SUB-REGIONAL ORGANIZATIONS IN CONFLICT MANAGEMENT IN AFRICA: A CASE STUDY OF THE IGAD IN SUDAN : 1993 – 2004

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Project paper submitted at the University of Nairobi, Institute of Diplomacy and International Studies, in partial fulfillment of the requirements for the Degree of Master of Arts, in Diplomacy and International Studies.

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DECLARATION

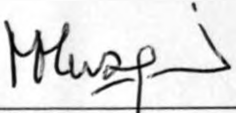This project is my original work and has not been presented at any other university.

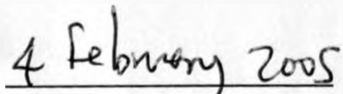**EVALYNE O. BOSIRE**

4TH FEB 2005
Date

The project has been submitted for examination with my approval as university supervisor.

DR. MAKUMI MWAGIRU

4 February 2005
Date

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DEDICATION

This project is dedicated to all people of goodwill who have contributed

towards, and participated in conflict management in Africa.

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LIST OF ABBREVIATIONS

ASAS –   Association of Southern African States

DRC –   Democratic Republic of Congo

ECOMOG –   ECOWAS Ceasefire Monitoring Group

ECOWAS –   Economic Community of West African States

ELI –   Egypt-Libya Initiative

FLS –   Front Line States

IGAD -   Intergovernmental Authority on Development

IGAD (D) -   Intergovernmental Authority on Drought and Desertification

IPA –   International Peace Academy

IPF –   IGAD Partner's Forum

NDA –   National Democratic Alliance

OAS –   Organization of American States

OAU –   Organization of African Unity

OSCE –   Organization of Security Co-Operation in Europe

SADC –   Southern African Development Community

SPLA –   Sudanese People's Liberation Army

SPLM -   Sudanese People's Liberation Movement

USIP –   United States Institute of Peace

WEU –   Western Europe Union

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CHAPTER ONE

1.1 INTRODUCTION

The fall of the Berlin Wall in 1989, which signaled the end of the East-West ideological rivalry and the threat of nuclear confrontation between the superpowers gave rise to much optimism that the world was entering a new era. The envisaged era was one that would bring peace between and within nations in which conflicts that had been promoted by the Cold War environment would be resolved peacefully. It was expected that the period would usher in political stability and economic development especially in peripheries like Africa. However, in the aftermath of the Cold War, Africa has suffered from a number of intra-state civil wars and from other forms of violent social upheavals and conflicts. Some of these conflicts originated during the Cold War era and persisted or intensified throughout the 1990 to the new millennium.

Notably, the end of the Cold War seriously compounded the continent's security dilemma in several important ways. Part of the problem lies in the fact that the post Cold War international order abolished 'political protégés' which had been hitherto protected by the superpowers. No wonder then that in 1992 the continent was declared the most violent and in 1993, it accounted for 11 of the 26 major conflicts in the world[1]. Further, it has been acknowledged that the major problem confronting Africa is that of armed conflicts[2]. Besides, Africa is the worlds poorest continent and these conflicts deepen its impoverishment and sow chaos and instability that spill across state boundaries[3].

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[1] World Military Expenditures. 1993 (Washington, DC: World Priorities, 1993) p. 20.

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Efforts to manage the armed conflicts in Africa are characterized by confusion and bewilderment[4] and this situation has been associated with the uncertain priorities of the major actors in the global geopolitics and the increasing activity of continental and sub-regional organizations unmatched by any demonstrated effectiveness and even the opportunistic nature of warring groups that emerge with the collapse of African states[5].

The development of a conflict avoidance and resolution capability by regional and sub-regional agencies, like the OAU and ECOWAS was designed to give practical expression to the concept of 'try Africa first[6]. Both during and after the Cold War, 'try Africa first' was justified in several ways. It was designed to ward off superpower and great power intrusion into the continent by giving African states the first option to find solutions to inter-or intra –state conflicts in the continent. The concept then, is unarguably in line with the charter of United Nations which recognizes the role of regional agencies in the maintenance of world peace and security[7]. Regional and sub-regional conflict management initiatives confirm the fact that they do possess certain attributes and advantages which the global UN lacks: their local experience, local expertise and geographical proximity which make them ideal instruments at least in theory for managing conflicts within their own region[8].

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[2] International Peace Academy, The OAU Mechanism for Conflict Prevention, Management and Resolution Report of a Conference Co-Sponsored by IPA and OAU, Cairo, 7-11/5/1994. p. 11.

