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The Role of the AU Peace and Security Council in Conflict Management: A Case Study of the Horn of Africa (2004-2008)

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Table of Contents

Abstract

This dissertation contends that despite the increasing complexity of conflict dynamics in the African continent, the African Union established a home grown initiative to deal with the brunt of conflicts in the region. The Peace and Security Council was put in place in 2004 to carry out activities using these approaches. The Horn of Africa, one of the hottest beds of conflict in Africa, immediately attracted the attention of the Peace and Security Council which conducted peace processes in various countries therein. Such peace processes have been completed in three of these countries, including Kenya, Somalia and Sudan. The main question that arises therefore is whether these home grown approaches to conflict are yielding results.

The main objective of this research is to evaluate the contribution of the African Union Peace and Security Council in conflict management in the Horn of Africa by reviewing the decisions and activities of the African Union Peace and Security Council regarding the conflicts in the three countries: Kenya, Somalia and Sudan. Mainly secondary data was used to analyze the issues in question. The research relied on the communiqués of the AU PSC between the periods of 2004 and 2008. The Conflict Research theory of conflict management was used as a guide to analyze the role of the African Union Peace and Security Council in conflict management in the Horn of Africa.

The study observed that the Peace and Security Council initiates any peace operations by analyzing a potential or existing crisis situation, which if necessary is followed by the deployment of fact-finding missions to the trouble spots. The Council then makes a decision or recommendation to authorize and legitimize the African Unions intervention in internal crisis situations

The Peace and Security Council helps countries torn by conflict to create conditions for sustainable peace through peacekeeping and peace enforcement which facilitate the observation of peace processes in post-conflict areas and assisting ex-combatants in implementing the peace agreements they may have signed among others.

The dissertation notes that despite the emerging issues that the African Union Peace and Security Council has faced, its foray into peacekeeping in Sudan and Somalia suggests that the continental body will be called upon in the future to stabilize countries that are afflicted by the scourge of violent conflict.

In addition, the study deduced that the African Union Peace and Security Council seeks to find political solutions to conflict in Africa through mediating in conflicts. It also provides the favorable environment for negotiations between conflicting parties to take place.

In conclusion, the study revealed that the African Union Peace and Security Council has played key roles in managing conflicts in Kenya, Sudan and Somalia despite the emerging issues it has had to face. In addition, there was an observation that the Peace and Security Council can be relied on for future interventions in conflict prone countries.

Declaration

This dissertation is my original work and has not been presented for a degree in any other university.

Signature _____ Date ___ 18/11/10 ____

Jane Kathure Ikunyua

This dissertation has been submitted for examination with my approval as a university supervisor.

Signature _____ Date ___ 24/11/10 ____

Prof. Makumi Mwagiru

Dedication

I dedicate this study to all that abhor conflict and conflict situations.

Most of all for me, to Oscar, Dennis, my dad and mum.

Acknowledgements

As I look back to the development of this dissertation, I realise that many people have in one way or another contributed to make it what it is. However, there are those for whom special mention must be made as without them it would not have been possible to complete this study.

First and foremost, I would like to thank the Almighty God for giving me life and health, without Him nothing would have been achieved.

I also wish to acknowledge the support I received from Prof. Makumi Mwagiru who supervised this study. I thank him for his patience and generous guidance. I also benefited a lot from other teachers and classmates.

My appreciation also goes to the Administrative Assistants, Institute of Diplomacy and International Studies, Nairobi University for being kind and booking me appointments with my supervisor.

Last but not least, I wish to register my special thanks and appreciation to my loving family and friends for encouraging me not to give up even when times were rough. May God bless you all.

Acronyms

AIAI	-	Al-Ittihad al-Islamiya
AMIS	-	African Union Mission in Sudan
AMISOM	-	African Union Mission to Somalia
ARPCT	-	Alliance for the Restoration of Peace and Counter-Terrorism
AU	-	African Union
CIVPOL	-	Civilian Police
DDR	-	Disarmament, Demobilization and Reintegration
EAC	-	East Africa Community
ECK	-	Electoral Commission of Kenya
EU	-	European Union
GOSS	-	Government of Southern Sudan
HCFA	-	Humanitarian Ceasefire Agreement
ICU	-	Islamic Courts Union
IDPs	-	Internally Displaced Persons
IGAD	-	Inter Governmental Authority on Development
IGASOM	-	IGAD Peace Support Mission to Somalia
JEM	-	Justice and Equality Movement
MONUC	-	UN mission in DR Congo
NGO	-	Non Governmental Organization
NIF	-	National Islamic Front
NSSP	-	National Security and Stabilization Plan
ODM	-	Orange Democratic Movement
ODM-K	-	Orange Democratic Movement Kenya
OLF	-	Oromo Liberation Front
PNU	-	Party of National Unity
PSC	-	Peace and Security Council
PSO	-	Peace Support Operation
PWG	-	Protection Working Groups
SDA	-	Somali Democratic Alliance
SLA/M	-	Sudanese Liberation Army/ Movement
SNM	-	Somali National Movement
SPLA	-	Sudan People's Liberation Army
SSDF	-	Somali Salvation Democratic Front
TFG	-	Transitional Federal Government
TFIs	-	Transitional Federal Institutions
UN	-	United Nations
UNAMIR	-	UN Assistance Mission for Rwanda
UNHCR	-	UN High Commissioner for Refugees
UNICEF	-	UN Children's Fund
UNITAF	-	Unified Task Force
UNOCHA	-	UN Office for the Coordination of Humanitarian Affairs
UNOSOM	-	United Nations Operation in Somalia
UNSC	-	UN Security Council
WFP	-	World Food Program

Chapter One

Conflict in the Horn of Africa

1.0 Introduction

The Horn of Africa refers to the geographical region falling within that horn-shaped part of Africa that protrudes into the Indian Ocean, from the continent's land mass in northeastern Africa. As an area without obvious physical or political boundaries, the Horn is somewhat difficult to define precisely. By its strictest definition, it includes the countries of Ethiopia, Somalia, Djibouti, The Sudan and the northeastern region of Kenya.[1] During the decade of the 1970s, no area of Africa underwent more sudden and startling upheavals and went from relative neglect to intense courtship by the superpowers. The Horn has been a contentious area of the world whose recent history has been constantly marred by wars, revolutions, coups d'etat and territorial dispute.

Sudan has been in constant war since independence in 1956, with the most significant conflict being between North and South 1956-1972 and 1983-2005. To address the recent-most north-south conflict, the AU organized Inter-Sudanese Peace Talks on the Conflict, bringing together the Sudanese Parties (the government of Sudan, the Sudan People's Liberation Army (SPLA) and the JEM) in July 2004 in Addis Ababa. This was followed by various rounds of talks culminating into the CPA agreement in 2005.[2]

The AU described the conflict in Somalia as one of the most serious challenges for peace and security on the continent. When the Islamic Courts Union (ICU) began a guerrilla war against Ethiopian and Somali government forces, the African Union's PSC authorized a

[1] Makumi Mwagiru, 'The Greater Horn of Africa Conflict System: Conflict Patterns, Strategies and Management' USAID Conference on Conflict and Conflict Management in the Greater Horn of Africa, Nairobi, Kenya, May 1997
[2] Kwanje S., 'The Sudan Peace Process: From Machakos to Naivasha' in Makumi Mwagiru (ed) Regional Security Issues in the Age of Globalization (Nairobi CLARION, 2006) p 5

peacekeeping mission to Somalia in January 2007 with an initial six month mandate. With a number of extensions, African Union Mission to Somalia's (AMISOM) mandate expired in August 2008.[3]

In Kenya, a political, economic, and humanitarian crisis that erupted after incumbent President Mwai Kibaki was declared the winner of the presidential election held in 2007 Spontaneous violence erupted in many regions in the country. The AU immediately instituted a mediation process under the AU chairman Mr. Kufuor who left saying that both parties had agreed to continue talks together with former United Nations Secretary-General Kofi Annan Following the Annan talks, Kibaki and Odinga signed the agreement meant to end the crisis at a ceremony in Nairobi.[4]

1.1 Statement of Research Problem

This study investigates the contribution of the AU Peace and Security Council to peace building in the Horn of Africa with a keen interest in AU supported processes in three countries, Sudan, Somalia and Kenya.

Despite there being many intervention initiatives by different stakeholders such as the UN, the EU and individual Western countries to address existing conflict issues, conflict dynamics are getting more and more complex in the region. The AU has emerged as a home grown initiative to effectively take the destiny of the continent into the hands of the African people by providing home grown approaches to addressing conflicts. The PSC was put in place in 2004 to carry out activities using these approaches.

The Horn of Africa, one of the hottest beds of conflict in Africa, immediately attracted the attention of the PSC which conducted peace processes in various countries therein. Such

[3] Gilkes Patrick, *Conflict in Somalia and Ethiopia* (London: Lynne Rienner, 1995) p 96
[4] Barasa Mang'eni, *Post-Election Violence in Kenya* (Nairobi: PeaceNet Kenya, 2008) p 23

peace processes have been completed in three of these countries, including Kenya, Somalia and Sudan. The main question that arises therefore is whether these home grown approaches to conflict are yielding results. As a result, this research analyzes the three case studies to reveal the contribution of the AU PSC in conflict management in the Horn of Africa by reviewing the decisions and activities that the AU PSC undertook in the conflicts that occurred in the three countries.

1.2 Objectives of the Study
The overall objective of this study is to find out the role of the AU peace and Security Council in managing conflict in the Horn of Africa with a particular reference to Kenya, Sudan and Somalia. Specifically, this study seeks to:

1. Examine dynamics in the particular conflicts in Kenya, Sudan and Somalia.

2. Identify the decisions and activities that the PSC has undertaken to mitigate and or end the conflicts in the mentioned countries.

3. Establish the emerging issues faced by the PSC

1.3 Justification of the Study
This study has both policy and academic justifications.

1.3.1 Policy Justification
Conflict continues to be a huge problem in Africa given its adverse effects. Ending or mitigating such conflict is in the interest of both the peoples in the Horn and the international community in general because of its strategic location with borders to two crucial sea routes, on the Indian Ocean and the Red Sea. These waterways are currently regaining importance in international maritime trade. In addition, the Horn of Africa countries are a potentially lucrative market for Asian electronic technology, oil has been discovered, and globalization has boosted

international trade. The Sudan has potential as an oil producer, while the country has significant water reserves and an agricultural capacity that could make it a meaningful contributor to regional development.

These conflicts have had many interventions from different actors. However, these actors are perceived by the conflicting parties to be either partial, malicious or without capacity to completely address them. Even mediators in numerous conflicts are perceived impartial since they do not carry out mediation for altruistic reasons. It was imperative therefore, to find an actor who 'seemed' impartial to intervene in the situation of Darfur which was almost transforming into genocide. The African Union PSC played this role at that moment. What is more important however, is evaluate the contributions of this actor in attaining peace in the region with the aim of proffering new ways of addressing its challenges.

1.3.2 Academic Justification

From the literature review section, it is apparent that there is literature dealing with the role of organizations in regional peace and security. However, the existing literature focuses mostly on the regional economic communities (RECS) with no specific focus on the role of the PSC in promoting peace and security in particular countries. This could be due to the moderately short existence of the PSC since 2004. Consequently, this study attempts to overcome this limitation by evaluating the contributions of the 5- year PSC to conflict processes in Africa with a particular reference to the Darfur conflict.

1.4 Literature Review

This section reviews literature on three themes that are relevant to the study. The first section examines the PSC

1. The AU Peace and Security Council

2. The role of the AU in conflict management

3. The role of sub-regional organizations in conflict management

It is evident that the approaches of conflict prevention, management, settlement, resolution and transformation have different meanings to different scholars. On the other hand, the second section analyzes the impact of regional organizations on maintaining peace and security by focusing on case studies from Africa.

1.4.1 The African Union Peace and Security Council

The PSC was established within the AU following a provision of the Constitutive Act[3], as a standing decision-making organ for the prevention, management and resolution of conflicts. It is a collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa.[4]

The Peace and Security Council relies upon four main organs to make and implement its decisions. These are the military staff committee, the Panel of the Wise, the Continental Early Warning System and the African Standby Force. The Military Staff Committee (MSC) which acts as a technical advisory committee to the PSC advises on all matters pertaining to peace keeping and deployment. On the other hand, the Panel of the Wise, whose role is critical to diffusing tensions and dealing with sensitive issues, is mandated to advise the Commission, the PSC or to pronounce itself on any peace and security matter. The third organ is the Continental Early Warning System (CEWS), which is an early warning situation room, allied to the regional early warning systems as well as certain NGO's and other civil society organs. The African Standby Force (ASF) is the actualization of an African capability for peace support operations with the goal of establishing five regional brigades that make up the African Standby Force by

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[3] Article 5(2) of the Constitutive Act
[4] Francis David J., *Uniting Africa: Building Regional Peace and Security Systems* (Aldershot: Ashgate, 2006) p. 14

2010. These brigades will be trained, under the principle of inter-operability, to ensure that they can deploy under the Regional Economic Communities (RECs), the AU or the UN, within and beyond their regions.

The PSC is composed of 15 members, five of which are elected for a three year term (renewable) and ten of which are elected for a two year term (renewable). Countries are required to seek election to the PSC, and will only qualify when they meet criteria that include demonstration of political will and accountability on their part. The selection of members is democratic and places the most committed, not necessarily the wealthiest members, in leaderships roles in the PSC. This is a source of strength for this institution. The PSC convenes at any of three levels, the Summit, Ministerial or Ambassadorial levels, depending on the gravity of the situation being addressed.

1.4.2 Role of the African Union in Conflict Management

Africa is a continent with a high number of armed conflicts. United Nations regional organizations and a number of non African states have tried to manage these conflicts. In 2001 the African states decided to establish the African Union as a successor of the Organization of African Unity. Since its establishment the African Union has made a significant effort to become an active player in conflict resolution of African conflicts.

The AU as opposed to its predecessor has adopted the approaches of conflict prevention by providing actions aimed at preventing disputes based on pre-acquired information or early warning signals that seem to suggest that a crisis is in the offing. In addition, the African Union has undertaken conflict management in many countries in which violence has occurred. For

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Doyle Michael and Nicholas Sambanis, *Making War and Building Peace* (Princeton: Princeton University press, 2006) p. 57

Diane Thomson, *Africa In Crisis: New Challenges and Possibilities* (London, Pluto Press, 2005) p. 92

instance in April 2003, the AU deployed the AU Mission in Burundi (AMIB) with more than 3 000 troops from South Africa, Ethiopia and Mozambique to monitor the peace process and provide security.[9] The AU has begun to take a stronger stand on conflicts and peace initiatives in Côte d'Ivoire, Burundi and Darfur. The AU's experience in Burundi, Darfur, and Somalia suggests that the organization has much to do to improve its ability to deliver peace and security to African citizens. However, it goes without saying that the AU's peace and security architecture will be a vital component of Africa's strategy to consolidate order and stability on the continent.[10]

However, it is worth noting that a number of challenges have been the underlying causes of these failures. The nature of conflicts in Africa shows that efficient resolution of conflicts in Africa requires that the African Union has the authority to intervene in international, transnational, and also in intrastate conflict, authority both in terms of formal authority and acceptability by member states. At the organizational and decision making level it must be able to make the member states comply with decisions[11]

The African Union has the formal authority to conduct all types of operations, including intrastate intervention and intervention in transnational and international conflicts in conflicts in the member states. It still has not established a formal intelligence system as a warning instrument.

Even though all African states, but Morocco, are members of the African Union the organization faces potential shortfalls in regard to member state support of the organization, as the African Union until it becomes an experienced organization it can be perceived by the

[9] Murithi Tim, *The African Union pan-Africanism, peacebuilding and development* (Aldershot Ashgate, 2005) pp 91-95

[10] Mbaku JM and Saxena SC., *Africa at the Crossroads Between Regionalism and Globalization* (London Greenwood Publishing Group, 2004) pp 188-189

[11] Jakkie Cilliers, *Peace, security and democracy in Africa* (South Africa Institute for Security Studies, 2002) p 8

surrounding world as unreliable, unable, or unwilling to fulfill missions undertaken. It lacks a decided vision or plan on how to gradually expand the political agenda in order not to loose the confidence from member states.[1]

From an idealistic approach, the Security Council has strong authority and is capable to make decision without veto right. From a realistic view, on the other hand, the legitimacy of the African Security Council influence is falling short due to the lack of the major powers in Africa. The Security Council composition may push major powers in the direction of regional organizations, where the major powers may have an easier access to influence. The Military Committee is also viable and capable of making decisions. However, the Military Committee only has a limited and changing insight into member state military affairs making it more difficult to make feasible decisions.

