motives are clearly seen when the conflict is perceived by the mediator as threatening the mediators' interests especially if the mediator and the parties in conflict are from the same region. For example the intermediary role played by the Organization of American States in Latin America to reduce opportunities for external intervention and interference within the region. Also the Joint Libyan and Egyptian initiative. mediation motives in the Sudan conflict were defensive, the protection of the Egyptian access to the headwaters of river Nile. Expansionist motives are portrayed by mediators whose desire is to increase their resources, influence and power<sup>59</sup>. For example the role played by the US and the European Union in the Sudan conflict depicted their concern to access resources, and to preserve their influence and power. Also Egypt's intervention in the war between Iran and Iraq and Kissinger's efforts in the Middle East

Kleiboer observes that the international context in which mediation takes place is very important. That the economic and political pressure exercised by other powerful parties with a stake in the outcomes of the conflict may encourage or discourage conflict efforts.<sup>60</sup> Assefa singles out the pressure put on the governments of countries in civil war by their neighbors who are not ready to be bothered by streams of refugees fleeing into their territories.<sup>61</sup> This factor pushes mediators to take sides with the underdogs especially if the mediator shares a regional block with the parties in conflict. Other parties may also hinder ongoing mediation processes by rejecting an agreement or remaining indifferent altogether.

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<sup>59</sup> J. Touval and W. Zartman (eds), Introduction: Mediation in Theory, (Boulder Co: Westview, 1985), pp. 3-5  
Kleiboer, Understanding Success and Failure of International Mediation, The Journal of Conflict Management vol. 40, No. 2 pp 360-389 ( Sage Publication Inc.1996 )P. 373

<sup>61</sup> H. Assefa, Mediation of Civil Wars: Approaches and Strategies, The Sudan Conflict, (Boulder, Co. westview, 1987) p. 159.

Princen notes that individual interests rather than shared values or a convergence of interests<sup>62</sup> are the driving forces behind a third party, accepting to mediate in a conflict.

Further more, during negotiations, a proposal can be accepted depending on its origin.<sup>63</sup> Thus the relationship between any of the parties in conflict and any member of the mediating group, prior to the conflict is very crucial. Engaging many different persons and groups in mediation activities means that they interfere with each other rather than complement and supplement each other<sup>64</sup>. Many scholars including Bercovitch agree that mediators may intervene to protect the parties, or to protect their own interests or both and that mediators have interests and incentives that motivate their involvement in mediation.

## CONFLICT MANAGEMENT BY SUBREGIONAL ORGANIZATIONS

Wallenstein and Sollenberg view that regional conflict complexes affect conflict resolution. The resolution of one conflict may have an effect on a neighboring conflict. They site trans border incompatibility as one such linkage. This happens when there is an ethnic group straddling an international border, or interaction or cooperation through direct military and political alliances or direct or indirect support in terms of economic, military among others to a governmental or non governmental group in another state.<sup>65</sup>

In Africa almost all internationalized wars are within conflict complexes. Sub regional organizations consist of states that belong to particular conflict system. For example IGAD states belong to the Horn of Africa conflict system. The choice of

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<sup>62</sup> T. Princen, Intermediaries in International Conflict (Princeton, NJ: Princeton University Press, 1992), p. 61

<sup>63</sup> Ibid pp.24

<sup>64</sup> Ibid. P.26

<sup>65</sup> P. Wallenstein and C. Margareta, Armed Conflict, Journal Of Peace Research, Vol. 37 (5) pp.635-649

IGAD to mediate in a conflict in the conflict system it belongs therefore generates what analysts have called the insider partial mediator. This further complicates issues in the management of the conflict and of course this partiality breeds bias in mediation attempts.

Kleiboer observes that a conflict between two neighboring states may upset a regional power balance or may provide opportunities for a rival power to increase its influence by intervening in the conflict.<sup>66</sup> If a sub regional organization is viewed as being party to the conflict then it must possess enough leverage, otherwise an impartial mediator that has no leverage would be preferred. Regional collections of states as observed by various analysts including Bercoitch and Mwangiru intervene in conflicts to fulfill the obligations of membership as set forth in their formal treaty.

Cross national dissonance is particularly in international conflict and when cultural parties inhabit different worlds the prospects for successful conflict management are very slim.<sup>67</sup> We therefore expect parties in conflict to accept a mediator with a background similar to their own. Sub regional organizations challenge states in mediation activities. However they are only involved in regional conflicts in which they share basic cultural and ideological norms.

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<sup>66</sup> M. Kleiboer, Understanding Success and Failure of International Mediation, The Journal of Conflict Management vol. 40, No. 2, pp 360-389 ( Sage Publication Inc, 1995) P. 376

<sup>67</sup> J. Bercoitch and J. Schneider, Who Mediates: The Political Economy of International Conflict Management, Journal of Peace Research, Vol. 37, No.2, PP 145-155, (Sage Publications, Ltd, March 2000), pp.160-171

## CHAPTER THREE

### IGAD MEDIATION IN THE SUDAN CONFLICT

#### INTRODUCTION

Peace initiatives in the Sudan conflict started earlier before IGAD. They culminated in the Addis Ababa Peace Agreement of 1972, brokered by the good offices of Emperor Haile Selassie of Ethiopia. However this was annulled by president Numeiri. of Sudan when he came to power in 1983. Sudan had been having conflicts for about forty years. There had been many failed attempts by other states like Ethiopia, Kenya, Nigeria and US, to bring the conflicting parties to a negotiating table.

The Sudan conflict, which was initially a domestic affair, spilled over Sudan's porous borders to threaten the surrounding region with chronic instability.<sup>1</sup> It was internationalized following cross border sympathies, thus attracting external allies. It also yielded streams of refugees into the neighbouring states. The issue became a complex venture to mediators. IGAD initiatives in the conflict started in 1993 during an IGADD summit<sup>2</sup> held at Kampala in Uganda.

The river Nile which flows through Sudan to Egypt and Sudan's common border with the Red Sea, makes Sudan a centre of interest in the region and globally. IGAD states border Sudan. Southern Sudan has an extensive oil reserve, receives reliable annual rainfall and has extensive arable land.

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<sup>1</sup> D. Connel, Peace in Sudan: Prospect or Pipe Dream? Middle East Report, No.228, Autumn 2003 p.3

<sup>2</sup> Woodward, The Horn of Africa: Politics and International Relations. (London, Tauris Academic Studies), p.13

Sudan had strained bilateral relations with other states during the IGAD period. The affected states included US, Eritrea, Uganda, and Egypt. An examination of the Southern Sudan conflict involved several threads, all which contributed to an understanding of the nature of international politics in the region and its close relationship between the domestic politics of neighbouring countries.<sup>3</sup> Regional and sub regional alliances of the willing and able African states do not have the necessary wherewithal to bring security to the continent without continued engagement and support of the International Community.<sup>4</sup>

This chapter seeks to establish how interstate rivalry that also caused strained bilateral and international relations between Sudan and other states impacted on IGAD peace initiative in the Sudan peace process. It also points out how less altruistic IGAD mediators were, and how their self interests affected the mediation outcome.

## **SUDAN AND OTHER IGAD STATES**

The ambassadors of Ethiopia, Eritrea and Uganda met in Kenya to form the IGAD team that initiated the Sudan peace talks. The objectives of IGAD initiatives were based on the fact that stable relations between the countries of the region depended on the stability in Sudan. Economic activities within the Horn of Africa would not run smoothly if Sudan was experiencing conflict. It was therefore in the interest of the IGAD states to ensure that Sudan was at Peace so that international economic relations could be achieved.

Rebels in the Horn of Africa start armed struggles in one country but operate from a neighbouring country to achieve success especially if the states in question

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Howell Horn of Africa: Lessons from the Sudan Conflict. In: International Affairs (Royal Institute of International Affairs) Vol. 54, No.3, pp.421-428 published by Royal Institute of International Affairs, July 1978, p.421  
Hutchinson The ECOMOG Experience with Peacekeeping in West Africa in Malan, M(ed) Whither Peacekeeping in Africa? (Trenton: Africa World Press Inc. 1999), pp.61-85



have a bone of contention,<sup>5</sup> and also when the marginalized party has a common tradition, culture or religious identity with another group of people in the conflict system. There was also the notion of "the enemy of my enemy is my friend." For example the Northern Democratic Alliance (NDA) operated from Eritrea. The Ethiopians offered their assistance to SPLM/A as a tit for tat game following the Sudanese assistance to Ethiopian rebels.

It is quite interesting to note that SPLM/A started as a military movement supported by the Ethiopian regime of Emperor Mengistu Haile Mariam<sup>6</sup> and that is why the Khartoum government had supported Ethiopia to fight against the Mengistu regime. Now the new leaders of Ethiopia and Eritrea who had lived in Sudan during Mengistu's regime understood the sources of the conflict in Sudan.<sup>7</sup> The southern Sudanese experienced structural violence. They perceived a gap between their potential and their actual. It is therefore obvious that the representatives of the new governments in Ethiopia and Eritrea in IGAD, during the peace process, were sympathizers of southern Sudanese.