[3] Statement by Meles Zenawi, President of Ethiopia, in Africa Recovery, 9 (2) August 1995.

[4] "The US Contribution to Conflict Prevention, Management and Resolution in Africa", Report of a USIP Symposium of 28 September 1994.

[5] Maren, Michael, 1996, "Somalia: Whose Failure?" Current History 95, 202.

[6] Z. Cervenka. See his Africa – Unfinished Quest for Unity (New York: Africana, 1977).

[7] Chapter III of the UN Charter.

[8] Amadu Sesay: 'Regional and Sub-regional Conflict Management' in Sola Akinrinade and Amadu Sesay (eds) AFRICA IN THE POST-COLDWAR INTERNATIONAL SYSTEM (Pinter, London 1998).

Local instability poses a great threat to regional and sub-regional actors anywhere in the world. As such, it is in the individual and collective interest of African states in both the short and long term to manage and resolve conflicts in their continent. In the post Cold War era, try Africa first is relevant due to the increasing political and economic marginalisation of the continent. With the attention of the Western Powers focused on the former soviet satellites in the Eastern Europe and Russia itself, the onus is on Africans to find effective multilateral solutions to their problems at both regional and sub-regional levels, a concern which has been echoed by the secretary generals of the UN and the OAU[9].

The OAU was created in 1963 with the desire by the newly independent states to maintain peace and harmony as one of the major purposes. The fundamental principles of the OAU upheld the sovereign equality of the new states, barred members from interfering in the domestic affairs of one another and condemned all forms of subversion and assassination by member states unreservedly[10]. An elaborative conflict management machinery was created by the founding fathers of the OAU in the Commission on Mediation, Arbitration and Conciliation which unfortunately remained defunct as it anticipated conflicts which had no bearing on the realities on the ground. Generally, the OAU played only a limited role in managing conflicts in Africa. During the Cold War, a weak institutional base and the *ad hoc* nature of the strategies which tended to make them poor 'fire brigade' operations have been cited as factors responsible for the organization's poor record. Also, the fact that success depended to a greater extent on the nature of the conflict to be managed or resolved and even the disposition of the parties in conflict and sometimes even that of the superpowers kept the organization handicapped. The restraint

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[9] African Recovery, 9 (2) August 1995 p. 1,4.
[10] C.O.C Amate. Inside the OAU. Pan – Africanism in Practice. (Cambridge, UK; St. Martin's 1986).

imposed by the principle of non-interference in the domestic affairs of other states which the OAU members subscribed to was also a major limitation[11] and lingered on for long[12].

For instance, throughout the long war between Ethiopia and Eritrea, the OAU maintained an embrassing silence which was condemned by the new Eritrean Head of state at the Cairo summit in July 1993. The OAU also kept quiet throughout the long reign of terror of the three tyrants in the 1970s: Idi Amin in Uganda, Jean Bédel Bokassa in the Central African Republic and Macias Nguema in Equatorial Guinea[13].

With the end of the Cold War the OAU was left in search of a new role and relevance as the major issues of decolonisation and apartheid that made the organization relevant to its members were no longer on the agenda of Pan- African summits. However, with the unprecedented wave of violent intra-state conflict that swept across the continent in the 1990s, conflict management became an issue to which the OAU had to turn its attention to. This notwithstanding, the OAU was reluctant to get actively involved in post-Cold War conflict management efforts. This is majorly due to the fact that the new conflicts were majorly internal yet the OAU and its members mostly interpreted the non-interference clause of the OAU charter[14] dogmatically.

The poor record of the OAU in terms of conflict management led to emergence of conflict management capabilities within the sub-regions in Africa. The first was ECOWAS which in

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[11] See for Example A. Sessay, Humanitarian Intervention in Liberia: Implications for State and Sub-Regional Security and International Society' Paper presented at the Workshop on Humanitarian Intervention and International Society, Department of International Relations, London School of Economics, 13 May 1995.
[12] M. Mwagiru. 'Who Will Bell the Cat? Article 3 (2) of the OAU Charter and the Crisis of the OAU Conflict Management' (Kent Papers in Politics and International Relations. Series 4, No. 7, 1995).
[13] A. Sessay, et al. The OAU, after Twenty years (Boulder, Co. Westview 1994). See also C.O.C Amate. Inside the OAU op. cit.
[14] Article 3 (2) of the OAU Charter.