The African Union control of stand-by forces fall short of complete control, as the African Union is in competition with regional organizations.52 At the same time it is a shortfall that conflicts might not be conferred to the African Union, but could as well go to regional organizations with the risk of continental unity been subject to local or regional interests. This shortfall is especially grave with shortage of resources, which might be split between all organizations. It is a fundamental shortfall for the African Union that it cannot provide adequate funding. Even increasing external funding cannot prevent an increased member state deficit with prospects for further increase. The discussed ways of improving funds has not led to decisions and financial shortfall might be creating a Catch 22 situation, where increased funding is dependent on results, which on the other hand are dependent on further funding. The shortfall

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[1] David Francis, *Peace and Conflict in Africa* (New York: Zed Books, 2008) p. 91

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...and Conflict in Africa (New York Zed Books, 2008) p 91

16

postpones the ability to build African Union structures and the ability to overcome other shortfalls.[11]

1.4.3 Role of Sub-Regional Organizations in Conflict Management: Case Studies from Africa

Africa is a host to a number of regional organizations that have taken upon themselves the responsibility to assure peace and stability in their region, in addition to other political and economic objectives. The organizations being referred to include the Economic Community of West African States (ECOWAS), the Southern African Development Community (SADC), the Intergovernmental Authority on Development IGAD in the Horn of Africa, and the East African Cooperation (EAC). At the continental level, the sole organization is the African Union.[14] In addition there is another grouping of over 17 states known as CENSAD, made up of West, North, Sahelian and some Horn of Africa states.

Some of these organizations have demonstrated that regional bodies can play an important and, in some cases, a central role in dealing with conflicts for a number of reasons. Regional organizations are made up of countries involved in a conflict and those that are not. As a result, they have the proximity, and at the same time the sense of balance that allows them to politically define the nature of the conflict. Political and geographical proximity allows these organizations to realize the effects and repercussions of a given conflict, and, if necessary, to seek support from extra-regional sources to bring the dispute to an end.[15]

Adekeye argues that there are differences in the extent to which regional organizations have played a role in peace building. ECOWAS and IGAD have been the most active in dealing

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[13] Jakkie Cilliers and Mark Malan, *Progress with the African Stand-by Force*, ISS Paper 98, May 2005 South Africa, pp. 4-5

[14] Amate COC, *Inside the OAU Pan-Africanism in Practice* op. cit , p. 206
[15] Roland Paris, *At War's End Building Peace After Civil Conflict* (Cambridge Cambridge University Press, 2005) p. 14

with conflicts in West Africa, Sudan and Somalia respectively. ECOWAS became concerned very early with peace and regional security which are necessary factors in the socio-economic development of the Member States. It must be pointed out that in 1990, the Authority of Heads of State and Government created an ECOWAS cease-fire follow-up group called ECOMOG This peace-keeping force had cause to intervene in Liberia, Sierra Leone and Guinea Bissau [16]

SADC has established a Committee on Defence and Security and there is consultation on political, defence and security matters among the member states of the EAC. It also officially launched the SADC Brigade (SADCBRIG), a regional multidimensional peace support operations capability, established under the African standby force policy framework in 2007.[17] IGAD initiated a peace initiative to resolve conflict in Somalia and southern Sudan in the mid 1990s, even before the revitalization of the Authority and the assumption of a specific political and humanitarian function.[18]

The role, or potential role of the African Union, should not be belittled. In its present revitalized form, the AU has begun to project a stronger image, and its stamp of approval for the activities of regional organizations is likely to be needed more and more. Neither should it be believed that SADC or IGAD or ECOWAS member states make the best mediators or the ideal sources of peace- keeping troops in their respective regions. The use of troops from neighbouring countries could, in some cases, be unwise. Utilizing a Malian official to handle a crisis in East Africa and, using troops mainly from Southern Africa could be more appropriate for instance. Such a responsibility would best be taken by the African Union.

Adekeye Adebajo, *Building Peace in West Africa: Liberia, Sierra Leone, and Guinea Bissau* (Boulder Lynne Rienner, 2002) p 192

Naison Ngoma, 'SADC: Towards a Security Community?' *African Security Review*, 2003, Vol 12 Issue 3, pp 17-28:22.

Tony Addison, *From Conflict to Recovery in Africa* (Oxford Oxford University Press, 2003) p. 60

COMESA's active engagement in addressing the conflicts in the region dates back to 1999 due to concerns on what appeared then as widespread and persistent armed conflicts in the region and after a lengthy debate on the devastating impact of wars and conflicts on the COMESA integration agenda as noted in preceding sections. The Forth Summit of the COMESA Authority, which was held in Nairobi, Kenya in May 1999 then made a decision for formal structures and modalities for COMESA engagement on matters of peace and security under the article 3(d)[19] of the COMESA treaty.

COMESA's "Trading for Peace Project" provides an example where a REC has attempted to directly exploit the synergies between economic and conflict dynamics. This Project aims to enhance the sustainable and equitable use of natural resources in the Great Lakes Region in the interest of regional stability and ultimately, poverty eradication. The Trading for Peace project is informed by the cyclic relationship between trade, development and conflict.[20]

The East African Community (EAC) was revived with a great focus on issues of regional security and peace. In June1998, the three EAC member states together with the US undertook their first joint peacekeeping exercise.[21]

At this point, note should be made of initiatives involving the whole continent, such as NEPAD, and another covering the northern half of Africa namely CENSAD. NEPAD is described as the development programme for Africa; or the framework for progress through which African countries, and the African Union, are measured. Its principles of good

[19] This article states 'to co-operate in the promotion of peace, security and stability among the Member States in order to enhance economic development in the region'
[20] Muuka G., Harrison D. and McCoy J., 'Impediments to Economic Integration in Africa: The Case of COMESA', *Journal of Business in Developing Nations*, 1998 pp. 3-4
[21]

governance, including the peer review mechanism, can play an important role in the prevention of internal conflict in African states.[23]

According to Njike, CENSAD looks like a "fast track AU" strongly influenced by Libya. With the necessary financial support, it may be able to play a role in dealing with conflicts among its members.[14]

1.5 Theoretical Framework

The theory used as a guideline to this research is the conflict research theory of conflict management. Conflict research theory associated with John Burton's fundamental postulate is that conflictual behaviour is a response to an actors' perception of the environment. It is learned behaviour[24]. This view of the cause of conflict determines the methods used or proposes to use for conflict management and resolution.

Due to the contention that conflict behavior can be unlearned, the theory resorts to manipulating the environment in order to render conflict dysfunctional. [25] Conflict research posits activism but on behalf of all the parties. In this active role, the theory seeks to provide a supportive framework for the parties to work towards the resolution of their dispute with no particular outcome in mind. Therefore disruptions in society are avoided by trying to meet the demands of the people through accommodation or negotiation.[26]

Conflict research paradigm is non-state centric. Burton contends that the imperative to war does not come from the state or its external relations but from the way in which the

Peter Anyang' Nyong'o et al. (eds), *New Partnership for Africa s Development NEPAD — A New Path?* (Nairobi: Heinrich Böll Foundation, 2002) P. 151

Dominique Njike. 'Streamlining the Process of Economic Integration in Africa' Advisory Brief No. 4 p. 5 available online at http://www.thecommonwealth.org/Shared_ASP_Files/

A. J. R Groom, 'Paradigms in Conflict: the Strategist, the Conflict and the Peace Researcher' in John Burton and Frank Dukes (eds) *Conflict: Readings in Management and Resolution* op. cit., p. 72

Mitchell C. R., *The Structure of International Conflict* (Great Britain. Macmillan Press Ltd, 1981) p. 45

Makumi Mwagiru, *Theory, Processes and Institutions of Management* (Nairobi:CLARION, 2006) p. 18

environments acts on the individual. This gives room also for actors that can intervene in conflict.

In seeking resolution, this theory treats all parties to a conflict as undifferentiated participants and forbids a judgmental role. Thus, once recognized as a party, an actor's position is accommodated on terms acceptable to it if the dispute is to be resolved. There is no penchant for the government side, as in the case of the strategist, nor for the underdog as in the case of the peace researcher. Such intermediary activity is undertaken by a third party with the primary intention of achieving some compromise settlement of the issues at stake between the parties or at least ending disruptive conflict behavior indulged in by both sides. [27]

This theory is best suited as a framework for this dissertation because it recognizes non-state actors as being important both in the cause and resolution of conflicts. In this case, it accepts the PSC as a valid actor in the conflict processes of the Horn of Africa region. Besides, it acknowledges supportive frameworks in conflict resolution such as mediation and negotiation among others. All parties in the conflict are regarded the same and their concerns addressed in the resolution process. This is exactly what the PSC of the African Union has attempted to do in the three aforementioned countries, Kenya, Sudan and Somalia.

1.6 Hypotheses
The study is guided by the following hypotheses:

- African solutions are best suited to solve existing problems in Africa

- To successfully mitigate a conflict, intervening actors must be impartial.

- Regional and sub-regional organizations play a pivotal role in maintaining peace and security.

Touval S. and Zartman I.., "Mediation in Theory" In Touval S. & Zartman I (eds.) *International Mediation in Theory and Practice* (Boulder, Co.: Westview, 1985) p. 272

1.7 Methodology of Research

This research will rely mainly on secondary sources of data with bits of information sourced from primary sources. Secondary data collection will entail the analysis and review of books, journals, papers and unpublished works. Materials from the African Union Library, reports of OAU and AU on conflict management and the World Bank will be reviewed and information from their websites analyzed. National agreements relating to these processes will also be reviewed.

Mainly, the study will review all the communiqués of the AU PSC meetings held within the time frame of this study, i.e. 2004 (when the PSC was established) and 2008. Time series analysis will be used to analyze the collected data. Finally a critical analysis of the contribution of the PSC to peace building in the Horn of Africa will be generated.

1.8 Chapter Outline
Chapter One: Conflicts in The Horn of Africa

This chapter provides an insight into the structure of the dissertation. It lays the background in which the introduction, statement of the problem, objectives, hypotheses, justification, literature review, theoretical framework, research methodology, limitation, funding and summary of proposed chapters are outlined.

Chapter Two: An Examination of the Conflicts in the Horn of Africa

This chapter examines the history of the conflicts in the selected countries in which the AU PSC was involved. These include Kenya's Serena peace process, Sudan's CPA process and Somalia's AMISOM. However, the chapter focuses particularly in picking out the issues, interests and actors in these conflicts.

Chapter Three: Activities of the Peace and Security Council in the Horn of Africa

Chapter three outlines the decisions and activities of the PSC in the already completed peace processes in Kenya, Sudan and Somalia under the different approaches of conflict prevention, management, transformation and resolution.

Chapter Four: A Critical Analysis of the Role of the Peace and Security Council in Conflict Management: A Case study of the Horn of Africa

Chapter four critically analyzes the contribution of the PSC in conflict management in the three countries of the Horn of Africa; Kenya, Sudan and Somalia, by examining the implications of the activities identified in chapter three. The chapter also identifies the emerging issues that the Council has faced in the execution of these activities.

Chapter five: Conclusions and Recommendations

This chapter provides the conclusions of the study, giving recommendations and suggestions on how best the PSC can address its challenges and attain its objectives effectively.

Chapter Two
An Examination of the Conflicts in the Horn of Africa
2.0 Introduction

The Horn of Africa has been a contentious area of the world whose recent history has been constantly marred by wars, revolutions, coups d'etat and territorial dispute.[1] This chapter examines the history of the conflicts in the selected countries in which the African Union Peace and Security Council was involved. These include Kenya's Postelection violence, Sudan's Darfur conflict and Somalia's civil war. These conflicts will be looked at from the perspectives of issues in the conflict, the parties involved and their interests. The first section gives the contextual definitions of the three areas which the chapter will focus: parties, issues and interests.

2.1 Understanding Parties to, Issues and Interests in a Conflict,

Conflicts are complex phenomenon with multiple causes and an array of actors whose interests collide in the course of their interaction.[2] As a result, the collision of interests of the parties engenders issues that form the core arguments of the conflict. Therefore, one can only understand a conflict sufficiently if a mapping of actors, issues and parties involved is objectively drawn. In fact, in order to identify different types of interventions, Van de Vliert draws on both structural and process models of conflict to produce five core elements that can serve as the foci of interventions: antecedent conditions, conflict issues, parties, behaviors and consequences.[3]

Primary parties are those who oppose one another, are using fighting behavior, and have a direct stake in the outcome of the conflict. Secondary parties have an indirect stake in the outcome. They are often allies or sympathizers with primary parties but are not direct

[1] Bereket Habte Selassie, *Conflict and Intervention in the Horn of Africa* (New York & London, Monthly Review Press, 1980) p. 61
[2] Makumi Mwagiru, *The Water's Edge: Mediation of Violent Electoral Conflict in Kenya* (Nairobi: IDIS, 2008) p. 7
[3] Van de Vliert, 'Escalative Intervention in Small-Group Conflicts' *Journal of Applied Behavioral Science* Vol. 21, pp. 19-36: 29

adversaries. The parties in dispute also can be divided up according to their stance towards the other side. We divide interest groups into moderates, hardliners, external supporters, conflict profiteers, and spoilers.[1]

Often parties in a dispute think that the most extreme individuals on the opposing side are, in fact, representative of all the members of the opposing group. However, there is usually considerable divergence in views among the members of groups, organizations, and nation-states. While some individuals might be characterized as hardliners, others tend to hold views that are far less extreme. In some cases, the more moderate members of the group include the leadership, although conflict dynamics often tend to select people with more extreme positions to be leaders, as they tend to speak out more and take a strong stance.

Leaders or not, the more moderate stakeholders tend to play an integral role in peacemaking. Because they are able to see valid aspects of each perspective, moderates often demonstrate more flexibility in negotiation.[2] They are often willing to consider a variety of options and show concern for others' needs as well as their own. Unlike extremists, who tend to narrowly define negotiation agendas and maintain rigid positions, moderates are open to persuasion and willing to make concessions. Such moderates form what Louis Kriesberg calls 'constituencies for de-escalation'.[3] These people are often better reached with conciliatory gestures or confidence-building measures rather than confrontational tactics. Because they can provide an important foundation for productive peace processes, third parties intervening in multi-party conflicts must ensure that moderates' voices are heard.

[1] Guy Burgess and Heidi Burgess, *Parties to Intractable Conflict* (Boulder: University of Colorado, 2004) p. 2
[2] Paul Wehr et al, *Using Conflict Theory* (Cambridge: Cambridge University Press, 2002) p. 108
[3] Louis Kriesberg, *Constructive Conflicts: From Escalation to Resolution* (Lanham, Md. Rowman & Littlefield Publishers, 2006) p. 74

Issues are typically stated in terms of the positions which include demands on the other that are unacceptable. Beneath the position is an interest or an initial reason that helps explain why the position was taken. Beneath the interest is often a deeper need whose frustration threatens the identity or existence of the party, and a deeper fear of the consequences of not addressing the need. The analysis of issues, underlying concerns and wants generally coincides with the differentiation phase of the confrontation, and can be augmented by considering other elements such as the effects of external actors on the conflict. The identification of issues, the analysis of causes, and any positive directions that emerge are coterminous with the total expression and management of the conflict.[7]

2.2 Kenya's Post Election Violence
2.2.1 Parties in the Kenya Electoral Conflict

The general election held on December 2007 was a hotly contested one in Kenyan history. This was an emotionally charged high stake battle that has ever been seen in the country since independence. The leading political parties namely the Party of National Unity (PNU), Orange Democratic Movement (ODM) and Orange Democratic Movement –Kenya (ODM-K) were involved in this political battle. The PNU presidential candidate Mwai Kibaki and the ODM presidential candidate Raila Amolo Odinga were the front runner in the duel which was believed would go either way.[8] On the 29th December, 2007 the chairman of the Electoral Commission of Kenya (ECK) declared the Mwai Kibaki, the PNU presidential candidate the winner with 4.5 million votes against Raila Odinga who garnered 4.3 million votes. In other words, ODM, PNU and the ECK constituted the first parties to the conflict. The ODM accused

[7] Saaty and Alexander, Conflict Resolution The Analytical Hierarchy Approach (New York Praeger Publishers, 1989) p. 43

[8] Jérôme Lafargue and Musambayi Katumanga, Kenya in turmoil: Post Election Violence and Precarious Pacification (Dar es Salaam, Mkuki Na Nyota Publishers, 2008) p. 37

the ECK to have manipulated the results of the elections in the favour of the PNU candidate, president Kibaki.

However, secondary parties who allied or sympathized with these primary parties included national and international organizations and observers to the elections. Some of the them doubted the validity of the election results yet some of them accepted that the challenges to deliver an election that will be perceived as fair are enormous and that the results should be accepted as they are. The results were widely doubted by the Commonwealth, African Union, East Africa Community, local and international observers among others, who cited several anomalies in the exercise. While part of the media such as the Kenya Television Network (KTN) doubted the validity of the results, part including the Nation Television (NTV) was of the view that the results should be accepted as they are. In addition, the Kenya Elections Domestic Observers Forum (Kedof) concluded that the electoral process in the 2007 election was credible as far as the voting process was concerned but that it lost credibility with respect to the tallying of votes and the announcement of results.[9]

The other allies to two of the three direct parties: PNU and ODM included the people of Kenya divided in terms of ethnicity and regions. These people were directly involved in the violence that was felt in most parts of the country, particularly Nyanza, Western, Rift Valley, Nairobi and Coast provinces. Accordingly, ethnic communities perceived to have supported either side went against each brutally. Lives were lost; properties of unknown value and key infrastructure were destroyed in the process. People were displaced from their homes and places of residence to Internally Displaced Persons (IDPs) Camps. The epicenters of the violence were

[9] Makumi Mwagiru, *The Water's Edge: Mediation of Violent Electoral Conflict in Kenya* op. cit., p. 4

in major towns and rural areas in North Rift Valley, Central Rift Valley, Nyanza, Western, Nairobi and Coast provinces.[10]

In addition, governments and international organizations were entangled in the conflict through supporting or providing suggestions on the way forward. For instance the United States and the European Union (including Britain) played against the theme that the underdog is always right, hence their support was one-sided.[11] On the other hand, Uganda's president Yoweri Museveni was the first leader to congratulate Kibaki after the disputed election. However, most of the African countries followed the views of the western allies and supported the underdog.