It is amazing how state security overrides other interests in International Politics. Ethiopia joined Eritrea and Uganda to step up military assistance to SPLM/A in retaliation to what they held to be an Islamist threat to their sovereignty.<sup>8</sup> The trio and other states in the Horn identified themselves with the southern Sudanese since

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<sup>5</sup> See The Post IGAD Peace Process: Signposts for the Way Forward, African Society Analysis Programme Forthcoming Occasional Paper 13, February ISS-Institute for Society Studies, Feb. 2004, p.12

<sup>6</sup> K. Shaloub and L. Hajjar, War, Development and Identity Politics in Sudan, Interview with Robert Shaloub, Middle East Report, No.200, Minorities in the Middle East: Power and the Politics of Difference, pp.32, 34-39, Jul-Sept, 1996, p.33

<sup>7</sup> See F.M. Sudan Peace Prospects at Crossroads (Washington D.C. Jan 1999), pp.17-26

<sup>8</sup> See The Post IGAD Peace Process: Signposts for the Way Forward, African Society Analysis Programme Forthcoming Occasional Paper 13, February ISS-Institute for Society Studies, Feb. 2004, p.5

they are dominantly Christians. In fact the Sudanese opposition headquarters were in Eritrea.<sup>9</sup>

In the peace process, the Khartoum government was willing to make concessions but with reservations. It declined to sign the Declaration of Principles which they perceived as favoring the southerners. It also sensed impartiality in the mediators believing that most of them were already taking sides with the rebel group. However, in 1997, regional pressure forced the Government of Sudan to accept the Declaration of Principles and return to the negotiating table.

Inter-mediator conflicts within the conflict system not only faltered mediation efforts but also complicated issues in the process. They had to be mediated first before the mediators embarked on the main conflict. In May 1998 when Ethiopia was at war with Eritrea, the sub regional pressure in the Horn of Africa, to see the Sudan government make concessions through IGAD reduced thus faltering the peace process.<sup>10</sup> At the same time Professor Kinfé Abraham, the President of the Ethiopian International Institute for Peace and Development (EIIPD) had been appointed the Chief Political Adviser to the IGAD secretariat on the Sudan peace process. IGAD efforts were therefore slowed down.

Sudan was accused of supporting Islamist forces not only around the African continent, but also in Palestine and Lebanon.<sup>11</sup> It was also alleged that the Northern Islamic Front (NIF), backed the Christian extremists of the Lord's Resistance Army in Northern Uganda. Uganda on the other side was accused by Sudan as sympathizing with the Southern Sudanese, by aiding the opposition forces. Sudan had supported the

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<sup>9</sup> R. Yehudit, Middle East Policy Paper, Sudan and the United States, Is a Decade of Tension Winding Down? P.100

<sup>10</sup> Response from Questionnaire filled by an Official from the Sudanese Embassy.

<sup>11</sup> D.C. Connel, Peace in Sudan: Prospect or Pipe Dream?, Middle East Report, NO. 133, Autumn 2003 pp. 2-7, p.3

LRA as payback to Uganda for its support of the SPLM/A.<sup>12</sup> Sudan and Uganda were also held in a cross border conflict which they were negotiating for a resolution. The Uganda-Sudan pact to end this simmering conflict along their common boarder which had been in effect since March 2002 broke down the same week the Machakos process was suspended. This was due to interconnectivity of issues, actors and interests in the Horn of Africa conflict system.

The Kampala Government accused the Khartoum Government of giving lip service to the peace process while failing to work on the deliberations. If the mediation had correctly been timed, so that the mutually hurting stalemate was experienced by both parties, the Sudan government would be willing to implement agreements without reservations. The government of Sudan also enjoyed the large power difference between it and the rebels.

Another external actor and ally to IGAD, President Bill Clinton of America being aware that Uganda was not in good relations with Sudan at that time used Uganda, central pillar of his trip to the African continent. Both this visit and the choice of central operation deteriorated the mediation process. The Sudan had already perceived US as a biased actor who was protecting her interests in Sudan and the rest of Africa. Uganda definitely welcomed Clinton to preserve its bilateral relations with US regardless of how Sudan would perceive the hospitality.

Envoy General Lazaro Sumbeiywo of Kenya was appointed to further negotiations for peace between the Khartoum government and the SPLM/A in 2001.<sup>13</sup> His perceived impartiality and the leverage accorded to him by the Kenyan state enabled him to record a discernible impact. But the interests of each individual state within and outside the conflict system were not compromised. General Sumbeiywo

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<sup>12</sup> Ibid., P.6

<sup>13</sup> D. Connell, Peace in Sudan: Prospect or Pipe Dream?, Middle East Report, NO. 228, Autumn 2003 pp. 2-7, p.4

testified that the strained bilateral relations that existed in the region even before IGAD peace initiatives caused a quiet internal conflict within the mediation team thus a lot of suspicion among members. He also revealed that the international community wanted to hijack the negotiations.<sup>14</sup>

## SUDAN'S RELATIONS WITH EGYPT

Unlike other regional actors, the concept of self determination for southern Sudanese was not embraced by Egypt. Egypt feared any loss of control over the river Nile, yet this was not any of the issues in the conflict. Libya like Egypt was opposed to south Sudanese self determination as this would hinder Cairo's access to the waters of river Nile. One scholar notes that,

“Egypt, operating individually and through the Arab League campaigned vigorously against self determination, fearing that it would lead to the secession of the south and the creation of a non-Arab State in the upper Nile region, where it has strategic water interests This is in addition to its interest in protecting the Arab-Islamic identity of the Sudan and its geo-political interests in the country and in the larger region. As for the IGAD neighbors, their principled support of the Southern right to self determination also ran against their national interest in curtailing the regional threats of Islamic fundamentalism in the Sudan, which is better attained by removing the NIF regime and replacing it with a more ideologically amicable alternative”<sup>15</sup>

This is an indication that Egypt was sympathizing with the northern Sudanese basically to protect its interests in the conflict. What many regional actors perceived as violent structures was a haven to the Egyptians. The Khartoum Government had been accused of harboring radical Islamic Opposition groups that aimed to overthrow the Egyptian government while Cairo was accused by Khartoum for supporting the

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<sup>14</sup> W. Waihenya, *The Mediator*; Gen. Lazaro Sumbeiywo and the Southern Sudan Peace Process(Nairobi, Kenway Publications,2006,p.85

<sup>15</sup> See I.M.Dong, *Sudan Peace Prospects at a Crossroads*.(Washington D.C., Jan. 1999).

rebels in Southern Sudan.<sup>16</sup> Despite the unsuccessful attempt by the Sudan based guerillas to assassinate the Egyptian president Husni Mubarak while in Addis Ababa in June 1995, and the strained bilateral relations between the two governments,<sup>17</sup> the Cairo Government still supported the Khartoum Government in the Sudan conflict. This improved the adamancy of Khartoum government in implementing the agreements arrived at during negotiations.

The Joint Libyan-Egyptian Initiative (JLEI) was concerned with lack of northern opposition participation in IGAD and the dominant African participation in the peace process. But JLEI does not belong to the same conflict system with IGAD States. Mediation by sub regional organizations prevent other peace initiatives from outside the region as was observed when the mandate was given to IGAD and not other sub regional organizations. Given its considerable interests in Sudan, Egypt was upset at not being given a formal role in IGAD.<sup>18</sup> It was observed that governments such as Egypt, which had no reason to like the government in Khartoum at that time, would have been discretely supportive of the SPLM/A. But they were only supportive in as far as they wanted an irritation to keep the Khartoum government bothered.<sup>19</sup>

## **SUDAN'S RELATIONS WITH THE US**

The US was substantially involved in the IGAD initiative to negotiate a resolution of the conflict. It adopted a policy of isolation and containment towards Sudan, but gave financial and logistic support, and coordinated IGAD activities

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<sup>16</sup>S. Ashok, Ethiopia the Sudan and Egypt: The Nile River Dispute, The Journal of Modern Africa Studies, vol.35, No. 4 pp675-694, Cambridge University Press 1994, p.692.

<sup>17</sup>Ibid p.685

<sup>18</sup>The Post IGAD Peace Process: Sign posts for the Way Forward, African Security Analysis Programme Forthcoming Occasional Paper.13, Feb. 2004 p.5

<sup>19</sup>R. Shaloub, and L.Hajjar, War, Development and Identity Politics in Sudan, Interview with Robert Shaloub, Middle East Report, No.200, Minorities in the Middle East: Power and the Politics of Difference, pp 32, 34-39, Jul-Sept, 1996, p.39

among key allies in Europe and the Horn of Africa.<sup>20</sup> But Connell asserts that if Bush administration was serious about promoting peace in Sudan and not advancing its war on terrorism in the region then it had to let go the notion of reconciling the conflicting parties and embark on restructuring the country itself<sup>21</sup> However the discovery of the oil in Southern Sudan which was announced by US Company Chevron Compromised US's impartiality in the peace process. Aware of the oil reserves in southern Sudan, the U.S., who was expected to support the Southern rebels, ended up being driven by their oil interests to favour increased dialogue with Khartoum and ensure they were not left out of the petroleum Bonanza in the expanding oil fields.<sup>22</sup>

It was alleged by US that Sudan allowed the use of its territory as sanctuary for terrorists providing safe houses and other facilities used to support radical groups<sup>23</sup> In the South Omar Al-Bashir's National Islamic Front (NIF) regime provided a safe haven for Osama bin Laden and his Arab Afghans from 1991-1996. It was also alleged that Laden was a partner to the pharmaceutical industry that manufactured chemicals that were used in the September 11 attack. The September 11 attacks therefore prompted US to withdraw its objections to the lifting of UN Sanctions in Khartoum, so as to access Sudan's files on terrorist groups the later had formerly supported.<sup>24</sup> The US therefore, a major actor in the mediation, increased its negotiations with the Khartoum government over terrorism, as the peace initiatives hit a road block.