1988 – 89 developed conflict management concerns[15]. A similar experience led to the amendment of the IGAD charter to enable it to manage sub-regional conflicts. The amendment of the IGAD Charter in 1996 was a sign of the strengthening of sub-regional institutions and their conflict management capacities. Behind this development was the thinking that sub-regional organizations could concern themselves with matters other than economic ones. It was also necessary to face realities and admit that development could not take place in a security vacuum[16].

1.2 THE PROBLEM

There have been high expectations of the role that sub-regional organizations could play in the resolution of conflicts. Africa is a vast continent and the cultural and linguistic variations within its sub-regions are often considerable. It seems reasonable therefore that the involvement of sub-regional organizations in conflict management would bring specific advantages. Important to note, all regional and sub-regional organizations derive their authority to act on international security issues from the UN. Theirs is essentially a derivation of the role of the UN in peaceful settlement of disputes, a principle that makes one of the bedrocks of the international legal and political system.

The UN Charter forbids the use of force or threat of use of force in the conduct of relations between states[17] and further specifies a menu of methods of peaceful settlement of disputes[18].

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[15] Carol Lancaster: The Lagos Three: Economic Regionalism in Sub-Saharan Africa in J.W Harbson and D. Rothchild (eds) Africa in World Politics (Boulder, Co. Westview 1995) p. 249 – 267.
[16] George Obiozor et al, Nigeria and ECOWAS Since 1985. Towards a Dynamic Regional Integration (Enugu Fourth Dimension Publishing Company Ltd p. 103 –111.
[17] Article 2 (4), UN Charter.

Also in the Charter of the Organization of African unity, the methods of peaceful management were specified[19]. Sub-regional organizations deriving their responsibility from the UN and OAU/AU have not gone beyond the provisions in their charters.

The OAU has since gone through a transition to become the African Union (AU). Further, its evident through a perusal of the Constitutive Act of the AU that the general thrust toward conflict prevention and management is to make use of the existing sub regional groupings as part of the building blocks to realize a peaceful and stable Africa. Then immediate question then is how prepared are sub regional groupings in the African Continent in dealing with the myriad sources of insecurity.

The sub-regional organizations that have become involved in conflict management: ECOWAS in West Africa, IGAD in East Africa and SADC in Southern Africa were not initially designed for this purpose[20]. The records of the best known initiatives suggest that the capabilities these bodies bring to peacemaking is currently overwhelmed by the logistic, political and financial challenges they encounter. For instance, mediation of a conflict is one of the recommended methods of peaceful conflict management in the intergovernmental organizations charters. However, the whole idea of mediation of a conflict by a sub-regional organization raises fundamental problems regarding the identities of the third parties involved. Heads of states involved in the mediation of a conflict within a conflict system in which they are part of have the identity of both endogenous and exogenous third parties. Some of them are heterogenous[21] in character and this has serious implications on their ability to respond to the conflict because they are involved both politically

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[18] Article 33, UN Charter.
[19] Article 3 (4), OAU Charter.
[20] ECOWAS is the Economic Community of West African States; IGAD is the Intergovernmental Authority in Development; SADC is the Southern African Development Community.

and psychologically in the conflict. As such, the very reasons that make it compelling for sub-regional organizations to participate in search for peaceful solutions in conflicts in their own sub-regions can also lead to further complications and spread of conflicts in the region.

This research project intends to identify and examine African sub-regional conflict management efforts with a specific focus on the IGAD sub-region which has put in place a mediation process in Sudan. Through the testing of the hypotheses this research will identify possible strategies for enhancing the capacities of sub regional organizations in conflict management in Africa.

1.3 Objectives of the study

1. To identify African sub regional conflict management mechanisms.
2. To investigate the rationale behind sub-regional organizations concerns for conflict management in their own sub-regions.
3. To investigate if intra-regional complications crop up when a sub-regional organization is managing a conflict in its own sub-regions and how this impacts on the process of conflict management.
4. To ascertain the role of other peace making actors in peace initiatives led by sub regional organizations.

1.4 Hypotheses

The objectives of the study will be pursued through consideration of the following hypotheses.

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[21] M. Mwagiru. Internal Conflict and the Process of Mediation: The 1985 Uganda Peace Process East African

1. Sub-regional organizations have a comparative advantage in dealing with conflicts in their own sub-regions.

2. Sub-regional organization's concern and participation in conflict management in their own sub-regions leads to further complications and spread of conflicts.

3. A leadership and conflict management role by institutions with a wider mandate enhances effectiveness of sub-regional organizations in conflict management.