2.2.2 Issues and Interests in the Kenyan Conflict

All parties named in the previous section had issues and interests underlying these issues in the electoral conflict. Issues and interest in the conflict are extensively covered in this chapter where the demands of the parties, citizens expansion of issues and the demands of the US and UK governments are well highlighted.

ODM, which had won 99 parliamentary seats against PNU's 43 (out of 210 elected seats), charged that the election had been rigged. The party claimed that the manner in which the results were announced and the speed with which the President was sworn in appeared as if the moves were rehearsed prior to the election. The ODM held that president Kibaki was illegally in office and that his rule had no legal nor moral basis.

The PNU on the other hand held that ODM should use legal redress if the issues it fronted were valid. The ODM's response also seemed to have anticipated the moves by PNU. While the latter insisted on the law 'taking its course' the former responded by contending that they had no confidence in the legal system and that the conflict was not legal but political. The ODM pointed further out that the courts were stacked with Kibaki supporters and that the legal

[10] PeaceNet. *Post-Election Violence, Facts and Figures* (Nairobi PeaceNet, 2008) p. 14
[11] Makumi Mwagiru, *The Water's Edge Mediation of Violent Electoral Conflict in Kenya* op. cit., p. 9

process could be drawn out for so long as to render any decision politically meaningless.[12] Given this argument, violence was perceived as the only option to resolving both the electoral dispute and other longstanding grievances in the political system.

2.3 The Darfur Conflict in Sudan
2.3.1 Parties In the Darfur Conflict
The conflict started in 2003 when two main rebel groups with similar grievances; the Justice and Equality Movement (JEM) and the other called the Sudan Liberation Army rose up against the central government in Khartoum, accusing it of hoarding power and wealth at Darfur's expense. Since then, the insurgents have splintered into a confusing array of competing factions which have contributed to the conflict in one way or the other. There are estimated to be more than 13 rebel factions in Darfur.[13]

The Justice and Equality Movement, and the other called the Sudan Liberation Army, attacked major towns in northern Darfur. The first one was Gulu, the capital of Jebelmara region. They also attacked Kutum, Tina, Mellit and All asher the capital where the rebels destroyed several airplanes on the grounds. They raided the town in hundreds using 40 brand new Land Cruisers, very advanced weapons, rocket-propelled grenades, heavy machine-guns, mortars, automatic rifles and modern satellite communications.

It was the start of a spate of attacks that left over 400 policemen killed and 89 police stations destroyed. According to the International Commission of Inquiry on Darfur, most reports indicate that the government was taken by surprise by the intensity of the attacks, as it was ill-prepared to confront such a rapid military onslaught.[14] Furthermore, the looting by rebels of Government weaponry strengthened their position.

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[12] Dorina Bekoe, "Kenya: Setting the Stage for Durable Peace" USIPeace Briefing, April 2008 p. 6
[13] Flint Julie and Alex de Waal, Darfur: A Short History of a Long War (London: Zed Books, 2006) p. 41
[14] Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General on January 25, 2005

The conflict in Darfur also had tribes as allies to the direct parties. One side of the armed conflict was composed mainly of the Sudanese military and the Janjaweed, a militia group recruited mostly from the Arab Baggara tribes of the northern Rizeigat, camel-herding nomads. The other side comprised a variety of rebel groups, notably the Sudan Liberation Movement and the Justice and Equality Movement, recruited primarily from the land-tilling non-Arab Fur, Zaghawa, and Massaleit ethnic groups. While publicly denying that it supports the Janjaweed, the Sudanese government provided money and assistance to the militia and participated in joint attacks targeting the tribes from which the rebels drew support.[15]

Other secondary parties entailed African countries and the international community. The government of Sudan officially complained to the UN Security Council 'against Eritrea for its instigation of, support for and financing of the outlaws in the Darfur region".[16] Sudan also accused Chad of backing Darfur's National Redemption Front rebels as they carried out cross-border raids.[17] On the other hand, Libya hosted a series of talks with all key players in the crisis over western Sudan's Darfur region in 2007.

As a first step to addressing the Darfur conflict, the US appointed Andrew Natsios as its Special Envoy on Sudan in order to energize diplomatic solutions to the Darfur crisis. The U.S. also encouraged China to use its influence with Khartoum to work for a peaceful political settlement.

The parties involved in the Darfur conflict included ethnic groups, rebel groups, Sudanese government alongside other countries in the world, international organizations, non-

[15] de Waal Alex, *War in Darfur and the Search for Peace* (USA: Harvard University Press, 2007) p. 78
[16] Sudan News Agency available online at http: www.suna-sd.net/Index_EN.htm
[17] Behrends Andrea, 'The Darfur Conflict and the Chad Sudan Border: Regional Context and Local Re-configurations' *Sociologus* Vol 57 No. 11, pp 99-131

governmental organizations and institutions. They both played constructive as well destructive roles by either managing or escalating conflict in the region of Darfur.

2.3.2 Issues and Interests in the Darfur Conflict

The conflict flared in 2003 when rebels in Darfur took up arms, accusing the government of neglecting the region. The rebels say the government is oppressing black Africans in favour of Arabs. In response to this violence, the government mounted a campaign of aerial bombardment supporting ground attacks by an Arab militia, the Janjaweed. The government-supported Janjaweed were accused of committing major human rights violations, including mass killing, looting, and systemic rape of the non-Arab population of Darfur.[18] They have frequently burned down whole villages, driving the surviving inhabitants to flee to refugee camps, mainly in Darfur and Chad; many of the camps in Darfur are surrounded by Janjaweed forces.

After Sudan Government's adamant refusal to honor its commitments to end the violence in Darfur, the US blocked the assets of three Sudanese individuals involved in the violence and sanctioned 31 companies owned or controlled by the Government of Sudan. The sanctions were designed to increase the political pressure on Khartoum to end the violence, and supplement sanctions that the United States had maintained on Sudan since 1997. Abramovici posists that the US's interest is in the geo-political importance of Sudan, which lies between Africa and the Middle East, and which has a big influence in the crisis torn Horn of Africa.[19]

China is an active actor in the Darfur conflict in two ways. First, it opposed the deployment of UN troops by abstaining in the critical vote on UN Resolution 1706. China could not support the resolution because it purported that Sudan's government was not yet ready to accept U.N. peacekeepers on its soil. But the reason that Sudan refused to allow in peacekeepers

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Warren Hoge, *Sudan Flying Arms to Darfur: United Nations Panel of Experts on the Sudan* (New York: UN, 2007) p 81

P Abramovici, 'The United States: The New Scramble for Africa' *Review of African Political Economy*, Vol. 31, 2004 pp 685–90, 687

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[18] Worm Howe, Sudan Flying Arms to Darfur. United Nations Panel of Experts on the Sudan (New York: UN, 2007) p 91

[19] P Abramovici, 'The United States: The New Scramble for Africa' Review of African Political Economy, Vol 31, pp 685 to 687

is that it faced little international pressure to do so. China shrugged off the accusation on its failure to exert pressures on Khartoum, allegedly due to its oil interest in Sudan. China, the biggest buyer of Sudan's oil and which sells the country weapons, was also blamed for fanning the violence in Darfur from international sanctions.[20]

2.4 Somalia Civil War
2.4.1 The Parties in the Somali Conflict

After instituting the Transitional Federal Government (TFG) which was founded in Kenya, it established a temporary seat of government in Baidoa in 2006. The direct parties in the ensuing conflict the same year were the Alliance for the Restoration of Peace and Counter-Terrorism (ARPCT) and the Islamic Courts Union. The ARPCT were opposed to the rise of the Sharia law oriented Islamic Courts Union (ICU), which had been rapidly consolidating power. This clash led to violent conflicts in the country.[21] The ARPCT was backed by funding from the US CIA.

The ICU succeeded in capturing the capital, Mogadishu, drove the ARPCT out of the capital and succeeded in persuading or forcing other warlords to join their faction. The Islamic movement's growing power base and militancy led to increasingly open warfare between the Islamists and the other factions of Somalia, including the TFG, Puntland and Galmudug, the latter of which formed as an autonomous state specifically to resist the Islamists. It also caused the intervention of Ethiopia, who supported the secular forces of Somalia. The ICU allegedly obtained the support of Ethiopia's rival, Eritrea and foreign mujahideen, and declared Jihad against Ethiopia in response to its occupation of Gedo and deployment around Baidoa.[22]

[20] M. W. Daly, *Darfur's Sorrow : A History of Destruction and Genocide* (Cambridge: Cambridge University Press, 2007) p. 95
[21] Fuller G., *The future of political Islam*, (New York: MacMillan, 2007) p. 10
[22] Barnes, Cedric and Hassan, Harun 'The Rise and Fall of Mogadishu's Islamic Courts' Journal of Eastern African Studies Volume 1 No. 2 July, 2007 pp. 256-276

In January 2007, the United States officially militarily interceded in the country for the first time since the UN deployment of the 1990s by conducting airstrikes using AC-130 gunships against Islamist positions in Ras Kamboni, as part of efforts to catch or kill Al Qaeda operatives supposedly embedded within the ICU forces.

Other secondary parties that ally to the primary parties of this conflict include clans in Somalia. Though there are many different clans in Somalia with long, complex histories and loyalties, this conflict played out between two major clans. Much of ICU's support was drawn from the Hawiya clan — one of the largest in Somalia, though it actually comprises many smaller sub-clans. The other major Somali clan, Darod, tended to support the government. Though clan loyalties were an important dynamic in Somalia's power struggle, aspects of the conflict transcended these allegiances. For instance, President Ahmed is a member of Darod, though Prime Minister Ghedi, whom Ahmed appointed, is from the Hawiya clan.[21]

2.4.2 Issues and Interests in the Somali Conflict

The direct parties: ARPCT and ICU fought over the possession of the districts surrounding Mogadishu. The Baidoa government's Prime Minister, Ali Mohammed Ghedi, demanded that the warlords (ARPCT) cease fighting the ICU, but this command was universally ignored and so Gedi dismissed them from Parliament. The battles for each of Mogadishu's districts were bloody and vicious and caused significant collateral damage, with hundreds killed or wounded in the crossfire.[21]

The United States opposition to the formation of an Islamic Somalia led to the CIA making secret payments to aid Somali warlords in early 2006 organized under the name ARPCT.

Collins G., *Incorporating Africa's Conflicts into the War on Terror* (London: Routledge, 2007) p. 34
Menkhaus Ken, 'The Crisis in Somalia: Tragedy in Five Acts' African Affairs, Vol. 06 Issue 204, 2007 pp. 357-390

Disclosure of these payments to warlords helped galvanize the ICU's opposition and created public support for the Islamists amongst Somalis. This led directly to fueling the conflict fought between May and June 2006. The result was the driving of the ARPCT forces from Mogadishu, and the militant rise of the ICU.[25]

US interests in Somalia date back to funding and military backing of the regime of Siad Barre in the 1970s. After the UN interventions of the 1990s, the US has mainly avoided involvement in the nation. Officially, the present United States' interest in the Horn of Africa region comprises desires for stability and peace in Somalia, including support of the establishment of a new government under the Transitional Federal Government, passage of the UN Security Council resolution to deploy an African-led peacekeeping force known as IGASOM, delivery of humanitarian aid, as well as warnings against the spread of extremist and terrorist groups in the region, including Al-Qaeda. The United States would like Somalia stabilized so that it cannot be used as a haven by terrorists.

Ethiopia held that the ICU members were "al Qaeda allies" and "Terrorists". It therefore began pressuring the Transitional Government to allow them to deploy troops in Baidoa. Thereafter, the ICU was involved in heavy fighting with Somali transitional government forces, backed by Ethiopian troops.

Ethiopia has much at stake in the Somali conflict. There's a large part of Ethiopia that is nominally Somali, which gives Ethiopia an interest in seeing a stable Somalia. Furthermore, Ethiopia is a Christian nation with a sizeable Muslim population, and the Ethiopian government is concerned an Islamist government in neighboring Somalia could incite them.

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[25] Stevenson Jonathan. *Risks and Opportunities in Somalia* (London Routledge, 2007) p 91

Stripped of almost all their territory, it was speculated the ICU would pursue guerrilla-style warfare against the government. Instead, hardline Islamists broke ranks from the ICU and formed other militant groups, such as Al-Shabaab and Hizbul Islam, to continue the war against the government. The less-militant members of the ICU went into exile in Eritrea and Djibouti, where they formed the Alliance for the Re-Liberation of Somalia in September 2007. In the two years following the ICU's ouster from Mogadishu, the hardline Islamist groups concentrated their power in the south and west of Somalia, taking ground from both the TFG and ICU. By January 2009, a reconciliation and power sharing deal was brokered between the TFG and the Djibouti contingent from the former Islamic Courts Union which resulted in the expansion of the Parliament and the election of Sheik Sharif Ahmed, former leader of the ICU, as President of the Transitional National Government. [16]

[16] Abayomi Azikiwe, 'Somali TFG Under Siege as Opposition Takes More Territory' World News Saturday May 23, 2009 also available online at http: axisoflogic.com artman publish/Article_55843.shtml

Chapter Three

Activities of the Peace and Security Council in the Horn of Africa

3.0 Introduction

The previous chapter examined the conflicts in the three selected countries of the Horn of Africa where the AU PSC has been present in the quest to mitigate and manage conflicts. The chapter focused on the parties, the issues and the interests of these parties in the respective conflicts in Kenya, Sudan and Somalia.

The AU Peace and Security Council (PSC) provides an enhanced institutional capacity for achieving peace, security and stability in Africa, through proactive action and support to the efforts of AU Member States, within the framework of the larger African Union vision for a united, peaceful, stable and prosperous continent. The three countries of Kenya, Sudan and Somalia experienced totally different conflicts that warranted different interventions. It therefore intervened in the three cases providing specialized support to achieving peace in a variety of means. This chapter outlines the activities of the AU PSC in Kenya, Sudan and Somalia following the conflicts in the three countries as narrated in the previous chapter. The study cannot do this effectively without looking at the PSC and its organs.

3.1 The African Union Peace and Security Council

The PSC is the organ of the AU in charge of enforcing union decisions. The PSC was proposed at the Lusaka Summit in 2001 and later established in 2004 under a protocol to the Constitutive Act.[1] It is patterned somewhat after the United Nations Security Council.

The protocol defines the PSC as a collective security and early warning arrangement to facilitate timely and effective response to conflict and crisis situations in Africa. Other

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[1] Article 5(2) of the Constitutive Act

responsibilities conferred to the PSC by the protocol include prevention, management and resolution of conflicts, post-conflict peace building and developing common defence policies.[*]

The PSC has four main organs to make and implement its decisions. These are the military staff committee, the Panel of the Wise, the Continental Early Warning System and the African Standby Force. The Military Staff Committee (MSC) which acts as a technical advisory committee to the PSC advises on all matters pertaining to peace keeping and deployment. On the other hand, the Panel of the Wise, whose role is critical to diffusing tensions and dealing with sensitive issues, is mandated to advise the Commission, the PSC or to pronounce itself on any peace and security matter. The third organ is the Continental Early Warning System (CEWS), which is an early warning situation room, allied to the regional early warning systems as well as certain NGO's and other civil society organs. The African Standby Force (ASF) is the actualization of an African capability for peace support operations with the goal of establishing five regional brigades that make up the African Standby Force by 2010. These brigades will be trained, under the principle of inter-operability, to ensure that they can deploy under the Regional Economic Communities (RECs), the AU or the UN, within and beyond their regions.[*]

The PSC is composed of 15 members, five of which are elected for a three year term (renewable) and ten of which are elected for a two year term (renewable). Countries are required to seek election to the PSC, and will only qualify when they meet criteria that include demonstration of political will and accountability on their part. The selection of members is democratic and places the most committed, not necessarily the wealthiest members, in leaderships roles in the PSC. This is a source of strength for this institution. The PSC convenes at

[*] Francis David J., *Uniting Africa. Building Regional Peace and Security Systems* (Aldershot: Ashgate, 2006) p 14
[*] Doyle Michael and Nicholas Sambanis, *Making War and Building Peace* (Princeton: Princeton University press, 2006) p. 57

any of three levels, the Summit, Ministerial or Ambassadorial levels, depending on the gravity of the situation being addressed.[4]

3.2 The PSC in Conflict Management in the Horn of Africa

Since its conception in 2004, the PSC has been involved in managing many conflicts in Africa. This study selected three case studies of Kenya, Sudan and Somalia. The following section analyzes the decisions made by the PSC and connects the activities undertaken by effecting these decisions.