The terrorist attacks of September 11 as seen from another perspective, gave rise to increased US involvement in the peace process. The Machakos peace process was leveraged by the US, EU, Italy and Norway. But it was clear to Khartoum

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<sup>20</sup> Ibid p.18

<sup>21</sup> D.Connell, Peace in Sudan Prospect or Pipe Dream?, Middle East Report, NO. 228 , Autumn 2003 pp. 2-7, p. 2

<sup>22</sup> Ibid P.4

<sup>23</sup> R.Yehudit, Middle East Policy Paper, Sudan and the United States. Is a Decade of Tension Winding Down, vol. IX, No.1, March 2002, p96

<sup>24</sup> D.Connell, Peace in Sudan Prospect or Pipe Dream? Middle East Report, NO.228, Autumn 2003, pp.2-7, P.4

government and SPLM/A that the peace process could not be pursued in the same manner as before. Despite the US preference that the peace Initiative be an IGAD one and not a US one, the US supported the rebel southern group, as evidenced by the participation of the rebels in the US sponsored symposium in Washington, which in return angered the Khartoum government.<sup>25</sup> This was reinforced by the visit of the US ambassador, Donald Peterson, to Southern Sudan without prior permission from the Sudanese government. This visit was charged by the Khartoum government as a violation of Sudan's national sovereignty.<sup>26</sup>

In 1995 US was accused by Sudan of its pressure to weaken the Sudan's position in the Horn of Africa. This plot involved Uganda, Eritrea and Ethiopia. This was a clear indication to the Khartoum government that the motives of US in the mediation were not purely altruistic. It is alleged that America provided financial and logistic support to the conference by the Sudanese opposition which was held in Asmara. The conference was accused of aiming at bringing down Bashir's regime. The initially pure mediation was now perceived as power mediation as US continued sponsoring IGAD initiatives, thus influencing the outcome.

Clinton's visit of several African States in April 1998 skipped out Sudan, while the US was accused of instigating the African union (AU) against Sudan, exploiting Africa's resources and turning the continent into a market for American weapons.<sup>27</sup> This culminated in the US missile attack on Khartoum in 1998. In the same year, US perceived Sudan as a threat to its national security; the US accused

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<sup>25</sup>R. Tehudit, Middle East policy Paper, Sudan and the United States, Is a Decade of Transition Winding Down?, vol. IX, No.1, March 2002, p.46

<sup>26</sup> Ibid p.97

<sup>27</sup> Statement by Army Spokesman, Abd al-Rahman al-Khatim, to al-Hayat, April 2, 1998.

Khartoum of involvement in the bombings of the American embassies in Kenya and Tanzania on August 7.<sup>28</sup>

In 1999, the US concerned by the growing role of the informal mediator, a Joint Egyptian-Libyan peace Initiative in Sudan and the possibility that it might displace the US backed formal mediator, IGAD peace making effort, tried to reinforce the effectiveness of IGAD.<sup>29</sup> The Khartoum government and US relations were strained further when Albright, the then US Secretary of State visited Kenya later in the same year, and met SPLA leaders declaring his rejection of JLEI and announcing further support for IGAD.

The appointment of Harry Johnston as Special Envoy for Sudan by President Clinton, in 1999 is evidence that the congress supported the IGAD peace process. In September 2001, President Bush appointed former Senator John Danforth as Special Envoy for Sudan to see if there was a role for the US in the peace process.<sup>30</sup> For the US and the Western world, care had to be taken to ensure that they are not perceived as being anti-Arab or anti-Islam, as this bias would make them lose their Arab allies in the Arab-Islamic world, especially Egypt and Saudi Arabia.

## **THE MACHAKOS PEACE PROCESS.**

The Machakos peace process was sponsored by IGAD in July 2002. Its aim was to find a framework for solving the Sudan conflict. The Sudan peace plan tabled by Kenyan Mediator Gen. Sumbeiywo, was based on the Declaration of Principles that had been accepted by the antagonists in the 1990's.<sup>31</sup> IGAD mediators proposed

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<sup>28</sup> R. Yehudit, Middle East policy Paper. Sudan and the United States. Is a Decade of Tension Winding Down?, vol. IX, No.1, March 2002, p.101

<sup>29</sup> Ibid p.104

<sup>30</sup> F.M. Deng. Sudan Peace Prospects at a Crossroads. (Washington D.C. January 1999). P.16

<sup>31</sup> D. Connell. Peace in Sudan Prospect or Pipe Dream? Middle East Report, No.228, pp2-7, Autumn.2003, P.5



immediate self rule for the South in exchange for SPLM agreement to have Sharia law rule to the North.<sup>32</sup>

The Machakos talks were built upon a faulty premise, that a resolution to Sudanese war could be constructed around gestures of regional reconciliation, and not comprehensive restructuring.<sup>33</sup> The success of the talks was crucial since SPLM/A Chairman John Garang had warned that if the peace process collapsed his forces will not participate in new talks. The strained bilateral relations brought complications to both the Machakos and Naivasha peace talks. States were not assertive on which party to support. The mediators' partiality influenced their role. Each actor strived to achieve their interests, thus implementation of agreements was cumbersome. Some states walked out on the peace talks. The IGAD member states who persisted to the end were Uganda, Eritrea and Ethiopia.

During the first Machakos talks in June 2002, IGAD presented the Draft Sudan Peace Agreement proposal to the parties. Unlike what IGAD had offered in the Declaration of Principles, which endorsed self determination, this new package proposed a pre-transition period, and a transition period of six months and four years respectively. However SPLM/A viewed the proposal as an abandonment of the right to self determination for the Southerners. They also preferred a shorter transition period of four years while the Government of Sudan proposed ten years. However the Sudan Government saw the draft agreement similar to what they had offered before.

It was clear that, that proposal suggested that Southern Sudanese make concessions such as to replace self determination with self administration, and to tolerate Islam in the north. This was not to change the violent structures that were causing the conflict. The Khartoum government embraced this idea since it favored it.

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<sup>32</sup> Ibid pp.5-6

<sup>33</sup> K. Abraham, Sudan: Toward a Resolution of the South: Recent Mediation Offers by Neighbouring Countries and the US. A Paper Presented at The University of Khartoum, Khartoum, Sudan, January 18, 2000, p. 5

But the then president of the Republic of Kenya, Daniel Arap Moi agreed with the SPLM/A leader, John Garang that the agreement did not offer anything to the Southerners. The leverage accorded to Moi by Kenya, a powerful actor in the region made his stance in the mediation to be of significant consequence. The struggle for self determination by the south therefore continued. The Machakos peace talks took five weeks with US, UN, Norway and Italy participating as observers.<sup>34</sup>

The Machakos Protocol established an Independent Assessment and Evaluation Commission to monitor and evaluate the implementation of a final peace agreement. It also exempted Southern Sudan from Islamic law of Sharia.

The second phase of the Machakos talks was difficult. Parties disagreed on issues like power sharing and wealth sharing. The Government of Sudan pulled out from the talks when SPLM/A forces attacked Torit, the government's main garrison, in response to the Government of Sudan attack on SPLM/A garrisons. However it returned again and agreed on Cessation of Hostilities with SPLM/A.

During the Third phase of the IGAD peace talks, the Mediators added several provisions to the Cessation of hostilities agreement. These included the return of the civilian population to their homes, return of territories taken and creation of a Verification and Monitoring Team (VMT).<sup>35</sup>

## THE NAIVASHA PEACE TALKS

The basis of the March 1994 IGAD talks were the Declaration of Principles. This included the right of self determination, separation of religion from state and a referendum to be held in Southern Sudan.<sup>36</sup> The Government of Sudan reluctantly accepted the Declaration of Principles and walked out on peace talks in September

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<sup>34</sup> Interview of the Researcher with an Official from the Ministry of Foreign Affairs on 18<sup>th</sup> Oct. 2001.

<sup>35</sup> F.M.Deng, Sudan Peace Prospects at a Crossroads, Washington D.C. January 1999p.19

<sup>36</sup> Ibid pp.16-20

1994. It was after the parties in conflict had been allowed enough time to test their strength and when they both experienced a mutually hurting stalemate as well as realizing that continuing with the conflict was too costly, that they were ready for negotiations. The Khartoum government returned for negotiations in, after a series of military defeats.

The meeting between Government of Sudan and SPLM/A on 11th August 2003 did not yield much as Sudanese President Omar Bashir had charged that IGAD proposals were aimed at dismantling his regime as well as the whole of Sudan.<sup>37</sup> This indicates that Khartoum was starting to lose confidence in the peace talks. But neither side wanted to be blamed for the failure of the process as this would trigger strong sanctions under the 2002 Sudan Peace Pact.<sup>38</sup> Although the signing of the final protocols at Naivasha provided the long awaited silver lining on the lengthy Sudan civil war, its optimistic prospects were considerably diluted by the crisis in Darfur.<sup>39</sup>

## THE STRUCTURE OF THE PROCESS

Deng notes that the Sudan peace process was quite cumbersome as it required the simultaneous presence of five foreign Ministers. It had no functional Secretariat to follow up the results of the meetings and prepare for further rounds. The Ministers were pressed with time thus the sessions were made too brief and intervals between rounds were too long.<sup>40</sup>

Some regional actors, including the mediators had their own agendas, making the question for peace less of a priority. He further observes that differences between the mediators on the pace, modalities and mediation objectives contributed to the

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<sup>37</sup> D. Connell, Peace in Sudan: Prospect or Pipe Dream? Middle East Report, No.228, pp.2-7 Autumn 2003 p.3

<sup>38</sup> Ibid pp.2-5

<sup>39</sup> K. Abraham, Sudan: Toward a Reconciliation of the South: Recent Mediation Offers by Neighbouring Countries and the U.S. Paper Presented at the University of Khartoum, Khartoum, Sudan, January 18, 2006 P..5

<sup>40</sup> Ibid p. 12

paralysis of the process. Recent conflicts between the mediators also undermined the efficacy and credibility of the process.