1.5 Justification

The problem of conflicts in Africa and how they can be managed efficiently has been viewed as one of the big challenges for African diplomacy[23]. Further, the problem in African is not conflict *per se* but the inability to manage and peaceably resolve inevitable social and other conflicts[24]. While more internal conflicts have occurred in Africa in the post Cold War era than in any other major world region[25], the continent is becoming increasingly marginalized in the United States of America and European foreign policy. Although armed conflicts have been brought to an end in countries like Namibia, South Africa and Mozambique, the perception of conflict in Africa especially international response to them is grim. As such, Africans need to develop a regional capacity to prevent, contain and resolve conflicts relying principally on their own capabilities.

Africans have been active in trying a number of collective mechanisms for providing conflict management and security for both internal and interstate conflicts. As noted earlier on, due to the

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Journal of Peace and Human Rights Vol. 3 No. 2 (1997) p. 171 – 187.

[23] M. Mwagiru. Internal Conflict and the Process of Mediation: The 1985 Uganda Peace Process (1997) op cit p. viii.

[24] R. Joseph: The International Community and Armed Conflict in Africa in Gunnar M. Sorbo and Peter Vale (eds) Out of Conflict From War to Peace in Africa.

poor record of the OAU and the proliferation of intra-state conflicts in the continent, sub-regional institutions are currently the most utilized, for conflict management and they have an important potential for the future. However, questions have arisen regarding the composition of sub-regional organizations and their relationship with the conflicts they are managing and therefore the implications of this relationship on their effectiveness in managing the conflicts. Questions have also arisen regarding the nature and scope of their relationships with the continental organization OAU that previously assumed primacy in conflict management in the region and anyway has a responsibility of managing conflicts in the continent. Given such a context, a study that seeks to analyze these problems with a vision of identifying suggestions of strategies of enhancing the effectiveness of sub-regional organization in conflict management is justified.

This is especially given that sub-regional organizations composed of fewer states than continental organizations have greater direct interests in conflicts in their sub-regions and their management. This study examines the implications of the heterogenous character of some third parties in sub-regional organizations in conflict management as this has serious implications on effectiveness of such organization in mediating conflicts in their own sub-regions. The study also investigates on possible appreciatable relationships between the sub-regional organizations and the continental organization that can enhance their effectiveness in conflict management. On policy grounds, the findings of the research will give guidance in designing policies and strategies that are functional and that respond to the needs and realities of the region and its conflict management institutions. Academically the study will add to the literature on regional

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[25] World Military Expenditures, (1993) op.cit p. 20.

cooperation and conflict management and more particularly on the principle of African solutions to African problems.

1.6 LITERATURE REVIEW

This section examines the dominant writings on the study problem. It is broadly classified into sub-sections each of which deals with the different themes that run across the study. The first section dwells on the literature on conflict generally and the conflict situation in Africa and also the global political circumstances that Africa has to cope with. The second section reviews writings on sub-regional organizations and their mechanisms for conflict management especially with the view that they were not initially credited for conflict management and security related purposes. The third section reviews literature on the activities of sub-regional organizations in conflict management in Africa with a specific focus on the complexities such as questions of impartiality and collaboration with the regional institution from which they derive their role.

Literature on Conflict

To understand or even manage conflict, one needs to understand its nature and content. Dougherty and Pfaltzgraff view conflict as a condition which exists when one group of human beings, whether tribal, ethnic, linguistic, cultural, religious, socio-economic or political is

engaged in conscious opposition to one or other identifiable human group because these groups are pursuing what are or appear to be incompatible goals[26].

To Mitchell, conflict arises when two or more parties have incompatible goals about something[27]. Zartman[28] asserts that a conflict refers to the outbreak of armed hostilities between parties while Mwagiru[29] views conflicts to be about values, wants and interests which are negotiable and not susceptible to settlement. In that case, as long as people and nations pursue different interests, there will always be disagreements, disputes and conflicts. Being endemic[30] in society, it is important to learn how to manage conflicts properly.

Literature on Conflict Management

Zartman has differentiated between conflict management and conflict resolution in the sense that to him resolution refers to the elimination of the underlying causes of the conflict with the agreement of the parties whereas management refers to the elimination, neutralization or control of the means of pursuing either the conflict or the crisis[31]. Management to him involves measures such as denying both sides the means of combat, neutralizing one party's means by slightly increasing the other's, separating the combatants in space or time and convening peace conferences to discuss. However, Mwagiru identifies two approaches to conflict management as

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[26] J.F Doughertly and R.L; Pfaltzgraff, <u>Contending Theories of International Relations</u> (New York: Harper and Row Publishers, 1990) p. 182.