3.2.1 The PSC Involvement in Kenya

On the 29th December, 2007 the chairman of the Electoral Commission of Kenya (ECK) declared Mwai Kibaki, the Party of National Unity (PNU) presidential candidate winner, with 4.5 million votes against Raila Odinga of Orange Democratic Movement (ODM) who garnered 4.3 million votes[5]. The results were widely doubted by the media, the Commonwealth, African Union, East African Community, local and international observers among others, who cited several anomalies in the exercise. This sparked off violence that was felt in most parts of the country, particularly Nyanza, Western, Rift Valley, Nairobi and Coast provinces. Accordingly, ethnic communities perceived to have supported either side went against each other brutally.

The AU PSC discussed the situation in Kenya in three separate meetings of 18 January 2008. Ideally, this would have been termed too late for violence that erupted in 31 December 2007. However, the AU's chairman, President Kufuor had already visited the country and delivered what most people considered successful use of good offices. In some disputes the relationship between the parties is so fraught and the animosity so great that direct negotiations are unlikely to be initiated. In these circumstances, the intervention of a third party may be

[4] Duane Thomson, *Africa In Crisis: New Challenges and Possibilities* (London, Pluto Press, 2005) p. 92
[5] Bratton Michael and Kimenyi Mwangi, 'Voting in Kenya: Putting Ethnicity in Perspective' *Journal of Eastern African Studies*, Vol. 2, No. 2, July 2008 pp 272-289

beneficial. If the third party simply encourages the two parties and acts as a vehicle for communication then that third party is said to be discharging his good offices. On the contrary, Touval and Zartman argue that good offices may be regarded as inchoate mediation, and mediation as good offices brought to birth.[6] There exist doubts that the president invited Kufuor (as opposed to him having come as a result of international concern for the worsening situation in Kenya). President Kufuor was required by his official responsibility as AU chairman to try to resolve the crisis in Kenya.

In fact, it is in the 105th meeting of the PSC that the Council acknowledged the visit undertaken by the Chairman of the AU, President John Kufuor, to Nairobi, from 8 to 10 January 2008, with a view to assisting in defusing the tension, bringing to an end the violence in the country, and facilitating the efforts aimed at finding a solution to the post-election dispute.

Kufuor left Kenya after both parties had agreed to continue talks together with former United Nations Secretary-General Kofi Annan and a panel of eminent African personalities.[7] The main success of President Kufuor's good offices was attributed to the agreement between the two parties to negotiate and the acceptance of the third parties who would serve as mediators to the negotiations. It is in the same 105th meeting that the Council stressed the need for the parties to extend full cooperation to the mediation efforts to be undertaken by the group of eminent African elders led by Mr. Kofi Annan. In fact, the Commission was tasked to closely follow developments in Kenya and report on the situation in the country and the evolution of the

[6] Touval Saadia and William Zartman, *International Mediation in Theory and Practice* (Boulder, Colorado: Westview Press, 1985) p. 175
[7] Collier P. and Vicente PC, *Violence, Bribery and Fraud: The Political Economy of Elections in Africa* (Oxford: University of Oxford Press, 2009) p. 52

mediation efforts. The Council called for an in-depth investigation into those violations with a view to identifying those responsible and bringing them to justice.[8]

In the course of the mediation, South Africa's Cyril Ramaphosa was unanimously chosen by Annan's team as chief mediator to lead long-term talks, but the government had concerns about his involvement, claiming that he and Odinga had business links. Ramaphosa consequently withdrew from the talks and Annan accepted his withdrawal. The two sides had agreed on a range of reforms, including the improvement of electoral laws and human rights, as well as a review of the constitution, although they had yet to agree upon the composition of a power-sharing government when talks were adjourned for a week. Jakaya Kikwete, the President of Tanzania and Chairman of the African Union, arrived in Kenya on February 27, 2008 to assist in the talks. On the following day, Kibaki and Odinga signed the agreement dubbed the National Accord and Reconciliation Act which was meant to end the crisis at a ceremony in Nairobi.[9]

In the 113th meeting of the Council, expressed appreciation to President Kikwete, for his role, and paid tribute to Mr Kofi Annan and the members of the Panel of Eminent African Personalities for their sustained efforts, in assisting the Kenyan parties to reach this important agreement.[10]

3.2.2 The PSC's Involvement in Sudan

As the violence in Darfur continued into 2004, the PSC in its 10th meeting on 25 may 2004 authorized the Chairperson of the Commission to ensure an effective monitoring of the Humanitarian Ceasefire Agreement through the deployment of an AU Observer Mission, with the required civilian component and, if necessary the protection element, to support the work of the Ceasefire Commission (CFC), based on the outcome of the AU-led Reconnaissance Mission

[8] AU Communique of the 105th PSC meeting, 18 January 2008 available online at www.africanunion.org
[9] Chege Michael, 'Kenya: Back from the Brink' op. cit. pp. 125-139:125
[10] AU Communique of the 113th PSC meeting, 28 February 2008, available online at www.africanunion.org

to the Sudan and Chad (from 7 to 16 May 2004). In addition, the PSC requested the AU Commission on Refugees to dispatch a mission to Darfur to assess the humanitarian situation and make recommendations on how best the AU could contribute to the alleviation of the plight of the internally displaced persons and other affected people in Darfur. It also encouraged the AU Commission on Human and Peoples Rights to dispatch a mission to Darfur to investigate reports on human rights violations in Darfur.[11]

The observer mission eventually evolved into the African Union Mission in Sudan (AMIS), which remains the only external peacekeeping force providing security in Darfur. In fact, in its 13th meeting on 27 July 2004, the PSC requested the Chairperson of the Commission to prepare and submit to it a comprehensive plan on how best to enhance the effectiveness of the AU Mission on the ground, including the possibility of transforming the said Mission into a full-fledged peacekeeping mission, with the requisite mandate and size and to ensure the effective implementation of the Cease fire Agreement. In the 17th meeting of October 20, 2004, the PSC agreed on an enhanced AMIS mission, consisting of 3,320 personnel, including 2,341 military, up to 815 civilian police and an appropriate number of civilian personnel.[12]

More than 2 million people were displaced from their homes across an expansive and remote desert landscape. There were concentrations of IDPs in large camps combined with a number of dispersed, scattered IDP settlements; some IDPs moved to cities and towns in Darfur, often living with relatives. While many villages were destroyed, some remained.[13] This situation presented a daunting challenge to the AU and they responded with positive protection initiatives.

[11] AU Communique of the 10th PSC meeting, 25 May 2004, available online at www.africanunion.org
[12] AU Communique of the 17th PSC meeting, 20 October 2004, available online at www.africanunion.org
[13] Lucian Niemeyer, Africa The Holocausts of Rwanda and Sudan (Albuquerque: University of New Mexico Press, 2006) p. 19

It is in this respect that the PSC recommended the deployment of the civilian component of AMIS in its 28th meeting.[14]

The Chairperson of the Commission and his special envoy made consultations with the parties to the Darfur conflict with the aim of helping them come together for dialogue. In the 13th meeting, the PSC encouraged the chairperson and his special envoy, Hamid El Gabid to actively pursue this matter.[15]

In many meetings such as the 34th, the PSC underscored the fact that the core of the conflict in Darfur is political and socio-economic in nature and that the Peace Talks provide the most viable mechanism to achieve a negotiated and lasting solution.[16] The Abuja Peace talks were conducted under the umbrella of the African Union. In the 16th meeting on 17 sept 2004, the PSC paid tribute to President Olusegun Obasanjo, Chairman of the AU, for his leadership and sustained efforts in promoting an early and negotiated solution to the conflict in Darfur.[17] In the following meetings, the PSC urged the Parties to attend the Inter-Sudanese Peace Talks at the highest level and to negotiate in good faith and on the basis of the Draft Framework Protocol for the Resolution of the Conflict in Darfur, already submitted to them, in order to reach early agreement.[18] Thereafter in the 34th meeting, the PSC expressed its support to Salim Ahmed Salim, the AU Special Envoy and Mediator, under whose authority the 5th Round of the Inter-Sudanese Peace Talks in Abuja that started on 10 June 2005. The Council further expressed its appreciation of the support being provided by President Olusegun Obasanjo, the then Chairman of the AU.

[14] AU Communique of the 28th PSC meeting, 28 April 2005, available online at www.africanunion.org
[15] AU Communique of the 13th PSC meeting, 27 July 2004, available online at www.africanunion.org
[16] AU Communique of the 24th PSC meeting, 7 February 2005, available online at www.africanunion.org
[17] AU Communique of the 16th PSC meeting, 17 September 2004, available online at www.africanunion.org
[18] AU Communique of the 18th PSC meeting, 28 April 2005, available online at www.africanunion.org

In its 28th Meeting on 28 April 2005, the PSC expressed satisfaction at the progress made in the deployment of AMIS following its decision of 20 October 2004 and in particular the fact that the deployment of the AMIS military component has been completed. Council requested the Commission to speed up the deployment of the civilian police component of AMIS, and called upon Member States that have been approached by the Commission to provide police personnel to expeditiously do so.[19]

The PSC also supported the dispatch of an AU-Led Assessment Mission to the Sudan, from 10 to 22 March 2005, and encouraged the Commission, working with PSC Members and the Partners, to undertake such periodic reviews as necessary, to ensure that AMIS is provided with adequate structure and support to enable it effectively discharge its mandate. In addition, the PSC reaffirmed its full support to, and confidence in, the Special Representative of the Chairperson of the Commission, Ambassador Baba Gana Kingibe, as well as the entire AMIS personnel, for their tireless efforts and dedication to the cause of peace in Darfur.[20] the Commission commended the personnel and leadership of the Mission for their dedication and contribution to the promotion of lasting peace and reconciliation in Darfur and noted the steady deployment of UNAMID military component, which reached 67 percent as of 31 March 2009.[21]

Following the deterioration of the humanitarian situation in Darfur, the PSC in its 142nd meeting of 21 July 2008 decided to establish a High Level Panel with the mandate to examine the situation in Darfur and submit recommendations on how best the issues of accountability and combating impunity, on the one hand, and reconciliation and healing, on the other, could be addressed effectively and comprehensively, within the context of the peaceful resolution of the

[19] AU Communique of the 28th PSC meeting, 28 April 2005, available online at www.africanunion.org
[20] AU Communique of the 11th PSC meeting, 10 October 2005 28 April 2005, available online at www.africanunion.org
[21] AU Communique of the 185th PSC meeting, 6 April 2009, available online at www.africanunion.org

conflict in Darfur.[22] The AU High Level Panel on Darfur (AUPD), under the chairmanship of former President Thabo Mbeki, convened its inaugural meeting in Addis Ababa, on 18 and 19 March 2009, and conducted its first visit to Sudan, from 1 to 4 April 2009. On October 8 the Report of the AUDP, "Darfur: the Quest for Peace, Justice and Reconciliation" was handed over to the Chairperson of the AU Commission, Jean Ping, at the AU Headquarters in Addis Ababa. After being considered by the PSC, the report and its recommendations from the AUPD will be taken to the UN Security Council for further decisions.

3.2.3 The PSC's Response in Somalia
It is in the 10th meeting that the PSC noted that the conflict in Somalia had protracted for too long, with untold humanitarian consequences and that faction leaders, gun-wielding groups and other warlords that had held the Somali people at ransom, aggravating the impact of the collapse of the State of Somalia.[23] In the same meeting, the PSC urged the Commission to speed up preparations for the deployment of an AU Military Observer Mission that would support the DDR process, monitor the cessation of hostilities and carry out other related activities.

In its 22nd meeting, a proposal regarding an African Mission in Somalia using the acronym AMISOM was suggested by the AU Commission and accepted by the PSC following the heightened conflict in the country. Its mandate included assisting in the resettlement of IDPs and refugees, support reconstruction efforts and assist the Transitional Federal Government (TFG) in its relocation to Somalia from its then exile in Kenya. The need for full support from the UN and the EU regarding management and planning of the mission was also stated.[24]

[22] AU Communique of the 142nd PSC meeting, 21 July 2008, available online at www.africanunion.org
[23] AU Communique of the 10th PSC meeting, 25 May 2004, available online at www.africanunion.org
[24] Threats D and Knights W., *The Somalia Affair, Peacekeeping and the New Imperialism* (Toronto: University of Toronto Press, 2005) p. 20

Soon thereafter a fact-finding mission was sent to Somalia to prepare for the planning of the mission. The PSC approved the establishment of an AU Advance Mission to be based in Nairobi that will ensure liaison with the Transitional Federal Government, IGAD and other parties and undertake all necessary preparatory steps for the deployment of an AU Peace Support Mission in Somalia as early as possible.

At the end of January 2005, a decision was made within IGAD to deploy a PSO (IGASOM) to Somalia. Djibouti, Ethiopia, Kenya, Sudan and Uganda offered to participate. To be able to deploy, IGAD had to amend its own charter due to the principle of non-interference regarding the internal affairs of the member states that was stipulated there.[ ] IGASOM was authorized by the AU PSC in February 2005. At the same time as the PSC authorized IGASOM it also called on the AU Commission to report in detail on the possibility of establishing an AU peace support operation.[ ] Hence, there were two possible tracks being investigated regarding the deployment of a force to Somalia. Both potential deployments faced a couple of obstacles: firstly, the Islamic Courts and extremist groups had made it clear that they would not accept foreign troops on Somali territory; secondly, the UN arms embargo, which had been in place since 1992, would need to be revised for the PSO to be able to transfer weapons into Somalia. Nevertheless, in May 2005 the PSC authorized deployment of IGASOM with the purpose of supporting the transitional federal institutions (TFIs), training Somali security forces, supporting disarmament, monitoring the security situation, protecting its own forces and facilitating humanitarian operations.[ ]

Mulugeta A., 'Promises and Challenges of a Sub-Regional Force for the Horn of Africa', *International Peacekeeping*, Vol. 15 Issue 2, 2008 p. 5
AU Communique of the 24th PSC meeting, 7 February 2005, available online at www.africanunion.org
AU Communique of the 10th PSC meeting, 25 May 2004, available online at www.africanunion.org

However, the PSC in its 29th meeting requested the United Nations Security Council to authorize an exemption on the arms embargo imposed against Somalia by resolution 733 (1992) of 23 January 1992, to allow the personnel of IGASOM and that of the envisaged AU peace support mission in Somalia to bring in the military equipment necessary for the execution of their mandates.[28]

The Islamic Courts Union (ICU), which was gaining control over Mogadishu, stated its willingness to dialogue but only as long as IGASOM would not deploy.[29] The first phase of IGASOM was to be constituted by troops from Uganda and Sudan; however, there was a lack of funding to enable the deployment. Neither had an exception to the arms embargo been granted. The UN Security Council (UNSC) stated that it needed a detailed mission plan to consider such a request.

It was not until April 2006 that a panel consisting of representatives from the TFG, AU and IGAD agreed to develop such a plan. Another condition for the arms embargo to be lifted was the development of a National Security and Stabilization Plan (NSSP), which was adopted in June 2006. However, there were doubts about the NSSP fulfilling the conditions set up by the UNSC as well as about the ICUs willingness to accept it. By August 2006, IGAD had developed a deployment plan for IGASOM. After being revised by the AU PSC it was endorsed in the beginning of September 2006 and IGAD called on the UNSC to decide on an exemption of the arms embargo.

AU Communique of the 29th PSC meeting, 12 May 2005, available online at www.africanunion.org
Barnes Cedric and Hassan Harun, 'The Rise and Fall of Islamic Courts' *Journal of Eastern African Studies* Vol 1 issue 2, 2007 pp 151 – 160

It was stated that the frontline states would not be part of the mission. However, Djibouti and Eritrea had shown some hesitation regarding the deployment if the mission was not accepted by all parties within Somalia.[30]

Following suit, tensions and violent clashes between the TFG and the ICU increased inside Somalia. During the latter part of December the fighting intensified leading Ethiopia to eventually intervene in support of the TFG. The idea of deploying an IGAD mission was now fully abandoned in favor of an AU operation. Upon it being clear that IGASOM would not be able to deploy, the AU PSC authorized the deployment of AMISOM on 19 January 2007, in order to replace the Ethiopian forces still on the ground in Somalia.[31]

A long and complex process of finding an organization that could deploy a PSO to Somalia thus came to an end. AMISOM was mandated for an initial period of six months "with the clear understanding that the mission will evolve to a United Nations operation" A month later, on 21 February 2007, the UN Security Council endorsed the deployment. AMISOM's mandate included supporting the TFIs in their effort of stabilizing the country and the furtherance of dialogue and reconciliation; facilitating the provision of humanitarian assistance; and creating conducive conditions for long-term stabilization, reconstruction and development in Somalia.