Secession and self-determination are synonymous. They definitely created fear to the Khartoum government. The argument that without the southern Sudan there would be no northern Sudan held. The same fear that the secession would spread around the sub region and eventually the continent affected the position of states within and outside IGAD. Precaution had to be taken to prevent further internationalization of the originally domestic conflict. There was also a general concern that partitioning the Sudan would break a vitally important Afro-Arab strategic bridge.<sup>41</sup>

Even though the Islamic state desired by the north was a dream,<sup>42</sup> as by definition, Islamic ideology was unacceptable to non-Muslims, nationally and internationally, and Islam was perceived as one of the major causes of structural violence in Sudan, SPLM/A and its NDA allies held the preserve of the national unity of Sudan a priority to protect the country against enemies inside and outside their boundaries, as they waited for an appropriate time for exercising a referendum.

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<sup>41</sup> K. S. Mahan, Sudan: Toward a Resolution of the South: Recent Mediation Offers by Neighbouring Countries and the U.S. A Paper Presented at The University of Khartoum, Khartoum, Sudan, January 18, 2006, pp.22-24  
<sup>42</sup> Interview of the researcher with an official from the ministry of Foreign Affairs on 18<sup>th</sup> Oct. 2007.

## CHAPTER FOUR

### A CRITICAL ANALYSIS OF THE CASE STUDY ON THE ROLE OF STRAINED BILATERAL RELATIONS IN MEDIATION.

#### INTRODUCTION

This study seeks to find out the impact of strained bilateral relations in sub regional mediation. It is a case study of IGAD mediation in the Sudan conflict between 1993 and 2005. Chapter one introduced the theme of the study, provided the background of the study and the methodology of research. The literature reviewed in this chapter was on conflict and conflict management, conflict management by African sub regional organizations, causes of the Sudan conflict and IGAD management of the Sudan conflict.

Literature reviewed on conflict and conflict management was to enhance an understanding of the concepts in African sub regional context. Originally domestic conflicts in Africa have a tendency to become internationalized and thus resolutions to the causes of conflict in an epicentre should take into considerations the impact and influence from within and outside the conflict system.<sup>1</sup>The literature reviewed on conflict management by African sub regional organizations established inefficiencies involved due to lack of resources and skill. The literature reviewed on causes of the Sudan conflict brought out the type of conflict this was. The conflict basically emerged from structural violence. Finally, the literature reviewed on IGAD management of the Sudan conflict showed that although there were achievements noted. IGAD worked under various constraints.

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<sup>1</sup> See M'. Mwangira. Conflict: Theory Processes and Institutions. (Watermark Publications.2000), pp.51-53

The gap therefore emerged that one of the factors influencing mediation activities being carried out by a sub regional organization like IGAD was the manner in which the actors related before the conflict and during the management of the conflict.

Chapter two was a general discussion on debates in mediation. It provided a framework of understanding if any mediation venture has to be a success. Debates on the ripe moments for mediation dwelt on the correct timing of mediation. The debates on mediator impartiality established the significance of both impartiality and bias in mediation outcome. Debates on mediator behavior provided the factors to consider when selecting a mediator. Debates on determinants of successful mediation revealed the distinction between successful mediation and less successful mediation. Debates on setbacks in mediation provided the constraints in mediation. Debates on the motives of the mediator established that mediators do not mediate for purely altruistic reasons. They have their own interests in the conflict. Lastly, the debates on conflict management by sub regional organizations established the constraints met by sub regional organizations in their attempt to mediate.

Chapter three was a case study on IGAD mediation in the Sudan conflict. It focused on how strained bilateral relations affected the outcome of the Sudan peace process. This strained bilateral relations caused suspicion among IGAD member states. This chapter therefore studied the bilateral relations between Sudan and the member states of IGAD, Sudan and Egypt and finally Sudan and US.

This chapter provides a critique of the study. It will analyze the practice of IGAD with regard to the mediation debates. It will give an appraisal of IGAD mediation in the Sudan conflict pointing out areas of achievement. It will also point

out the constraints caused by strained bilateral relations and finally it will provide recommendations for future improvement.

## **IGAD MEDIATION IN SUDAN CONFLICT: AN APPRAISAL**

### **Advantages of Strained Bilateral Relations within IGAD to its Mediation**

The ambassadors of IGAD states who met in Kenya to form the IGAD team that was to preside over the peace talks were skilled diplomats. They were high ranking officials enjoying the legitimacy and leverage accorded to them by their states. These qualities together with mediator's originality of ideas are some of the qualities of an acceptable mediator as suggested by Young.<sup>2</sup>The selection of the mediating team was therefore satisfactory.

The stability of Sudan was a very crucial issue in the Horn of Africa. As discussed in chapter three, economic activities could not flourish in the sub region if the conflict was not resolved. The streams of refugees across the Sudan border would definitely cause security threat in the sub region. It was therefore a priority of IGAD to ensure that peace prevailed in Sudan. IGAD member states therefore responded responsibly to ensure the sub region was not left out in the international business bonanza merely due to domestic conflicts. The US, Norway, Italy, the European Union (EU) and other friends of IGAD as discussed earlier held the resolution of the Sudan conflict a priority.

The Sudan conflict was internationalized due to cross border sympathies. Involved actors, issues and interests drawn from the international community. The rebels started the armed struggle at home but operated from the neighbouring countries. The Northern Democratic alliance operated from Eritrea. The assistance that the

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<sup>2</sup> O. Young, Intermediaries "Additional Thoughts on Third Parties" Journal of Conflict Resolution, 1972 pp.51-66

Ethiopians offered SPLM/A as a pay back for the Sudanese assistance to Ethiopia brought complications to the issues in the conflict. However, IGAD achieved from this situation as Ethiopia and Eritrea became insider partial mediators. An insider partial mediator as argued earlier in the debates on impartiality is an asset in mediation. The situation was an inspiration to IGAD as they had to mediate before the conflict spilled over to the neighboring states and also attracting allies external to the Horn of Africa conflict system. Most states in the region had already perceived the structural violence that was embedded in the structures of Sudan's subsequent regimes, and were obliged to initiate negotiations before the Khartoum government made Sudan an Islam state.

Cross border sympathy compromised impartiality in mediation. states which mainly subscribe to Christianity identified themselves with southern Sudanese. As Burton observes in his needs theory, some fundamental needs such as individual and identity group needs are compulsive and will be pursued regardless of cost.<sup>3</sup> But this was to the advantage of IGAD as more regional pressure was put on the Sudan government to make concessions, thus in 1997. the government of Sudan accepted the Declaration of Principles and returned to the negotiating table.

The Sudan government had no option but to consider dismantling the violent structures to create room for the independence of the southern Sudan. The former was under siege from all directions in the region. The idea here was to disempower the powerful party and empower the less powerful party as discussed earlier in Zartman's argument on the ripe moments for resolution. This is the moment when the powerful party starts slipping and the underdog starts rising. Ugandan government aided the Sudan opposition forces in a tit for tat game with Sudan, With Uganda alleging that

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<sup>3</sup> See J.W.Burton, Conflict Provention as a Political System, pp.115-127. in J.A. Vasquez. et al, Beyond Confrontation: Learning Conflict Resolution in the Post Cold War Era,( Michigan. Univer ty of Michigan Press, 1990), p.120.



Sudan had supported the Lords Resistance Army (LRA).<sup>4</sup>The suspension of the Machakos peace process in March 2002 broke down the Uganda-Sudan pact to end a conflict along their common border. This only enhanced the sub regional pressure on the Sudan government to give up some of its objectives. This clearly indicates that the choice of IGAD as the mediator in this conflict was ideal since its member states belong to the same conflict system with Sudan. They therefore share a cultural heritage which is an important aspect in mediation as discussed in chapter two under the choice of a mediator.

The choice of Uganda as a central pillar for Clinton's visit in the African continent not only increased rivalry between Sudan and Uganda, but also indicated that US was biased against the Khartoum government. At this time, the US was aware that Sudan had strained relations with Uganda. The appointment of Envoy General Lazaro Sumbeiywo to further the negotiations was an advantage to IGAD initiatives. The General understood the relations that had existed among IGAD states before this mediation and chaired the meetings from an informed perspective. He had the intelligence, stamina and a sense of humor.<sup>5</sup>

### **How Sudan's Strained Relations with Egypt and US Promoted Mediation**

Egypt and Libya represented the informal mediators in the African region. Their initiatives represented the various interests, issues and actors, all which influence the outcome of mediation. The dominant African participation in IGAD upset Egypt, which preferred to be given a formal role in IGAD to protect its interests in Sudan. As stated earlier, Egypt and Libya were losing confidence in the initiatives of IGAD especially with a backing of the strong hand of the US. However IGAD

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<sup>4</sup> D.Connell, Peace in Sudan, Prospect or Pipe dream Middle East Report, No.228, Autumn 2003, pp.2-7, pp.6-7

<sup>5</sup> Interview of the Researcher with an official from the Sudanese embassy on 18<sup>th</sup> oct.2007

successfully identified and dwelt on the real issues in the conflict during the peace process. Egypt, playing no formal role in IGAD ended up supporting SPLM/A in order to maintain an irritant to the Sudan government. This added to the sub regional pressure to keep northern Sudan on its toes. As discussed under the debate on conflict management by sub regional organization, such pressure can be well achieved by sub regional organizations thus giving sub regions an upper hand in resolving conflicts.

IGAD initiatives were partly sponsored by US. The US preferred that the peace talks be initiated by IGAD since IGAD member states share a similar background and thus share basic cultural and ideological norms. But in the findings of chapter three US seemed to play a role that would eventually benefit it. US was seen as controlling the peace process. General Sumbeiywo in one of the peace talks differed with special Envoy to Sudan, John Danforth over if the peace process was for the US or for the Sudan.<sup>6</sup> The US coordinated IGAD initiatives among key allies in Europe and the rest of the Horn of Africa. The participation by the US made the conflicting parties to perceive the presence of a super power in conflict management. As Touval and Zartman note, and as discussed earlier in the qualities of a good mediator, superpowers succeed in mediation much easier than medium or small powers because of the resources they possess<sup>7</sup>US participation therefore not only improved efficiency in IGAD but also enhanced trust in the conflicting parties that they would be rewarded for making concessions.