[27] C.R Mitchell, <u>The Structure of International Conflict</u> (London Macmillan, 1998) p. 15 – 25.

[28] I.W Zartman <u>Ripe for Resolution: Conflict and Intervention in Africa</u> (New York: Oxford University Press, 1985) p.8

[29] M. Mwagiru. <u>The International Management of Internal Conflict in Africa: The Uganda Mediation. 1985</u> (PhD Dissertation, University of Kent at Canterburg).

[30] Keith Webb, '<u>Structural Violence and the Definition of Conflict</u>'. <u>World Encyclopaedia of Peace</u> Vol. 2 (Oxford: Pergaman Press, 1986) P. 431.

[31] I.W Zartman. <u>Ripe for Resolution</u>. op.cit p. 8.

conflict settlement and conflict resolution. He argues that the relationship with power distinguishes settlement and resolution. Settlement in that case is viewed as a process anchored on the idea of power whereas resolution disapproves of power as the dominant framework for managing relationships in society. To him, because settlement is based on power relationships between the parties, it is not legitimized and therefore does not create an enduring structure of peace. On the other hand, in resolution, because the parties jointly develop structures for the post conflict relationship, they 'own' the solution that they generate and hence their post conflict relationships are legitimized.

Literature on the Conflict Situation in Africa

Security analysts now seem to have agreed that the nature of global conflicts has changed since the end of the Cold War[32]. The increase in the number of intra-state conflicts is one of the most frequently cited manifestation of this change. Paradoxically however in Thakur's view, just as the complexities of war have changed, so also has the wish for peace increased[33]. This is evidenced by the increased efforts being made to prevent and resolve global conflicts and Africa has figured prominently in these tendencies[34].

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[32] For more on this see, Adebayo Oyebade and Abiodun Alao (eds) <u>Africa After The Cold War: The Changing Perspective on Security</u>, (Trenton: Africa World Press 1997), Sola Akinrinade and Amadu Sesay'; <u>Africa in the post-Cold War International System</u>, (London; Cassell, 1997).
Elise Boulding (ed) <u>New Agenda for Peace Research: Conflict and Security Re-Examined</u>, (Boulder. Lynne Rienner, 1992)
[33] Ramesh Thakur. 'Peace Research' in <u>Work In Progress</u>, Tokyo: United Nations University Bulletin, Vol. 15, No. 3, Summer 1999.
[34] Abiodun Olao; The Role of Regional and Sub-Regional Oranisations in Conflict Prevention and Resolution', in <u>Journal of Humanitarian Assistance</u>. African Security Unit Centre for Defence Studies, University of London. July 2000.

Zartman[35] contends that one distinguishing feature of post Cold War conflicts in Africa is that they are mainly within states. Many are also the result of long years of cultural, political, religious and ethnic marginalisation and domination. To Klein, the new world order for Africa is synonymous with the breakdown of nation states and the fragmentation of social communities into smaller groups. It is an order in which minorities are pitched against majorities and it is one that calls into question established political process and institutions[36]. Given such a background, there is need for an assessment of mechanisms that have been put in place for dealing with such crises. Their effectiveness will shape the future of the continent.

REGIONAL AND SUB-REGIONAL ORGANIZATIONS IN CONFLICT MANAGEMENT IN AFRICA

For regional conflict management, the OAU in most cases saw itself as the premier focus for conflict management in Africa. The organization was created in 1963 for the purpose of managing conflict among African states and pursuing conflict against colonial rule and apartheid, the product of an agreement on the lowest common denominators between the Unionist Casablana Group and the Statiat Momrovia Group of African states[37]. As Cervenka[38] notes, development of conflict avoidance and resolution capacity by regional or sub-regional agencies was designed to give expression to the concept of 'try Africa first'.

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[35] I.W Zartman (ed) Collapsed States: The Disintegration and Restoration and Legitimate Authority (Boulder Co: Lynne Rienner, 1995).
[36] J. Klein, 'Problems of Conflict Management in the Territories of the Former Yugoslavia', In D. Charters (ed), Peace Keeping and the Challenge of Civil Conflict Resolution (New Brunswick NJ: Centre For Conflict Studies, 1994).
[37] C.O.C Amate. Inside the OAU (Cambridge, UK, St. Martins 1986).
[38] Z. Cervenka: Unfished Quest for Unity (New York: Africana, 1977).