AMISOM was to consist of both military and civilian components amounting up to 8,000 peacekeepers. In addition to Uganda, states such as Nigeria, Ghana and Burundi soon stated their willingness to contribute. Uganda offered 1600 troops, Burundi 1500-1600, Nigeria 850 and

[30] Major Robert Feldman, 'Problems Plaguing the African Union Peacekeeping Forces' *Defense & Security Analysis* Vol 24, Issue 3, 2008 pp 267 – 279
[31] AU Communique of the 69th PSC meeting, 19 January 2007, available online at www.africanunion.org

Ghana 350 troops.[12] South Africa, which, with its great military capacity, had participated in previous AU missions, announced that it would be unable to contribute troops to AMISOM due to its commitments to MONUC – the UN mission in DR Congo –, and AMIS, as well as its presence in Burundi.

Uganda began the deployment of two battalions and a force headquarters in Mogadishu in March 2007. However, the generation of troops has been a slow process due to financial and logistical constraints making it difficult for the troop contributing countries to deploy. Despite being technically ready to deploy in mid 2007, Burundi delayed its deployment several months due to lack of equipment.

Until the end of December 2007, when Burundi deployed 192 soldiers, the two Ugandan battalions were the only peacekeepers present in Somalia. In January 2008 Burundi had finally deployed a full battalion, 850 soldiers, leaving the total strength of AMISOM at 2,613 troops, far from the 8,000 that the mandate had called for. The second Burundian batallion completed its pre-deployment training in late spring 2008 to then await the equipment needed for deployment. Only in mid- October 2008 did the second Burundian battalion manage to deploy to Somalia taking the troops to just above 3,000.[13]

3.3 Conclusion

The AU Peace and Security Council is the organ of the African Union in charge of enforcing union decisions. The above related interventions of the AU in Kenya, Sudan and Somalia show a commitment of the AU PSC in preventing, managing, resolving and

IRIN, 'Somalia, A Tortous Road Ahead in Search of Peace', 13 March 2007 also available online at http://www.alertnet.org/thenews/newsdesk/IRIN/157f219de83e61803c7259d3c256f0fe.html

Peter-Baker D., 'The AU standby Force and the Challenge of Somalia' African Security Review Vol 16 Issue 2, 2007

transforming conflict in the continent. The next chapter critically analyzes the role of the AU

PSC in conflict management in Africa by relying on the interventions mentioned above.

Chapter Four

A Critical Analysis of the Role of the Peace and Security Council in Conflict Management:

A Case Study of the Horn of Africa

4.0 Introduction

Two years after the birth of the Africa Union from the OAU came the launching of the

Peace and Security Council (PSC) on May 25, 2004. The PSC moved a step higher and became

the institutional mechanism that hoped to implement the new ideas introduced by the Africa

Union's Constitutive Act. The PSC formalized the mechanism for intervention and thus went one

step higher in making sure that interventions are carried out under the AU framework.[1]

The previous chapter outlined the activities of the AU PSC in the peace processes in

Kenya, Sudan and Somalia under the different approaches of conflict prevention, management,

transformation and resolution. In order to bring out the role of this organ in conflict management

in Africa, this chapter critically analyzes its contribution in promoting peace in the three

countries by examining the implications of the activities identified in chapter three. The chapter

also identifies the challenges that the Council has faced in the execution of these activities.

4.1 Role of the AU PSC in Conflict Management in Africa

As noted in the previous chapter, Africa is prone to many conflicts. A Human Security

Report 2007 states that throughout the '90s more people had been killed by violent conflicts in

sub-Saharan Africa than in the rest of the world combined. But this Human Security Brief also

states a remarkable success: the number of deaths from armed conflicts declined tremendously

from 2002 to 2005 (from more than 9,000 to less than 3,000), though it slightly increased in the

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[1] Francis David J., *Uniting Africa: Building Regional Peace and Security Systems* (Aldershot: Ashgate, 2006) p 6

following years.[*] Among the reasons cited for this positive development is the progress in establishing the AU's African peace and security structure. When the PSC was launched on Africa day, 25 May 2004, it had to contend with numerous conflicts in the continent. Five years later, this research seeks to bring out the successes and challenges that this organ has embraced over the years. The following section analyses the role of the PSC in conflict management in Africa by using the three case studies of Somalia, Sudan and Kenya.

4.1.1 Conflict Prevention in Somalia and Kenya

One of the core objectives of the AU is the promotion of peace, security, and stability on the Continent, as spelt out in article 3 (f) of the AU Constitutive Act.[*] To strengthen the AU's capacity in the prevention, management and resolution of conflicts, Member States adopted, in July 2002, in Durban, South Africa, the Protocol Relating to the Establishment of the PSC, which entered into force in December 2003. The Protocol, in article 2 (1), defines the PSC as "a collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa".[*]

The AU PSC has tried to prevent the eruption and escalation of conflict by opening channels of communication between the conflicting parties as was the case of Kenya during the post election crisis. The NARA agreement that was reached by the two conflicting parties prevented a major wave of violence in the country which would have brought Kenya to its knees.

Where conflicts appear imminent, the PSC's *modus operandi* is to send an envoy or mission of enquiry to determine the facts and to recommend how the AU can be helpful. It is

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[*] Mack Andrew, Dying to Lose: *Human Security Brief 2007 Explain the Decline in Global Terrorism* (Canada: Simon Fraser University, 2007) p.22

[*] African Union, 'Protocol on Amendment to the Constitutive Act of the African Union' 11 July 2003 Article 3(f) also available at http://www.africa-union.org

[*] Ibid., Article 2(1)

significant that such AU missions are almost never refused, even when the governments under question are reluctant to subject its internal troubles to outside scrutiny. Such a mission was sent to Somalia.

The fact-finding mission from the African Union and the regional Inter-Governmental Authority on Development (IGAD) arrived in Mogadishu in 2003 to look into the security situation in Somalia. Mission leader Major-General Joseph Musomba of Kenya said that the team planned to visit Baidoa, Bosaso, Belet Weyne, Galkayo and Kismayo, as well as Mogadishu, but that the itinerary would be flexible. The 21-member mission spent 10 days in Somalia and included observers from the European Union, the Arab League, and Somali delegates.[5] The aim of the mission was to collect and verify information on the general security situation, aimed at planning the demobilization of militias and weapons collection. The team also carried a "message of hope for peace" from the Kenya conference. The mission helped prepare the ground for the eventual deployment of African Union military observers.

Their recommendations informed the decision of the 92nd Ordinary Session of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the AU at Ambassadorial level, to deploy an AU Military Observer Mission in Somalia. In preparation, the AU dispatched a Reconnaissance Mission to Somalia at the end of July 2006. During that mission, the majority of Somalis consulted requested the AU to deploy an International Force to assist, inter alia with disarmament. Subsequently, the Central Organ endorsed this proposal and called upon AU Member States to comply with obligations set under the UNSC resolutions relating to the arms embargo against Somalia.[6]

[5] Bjorn Moller, *The Somali Conflict: The Role of External Actors* (Denmark: Danish Institute for International Studies, 2003) p. 32
[6] International Crisis Group: "Can the Somali Crisis Be Contained?" *Africa Report*, no. 116 (Brussels: ICG, 2006), pp. 5-6

Despite fears that recognition would lead to the fragmentation of Somalia or other AU member states, the AU fact-finding mission in 2005 concluded that the situation was sufficiently "unique and self-justified in African political history" and that "the case should not be linked to the notion of 'opening a pandora's box". It also recommended that the AU "should find a special method of dealing with this outstanding case" at the earliest possible date.[?]

4.1.2 Peace Support Missions in Somalia and Sudan

Peace Support Operation (PSO) describes organized international assistance initiatives to support the maintenance, monitoring and building of peace and prevention of resurgent violent conflict. There are two categories of PSOs: *peacekeeping* and *peace enforcement*. Peacekeeping operations monitor and support the establishment of peace, usually in the context of a peace agreement and peace enforcement operations create conditions for peace and are permitted to use force.[*] The AU was officially inaugurated on July 2002, and a year later it had already deployed its first peace operation in Burundi. Under the PSC, it subsequently deployed peacekeeping missions in Darfur, in 2004, and in Somalia, in 2007.

Following a Report of the fact finding mission team and the evaluation and recommendations of the AU Military Staff Committee the AU PSC decided to authorize the deployment of the AU Mission in Somalia (AMISOM) on 19 January 2007, for an initial period of 6 months. In the Somalia case, the AU chose to exercise its right to intervene and exhibited its will to do so. However, it is worth noting that there is a disconnect between the AU's willingness to intervene and its ability to do so.

, Patrick Mazimhaka, AU-IGAD, Report of Fact Finding Mission to Somaliland 2005
* Cilliers Jackie et al, From Peacekeeping to Complex Emergencies, Peace Support Missions in Africa (Pretoria ISS, 1999) p. 38

The conflict that has unfolded in Darfur since February 2003 was the biggest challenge posed to the AU since it was launched in Durban, South Africa, in July 2002. Indeed, in many aspects, the situation in Darfur was perceived as a test of the AU's capacity to resolve African conflicts and its determination to fully implement the relevant principles stipulated in its Constitutive Act. In order to meet the challenge of peace and security in Darfur, the AU deployed an operation dubbed the African Union Mission in Sudan (AMIS).[3]

The Sudanese government consistently failed to protect its civilians in Darfur, and the AU alone could not fulfill the international responsibility to do so. The concept of African solutions for African problems gave the U.S and European policy makers a convenient excuse to do no more than respond to AU requests for financial and logistical support.

The AU mission however floundered primarily because the Sudanese government was obstructionist and prevented its effective functioning. The Government of Sudan was quite adept at maneuvering against the establishment of a UN peacekeeping force on its territory. The Khartoum regime under the tutelage of President Omar El-Bashir categorically stated that the presence of a UN force would be tantamount to the recolonization of Sudan.[10] In addition, AMIS I and II also failed to fulfill their mandates because they had insufficient troops, inadequate equipment and training.

4.1.3 Mediation in Kenya and Sudan

Mediation is a process in which a third-party assists in resolving a dispute between two or more other parties. It is a non-adversarial approach to conflict resolution. The role of the mediator is to facilitate communication between the parties, assist them in focusing on the real

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Barr Millard and Robert Collins, *Darfur. The Long Road to Disaster* (Princeton N.J.: Markus Wiener, 2006) p. 107
Tim Murithi, 'The African Union's Foray into Peacekeeping. Lessons from the Hybrid Mission in Darfur' *Journal of Peace, Conflict and Development*. Issue 14, July 2009 p. 5

issues of the dispute, and generate options that meet the interests or needs of all relevant parties in an effort to resolve the conflict.[11] Some scholars argue that it is crucial that the mediator is neutral and should focus only on facilitating a decision-making process. On the other contrary, Stulberg posits that a mediator's interest in a conflict could in some instances facilitate a quick resolution of the same[12] on the other hand, Crocker argues that Mediator neutrality is not synonymous with the notion of being "indifferent" in one's preferences as to whatever choices parties make, but is that the mediator does not have a tangible stake in the outcome of the process.[13] The AU PSC played this role in both Kenya and Somalia.

Fighting raged across the western Sudanese region since 2003, pitting the rebel movements against Government forces and allied Janjaweed militiamen. All sides stood accused of human rights abuses and an estimated 300,000 people were killed in Darfur and another 2.7 million people forced to leave their homes. Appreciating this conflict, the AU organized Inter-Sudanese Peace Talks on Darfur and under the guidance of the Chairman of the African Union, H.E. President Olusegun Obasanjo in consultation with the Special Envoy and Chief Mediator, Dr. Salim Ahmed Salim. These talks culminated into the Darfur Peace Agreement (DPA) signed under AU auspices on 5 May 2006 between Sudan's government and the faction of the insurgent Sudan Liberation Army led by Minni Arkou Minawi (SLA/MM).[14] This was a first step toward ending the violence but strong, coordinated action was needed if it was to take hold. It was claimed that this Agreement did not involve all stakeholders particularly the rebel groups hence the commencement of other AU-UN mediation processes on Darfur.

[11] Saadia Touval, I William Zartman, *International Mediation in Theory and Practice* (Boulder, Colo: Westview Press, 1985) p 7

[12] Joseph H Stulberg, *Should Mediator be neutral?* Journal of American Arbitration (vol. 4, 2005) p. 9

[13] Chester A Crocker et al., Ready for Prime Time: The When, Who and Why of International Mediation, 19 *Negotiation Journal* v. 151, pp. 151-67 (Apr. 2003)

[14] Flint Julie and Alex de Waal, *Darfur: A Short History of a Long War* (London: Zed Books, 2006) p 49

AU Special Envoy Salim A. Salim and UN Special Envoy Jan Eliasson worked collaboratively to move forward the political process for Darfur. An initial meeting for rebel leaders to discuss a common negotiating platform led to a joint communique reflecting common positions agreed on several key issues. Key leaders, however, remain outside this process. Nonetheless, jointly sponsored AU-UN Peace talks were conducted in Tripoli, Libya.

The efforts of mediators have been hampered by the fragmentation of the rebel movements into many different, smaller groups, making it harder for them to adopt a unified position during any negotiations.

The Kenyan case was not different from the Darfur case. After the outbreak of violence in the country, the AU used the good offices of the Ghanaian President and African Union Chairman John Kufuor who encouraged the two parties, ODM and PNU, and acted as a vehicle for communication between them. The main success of President Kufuor's good offices was attributed to the agreement between the two parties to negotiate and the acceptance of the third parties who would serve as mediators to the negotiations.[15]

Kufuor's good offices resulted in the creation of a team under the auspices of the AU to mediate the conflict. This team was chaired by former UN Secretary General Kofi Anna and included eminent African persons, namely Graca Machel, and ex-president of Tanzania Benjamin Mkapa. The team's efforts culminated into the National Accord and Reconciliation Act (NARA) which ended the overt violence upon signing by the two conflicting parties.

4.1.4 Addressing Humanitarian Crises in Sudan

All armed conflicts create humanitarian crises. In Iraq for instance, Oxfam Canada noted that the violence there was masking humanitarian crisis where eight million people – nearly one

[15] Makumi Mwagiru, *The Water's Edge: Mediation of Violent Electoral Conflict in Kenya* (Nairobi: IDIS, 2009) p. 81.

in three – needed emergency aid.[16] This was the case in Sudan where the WHO noted in 2004 that between 6,000 and 10,000 people were dying from disease and violence each month in Darfur region as heavy rains and a marauding militia hindered U.N. efforts to respond to one of Africa's worst humanitarian crises.[17] The AU devised ways and means of finding durable solutions for problems of IDPs and addressing the causes and symptoms of humanitarian crisis.

Despite its limited means, the AU took steps to contribute to the efforts aimed at addressing the humanitarian crisis in Darfur. In February 2004, a delegation from the Commission of Refugees, IDPs and Humanitarian Affairs visited the refugee camps along the Sudan-Chad border. Subsequently, the AU made a symbolic financial contribution to the UNHCR towards funding vital water projects in the barren desert where the refugees have found shelter.

As a follow-up to AU's assessment of the situation and the appeal by the PSC for African humanitarian NGOs to be involved in the efforts to alleviate the humanitarian crisis in Darfur, the AU has donated US$ 200,000 to Africa Humanitarian Action (AHA) – a Pan-African NGO to support the provision of medical assistance to the affected population in Darfur.

It was against this background that, on 8 April 2004, under the auspices of President Déby and the Chairperson of the AU Commission and in the presence of international observers and facilitators, the GoS, the SLM/A and the Justice and Equality Movement (JEM), which emerged later as another armed group in Darfur, signed a Humanitarian Ceasefire Agreement on the Darfur Conflict and a Protocol on the Establishment of Humanitarian Assistance in Darfur.[18]

[16] Oxfam, 'Rising to the Humanitarian Challenge in Iraq' Briefing Paper, July 2007 also available online at http://www.oxfam.org/en/policy/briefingpapers/bp105_humanitarian_challenge_in_Iraq_0707

[17] World Health Organization, 'Mortality Survey among the Internally Displaced Population, Greater Darfur' (Sudan: WHO, 2004) also available online at http://www.who.int/mediacentre/news/releases/2004/pr63/en/index.html

[18] Ulrich Golaszinski, 'Africa's Evolving Security Architecture' FES Briefing Paper December 2004

Under the Ceasefire Agreement, the Parties agreed, inter-alia to cease hostilities and proclaim a cease-fire for a period of 45 days automatically renewable unless opposed by one of the Parties; to establish a Joint Commission (JC) and a Ceasefire Commission (CFC); to facilitate the delivery of humanitarian assistance; to meet at a later date in a conference bringing together all the representatives of Darfur in order to agree on a global and definite settlement.