Sudan was accused by super powers and other states in the region for associating itself with terrorism. It was alleged that the Sudanese government provided safe havens for terrorists and that the chemicals which were used to assemble the bomb used by terrorists to attack the US embassies in Kenya and

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<sup>6</sup> Response from Questionnaire filled by a Kenyan Official in the Peace Talks.

<sup>7</sup> S. Touval and W. Zartman (eds), Introduction: Mediation in Theory, Boulder: Westview, 1995, pp 5-12.

Tanzania in 1998, were manufactured in a pharmaceutical industry partially owned by Osama bin Laden in Sudan. The September 11 terrorist attack heightened US involvement in the IGAD peace talks. There was a lot of US influence which contributed to the success of IGAD initiatives. For example, the US openly supported the rebel southern group. The rebel's participation in the US sponsored symposium and the visit of the US ambassador, Donald Peterson to southern Sudan without permission from the Sudanese government was a clear indication that the US supported the Declaration of Principles which spelt out self determination for southern Sudan. The Khartoum government even charged the ambassador's visit a violation of Sudan's sovereignty.

The conference by the Sudanese opposition which was held in Asmara received financial and logistical support from US. The Sudanese opposition also received support from Uganda, Eritrea and Ethiopia, the three states whose diplomatic relations had been strained as discussed in the previous chapters. This conference as was alleged by the Sudanese government was aimed at bringing down Bashir's regime. Clinton's visit of several African states skipping Sudan was accused of instigating the African union against Sudan. This in return mounted pressure on the Sudanese government creating ripe moments for mediation by IGAD. The underdog had started to rise while the top dog was slipping. The Sudanese government therefore considered revising its structures to accommodate the south.<sup>8</sup>

IGAD successfully blocked other informal mediators like the Joint Libyan-Egyptian Initiatives (JLEI) thanks to the continued support from US which reinforced the effectiveness of IGAD. Unofficial mediators should be avoided in conflict management as discussed in the literature review. One observer argued that too man

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<sup>8</sup> D.Connell, Peace in Sudan, Prospect or Pipe Dream? Middle East Report, No.228, Autumn 2003, pp.2-7, pp 5-6

cooks without coordination spoil the soup.<sup>9</sup> The JLEI initiatives would have brought further complications to the management of the conflict. The US government announced its rejection of JLEI and support of IGAD when the US secretary of state, Albright visited Kenya and met the SPLM/A leaders.

IGAD played a game of sticks and carrots. Conflicting parties need to be rewarded for making concessions. This is well illustrated in debates on determinants of successful mediation in chapter two. The mediators proposed immediate self rule for the south in exchange for SPLM/A to agree that the north be governed by Sharia law.<sup>10</sup> However this was not accepted by the Sudanese government. The Draft Sudan Peace Agreement Proposal was also rejected by SPLM/A. Despite the subsequent rejections of IGAD proposals the mediators were not deterred from formulating other approaches. The Sudanese government pulled out of the Sudan peace talks but returned to negotiate on the Cessation of Hostilities agreement with SPLM/A after a series of attacks and defeats by the southern opposition,<sup>11</sup> a clear indication of ripe moments for resolution. The 2002 Sudan Peace Pact was meant to trigger imposition of strong sanctions to the party that would frustrate the progress of the peace process. The conflicting parties therefore adhered to the requirements of the peace pact.

Despite the strained bilateral relations which brought rivalries into the mediation by various states, IGAD managed to consolidate most of the significant actors, issues and interests and steered the mediation to the signing of the final protocols at Naivasha and eventually the CPA. IGAD managed the conflict and checked its further internationalization.

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<sup>9</sup> Interview of the Researcher with the Ambassador of Somalia to Kenya on 16<sup>th</sup> Oct. 2007

<sup>10</sup> D.Connell, Peace in Sudan: Prospect or Pipe Dream? (Middle East Report, No. 228, pp.2-7, Autumn,2003),p.5

<sup>11</sup> Ibid p.7

## THE CONSTRAINTS IN IGAD MEDIATION OF SUDAN CONFLICT

### Constraints Caused by Member States

The IGAD team of mediators consisted of representatives from IGAD member states. As illustrated in Mwangiri's observation on coalition mediation in the literature review, some of the ambassadors who were to meet in Kenya to form this team did not attend to the meeting. Consultations in coalition mediation are tedious. This is attributed to the stresses and complexities brought in mediation by group mediators.<sup>12</sup> IGAD consisted of members who represented different interests in the conflict.

It was a priority for IGAD to ensure that Sudan was at peace because stable relations in the sub region depended on Sudan's stability. Economic activities could not thrive in a conflict torn sub region. This is a clear indicator that the IGAD initiatives in the Sudan peace process were not purely for altruistic reasons as discussed earlier in literature review. Bercovitch and other scholars observe that the good timing for mediation is when both the parties have gone through a mutually hurting stalemate marked by an imbedding catastrophe and both parties start seeking for a mediator.<sup>13</sup> But the Government of Sudan was under pressure from the region to revise its objectives in the conflict. The struggle to achieve a sub regional environment conducive for economic activities pushed IGAD to start mediating before the moments were ripe for mediation.

The Sudan conflict was an internationalized one. Sudan was only an epicenter. The Sudan opposition groups operated from neighboring states. SPLM/A received both financial and logistical assistance from Ethiopia and Uganda. The two states justified their aid to the rebels by alleging that they were paying back for Sudan's

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<sup>12</sup> Mwangiri, Conflict: Theory Processes and Institutions of Management, (Nairobi. Watermark. 2000), pp.55-56

<sup>13</sup> S. Touval, The Peace Brokers: Mediators in the Arab Israeli Conflict. (Princeton, NJ: Princeton University Press. 1982), p.374

assistance to their respective rebel groups. For a mediation that could yield a resolution to the conflict, IGAD needed to consolidate factors like, the context of the conflict, the characters of the conflicting parties, the issues, actors and interests represented in the conflict and conflict management, as well as the type of mediator. All these are determinants of a successful mediation as indicated in chapter three.

The many states involved in mediation by sub regional are at risk of getting involved in conflicts besides the main conflict within the conflict system. Inter mediator conflicts complicated issues in the IGAD initiated peace process. These conflicts had to be resolved first before the main conflict. For example in May 1998 when Ethiopia was at war with Eritrea, the sub regional pressure on the Sudanese government reduced thus faltering the peace process. The pressure resumed once the war between Ethiopia and Eritrea was resolved. Strained relations between Kenya and Uganda during this period impacted negatively on the mediation.<sup>14</sup> Another example of a conflict within the main conflict was the border conflict between Sudan and Uganda. The Uganda-Sudan pact to end this conflict broke down and in the same week the Machakos peace talks were suspended. This is a clear picture of how the progress in mediation by sub regional organizations can be interfered with by strained bilateral relations. As discussed in chapter one, conflict management by sub regional organizations requires that the conflict be broken down into smaller parts, little issues be kept little and should not be linked to larger issues. The mediator then tackles simple issues before embarking on larger ones. Due to suspicion in the IGAD team this was not observed. The issues affecting the contested areas of Abyei, Nuba Mountains and the Blue Nile region took time before a mediator was agreed upon. It

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<sup>14</sup> M.Mwagiru, Conflict: Theory Processes and Institutions of Management, (Nairobi, Watemmark, 2000),p.84

was finally agreed that Kenya be a unilateral 'mediator within mediation'. However this was to be kept as a secret from other IGAD states.<sup>15</sup>

The identity of the conflicting parties as well as that of the mediating parties is another factor to consider in mediation. The northern Sudanese had fewer states to identify with in the Horn of Africa. Its dream of making Sudan an Islam state, which was one of the major bones of contention in the conflict, could not be accepted by most sub regional actors. Sub regional actors were in favor of a secular Sudan state. The Sudanese government therefore identified itself with Islamic states like Egypt, Libya, Palestine and Lebanon, all which did not have an official role in IGAD. The rejection of Sharia law in Sudan by non Muslim IGAD member states was perceived as bias in the mediation process not only by the government of Sudan but also the Muslim sympathizers of the Sudanese government. The conflict systems approach used by IGAD to address this conflict did not favor northern Sudanese.

The strained relations between the Khartoum government and the Kampala government is what inspired the later to accuse the former of giving lip service to the peace process while failing to implement them. An official from Nigeria observes that too many conferences without implementation are a main draw back to IGAD's peace initiatives.<sup>16</sup> But Khartoum government was an adamant party which enjoyed state power and therefore needed more pressure to make concessions.

Bill Clinton's choice of Uganda to be his central pillar when he toured the African continent exacerbated the rivalry between Sudan and Uganda. Clinton was aware of the strained relations between the two states and used this opportunity to pay back for Sudan's harboring of terrorists. IGAD initiatives did not have room for such eventualities since it ignored interstate rivalry in its mediation framework. But a

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<sup>15</sup> Response from Questionnaire filled by a Sudanese Official in the Peace Talks

<sup>16</sup> Interview with Nigerian Deputy High Commissioner to Kenya on 16<sup>th</sup> Oct. 2007.

representative from the Indian High Commission in Kenya observes that African problems should get African solutions. Foreign power intervention should be avoided and this should be spoken against in peace forums.<sup>17</sup>

### **Constraints Caused by Sudan's Strained Relations with Egypt and US**

The conflict systems approach used by IGAD ignored other interests such as those of Egypt. Egypt was upset at not being offered a formal role in the peace process so that it could use the opportunity to protect its interest of the river Nile headwaters as well as the Arab-Islamic identity in Sudan. The motives of Egypt to mediate in the conflict were purely defensive. The conflict as perceived by Egypt was a threat to its interest. When all actors and interests are not represented a conflict resolution is never achieved.