Amadu Sesay argues that sub-regional attempts at conflict management and resolution have been much more abrasive and daring than those of the OAU. He observes that while the OAU has more or less shied away from getting involved in either inter or intra-state conflicts in Africa since the end of the Cold War, sub-regional agencies have been much more courageous in tackling conflicts between and among their members. Whether they have been more successful than the OAU is however, not clear. There is therefore dire need for a critical examination of sub-regional conflict management efforts.

Adekeye Adebajo and Chris Landsberg[39] have argued that there are several factors that have hampered efforts at finding African solutions to Africa's post-Cold War conflicts. Domestically, some belligerents were never really interested in resolving conflicts despite signing peace agreements. They were more interested in other rationales: the belief in the possibility of total victory and their desire to inherit the entire state, the economic benefits they derived from the exploitation of economic resources, and the desire to secede from a territory as the only long term method of achieving security. They further note that at the sub-regional level, many states have failed to agree on a common strategy to resolve conflicts. Some have developed parochial political and economic interests in the crises and supported individual factions leading to neighbourhood rivalries in efforts to preserve sub-regional power balances.

Although sub-regional organizations have been found to have advantage for conflict management in their sub-regions due to proximity to the source of the conflict and familiarity with the main actors, cultural values and local conditions. Miall[40] et al notes that they face such problems as lack of impartiality due to individual interests of the member states. Conflict

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[39] Adekeye Adebajo and Chris Landsberg, "Pax Africana in the Age of Extremes", South African Journal of International Affairs Vol. 7, No. 1 Summer 2000 p. 14-15.

management analysts maintained that a mediator or a third party had to be impartial to ensure a successful outcome. However, this view has been challenged by Touval[41] and Bercovitch[42]. Touval argues that it is not necessary for a mediator to be impartial as mediators possess certain resources which the parties in conflict value. Bercovitch adds that the entry of a mediator into a conflict transforms the structure of the conflict from a dyad into triad. Therefore the mediator becomes one of the parties to the conflict. As such, the question of impartiality does not arise because the mediator pursues its own interest just as the other parties do. However in the case of sub-regional mediators in the African context some third parties are heterogeneous in character and in most cases do not possess any resources that the parties in conflict can value.

Mwagiru[43] observes that sub-regional organizations with conflict management concerns raises one important question about the role and relationship between the sub-regional organizations and the OAU. He concludes that they seem to challenge the mastery with which the OAU considered to have in the world of African conflict management. Sub-regional organizations have as such been perceived as duplicating that which should be done by the OAU and even the UN. There is therefore need to came up with alternative roles for the OAU and mostly those that are supportive to the efforts of sub-regional organizations.

Nevertheless the active involvement of sub-regional organization in managing conflicts in Africa has been counted as a significant development. To Mwagiru,[44] the efforts of the former IGADD to have member states mediate in the conflict in Sudan represented the first time there was

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[40] Hugh, Miall et al. Contemporary Conflict Resolution (Cambridge: Polity Press 1999) p. 37.
[41] S. Touval 'Biased Intermediaries: Theoretical and Historical Considerations' Jerusalem Journal of International Relations. Vol 1 (1975) p. 51-70.
[42] J. Bercovitch, Social Conflict and Third Parties: Strategies of Conflict Resolution (Boulder, Co. Westview Press, 1984).
[43] M. Mwagiru; Conflict: Theory, Processes and Institutions (Watermark Publications. Nairobi. 2000) p. 80.
[44] Ibid. p. 81.

anything approaching a systematic perspective in regional conflict management in the Horn of Africa. Although approaches followed by IGADD and its successor IGAD fall short of including non-state actors in the mediation process.

The IGAD's search for peace in Sudan dates back to 1993 when both the Sudanese government and the SPLM/A agreed that the IGAD should assume the task of mediating their differences in an effort to contribute to a lasting peace in Sudan. Though the IGAD has made some progress in which the negotiating parties have accepted the 1994 Declaration of Principles DOP, as the basis for negotiations, lately the length of time between the different rounds of talks has emerged as a concern not only for the Sudanese people, but also for the IGAD Partner's Forum (IPF), a group of countries that politically and financially support the Sudanese peace process. In addressing these shortcoming, agreements have been made between the SPLM/A and the Sudanese government for an enhanced structure put forward by the IGAD mediators. However, this development has not addressed the stakes of the mediators themselves in dragging the peace process.