4.1.5 Ending Human Rights Violations and Impunity Sudan and Kenya

In order to promote human rights, good governance and the rule of law, the Constitutive Act mandates respect for the sanctity of human life, and condemns impunity, political assassination, acts of terrorism, subversive activities and unconstitutional changes of government.[19] To protect human rights, the AU can intervene in the sovereign affairs of other member states in certain circumstances. For example, states may seek AU intervention in order to restore peace and security within their territories. While member states may not unilaterally interfere in the internal affairs of another state, the AU can authorize collective action in or against a member state when the assembly determines that "grave circumstances", such as war crimes, genocide and crimes against humanity, exist.[20] This article 4(h) was amended by the Assembly of Heads of State and Government and now reads: "[T]he right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity as well as a serious threat to legitimate order to restore peace and stability to the Member State of the Union upon the recommendation of the Peace and Security Council".[21]

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[19] African Union, 'Protocol on Amendment to the Constitutive Act of the African Union' Article 4 op. cit.
[20] Baimu and Sturman 'Amendment to the African Union's Right to Intervene. A Shift from Human Security to Regime Security?" *African Security Review* Vol. 12 Issue 2, 2003 p. 37
[21] Adopted by the 1st extraordinary session of the AU Assembly in Addis Ababa, Ethiopia

The AU made efforts to address the issue of human rights violations and impunity in Darfur. On 25 May 2004, the PSC requested the African Commission on Human and Peoples' Rights (ACHPR) to undertake an investigation of the human rights situation in Darfur. At its 35th Ordinary Session, held from 21st May to 4 June 2004, the ACHPR decided to send a Fact-Finding Mission to the Region. The Fact-Finding Mission took place from 8 to 18 July 2004. Subsequently, the Chairperson of the ACHPR sent a request to President Al Bashir, stressing the need to take urgent provisional measures to address issues relating to the security of the IDPs, the protection of women from rape and violence, access to displaced persons and supply of humanitarian assistance, the safe return of IDPs to their villages and the deployment of human rights observers. In more general terms, the AU has consistently requested that those involved in human rights violations in Darfur be swiftly brought to justice so as to end the climate of impunity in the region.

In Kenya, AU's mediation process led by the former UN Secretary General Kofi Annan created a Commission to look into the perpetrators of post election violence in the country. Justice Philip Waki chaired the Commission Investigating Post Election Violence (CiPEV). It released a list of 273 suspected perpetrators of the post election violence who include businessmen, members of parliament, administrators and community members among others. In addition, the commission revealed a secret list of suspected perpetrators of the violence that brought the country down to its knees early in the year. One of the far-reaching recommendations of the Waki Commission in dealing with impunity lay in the warning that should the effort to establish the Special Tribunal be subverted, the list of suspects would be forwarded to the Special Prosecutor at The Hague.[72]

[72] GoK, *The CIPEV Report* (Nairobi: Government Printers, 2009) p 471

Waki also gave harsh indictment on President Kibaki, saying the post-election violence was in part a consequence of his failure and that of his first administration (NARC) to exert political control over the country or to maintain sufficient legitimacy as would have allowed a civilized contest with him at the polls to be possible. The former UN Secretary General has been following this and has underscored that justice must prevail.

4.1.6 Post-Conflict Reconstruction in Sudan

As many countries move beyond conflicts, post-conflict reconstruction will be at the core of the AU's efforts. Realizing this, the AU initiated work towards a framework for post conflict reconstruction and development in Africa. In 2003, in Maputo an AU ministerial conference addressed the AU's capacity for post-conflict reconstruction and created a committee for the post conflict reconstruction of Sudan. This was necessary to prevent a relapse to violence, or the ascendancy of counter-democratic forces. This is key, because the stabilization of countries that form the backbone of their regions, such as the DRC, Sudan and Kenya could trigger the development of the entire continent.[31]

The AU has also established a Post-Conflict and Reconstruction Framework. It emerged from the African Post-Conflict Reconstruction Policy Framework designed by NEPAD in 2005. Its goal is to "improve timeliness, effectiveness and coordination of activities in post conflict countries and to lay the foundation for social justice and sustainable peace, in line with Africa's vision of renewal and growth".[32] It contains various principles and directs various interventions for peace-building purposes to achieve the goals found in the framework.

[31] Barbara Harumpi & Karanja Mbungua, *From Peacekeeping to Peace Building: Post Conflict Reconstruction in Africa* (Durban ACCORD, 2006) p 6
[32] AU, Report on the Elaboration of a Framework Document on Post-Conflict Reconstruction and Development (AU Executive Council, 2006) p. 3

The AU reiterated its continued commitment to the reconstruction of war-affected areas by forming an AU Ministerial Committee on Post-Conflict Reconstruction of the Sudan. South Africa Foreign Minister, Dr Nkosazana Zuma headed this Committee, which included foreign ministers from Algeria, Egypt, Ethiopia, Gabon, Kenya, Nigeria, Senegal and Sudan.

The Committee held lengthy discussions with the Government of Southern Sudan (GOSS), the Sudan People's Liberation Movement (SPLM), Women groups and civil society. Prominent in the discussions is the implementation of the Darfur Peace Agreement as prerequisite for sustenance of peace in the Sudan.[ ] In addition, key issues were resolved in these discussions.

A Comprehensive Strategy for Post Conflict Reconstruction in the Sudan was then developed by the Ministerial Committee. The Government of Sudan agreed to identify areas of priority to help the AU countries expedite the implementation of each program and the parties agreed for the establishment of a Joint Technical Committee of the AU and GOS to draw a matrix for implementation of projects.

In early 2005, Sudan's First Vice President Ali Osman Mohammed Taha commended the AU Ministerial Committee for the role it was playing in the country's post-conflict reconstruction efforts.[ ]

4.2 Emerging Issues Regarding the AU PSC In Conflict Management

Since its creation, great hopes were placed on the African Union as the legitimate source and force for conflict management in Africa. However there are a number of challenges that the organization has been confronted with. Some of the weaknesses in the current AU approach to

[ ] Priyana Barney Nyama, *Post Conflict Societies in Africa: The Role of the African Union* (London: King's College, 2006) p 23
[ ] 'Sudan VP commends AU's role in post-conflict reconstruction' *Sudan Tribune* Sunday 27, March 2005

conflict prevention and management include the lack of in-depth analyses of conflicts to provide sound basis for taking decisions on intervention. Despite the use of fact finding missions in its work, very little research goes into the current conflict prevention and management work of the AU. One of the critical gaps in the work of the organization is the lack of African-sponsored research and analysis; most research on conflict (and the associated policy development) has been funded by donors and Northern governments and undertaken by their think-tanks. This adversely affects the quality of the AUs approach and response to conflict.[27]

The lack of independent analytical briefing of the AU on the situations in conflict zones negatively affects the role of the AU in conflict management. The absence of regular and informed briefings adversely affects decisions and ultimately the effectiveness of AU actions. There is thus a need to consult with relevant CSOs engaged in analytical studies and that are active on the ground.

Overshadowing the lack of independent analytical briefings are the strong vested interests in the African Union that reduce its autonomy to exercise real influence. The AU suffers from similar factors like the UN. It shies away from taking a determined position in conflicts in which one of its more important members is directly or indirectly involved. This is the case in Sudan, in Eastern Congo, in Somalia, and also in Zimbabwe. In some cases its credibility and impartiality is severely discredited – in the Ethiopia-Eritrea conflict – or it is regarded as being too weak to be taken seriously. Many governments, both African and non-African undermine the efforts of regional and sub regional organizations that go against their national interest. Many African governments are also possessive of their sovereign privileges, and are thus averse both to

[27] Cilliers and Sturman, 'The Right Intervention Enforcement Challenges for the African Union' *African Security Review* Vol. 12 No. 1, 2003 pp 29-39:33

surrendering any powers and to the implications of 'variable geometry' approaches to inter-state activities.[28]

Besides, the AU is encumbered by the lack of mechanisms for disseminating information about the decisions and operations of the AU (a problem which also seems to characterize the RECs). Exposure to, and knowledge of the work of the AU, NEPAD and the RECs seems limited even among educated African publics, and current training and related research on these structures seems low in academic institutions.

The lack of adequate capacity to manage the conflicts on the continent is also a major limitation that the AU has to contend with. Managing conflict demands a huge amount of resources, human, material and financial. None of these is available in sufficient quantity and quality at the AU. The AU also lacks the ability to monitor post-conflict situations to prevent the possibility (indeed likelihood) of relapse into conflict. Most enforcement capacities remain elsewhere. For mediating the most difficult problems and implementing peace agreements, Africa looks to Europe and the U.S. (sometimes bilaterally, sometimes under a UN umbrella). To date, this has been done solely on an ad hoc basis, without a coordinated analysis of how the relations between African intergovernmental organizations and the UN are interfacing.[29] These resource gaps have received wide acknowledgement and considerable donor attention; ironically, on the other hand, current resource constraints in turn limit the absorptive capacity of the AU, meaning that the organization has been slow to utilize external assistance.

Taking into account the limited capabilities of this organization, the part it played so far in conflict management was quite significant – even in Sudan. But it is not only a lack of resources which limits the role of the AU in African conflict management.

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[28] F Cheru, *African Renaissance Roadmaps to the Challenge of Globalization* (London Zed Books, 2002) p. 10
[29] Flint Julie and Alex de Waal, *Darfur A Short History of a Long War* op. cit., p 72

There is no worthier cause in Africa than establishing a sustainable regime of peace, security and stability. The very act of forming this PSC provides the opportunity to reflect on this broader issue of security in Africa. While the PSC should be welcomed as one of the mechanisms to focus attention and public debate on security problems afflicting the continent, questions necessarily remain on whether it will provide the kind of value that Nkrumah's Military High Command was envisioned to promote in the changed context of Africa. Africa is now an open bazaar to small arms that continue to maim and kill the people. These small arms are Africa's weapons of mass destruction and the arms dealers use conflict as a conduit to pass on these lethal weapons to spoil Africa's free and peaceful future. A related problem in Africa is the commodification of violence and the proliferation of private armies. Mercenaries have freely moved in conflict zones and even in trying to destabilize elected Governments.[30] Africa is the most open, most interfered with, and most violated continent in the world. Africa is rich, but Africans are poor. Those who would like this situation to continue create also a very difficult security environment, which undermines the task of economically empowering Africans.

With the kind of security challenges confronting the continent, one wonders whether even at the conceptual level, this Peace and Security Council can deal with a portion of the problem. Fifteen sovereign states with different ideas of foreign policy and diplomacy constitute the steering committee. Without a shared purpose and opinion, how can they reach a combined action to deal with varied security issues in the continent? A case in point is Sudan, which is a member is a member of this council, and which has its Arabized citizens accused of human rights violation against Africanized Africans. There is no word on this from the PSC. What would have been more useful is to bring together the Casablanca group of countries, which share a common approach, to provide resources and commit personnel to do peace-keeping and other

Cilliers and Sturman, ' The Right Intervention Enforcement Challenges for the African Union' op. cit., p. 35

much- needed and urgent operations. At least they will be able to speak out when a major violation of human rights takes place.

It is satisfactory to say PSC will send peace keeping force to conflict zones and will anticipate and prevent conflicts. However in reality, as long as the interest of each Government blinds it from seeing genocide or massive human rights violations, implementation will not be easy.[1] The council should have had members that have been tested or peer reviewed for their record of democratic governance, proven human rights records and respect for civil, social and political freedoms. The PSC also faces major issues related to how it wishes to find resources. If security is very important, resources must be found from the national treasury of each state. The wealthier ones should contribute more and those that fetch huge revenues from rentable commodities like oil should pay even more. It is extremely alarming that the PSC wishes to raise money from EU and other sources from outside. The bulk of its funding must come from internal sources. Donor money always comes with some irreducible strings attached, making it difficult to see Africa's security with Africa's own eyes.

The PSC is modeled after the UN Security Council[2], which has a mixed history - certainly more failures than successes in preventing. Just like the UNSC, the PSC members are elected by the Assembly of the African Union so as to reflect regional balance within Africa, as well as a variety of other criteria, including capacity to contribute militarily and financially to the union, political will to do so, and effective diplomatic presence. In addition, the council is composed of fifteen countries, of which five are elected to three-year terms, and ten to two-year terms. Countries are immediately re-eligible upon the expiration of their terms. Since its inception the UN Security Council has not prevented the over hundred wars throughout the

[1] Makinda Samuel M., Okumu F. Wafula, *The AU. Challenges of globalization, Security and Governance* (Routledge: Global Institutions, 2008) p. 13
[2] Ibid., p. 35

world that have been fought and some of the most intractable conflicts in the Middle East continue to fester. Iraq as a legally accepted member of the UN has been attacked by a coalition spearheaded by the USA and UK Governments- the two members of the Security Council that have been behind the very formation of the UN itself. They have happily substituted the force of law with the law of force, igniting one of the most deadly national liberation movements at the heart of the Arab World. It is remarkable that no state has called for these countries to withdraw their forces when they continue to justify their occupation by claiming that their withdrawal will result in a civil war. As long as they stay there, the barbaric killings will go on and on. What is emerging in Iraq is a national liberation movement, which will perhaps not go away until it organizes nationwide political power. Peace-loving nations should lead the demand for a complete and unconditional withdrawal of the USA and UK military forces to prevent further conflagrations and death.

Like the UN Security Council, the PSC has 15 members, perhaps with pivotal states like Nigeria and South Africa expected to drive the process. The imitation of the UN borders on direct copying, it is a caricature of the unified security and defense system envisioned by Kwame Nkrumah. In our time Thabo Mbeki posits that Africa needs renaissance, amongst other things to be able to say "No" to the conflicts in the Democratic Republic of the Congo and to Warlordism in Somalia. He suggests that the call for an Africa's renewal... is a call to rebellion. We must rebel against the tyrants and the dictators, those who seek to corrupt our societies and steal the wealth which belongs to the people." Thabo Mbeki sets an agenda of post-colonial liberation with his ideas of the African Renaissance. He has used his influence to speak for Africa but it does not seem like the communities in South Africa understand or relate to this vision.

Thabo Mbeki, *Africa: The time has come* (Cape Town: Tafelberg Mafube, 1998) p.72

The more fundamental problems that continue to throw up security challenges are related to the conceptual arbitrariness of the state borders in Africa. Struggles to subvert, break and make states can only be overcome if Africa evolves a strategy of an African unification nation based on the idea of the African. Only then can a framework for dealing with the security question in Africa be productively settled.

The relationship between the AU and sub regional organizations is unclear. To date, there has been no disciplined approach to managing these relationships. For example there is no forum solely for the senior executive officers of the AU and sub regional organizations to meet and coordinate their strategies; this has been left to ad hoc initiatives.

Chapter Five

Conclusions

5.0 Introduction

Since the end of the World War II (1939-45), there have been at least 56 separate, identifiable conflicts in Africa, with about a dozen of them ongoing in 2005. The continent seemed to be in a state of turmoil, with conflicts ranging from regional skirmishes between warlords to civil war. The unimaginable horrors of the Rwandan genocide (1994), the decades-old civil unrest and ethnic cleansing in Sudan, the ethno political rife in Kenya and longstanding rebel violence in Uganda made news the world over. The war ravaged image of Africa caused many observers to wonder if the continent is unusually prone to civil war. In a study published by the World Bank, researchers concluded in 2000 that 'Africa has had a similar incidence of civil conflict to that of other developing regions, and that with minor exceptions; its conflicts are consistent with the global pattern.' The Report acknowledged that the rising trend of conflict in Africa is due to its atypically poor economic performance.[1]

Despite there being many intervention initiatives by different stakeholders such as the UN, the EU and individual Western countries to address existing conflict issues, conflict dynamics are getting more and more complex in the region. Basing on these dynamics, the African Union (AU) reinforced its capacity to address the conflicts in the continent by creating the Peace and Security Council (PSC) which has intervened in a number of conflicts so far.

It is against this background that this study sought to investigate the contribution of the AU Peace and Security Council in conflict management in the Horn of Africa with a keen interest in AU supported processes in three countries; Sudan, Somalia and Kenya. The specific objectives of the study entailed an examination of the dynamics in the particular conflicts in

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[1] World Bank, *Can Africa Claim the 21st Century?* (Washington DC. The World Bank. 2000) p. 54

Kenya, Sudan and Somalia, an identification of the decisions and activities that the PSC has undertaken to mitigate and or end the conflicts in the mentioned countries and an establishment of the challenges faced by the PSC.

5.1 Conclusions

The AU Protocol, in article 2 (1), defines the PSC as "a collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa". The dissertation indicated that even before trying to intervene in imminent or apparent conflicts, the AU PSC sends envoys to determine the facts of a conflict situation and recommend how the AU can help. Such recommendations inform the decisions of the PSC about the interventions to be taken at appropriate times. For example fact finding missions were sent to Somalia. The first mission informed the decision of the 92nd Ordinary Session of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the AU at Ambassadorial level, to deploy an AU Military Observer Mission in Somalia.

In early July 2006, in a bid to re-launch the deployment process and as a follow-up to the conclusions of the consultative meeting between the AU, IGAD and the international partners on Somalia, held on 19 June 2006, an AU/IGAD fact-finding mission traveled to Somalia, together with representatives of the League of Arab States and the European Union (EU). This Mission recommended that an AU peace support mission be deployed in Somalia as soon as possible, with the mandate to provide support to the TFIs in their efforts towards the stabilization of the situation in Somalia and the furtherance of reconciliation and dialogue among Somalis, to facilitate the provision of humanitarian assistance, and to create conducive conditions for long

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African Union, 'Protocol on Amendment to the Constitutive Act of the African Union' 11 July 2003 Article 3(f) also available at http://www.africa-union.org

term stabilization and reconstruction of Somalia. This recommendation informed the deployment of the AU Mission to Somalia (AMISOM).