The Joint Libyan-Egyptian peace initiatives were an indication that regional actors had started losing confidence in the IGAD initiatives. These actors perceived partiality in the mediation by IGAD. They were concerned about the dominant Christian representation as well as the dominant African participation in the peace process.

IGAD allowed state actors to use its peace initiatives to advance their interests in the region. For example, Bush administration used the opportunity accorded to it by IGAD to advance its war on terrorism in the region. US therefore introduced another issue called terrorism in the Sudan conflict. US portrayed expansionist motives in the peace process. It acted as an unofficial mediator categorized by Touval and Zartman as one whose desire was to increase resources, influence and power.<sup>18</sup>

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<sup>17</sup> Interview with Indian High Commissioner to Kenya on 16<sup>th</sup> Oct. 2007.

<sup>18</sup> S. Touval and W. Zartman (eds), Introduction: Mediation in Theory, (Boulder Co: Westview, 1985), pp8-10



At times during mediation US government which was expected to support the southern Sudanese ended up being driven by its interests in the Sudan petroleum oilfields to favor increased dialogue with the Khartoum government. US also withdrew its objections to the lifting of UN sanctions in Khartoum in order to access Sudan's files on terrorist groups. This is illustrated in chapter one where actors get involved in conflicts because of the rewards they expect to reap.

IGAD did not predict the impact of the participation of the Sudanese rebels in a US sponsored symposium in Washington. The strengthened rivalry between US and Sudan encouraged the US ambassador, Donald Peterson to visit southern Sudan without prior permission from the Khartoum government. Albright's visit to Kenya and her declaration of US rejection of JLEI, and continued support to IGAD together with Clinton's visit to the African continent, deliberately skipping Sudan, was perceived by Sudan as instigation by US against Sudan in the African region. This interfered with the impartiality of IGAD.

Strained relations in the Horn of Africa were intensified further when US offered financial and logistical support to the Sudanese opposition conference in Asmara. This worked down the efforts of IGAD as other states in the region including Uganda, Eritrea and Ethiopia were involved in the plot. President Bush's further appointment of former Senator John Danforth as special envoy for Sudan to participate in the peace process was aimed at pure representation of US interests in the peace process. As an observation by the delegates who attended the Machakos peace process, John Danforth kept on inquiring if Washington was aware of the deliberations in the peace process.<sup>19</sup> But as observed by Kriesberg engaging many

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<sup>19</sup> See W. Waihenya, The Mediator: General Lazaro Sumbiywo and the Southern Sudan Peace Process, (Nairobi: Kenway Publications, 2006) pp.34-102

different persons and groups in mediation activities causes them to interfere with each other rather than complement and supplement each other.<sup>20</sup>

Although the regional pressure imposed on the Sudanese government was aimed at ensuring that the Khartoum government accepts to change the violent structures that caused the conflict. US and other western actors had to be careful not to be perceived as being anti-Arab or anti-Islam, so as to retain their good multilateral relations with the Islamic states.

Strained relations had a negative influence on IGAD's impartiality. The perceived mediator impartiality prompted the conflicting parties to reject proposals by IGAD. Southern Sudan rejected the proposal to replace its objective of self determination by self administration, while allowing northern Sudan to be governed by Sharia law. On the other side the government of Sudan accused IGAD of making proposals that were aimed at not only dismantling President Bashir's regime but also the whole of Sudan.

As expected with mediation being carried out by sub regional organizations, consultations among members of the mediating group was cumbersome. IGAD did not achieve in terms of attendance of the five Foreign Ministers who were expected to carry on the peace talks. This was due to the varying interests represented by each state. Also the peace talks were not a priority to other states in the region thus their officials were attending other matters. Foreign Ministers were worn out due to the difficulties encountered in arriving at agreements for example, the then Foreign affairs Minister, Kalonzo Musyoka, almost pulled out of the talks to follow those who had exited earlier.<sup>21</sup> Lack of a functional secretariat to follow up the results of the meeting and

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<sup>20</sup> L. Kriesberg, Formal and Quasi Mediators in International Disputes: An Exploratory Analysis, *Journal of Peace Research*, vol.28, No.1, pp19-24, Special Issue in International Mediation, Feb.1991, p.20-21.

<sup>21</sup> Response from Questionnaire filled by Kenyan Envoy in the Peace Talks.

prepare for further rounds slowed down the pace of the peace process. The mediators differed on issues like pace of the peace talks, modalities and mediation activities. This strengthens the point that states interests influenced the mediation outcome.

Self determination was a significant objective of the southern Sudanese. States within and outside the Horn of Africa appreciated that declaration of southern Sudan as an independent state would liberate the people from the structural violence from the government dominated by the northern Sudanese. But at the same time the notion that without southern Sudan there would be no northern Sudan was a factor to be considered by the mediators. Furthermore many states in the region feared that the wave of secession would spread around the continent. States were not willing that Sudan be partitioned as this would interfere with the easy access of Africans to the Arab world. At this point states who were sympathizers of southern Sudanese changed their positions in the peace talks so that the agreements arrived at would favor their needs and interests. This is an indication of African leaders not being assertive to the decisions they make in peace talks as well as their position on whom they are supporting.<sup>22</sup> It was observed that the Sudanese rebels were also protective of their national unity thus not allowing any external interference that could cause instability in Sudan.

The role played by the media of communicating the progress to the rest of the world at times impacted negatively to the peace process. During the Naivasha peace process, so many delegates started screaming into the conference rooms as many states kept writing letters to General Sumbeiywo requesting to be included in the negotiations.

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<sup>22</sup> Interview of the Researcher with the Ambassador of Somalia to Kenya on 16<sup>th</sup> Oct. 2007.

## TOWARD ACHIEVING CONFLICT RESOLUTION THROUGH MEDIATION BY SUB REGIONAL ORGANIZATIONS.

Sub regional organizations are capable of recording better results in conflict management than individual states. They can pool more resources than individual states which is a factor to consider in choosing a mediator as discussed in chapter two. Since internal conflicts become internationalized, and add complexities in their management addressing such conflicts in terms of the conflict system they belong is necessary. However several factors have to be considered before selecting the mode of management as well as the third party to be involved in the management of the conflict.

Apart from factors like the mode of diffusion, type of conflict, the context of the conflict, the duration of the conflict before mediation attempts among other factors, the bilateral relationships of all actors involved, which shapes the behavior of the mediator, and defines the motives of that mediator, is another important factor. Sub regional mediators need to understand the competition among states that form the mediating group.

Rivalry between and among states is instigated by previous relations between the epicenter and the mediating states, as well as inter mediator conflicts in the sub region as indicated in the literature review. Sub regional organizations need not to undermine the previous relations among member states before the conflict. They also need not to only strive to fulfill the obligations stipulated in the charters that formed them. Rivalry in the Horn of Africa during IGAD mediation was enhanced by the struggle for power in the region thus states formed alliances.

For successful sub regional mediation, there should be a proper linkage between internal conflicts and the conflict systems that these conflicts belong.

Systems approach should involve factors like the identities of the conflicting parties so as to exactly establish who their sympathizers are in the region. For African sub regions the type of leadership referred to by Mwagiru as “old” and “new” create two alliances. Leaders embracing new leadership are democratic and tend to identify themselves with change while those embracing the old type tend to be conservative. Due to these leadership styles the idea of heads of states getting involved in regional conflict management complicates issues. It was tricky for General Sumbeiywo to continue with the peace talks after he was retired by the incoming President Mwai Kibaki.<sup>23</sup>

Regional conflict managers should take into consideration that in that very region, there are actors who would want the status quo to remain so that they continue benefiting from the violent structures. In the example of Sudan conflict, Egypt serves as an example. It could not support self determination by the southern Sudanese since it was benefiting from the status quo.

Some states in the IGAD team used the peace process to settle the scores that they held for a period of time with the government of Sudan. Uganda, Eritrea and Ethiopia had strained relations with Sudan. This kind of relation brings subjectivity and bias in mediation. Apparently as discussed earlier on these three states remained in the peace talks until the signing of the CPA.<sup>24</sup>

Conflict systems approach to mediation need to take into considerations the intersections between conflict systems. For example the Horn of Africa conflict system intersects with the Great lakes conflict system as well as the North Africa conflict system. IGAD ignored these intersections and that is why Libya and Egypt

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<sup>23</sup> See W. Waiheny, *The Mediator: General Lazaro Sumbeiywo and the Southern Sudan Peace Process*. (Nairobi, Kenway Publications, 2006) pp. 103-110

<sup>24</sup> Response from Questionnaire filed by a Sudanese Official in the Peace Talks.

formed a joint initiative to ensure that their needs were also represented in the mediation.

Conflicts are dynamic and transform themselves and therefore in the process of this transformation their epicentres keep on changing.<sup>25</sup> The western province of Darfur is just but another epicentre of the internationalized conflict. The implementation of the Comprehensive Peace Agreement will not be successful until the Sudan conflict is holistically resolved.

The contingency approach to mediation will take into consideration, the relationships of actors in conflict, as well as relationships between actors and issues in conflict. This is important although the interaction between actors, between actors and the conflict and between the two above and the management process is very complex.<sup>26</sup> It takes the form of a cobweb.

There is need for coordination of efforts from both state and non state actors and all these efforts should be tied together with all other regional and international initiatives. In this case, the AU and the UN initiatives. Youth groups and women groups, especially those that traverse national boundaries should be involved in conflict management.

Sub regional organizations need not to rely on the international community like the UN and the EU to fund their peace initiatives. They should also avoid interference from superpowers like the US, who by virtue of being sponsors, end up controlling these peace processes. Furthermore looking for sponsorship from outside the sub region only increases the number of actors, interests and issues in the conflict and its management.