1.7 THEORETICAL FRAMEWORK

Theory is a systematic body of generalizations of descriptive, explanatory and predictive value[45]. Theory helps explain phenomena and make predictions and in research to organize knowledge formulate priorities and select methods of carrying out research[46]. This study will be based on a regionalism approach. Traditionally regionalism implies cooperation among states in

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[45] Leroy Bennett. International Organizations, Principles and Issues (New Jersey, Prentice Hall, 1991) p.13.

geographically proximate and delimited areas for the pursuit of mutual gain in one or more issue areas. While regionalism may lead to the creation of new political organizations over time, regionalism and state strength do not stand in opposition to one another and states remain the essential building, blocks from which such arrangements are constructed[47].

Advocates of regionalism claim that regional organizations have a special capacity for controlling conflicts among their member states[48]. They argue that by making peace divisible, regional organizations isolate conflicts and prevent solvable local issues from becoming tangled with irrelevant problems and thus changing into insolvable global issues. This forms the basis of the idea of African solutions to African problems that this research wishes to analyze. Further, it is argued that regional organizations are particularly effective at conflict control because geographical neighbours are more likely best to understand the factual background of a conflict and to share norms that are relevant to the task of controlling the conflict[49].

Article 52 of the UN Charter allows states to form regional organizations for dealing with such matters of peace and security "as are appropriate for regional action". Although not defined in the Charter, such regional organizations presumably involve co-operation treaties that are entered into by geographically proximate states. While nothing is mentioned of sub-regions, it is best to regard the two as synonymous beyond the context of the relationship between the OAU/AU and various African regional organizations. This is especially because the notion of sub-regions and

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[46] T. Couloumbis & J.H Wolfe. Introduction to International Relations: Power and Justice (New Jersey: Prentice Hall, 1987) p. 16.

[47] W. Nhara, Conflict Management and Peace Operations: The Role of the Organization of African Unity and Sub-Regional Organizations in M. Malan (ed), Resolute Patners: Building Peacekeeping Capacity in Southern Africa, ISS Monograph Series, 21, Institute for Security Studies, Halfway House. February 1998, p. 38.

[48] J.S Nye. Peace in Parts. Integration and Conflict in Regional Organization (Boston: Little, Brown and Company 1971) p.17.

sub-regional organizations seems fairly unique to the African security debate. For example, both the large Organizations of Security Co-Operation in Europe (OSCE) and the Smaller Western European Union (WEU) are regarded as 'regional organizations. And, while the organization of American states (OAS) is a 'hemispheric organization' that serves the interests of many smaller (Latin) American intergovernmental organizations, the latter are commonly referred to as regional organization. The notion of sub-regions therefore reinforces the theme of a hierarchical security architecture in Africa, with the OAU/AU presiding over a number of intergovernmental organizations in the continent.

For conflict management concerns, skeptics of regionalism argue that since neighbours are often far from impartial, regional organizations rarely possess the ideal resources necessary for control of conflicts among their members. However, regional organizations contribute small but useful pieces to the puzzle of peace[50] and this explains why their efforts need to be nurtured and modalities be established to enhancing their reliability and competence. This research endevours to research on the prevailing capacity of regional organizations in conflict management in Africa particularly at the sub-region level given the vastness and cultural diversity of the continent with a view of suggesting modalities for enhancing their effectiveness.

1.8 METHODOLOGY

The study will utilize both primary and secondary data. Primary data will be collected through interviews and questionnaires presented to target groups. These will include envoys of member

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[49] Lincoln Bloomfield, 'Peacekeeping and Peacemaking, in Foreign Affairs. 44. July 1966. p. 682.
[50] J.S Nye op.cit p. 18.

countries involved in the mediation process, selected regional and other relevant diplomats in the Sudanese embassy, representatives of SPLM/A, the IGAD secretariat (Nairobi), researchers, academicians and any other institutions involved in conflict management. The secondary data will be gathered through collection, analysis and review of both published and unpublished materials such as texts, journals, periodicals, newspapers, magazines, UN, OAU/AU, and IGAD reports, seminar papers and any other literature relevant to the study.

1.9 SUMMARY OF CHAPTERS

Chapter one gives the background to the conflict situation in Africa and regional efforts for conflict management in the continent. Chapter two identifies the main sub-regional organizations involved in conflict management in Africa highlighting the mechanisms they have put in place for prevention and resolution. Chapter three contains a study of the IGAD's mediation of the conflict in Sudan. Chapter four analyses the case for a clarification of the role of sub-regional organizations in conflict management and the significance of co-ordination, competence and credibility. The conclusions of the study are contained in chapter five.