In addition, an African Union (AU) team visited Kenya to undertake a fact-finding Mission on the prevailing humanitarian situation following the Post-Election crisis. The delegation was composed of H.E Mr. James Kalilangwe (Ambassador of Malawi to Ethiopia), Amb. Idule Amoko (Ambassador of Uganda to Ethiopia), Ms. Macrine Mayanja (Senior Political Officer — AU) and Justine Likharu (Malawi Embassy, Addis Ababa). They were accompanied by Officials from the Ministry of Foreign Affairs.

The study observed that the Peace and Security Council initiates any peace operations by analyzing a potential or existing crisis situation, which if necessary is followed by the deployment of fact-finding missions to the trouble spots. The Council then makes a decision or recommendation to authorize and legitimize the African Union's intervention in internal crisis situations. Article 4(h) of the AU Constitutive Act affirms the right of the Union to intervene in a Member State with respect to crisis situations. In specific, Article 7, item (e), of the Protocol on the Peace and Security Council, states that the Council can recommend to the Assembly (of Heads of State), intervention, on behalf of the Union, in a Member State in respect of grave circumstances, namely war crimes, genocide and crimes against humanity, as defined in relevant international conventions and instruments.

The AU PSC intervenes in different conflict situations differently. The PSC helps countries torn by conflict to create conditions for sustainable peace through peacekeeping and peace enforcement. Peacekeepers monitor and observe peace processes in post-conflict areas and assist ex-combatants in implementing the peace agreements they may have signed. Such assistance comes in many forms, including confidence-building measures, power-sharing arrangements, electoral support, strengthening the rule of law, and economic and social development. The PSC deployed the AU Mission in Somalia (AMISOM) with the mandate of

assisting in the resettlement of IDPs and refugees, support reconstruction efforts and assist the Transitional Federal Government (TFG) in its relocation to Somalia from its then exile in Kenya.[3]

At the same time, the AU PSC sent a small mission to Darfur with UN Security Council endorsement to monitor a cease-fire agreement between the rebels and Khartoum. This mission eventually evolved into the African Union Mission in Sudan (AMIS), which remains the only external peacekeeping force providing security in Darfur. In 2004, the PSC agreed on an enhanced AMIS mission, consisting of more personnel, both military and civilian. The AU sent a military assessment team that recommended a further enlargement of AMIS II in March 2005. The PSC agreed and decided to increase the number of military personnel and civilian police by 2005.[4]

In terms of the specific modalities for launching an AU peace operation, the decision comes from the AU Peace and Security Council, which meets regularly at the level of ambassadors based at the organisations headquarters in Addis Ababa, Ethiopia. After the Peace and Security Council has taken a decision, then the AU Commission on Peace and Security implements the decision with inputs from AU member states. It is evident that both the Sudan and Somalia experiences demonstrate the political commitment of the AU to intervene to prevent conflict and to manage precarious situations. However, this propensity to intervene has not been based on the AU's capacity to do so but rather on political considerations. The first emerging insight in this regard is that the AU has in both of these cases chosen to exercise its right to intervene and does not lack the will to do so. However, the more pertinent observation is that there is a disconnect between the AU's willingness to intervene and it ability to do so.

[3] International Crisis Group: "Can the Somali Crisis Be Contained?" *Africa Report*, no. 116 (Brussels: ICG, 2006), pp. 5-6

[4] Burr Millard and Robert Collins, *Darfur The Long Road to Disaster* op. cit., p. 108

Furthermore, the Somalia initiative was conducted in a context that was threatening, and still threatens, to escalate into more violence. This is in fact still a challenge in Somalia. Ultimately however, the AU's foray into peacekeeping in Sudan and Somalia suggests that the continental body will be called upon in the future to stabilize countries that are afflicted by the scourge of violent conflict.

The AU efforts to deploy missions have been defined by the absence of a fully articulated framework for peacekeeping. This issue of a lack of capacity and ability to effectively undertake peacekeeping was evident in the AU's intervention in Somalia and Darfur. All of its missions to date have been under-funded, ill-equipped, and therefore inadequately deployed. There is therefore an urgent need to bolster the capacity of the organization to deploy and successfully conduct peace operations autonomously without always relying on UN intervention, which in any case may not always be an option as the Somalia case demonstrates.

In addition, the study deduced that the AU PSC seeks to find political solutions to conflict in Africa through mediating in conflicts. It also provides the favorable environment for negotiations between conflicting parties to take place. For instance, the AU supported the Darfur peace talks which culminated into the Darfur Peace Agreement (DPA). This Agreement was signed under African Union (AU) auspices on 5 May 2006 between Sudan's government and the faction of the insurgent Sudan Liberation Army led by Minni Arkou Minawi (SLA/MM). Similarly, the AU mediated the post election conflict in Kenya. The research found out that the AU PSC tried to prevent the eruption and escalation of conflict by opening channels of communication between the conflicting parties as was the case of Kenya during the post election crisis. The NARA agreement that was reached by the two conflicting parties prevented a major wave of violence in the country which would have brought Kenya to its knees.

Mediators who work on intractable conflict are confronted by a complex array of actors, issues, tasks and problems. The greater the number of parties and the greater the divisions within their ranks, the greater the number of concerns and perspectives that are brought into the mediation process, the harder it is to address the concerns to the satisfaction of all the parties and the harder it is for the mediator to facilitate decision-making by consensus. On the other hand, excluding parties from the negotiations heightens the risk that they will undermine both the negotiations and any resultant peace agreement. It is therefore imperative that negotiations are inclusive.

Adding to the burden of peacemaking, the mediator has to focus both on the deep-rooted causes of the conflict and on the crises that arise. In Kenya, Darfur and southern Sudan, these causes were present simultaneously. The deep-rooted problems are extremely hard to solve. Where countries in conflict have weak institutions of governance, the government might be unable to provide credible negotiators who can deliver on their promises, it might lack control over its security forces and it might be unable to implement the agreements it signs. It seems painfully obvious that deep-rooted conflict cannot be solved quickly or easily. Nevertheless, mediators and donor governments frequently make the mistake of seeking a quick fix. By way of example, the Darfur peace talks conducted by the AU in Abuja in 2005/06 were driven by 'deadline diplomacy', with a steady stream of unfeasible deadlines emanating from AU headquarters, the UN and the foreign donors. In the final days of the talks, African and foreign leaders put immense pressure on the rebel movements to sign the DPA, berating them and threatening them with sanctions. One of the rebel leaders, Minni Minawi, succumbed but the other rebel groups held out. The manipulation and threats of the international partners undermined the AU's authority, compromised Minawi and intensified popular suspicion of the

DPA in Darfur. Therefore, in order to enhance the prospects for successful peacemaking, the AU and the regional organizations should set up mediation units which could help in providing expert analysis, advising and supporting senior mediators and decision-makers and undertaking mediation and preventive diplomacy in situations of actual and potential conflict among others.

Given the severe humanitarian crises that are caused by armed conflicts, the AU has played a substantial role in alleviating human suffering and addressing humanitarian deficits. Despite its limited means, the AU took steps to contribute to the efforts aimed at addressing the humanitarian crisis in Darfur. It devised ways and means of finding durable solutions for problems of IDPs and addressing the causes and symptoms of humanitarian crisis. Subsequently, the AU made a symbolic financial contribution to the UNHCR towards funding vital water projects in the barren desert where the refugees have found shelter.

The AU also seeks to end human rights violations and impunity in member states that have experienced civil conflicts. The AU made efforts to address the issue of human rights violations and impunity in Darfur On 25 May 2004, the PSC requested the African Commission on Human and Peoples' Rights (ACHPR) to undertake an investigation of the human rights situation in Darfur. In more general terms, the AU has consistently requested that those involved in human rights violations in Darfur be swiftly brought to justice so as to end the climate of impunity in the region. In the same vein, the AU through the head of delegation in the mediation process, Kofi Annan, has insisted on the prosecution of the major perpetrators and master minds of the post election violence in Kenya.

The right to intervene under the AU Act is a radical departure from, and in stark contrast with, the principle of State sovereignty and non-intervention, the very cornerstones of the erstwhile OAU. Although intervention has traditionally been opposed by African States and

regarded as imperialism; under the AU Act, AU Member States have themselves accepted sovereignty not as a shield but as a responsibility where the AU has the right to intervene to save lives from mass atrocity crimes. Today, human rights are not a purely domestic concern and sovereignty cannot shield repressive States. Thus, if a State is unable or unwilling to protect its people the responsibility falls on other States.

The African Union is an ambitious attempt by the African states to expand Pan African cooperation and capabilities. The analysis of the African Union capabilities has shown that the African Union has decided to build structures and decision-making procedures which eventually would give the African Union good chances of becoming an efficient organization in dealing with armed conflicts in Africa. A number of shortfalls, however, reduces the momentum of the organization substantially and risks putting the whole idea of an African Union in peril. Two major shortfalls characterize the African Union: lack of funding and insufficient forces and force structure. Any attempt to overcome the shortfalls and increase the African Union possibilities to conduct peace support operations must address these two issues. Furthermore, a number of more moderate shortfalls have to be addressed. Sustained levels of funding to allow incremental increases of fully capable capacities are a general problem limiting all attempts to develop the African Union and therefore, the first priority for attention. Funding is required both to build-up and sustain structures and to conduct operations.[*]

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[*] Makinda Samuel M , Okumu F. Wafula, *The AU Challenges of globalization, Security and Governance* op cit., p 15

Bibliography

Books

Adekeye Adebajo, *Building Peace in West Africa: Liberia, Sierra Leone, and Guinea Bissau* (Boulder: Lynne Rienner, 2002)

Amate COC, *Inside the OAU: Pan-Africanism in Practice* (New York: St. Martin's Press, 1986)

Anyang' Nyong'o, *Regional Integration in Africa: Unfinished Agenda* (Nairobi: Academy Science Publishers, 1990)

Arkell Anthony, *A History of the Sudan, From the Earliest Times to 1821* (London: Athlone, 1961)

Barbara Barungi & Karanja Mbungua: *From Peacekeeping to Peace Building: Post Conflict Reconstruction in Africa* (Durban: ACCORD, 2006)

Beshir Mohamed, *The Southern Sudan: From Conflict to Peace* (New York: Barnes and Noble, 1976)

Bjorn Moller, *The Somali Conflict: The Role of External Actors* (Denmark: Danish Institute for International Studies, 2003)

Burr Millard and Robert Collins, *Darfur The Long Road to Disaster* (Princeton N.J.: Markus Wiener, 2006)

Burton John and Frank Dukes, *Conflict: Practices in Management, Settlement & Resolution* (New York: St. Martin's Press, 1990)

Chege Michael, 'Kenya: Back from the Brink' op. cit. pp. 125-139:125

Cheru F., African Renaissance: Roadmaps to the Challenge of Globalization (London: Zed Books, 2002)

Cilliers Jackie et al, From Peacekeeping to Complex Emergencies: Peace Support Missions in Africa (Pretoria: ISS, 1999)

Collier P. and Vicente PC, *Violence, Bribery and Fraud The Political Economy of Elections in Africa* (Oxford: University of Oxford Press, 2009)

Collins G., *Incorporating Africa's Conflicts Into the War on Terror* (London: Routledge, 2007)

Connie Peck, *Sustainable Peace The Role of the UN and Regional Organizations in Preventing Conflict* (Lanham, MD: Rowman & Littlefield, 1998)

Daly M. W., *Darfur's Sorrow: A History of Destruction and Genocide* (Cambridge: Cambridge University Press, 2007)

De Waal Alex, *War in Darfur and the Search for Peace* (USA: Harvard University Press, 2007)

Deng Francis et al. (eds), *Sovereignty and Responsibility: Conflict Management in Africa* (Washington, DC: Brookings Institution, 1996)

Diane Thomson, *Africa In Crisis: New Challenges and Possibilities* (London, Pluto Press, 2005)

Doyle Michael and Nicholas Sambanis, *Making War and Building Peace* (Princeton: Princeton University press, 2006)

Eric G. Berman and Katie E. Sams, *Peacekeeping in Africa: Capabilities and Culpabilities* (Geneva: UN Institute for Disarmament Research, 2000) p. 39

Fisher Simon, Jawed Ludin, Steve Williams, and Dekha I. *Working With Conflict* (Birmingham, UK: Zed Books, 2000)

Flint Julie and Alex de Waal, *Darfur: A Short History of a Long War* (London: Zed Books, 2006)

Folger J.P. et al, *Working Through Conflict: Strategies for Relationships, Groups, and Organizations*. (New York: Harper Collins College Publishers, 1993)

Francis David J., *Uniting Africa: Building Regional Peace and Security Systems* (Aldershot: Ashgate, 2006)

Fuller G., *The future of political Islam*. (New York: MacMillan, 2007)

GoK, *The CIPEV Report* (Nairobi: Government Printers, 2009)

Guy Burgess and Heidi Burgess, *Parties to Intractable Conflict* (Boulder: University of Colorado, 2004)

Haas Ernest, *Beyond the Nation-State: Functionalism and International Organization* (Stanford: Stanford University Press, 1964)

Hauss, Charles, *International Conflict Resolution: International Relations for the 21st Century* (New York: Continuum Publishing, 2001)

Held D., *Models of Democracy* (Cambridge: Polity Press, 1996)

International Crisis Group: "Can the Somali Crisis Be Contained?" *Africa Report*, no. 116 (Brussels: ICG, 2006)

Jeong Ho-Won, ed. *Conflict Resolution: Dynamics, Process and Structure* (Brookfield, VT: Ashgate Publishing Co., September 1999)

Jérôme Lafargue and Musambayi, Katumanga, *Kenya in turmoil: Post Election Violence and Precarious Pacification* (Dar es Salaam: Mkuki Na Nyota Publishers, 2008)

John Burton, *Conflict: Resolution & Provention* (New York: St. Martin's Press, 1990)

John Paul Lederach, *Preparing for Peace: Conflict Transformation across Cultures* (Syracuse, NY: Syracuse University Press, 1995)

Kheel Theodore W. et al., *The Keys to Conflict Resolution: Proven Methods of Settling Disputes Voluntarily* (New York: Four Walls Eight Windows, 1999)

Kriesberg Louis, *Social Conflicts* (Englewood, NJ: Prentice-Hall, 1982)

------------------, *Constructive Conflicts: From Escalation to Resolution* (Lanham, Md.: Rowman & Littlefield Publishers, 2006)

Louise Fawcett and Andrew Hurrell, *Regionalism in World Politics: Regional Organization and International Order* (Oxford: Oxford University Press, 1995)

Lucian Niemeyer, *Africa: The Holocausts of Rwanda and Sudan* (Albuquerque: University of New Mexico Press, 2006) p. 19

Mack Andrew, Dying to Lose: *Human Security Brief 2007. Explain the Decline in Global Terrorism* (Canada: Simon Fraser University, 2007)

Makinda Samuel M., Okumu F. Watula, *The AU: Challenges of globalization, Security and Governance* (Routledge: Global Institutions, 2008)

Makumi Mwagiru, 'The Greater Horn of Africa Conflict System: Conflict Patterns, Strategies and Management' USAID Conference on Conflict and Conflict Management in the Greater Horn of Africa, Nairobi, Kenya, 21-23 May 1997

------------------, *The Water's Edge: Mediation of Violent Electoral Conflict in Kenya* (Nairobi: IDIS, 2009)

------------------, *Theory, Processes and Institutions of Management* (Nairobi:CLARION, 2006)

Morton Deutsch, *The Resolution of Conflict: Constructive and Destructive Processes* (New Haven: Yale University Press, 1973)

Nye J., *African Integration* (Cambridge: Harvard University Press, 1965)

Onwuka R.I. and Sesay A. (eds.), *The Future of Regionalism in Africa* (London: Macmillan Publishers, 1985)

Paul Wehr et al, *Using Conflict Theory* (Cambridge: Cambridge University Press, 2002)

PeaceNet, *Post-Election Violence Facts and Figures* (Nairobi: PeaceNet, 2008)

Peter Anyang' Nyong'o et al. (eds), *New Partnership for Africa's Development NEPAD A New Path?* (Nairobi: Heinrich Böll Foundation, 2002)

Pityana Barney Nyama, *Post Conflict Societies in Africa: The Role of the African Union* (London: King's College, 2006)

Roland Paris, *At War's End Building Peace After Civil Conflict* (Cambridge: Cambridge University Press, 2005)

Rudolf Slatin, *Sword and Fire in Sudan. A Personal Narrative of Fighting and Serving the Dervishes 1879-1895* (London: Edward Arnold, 1898)

Saadia Touval, I. William Zartman, *International Mediation in Theory and Practice* (Boulder, Colo.: Westview Press, 1985)

Saaty and Alexander, *Conflict Resolution The Analytical Hierarchy Approach* (New York: Praeger Publishers, 1989)

Scholte J. A., *International Relations of Social Change* (Buckingham: Open University Press, 1993)

Stevenson Jonathan, *Risks and Opportunities in Somalia* (London: Routledge, 2007)