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<sup>25</sup>See M. Mwangi, Conflict in Africa, Theory, Processes and Institutions of Management, (Nairobi, JCR Publications, 2006). pp.84-102

<sup>26</sup> Ibid p.96

## CHAPTER FIVE

### CONCLUSION

This study examined the role of strained bilateral relations in mediation by sub regional organizations. A case study of IGAD mediation in the Sudan conflict between 1993 and 2005 was carried out. The methodology of research was primary data collection and secondary data analysis.

This study established that strained bilateral relations that existed among IGAD states before and during the peace process complicated issues in the Sudan conflict management. The mediation took longer than anticipated. Some actors therefore used IGAD forums to settle their scores with Sudan, while other actors used the opportunity to exercise their powers as superpowers. Kenya for instance was involved in the mediation partly to restore peace in Sudan and partly to enhance its power in the region. The US acting in its capacity as a super power controlled the course of the events in the peace process.

Actors in the management of the Sudan conflict were allied to either of the parties so as to preserve a cordial relationship which would in future benefit them.<sup>1</sup> For example the US and other states from the western world occasionally played safe to ensure that they were not perceived by the Islam states and Arab states as acting against the objectives of the government of Sudan.

The IGAD mediation was not inclusive. The interests of all the factions in Sudan were not represented. There were difficulties in agreeing on power and wealth sharing as well as the Abyei and Nuaa mountain protocols. That is why the conflict shifted its epicenter to the western province of Darfur. Inhabitants of this region

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<sup>1</sup> Response from Questionnaire filled by Sudanese Official in the Peace Talks.

demand a share of the national wealth an aspect which was not catered for by the Comprehensive Peace Agreement.

IGAD did not study fully the extent to which different actors, issues and interests determined the course of the conflict. As a sub regional organization it offered a blanket solution to the conflict, regardless of what individual states would have wished. This is why Egypt and Libya started another initiative parallel to that of IGAD.

Strained bilateral relations that existed between states before the conflict and during the management process attracted more agents of internationalization of the conflict. They brought into the conflict extra actors, issues, concerns and interests.

At the moment of writing this thesis, there is a conflict in Sudan over the implementation of the Comprehensive Peace Agreement. The Sudanese government is reluctant to make operational, key issues like power and wealth sharing. Supposing a referendum is conducted and its results suggest that the southern Sudan secedes from the main Sudan, southern Sudan will become an independent state. It will be quite interesting to study how the independent state of southern Sudan will conduct its diplomatic relations with the member states of IGAD.

## **TOWARD ENHANCING EFFECTIVENESS OF IGAD IN CONFLICT RESOLUTION**

A study group for coordinating the needs and interests of the parties in conflict seems to be working in Iraq. The Ambassador of Somalia to Kenya suggested that such a study group would work effectively to resolve the conflict in Somalia. IGAD needs to establish such study group and use it as an instrument in resolving conflicts



in the sub region.<sup>2</sup>This study group should consist of academicians, especially in the field of conflict and conflict management, anthropology, diplomacy as well as university research teams. This team will study the causes of conflict in the region, define the type of conflict in question and suggest to IGAD the mode of conflict resolution that should be used to address the conflict.

It is these study groups that will ensure that all interested parties are included in the negotiations and that all interests are represented. IGAD mediation will therefore be done within a time framework.

US has been perceived as the powerful hand behind African peace initiatives. This has made African sub regional organizations not to be decisive in their conflict resolution missions. For example the AU is not decisive in its peace missions in Somalia. The US has also portrayed a powerful hand behind the UN missions in Somalia leading to suspicion and failure. As discussed in chapter four, African solutions should be provided to African problems. IGAD should possess the peace initiatives but source for funds from the superpowers.<sup>3</sup>

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<sup>2</sup> A discussion with the Ambassador of Somalia to Kenya on 16<sup>th</sup> Oct. 2007

<sup>3</sup> A discussion with the Ambassador of Sudan to Kenya on 16<sup>th</sup> Oct 2007

## APPENDIX ONE

### LETTER OF INTRODUCTION

Dolly A. Likoye,  
Institute of Diplomacy and International studies,  
University of Nairobi,  
P.O Box 30197,  
Nairobi.

Dear Sir/Madam,

I am a master's student at the University of Nairobi's Institute of Diplomacy and International Studies. In partial fulfillment of the requirements for the M.A (International Studies, I am conducting a study on the Impact of Interstate Rivalry on Mediation. A case study of IGAD mediation in the Sudan conflict from 1993 to 2005.

You/your organization have been selected to contribute to this study. I kindly request your assistance in completing the attached questionnaire. The information is needed for academic purposes and will be treated in strict confidence. A copy of the research project will be made available to you or your organization on request.

Your cooperation is highly appreciated.

Yours truly,  
Dolly Akili Likoye.

## APPENDIX TWO

### QUESTIONNAIRE

(Administered to Ambassadors or their representatives from the Horn, Kenyan Envoy to the peace talks, IGAD representative from the Kenyan Ministry of Foreign Affairs)

1. What position do you hold in IGAD?

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2. What position did you hold in the IGAD mediation of the Sudan conflict?

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3. How frequent were the meetings? (Tick the correct category)

- a. Weekly
- b. Monthly
- c. Every after two months
- d. Others (specify)

4. Were these meetings sufficient for the discussions?

- No
- Yes

5. If your response in 4 above is "No" how often would you have preferred the meetings to be held?

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6. Give reasons for 5 above.

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7. How many IGAD state representatives were expected at every meeting?

- a. Below 10
- b. 10-20
- c. 21-30
- d. Above 30

8. On average, how many IGAD state representatives were present at every meeting? (tick the correct category)

- a. Below 10
- b. 10-20
- c. 21-30
- d. Above 30

9. What factors do you think could have contributed to the attendance in 8 above?

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10. How easily were agreements arrived at? (Tick the correct category)

- a. Very easily
- b. Easily
- c. Fairly difficult
- d. Difficult
- e. Very difficult

11. Give an explanation for the above response

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12. In your observation, did the peace process begin at the correct timing? I mean were the parties ready for mediation?

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13. Please give an explanation for the response in 12 above.

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14. With examples of particular states, explain how states' interests affected the timing of the peace process.

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15. What is your comment on the choice of mediators in terms of?

- a. Their ranks in their respective states

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- b. Their relations with the conflicting parties

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c. Resources accorded to them by their respective states

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d. Originality of ideas

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16. How would you categorize the outcome of the mediation in terms of:

i) Conflict management

- a. Not successful
- b. Less successful
- c. Satisfactorily successful
- d. Very successful

ii) The consequent interaction of the conflicting parties

- a. Very poor
- b. Poor
- c. Satisfactory
- d. Good
- e. Very good

17. Please explain briefly the reasons for i and ii above.

i)

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ii)

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18. Was there any party among the mediators that had any interest with any of the conflicting parties?

- Yes
- No

19. Give examples for your response in 18 above.

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20. What was the effect of 18 above on the mediation outcome?

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21. Describe the effect of mediator motives to the following variables

i) Attendance during meetings

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ii) Choice of state representatives

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iii) **Successful outcome of the peace process**

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iv) **Weaknesses of the peace process**

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**22. Briefly commend on how interstate rivalry affected the IGAD initiatives in the Sudan peace process.**

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**22. Briefly commend on the role of the media in the peace process**

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**THANK YOU**

## BIBLIOGRAPHY

Abraham K., Sudan: Toward a Resolution of the South: Recent Mediation Offers by Neighboring Countries and the US. A Paper Presented at The University of Khartoum. Khartoum, Sudan. January 18, 2006.

African Security Analysis Programme Forthcoming Occasional Paper 13; The Sudan iGAD Peace Process: Signposts for the Way Forward. Institute for Security Studies. Feb 2004.

Articles by George Washington edited by John C. Fitzpatrick, Washington, United States Printing Office. 1931-44, vol.x.

Ashok.S, Ethiopia,the Sudan and Egypt: The Nile River Dispute. The Journal of Modern Africa Studies. vol.35, No. 4 pp675-694, Cambridge University Press 1994.

Assefa H., Mediation of Civil Wars: Approaches and Strategies – The Sudan Conflict. (Boulder, Co. west view, 1987).

Bailey S.D., Non-Official Mediation In Disputes: Reflections on Quaker Experience: International Affairs voi. 61, pp.205-222.

Barbble E. The Practice of Social Research. California. Wordsworth Publishers, 1989.

Bercovitch J and Houston A; (eds), Resolving International Conflict: The Theory and Practice of Mediation. London, Lynne Rienner, 1996.

Bercovitch J.and Schneider G. Who Mediates/ The Political Economy of International Conflict Management. Journal of Peace Research, Vol. 37, No.2,PP. 145-165, (Sage Publications, Ltd. March 2000).

Bercovitch J., (et al), Some Conceptual Issues and Empirical Trends in the Study of Successful Mediation in International Relations. Journal of Peace Research, vol. 28 No 1, pp7-17, (Sage Publication Ltd.,1991).

Bercovitch J., International Mediation, Journal of Peace Research, Vol. 28, No. 1

Bercovitch J. and Houston A. Why do they do it like this? An Analysis of the Factors influencing Mediation Behavior in International Conflict. The Journal of Conflict Resolution, Vo. 44, No. 2, PP. 170-202( Sage Publications. Inc. Apr. 2000),

Brown M.E. (ed), The International Dimensions of Internal Conflict. Cambridge, M.T. Press. 1996.

Burton J. V. Peace Explained. Manchester. Manchester University Press. 1997.



Burton J.W, Functionalism and the Resolution of Conflict. In Groom and Taylor, (1975).