Thabo Mbeki, *Africa: The time has come* (Cape Town: Tafelberg/Mafube, 1998) Bereket Habte Selassie, *Conflict and Intervention in the Horn of Africa* (New York & London: Monthly Review Press, 1980)

Threats D. and Knights W., *The Somalia Affair, Peacekeeping and the New Imperialism* (Toronto: University of Toronto Press, 2005)

Tony Addison, *From Conflict to Recovery in Africa* (Oxford: Oxford University Press, 2003)

Touval Saadia and William Zartman, *International Mediation In Theory and Practice* (Boulder, Colorado: Westview Press, 1985)

Vayrynen Raimo, ed. *New Directions in Conflict Theory. Conflict Resolution and Conflict Transformation* (London: Sage, 1991)

Warren Hoge, *Sudan Flying Arms to Darfur United Nations Panel of Experts on the Sudan* (New York: UN, 2007)

World Bank, Can Africa Claim the 21st Century? (Washington DC: The World Bank, 2000)

Journals and Papers

'Sudan VP commends AU's role in post-conflict reconstruction' *Sudan Tribune* Sunday 27, March 2005

Abayomi Azikiwe, 'Somali TFG Under Siege as Opposition Takes More Territory' World News Saturday May 23, 2009 also available online at http://axisoflogic.com/artman/publish/Article_55843.shtml

Abramovici P., 'The United States: The New Scramble for Africa' *Review of African Political Economy*, Vol. 31, 2004

African Union, 'Protocol on Amendment to the Constitutive Act of the African Union' 11 July 2003 Article 3(1) also available at http://www.africa-union.org

African Union, 'Protocol on Amendment to the Constitutive Act of the African Union' 11 July 2003 Article 3(f) also available at http://www.africa-union.org

Andrew, K & V. Holt. 2007. United Nations- African Union Coordination on Peace and Security in Africa. Henry L. Stimson Centre, Issue Brief August 2007

AU, Report on the Elaboration of a Framework Document on Post-Conflict Reconstruction and Development (AU Executive Council, 2006)

Baimu and Sturman 'Amendment to the African Union's Right to Intervene: A Shift from Human Security to Regime Security?" African Security Review Vol. 12 Issue 2, 2003

Barnes Cedric and Hassan Harun, 'The Rise and Fall of Mogadishu's Islamic Courts' Journal of Eastern African Studies Vol. 1 Issue 2, 2007 pp. 151 – 160

Behrends Andrea, 'The Darfur Conflict and the Chad/Sudan Border: Regional Context and Local Re-configurations' Sociologus Vol. 57 No. 11

Bratton Michael and Kimenyi Mwangi, 'Voting in Kenya: Putting Ethnicity in Perspective'

Burr Millard and Robert Collins, Darfur: The Long Road to Disaster op. cit., p. 108

Chester A. Crocker et al., Ready for Prime Time: The When, Who and Why of International Mediation, 19 Negotiation Journal v. 151, pp. 151-67 (Apr. 2003)

Cilliers and Sturman, 'The Right Intervention Enforcement Challenges for the African Union' African Security Review Vol. 12 No. 1, 2003

Defense & Security Analysis Vol. 24, Issue 3, 2008 pp. 267 – 279

Dominique Njike, 'Streamlining The Process of Economic Integration in Africa' Advisory Brief No. 4 p. 5 available online at http://www.thecommonwealth.org/Shared_ASP_Files/

Dorina Bekoe, 'Kenya: Setting the Stage for Durable Peace' USIPeace Briefing, April 2008

Dukes E. Frank, "Why Conflict Transformation Matters: Three Cases." November 1999 Available at: http://www.gmu.edu/academic/pcs/Dukes61PCS.html.

Greater Darfur' (Sudan. WHO, 2004) also available online at http://www.who.int/mediacentre/news/releases/2004/pr63/en/index.html

Human Rights Watch, 'Darfur in Flames: Atrocities in Western Sudan' Report of the Human Rights Watch, April 2004 Vol. 16 Issue 5, also available online at http://www.hrw.org/reports/2004/sudan0404/

International Peacekeeping, Vol. 15 Issue 2, 2008

IRIN, 'Somalia: A Turtous Road Ahead in Search of Peace', 13 March 2007 also available

Joseph B. Stulberg, Should Mediator be neutral? Journal of American Arbitration (vol. 4, 2005)

Journal of Eastern African Studies, Vol. 2, No. 2, July 2008 pp. 272-289

Major Robert Feldman, 'Problems Plaguing the African Union Peacekeeping Forces'

Menkhaus Ken, 'The Crisis in Somalia: Tragedy in Five Acts' African Affairs, Vol. 06 Issue 204, 2007

Msuya Mangachi, 'The Use of African Union Specialised Technical Committees as a Foundation for a Union Government for Africa' Institute for Security Studies Monograph available online at http://www.iss.co.za

Mulugeta A., 'Promises and Challenges of a Sub-Regional Force for the Horn of Africa',

Naison Ngoma, 'SADC: Towards a Security Community?' African Security Review, 2003, Vol. 12 Issue 3

online   at
http://www.alertnet.org/thenews/newsdesk/IRIN/1571219de83e61803e7259d3e25
6f0fe.html

Oxfam, 'Rising to the Humanitarian Challenge in Iraq' Briefing Paper, July 2007 also available
online at
http://www.oxfam.org/en/policy/briefingpapers/bp105_humanitarian_challenge_i
n_iraq_0707

Patrick Mazimhaka, AU-IGAD, Report of Fact Finding Mission to Somaliland 2005

Peter-Baker D., 'The AU standby Force and the Challenge of Somalia' *African Security
Review Vol* 16 Issue 2, 2007

Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-
General on January 25, 2005

Sudan News Agency available online at http://www.suna-sd.net/Index_EN.htm

Tim Murithi, 'The African Union' s Foray into Peacekeeping: Lessons from the Hybrid
Mission in Darfur' *Journal of Peace, Conflict and Development*, Issue 14, July
2009

Ulrich Golaszinski, 'Africa's Evolving Security Architecture' *FES Briefing Paper* December
2004

Van de Vliert, 'Escalative Intervention in Small-Group Conflicts' *Journal of Applied
Behavioral Science* Vol. 21

World Health Organization, 'Mortality Survey among the Internally Displaced Population.

Peace and Security Council Communiques

AU Communique of the 105th PSC meeting, 18 January 2008 available online at
www.africanunion.org

AU Communique of the 10th PSC meeting, 25 May 2004, available online at
www.africanunion.org

AU Communique of the 10th PSC meeting, 25 May 2004, available online at
www.africanunion.org

AU Communique of the 10th PSC meeting, 25 May 2004, available online at
www.africanunion.org

AU Communique of the 113th PSC meeting, 28 February 2008, available online at
www.africanunion.org

AU Communique of the 13th PSC meeting, 27 July 2004, available online at
www.africanunion.org

AU Communique of the 142nd PSC meeting, 21 July 2008, available online at
www.africanunion.org

AU Communique of the 16th PSC meeting, 17 September 2004, available online at
www.africanunion.org

AU Communique of the 17th PSC meeting, 20 October 2004, available online at
www.africanunion.org

AU Communique of the 185th PSC meeting, 6 April 2009, available online at
www.africanunion.org

AU Communique of the 18th PSC meeting, 28 April 2005, available online at
www.africanunion.org

AU Communique of the 24th PSC meeting, 7 February 2005, available online at

www.africanunion.org

AU Communique of the 24th PSC meeting, 7 February 2005, available online at
www.africanunion.org

AU Communique of the 28th PSC meeting, 28 April 2005, available online at
www.africanunion.org

AU Communique of the 28th PSC meeting, 28 April 2005, available online at
www.africanunion.org

AU Communique of the 29th PSC meeting, 12 May 2005, available online at
www.africanunion.org

AU Communique of the 41st PSC meeting, 10 October 2005 28 April 2005, available online at
www.africanunion.org

AU Communique of the 69th PSC meeting, 19 January 2007, available online at
www.africanunion.org

Meeting	Date Held	Subject
1.	16 March 2004	PSC Rules of Procedure
2.	25 March 2004	Burundi
3.	27 March 2004	Cote D'ivoire
4.	6 April 2004	ICGLR, AU Liason Office in Liberia
5.	13 April 2004	ICGLR, AU Liaison Office, Darfur, Cote D'Ivoire, DRC
6.	29 April 2004	Somalia, Comoros
7.	3 May 2004	Burundi
8.	21 May 2004	Launch PSC, statement of commitment
9.	25 May 2004	Angola, Sierra Leone, Comoros, Ethiopia, Sudan, Burundi, DRC, Central Africa, Liberia, Darfur, Rwanda
10.	25 May 2004	Darfur, Somalia and Cote D'ivoire
11.	4 June 2004	DRC
12.	4 July 2004	Darfur, DRC, Burundi, Cote D'Ivoire, Eritrea-Sudan, Eritrea-Ethiopia
13.	27 July 2004	Darfur
14.	9 August 2004	Darfur
15.	17 August 2004	Burundi
16.	17 September 2004	Darfur, Somalia
17.	20 October 2004	Darfur
18.	25 October 2004	Somalia
19.	8 November 2004	Cote D'Ivoire
20.	15 November 2004	UN Meetings, Burundi, Cote D'Ivoire
21.	7 December 2004	DRC and Rwanda
22.	5 January 2005	Somalia
23.	10 January 2005	Cote D'Ivoire, DRC-Rwanda,

Meeting	Date Held	Subject
		Darfur
24.	7 February 2005	Somalia, Togo
25.	25 February 2005	Togo
26.	31 March 2005	Somalia
27.	20 April 2005	Burundi, Darfur, Guinea Bissau
28.	28 April 2005	Somalia
29.	12 May 2005	Somalia
30.	27 May 2005	Togo
31.	8 June 2005	Guinea Bissau
32.	17 June 2005	The ICGLR process
33.	24 June 2005	DRC-Rwanda
34.	3rd July 2005	Darfur, Cote D'Ivoire
35.	25 July 2005	Liberia, Guinea Bissau
36.	4 August 2005	Sudan, Mauritania
37.	8 September 2005	Mauritania, Burundi
38.	14 September 2005	Cote D'Ivoire
39.	30 September 2005	Brainstorming Retreat on Post Conflict Reconstruction
40.	6 October 2005	Cote D'Ivoire
41.	10 October 2005	Darfur
42.	20 October 2005	Somalia
43.	22 November 2005	Darfur
44.	29 December 2005	Central African Republic
45.	12 January 2006	Darfur
46.	10 March 2006	Darfur
47.	21 March 2006	Chad-Sudan, Comoros
48.	6 April 2006	Darfur
49.	13 April 2006	Chad
50.	28 April 2006	Darfur
51.	15 May 2006	Darfur
52.	29 May 2006	Cote D'Ivoire
53.	31 May 2006	Treaty of Pelindaba
54.	2 June 2006	DRC
55.	17 June 2006	Somalia

56.	19 June 2006	Burundi, ICC
57.	21 June 2006	Mauritania
58.	27 June 2006	Darfur
59.	24 July 2006	Somalia, DRC
60.	18 August 2006	Liberia
61.	31 August 2006	Somalia
62.	13 September 2006	Somalia
63.	20 September 2006	Darfur
64.	17 October 2006	Cote D'Ivoire
65.	8 November 2006	Burundi
66.	30 November 2006	Darfur
67.	7 December 2006	Central African Republic
68.	14 December 2006	Coordination and Consultation Mechanism between the PSC and the UN Security Council
69.	19 January 2007	Somalia
70.	12 February 2007	Chad-Sudan
71.	16 February 2007	Republic of Guinea
72.	13 March 2007	2nd Summit of the International Conference Process on the Great Lakes Region
73.	19 March 2007	Cote D'Ivoire, Panel of the Wise, Somalia
74.	29 March 2007	Cote D'Ivoire
75.	4-5 April 2007	Darfur
76.	10 April 2007	Mauritania, Darfur
77.	09 May 2007	Comoros
78.	9 June 2007	Comoros
79.	22 June 2007	Darfur
80.	18 July 2007	Somalia
81.	20 July 2007	Burundi
82.	23 July 2007	Burundi
83.	30 July 2007	Brainstorming retreat of the PSC
84.	31 July 2007	Comoros
85.	8 August 2007	PSC retreat
86.	10 August 2007	Burundi

87.	13 August 2007	Comoros
88.	14 August 2007	Darfur
89.	24 August 2007	Sudan
90.	27 August 2007	Sudan, Chad and the Central African Republic
91.	29 August 2007	Burundi
92.	26 September 2007	AU and RECs
93.	27 September 2007	Comoros and Central African Republic
94.	2 October 2007	Darfur
95.	10 October 2007	Comoros
96.	23 October 2007	Darfur
97.	25 October 2007	DRC
98.	7 November 2007	Relationship between the UN and regional organizations
99.	9 November 2007	International Committee of the Red Cross
100.	12 November 2007	Modalities for the Functioning of the Panel of the Wise
101.	21 November 2007	African Standby Force (ASF)
102.	26 November 2007	Comorian Island
103.	29 November 2007	Sudan
104.	20 December 2007	Cote D'Ivoire, Somalia
105.	18 January 2008	Somalia
106.	19 January 2008	DRC
107.	21 January 2008	Comoros Island
108.	21 January 2008	Consultation with international organizations
109.	21 January 2008	Kenya
110.	18 February 2008	Chad
111.	18 February 2008	Comorian Island
112.	28 February 2008	Darfur
113.	28 February 2008	Kenya
114.	10 March 2008	UN Peace building architecture
115.	14 March 2008	Kenya

116.	28 March 2008	Somalia
117.	28 March 2008	Comorian Island
118.	xxx	
119.	11 April 2008	Mbororo
120.	xxx	
121.	28 April 2008	Comoros
122.	xxx	
123.	29 April 2008	Somalia
124.	29 April 2008	Comoros
125.	2 May 2008	Djibouti-Eritrea
126.	14 May 2008	African Standby Force (ASF)
127.	14 May 2008	Sudan
128.	26 May 2008	Cote D'Ivoire
129.	xxx	
130.	29 May 2008	Central African Republic
131.	xxx	
132.	29 May 2008	Somalia
133.	xxx	
134.	6 June 2008	Comorian Island
135.	xxx	
136.	12 June 2008	Djibouti-Eritrea
137.	20 June 2008	Zambia
138.	29 June 2008	Comoros, Sudan-Chad, DRC-Rwanda, Burundi, Cote D'Ivoire
139.	29 June 2008	Somalia
140.	29 June 2008	Djibouti-Eritrea
141.	11 July 2008	ICC
142.	21 July 2008	Sudan
143.	24 July 2008	Ouagadougou
144.	7 August 2008	Mauritania
145.	8 August 2008	Sudan
146.	8 August 2008	Somalia
147.	12 August 2008	Burundi
148.	22 August 2008	Pan African Parliament
149.	28 August 2008	Terrorism
150.	xxx	
151.	22 September 2008	Mauritania, Darfur, Somalia
152.	7 October 2008	Funding
153.	xxx	
154.	30 October 2008	Ouagadougou,

		DRC
155.	31 October 2008	DRC
156.	11 November 2008	Mauritania, Somalia, Danish Foreign Policy Parliamentary Committee
157.	14 November 2008	Darfur
158.	19 November 2008	Treaty of Pelindaba, Chemical Weapons Convention
159.	24 November 2008	Sudan
160.		
161.	16 December 2008	PSC- CSOs, ICRC
162.	18 December 2008	NATO
163.	22 Dec 2008	DRC, Somalia, Mauritania, Guinea Bissau
164.	24 December 2008	Republic of Guinea
165.	29 December 2008	Republic of Guinea
166.	6 January 2009	African Standby Force
167.	21 January 2009	Somalia
168.	5 February 2009	Mauritania
169.	10 February 2009	Guinea, Madagascar
170.	18 February 2009	Somalia, Doha, Equatorial Guinea
171.	23 February 2009	Somalia
172.	xxx	
173.	xxx	
174.	3 March 2009	Guinea Bissau
175.	5 March 2009	Sudan
176.	6 March 2009	Panel of the Wise
177.	11 March 2009	Somalia, PSC representation
178.	13 March 2009	Peacekeeping operations, Committee of Sanctions
179.	16 March 2009	Madagascar
180.	17 March 2009	Madagascar
181.	20 March 2009	Madagascar
182.	24 March 2009	Mauritania

183.	26 March 2009	Republic of Guinea
184.	xxx	
185.	6 April 2009	Darfur, peace and security
186.	6 May 2009	Mauritania
187.	8 May 2009	Chad
188.	xxx	
189.	xxx	
190.	22 May 2009	Somalia
191.	5 June 2009	Panel of the Wise
192.	10 June 2009	Mauritania, Guinea Bissau and Côte d'Ivoire
193.	xxx	
194.	15 June 2009	Somalia
195.	17 June 2009	Central African Republic
196.	29 June 2009	Mauritania
197.	10 July 2009	Guinea
198.	21 July 2009	Darfur, Somalia
199.	17 August 2009	Burundi
200.	21 August 2009	UN/AU disarmament cooperation
201.	25 August 2009	Sudan
202.	10 September 2009	Madagascar