Carnevale P.J., and Pruitt D.G., Negotiation and Mediation. Annual Review of Psychology, pp.531-548, 1992.

Cheruiyot R, Challenges of post conflict reconstruction: the case of Southern Sudan. unpublished Thesis, University of Nairobi: IDiS. 2005.

Chowning J.D; When men revolt and why. New York. free press 1979.

Connell D., Peace in Sudan Prospect or Pipe Dream? Middle East Report. NO.228, autumn 2003, pp.2-7.

Deng F.M. War of Visions: Conflict Identities in Sudan. Washington DC, Brookings Institution, 1995.

Deng F.M. Sudan Peace Prospects at Crossroads (Washington D.C. Jan 1999).

Deutsch M., The Resolution of Conflict (New Haven, Yale University Press, 1973).

Dougherty E.J. and Pfaltzgraff R.L. Contending Theories of International Relations: A Comparative Survey 3<sup>rd</sup> Ed; New York, Harper and Row publishers, 1990.

Dunstan M.M, The Africa – Arab Conflict in the Sudan New York and London. Africa Publishers, 1981.

EPU Research papers issue 01/07, Sudan Conflict and Signing of Comprehensive Peace Agreement in Nairobi, stadtschlaining, 2007

Fisher R. The Concept of Functionalism, International Conflict for Beginners. New York, Harper and Row, 1969.

Galtung J, Violence, Peace and Peace Research, Journal of Peace Research Vol.6, No.3, 1969.

Greig M.D., Moments of Opportunity: Recognizing Conditions of Ripeness For International Mediation Between Enduring Rivals. The Journal of Conflict Resolution, Vol. 45, No.6, PP 691-718,(Sage Publications Ltd. 2001).

Groom AJR and Taylor P (eds), International Organization. A Conceptual approach. London and New York, Frances Pieter Ltd and Nichols Publishing Company, 1978.

Groom AJR and Taylor P., Functionalism: London, University of London Press Ltd, 1975

Gurr T.R., Why Men Rebel? Princeton, Princeton University Press, 1970.

Hameso S. The Political-Economic Crises in the Horn. Its People Who Suffer 1990. ([http://www.aidamaccnecm.com/articles/horn\\_crises.htm](http://www.aidamaccnecm.com/articles/horn_crises.htm)) April 2007

Hampson F.O., Nurturing Peace: Why Peace Settlements Succeed or Fail, Washington DC, United States Institute of Peace, 1996.

Howell J., Horn of Africa: Lessons from the Sudan Conflict, International Affairs (Royal Institute of International Affairs 1944) Vol. 54, No.3, pp.421-436. (Published by Royal Institute of international Affairs, July 1978).

Hutchful E., The ECOMOG Experience with Peacekeeping in West Africa in Malan M(ed) Whither Peacekeeping in Africa? (Pretoria: ISS Monograph Services 36, 1999).

Keller E., African Conflict Management and the New World Order, Policy Paper 13 Los Angeles, Institute of Global Conflict and Co-operation, 1995.

Kleiboer M., Understanding Success and Failure of International Mediation, The Journal of Conflict Management vol. 40, No. 2, pp. 360-389 ( Sage publication Inc.1996).

Koech J., Emerging Challenges of Security in IGAD, in Mwagiru.M (2004).

Kressel K., and Pruitt D.G., Themes In The Mediation of Social Conflict, Journal of Social Issues, vol. 1, 1985.

Kriesberg L., Formal and Quasi-Mediators in International Disputes :An Exploratory Analysis, Journal of Peace Research, vol.28, No.1 pp 19-27, Feb 1991.

Light M and Groom AJR (eds), International Relations: A Handbook of Current Theory, London, Printer Publishers, 1985.

Lull A., Modern International Negotiation, Principals and Practice, (New York, Columbia, University Press, 1966).

Malan M (Ed) Resolute Partners: Building Peacekeeping Capacity in Southern Africa, ISS Monograph Series 21, Institute for Security Studies, Halfway House, 1998.

Malan M, The OAU and African Sub Regional Organizations: A Closer Look at the Peace Pyramid, Institute for Security Studies, 1999.

Morgenthau H. J. and Thompson K. W., Politics Among Nations, The Struggle for Power and Peace, 5<sup>th</sup> Ed., New Delhi – Ludhiana Publishers, 1985.

Murathi T., African Approaches to Building Peace and Social Solidarity, Paper presented at the University of Cape Town for Peace International Conference Strategies for Peace with Development in Africa, Addis Ababa, 2006.

Mwagiru M., Conflict Theory Processes and Institutions of Management, Nairobi, Watermark Publications, 2000

Mwagiru M., African Regional Security in the Age of Globalization. Nairobi, Heinrich Boll Foundation, 2004.

Mwagiru M., Conflict in Africa, Theory, Processes and Institutions of Management (Nairobi, CCR Publications, 2006).

Mwagiru M., Conflict Management in Africa. (Nairobi, Friedrich Ebert Stiftung (FES), 2001).

Nachmias & Nachmias, Research Methods in Social Sciences. London, St Martins Press, 1966.

Nhara w, Conflict Management and Peace Operations: the Role of the Organization of Africa Unity and Sub Regional Organizations. in Malan M (ed) Resolute Partners: Building Peacekeeping Capacity in Southern Africa, 1998.

Northedge F.S., and Donelan M.D., International Disputes. The Political Aspects. (London; Europa 1971).

Nye Joseph, International Regionalism – Neofunctionalist mode. Regional institutions Role in Handling of Conflicts Between States in Peace in Parts in AJR Groom and Taylor P (eds) 1978.

Ott M.C., Mediation as a Method of Conflict Resolution: Two Cases : International Organization. vol.26. No.4, pp.595-618, Autumn 1972.

Papp D.S. Contemporary International Relations: Frameworks for understanding. (3<sup>rd</sup> Ed.). New York, Macmillan, 1991.

Princen T., Intermediaries in International Conflict. (Princeton, NJ. Princeton University Press, 1992).

Pruitt D.G., and K. Kressel K., ( eds). Introduction: An overview of Mediation

Research. The Process and Effectiveness of Third Party Intervention. (San Francisco. C.A. Jossey – Bass, 1989).

Raymond G.A. and Kengley C.W., Third Party Mediation And International Norms. A Test of Two Models: Conflict Management and Peace Science. vol. 9, 1985. pp.33-51.

Reuck A., The Logic of Conflict: Its Origin, Development and Resolution.

Rourke J., International Politics on the World Stage. 4<sup>th</sup> Ed. Sluice Dock. Guilford. Connecticut. the Dushkin Publishing Group inc. 1993.

Ruga C.R., The role of external actors in natural resource based conflicts. case study of DRC. unpublished thesis, university of Nairobi, IDIS. 2006

Russett B., World Politics. The Menu For Choice, New York, W.H. Freeman and Company, 1989

Salih M., Horn of Africa: Security in the New world Order. in Thomas and Wilkin (eds). 1999.

Shaloub R..I. and Hajjar L., War, Development and Identity Politics in Sudan. Interview with Robert Shaloub. Middle East Report, No.200, Minorities in the Middle East: Power and the Politics of Difference. pp.32, 34-39, Jul-Sept, 1996.

Simkin W., Mediation and the Dynamics of Collective Bargaining. (Washington, DC. Bureau of National Affairs. 1971).

Smith J.D., Mediator Impartiality: Banishing the Chimera. Journal of Peace Research. Vol. 31, No 4 pp. 445-450 (Sage Publications. Ltd Nov.1994).

Special Issue on International Mediation. pp3-6.(Sage Publication, Ltd. 1991)

Statement by Army Spokesman, Abd al-Rahman al-Khatim, to al-Hayat, April 2, 1998

Stulberg J.B., Taking Charge:Managing Conflict.( Lexington: Mass: DC, Heath, 1987)

The Post IGAD Peace Process:Signposts for the Way Forward. African Society Analysis Programme Forthcoming Occasional Paper 13, ISS-Institute for Society Studies. Feb. 2004.

Touval T., The Peace Brokers: Mediators in the Arab Israeli Conflict. (Princeton, NJ: Princeton University Press. 1982).

Touval S., and Zartman W., (eds). Introduction: Mediation in Theory, Boulder Co: West view, 1985.

Vasquez J.A. (et al), Beyond Confrontation. Learning Conflict: Resolution in the Post-Cold War Era. Michigan, University of Michigan Press, 1990.

Waihenya W., The Mediator: Gen. Lazaro Sumbiywo and the Southern Sudan Peace Process. Nairobi. Kenway Publications, 2006)

Wail J., and Lynn A., Mediation: A Current Review, The Journal on Conflict Manag. ment, vol.37, No. 1

Wilkenfeld J., et al) Mediating international Crises: Cross-National and Experimental Perspectives. The Journal of Conflict Resolution, vol. 47, No. 3, pp. 279-301. (Sage Publications Inc. Jun 2003).

Wolfestein P. and S. Margaretta S., Armed Conflict. Journal of Peace Research, Vol. 37 (5) pp.635-649

Wallerstein P. and Margareta S., Armed Conflict, Journal Of Peace Research. Vol. 37 (5) pp.635-649

Wehr P., and Lederach J.P., Mediating Conflicts in Central America, Journal of Peace Research vol. 28 pp. 85-9

Yehudit R., Middle East Policy Paper, Sudan and the United States. Is a Decade of Tention Winding Down?

Young O.R., Intermediaries: Additional Thoughts on Third Parties, Journal of Conflict Resolution, 1972.

Zartman W., Ripe For Resolution: Conflict Intervention in Africa, ( New York, Oxford University Press, 1989.

Zartman W., Ripeness: The Hurting Stalemate and Beyond, in International Conflict, Resolution After The Cold War, in P. Stern and D. Druckman(eds) (Washington DC; National Academy Press, 2000).