CHAPTER TWO

REGIONAL CONFLICT MANAGEMENT IN AFRICA

2:1   Introduction

This chapter reviews Africa's regional efforts that have been made for conflict management in the continent with a major focus on identifying the main sub-regional organizations involved in conflict management in Africa highlighting the mechanisms they have put in place for prevention and resolution, why and how far they have gone.

2:2   The OAU and African Conflicts

To appreciate post-Cold War activities of African regional organizations in conflict management, it is important to consider the Cold War antecedents. This is against the background of recognition that some Cold War aspects interlock with the post Cold- War phase.

Approaches to conflict management of Africa's regional and sub-regional organizations during the Cold War era were determined by the nature of the conflicts they faced and the mechanisms that were in place for tackling them. Generally, African conflicts during the Cold War period can be categorized under three different headings: liberation wars targeted against illegal and minority regimes especially in Southern Africa, inter-state conflict often caused by border disputes and civil wars often due to divergent positions over self-determination and resource allocation[1].

The OAU was the main organization involved in conflict management during the cold war era. Although some of the sub-regional organizations that were later to become prominent in conflict management had been formed, they were at the early stages of their development, and they concentrated their attention more on the primary objective behind their formation leaving the burden of conflict management to the OAU. The OAU also took a prominent position during this period due to its objectives that made it particularly appropriate to the most important security pre-occupation of the time – the elimination of all forms of foreign rule in the continent.

The OAU adopted different approaches to the different types of conflict it faced[2]. For liberalization wars against illegal and minority regimes, the organization had a near-united position with differences only on how best to achieve the desired result. The racial implications of the curved struggles attracted patriotic zeal in many of the countries and the organization was able to act decisively, with its liberation fighters. As such, working together with other organizations such as the Commonwealth and the United Nations, the OAU was able to contribute to the armed struggles in Africa and to achieve independence for Zimbabwe and the

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[1] Discussed in detail in Olatunde, O.J.C.B et al in <u>African International Relations</u> (Longman, London 1985) chapter 9.

Lusophone countries of Angola, Mozambique and Cape Verde. During these period there was also considerable assault against apartheid South Africa that formed the political climate which ultimately led to the independence of Namibia in 1990.

Apparently, the OAU's strategy for addressing intra and inter-state conflicts was more complex and less successful. As Amadu Sessay notes, the conflicts anticipated by the organization's main instrument of handling these types of conflicts - the Commission of Mediation, Arbitration and Conciliation - had no relation to the realities on the ground and as such was never used[3]. The commission's legalistic approach to handling conflict was a turn-off to many African leaders especially because of its long and expensive judicial process. As a result, the Commission was dismantled in 1977 and henceforth the organization shifted to "ad hoc" services[4] like use of "Good Office Committee" and "Presidential Mediation." The former is usually made up of prominent leaders or statesmen often charged with investigating the issue in dispute and to use their standing to bring all the warring factions to the negotiation table with a view to finding solution to the problem[5]. Presidential mediation operated in a similar way and its membership often comprised experienced Heads of State. It can be seen that the two systems were predicated on the African traditional system of conflict management which respects age and position. The two methods were used with different degrees of success in a number of conflicts during the Cold War. For instance during the Algeria-Morocco border dispute of late 1963 two 'Great

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[2] M. Mwagiru, Conflict, Theory Processes and Institutions and Management op.cit p.143.
[3] Amadu Sessay, Regional and Sub-regional Conflict Management Efforts", in Sola Akinrinade and Amadu Sessay (eds), Africa in the Post Cold War International System, (London: Pinter 1998), p.48.
[4] M.Mwagiru, The International Management of Internal Conflict in Africa: The Uganda Mediation, 1985 (PhD. Dissertation, University of Kent at Canterbury 1994) Ch. 4 also W.J Foltz, "The Organization of African Unity and the Resolution of Africa's Conflicts' in F.M Deng and I.W Zartman (eds) Conflict Resolution in Africa (Washington: Brookings Institution 1991) p. 347 – 366.
[5] Amadu Sesay, Regional and Sub-regional Conflict Management Efforts op.cit p.48.

Men' of Africa, the late Modibo Keita of Mali and Emperor Haile Selassie of Ethiopia intervened to secure a cease-fire and later an agreement in 1971.

The dispatch of a peacekeeping force to Chad was the most controversial conflict management activity during the Cold War[6]. The OAU decided to send a peacekeeping force to Chad after the country was engulfed in a complex, multi-sided civil conflict. It was the first of such a mission being carried out solely by the organization. However the mission completely failed and this outcome haunted the organization for many years and even dictated caution in post-Cold War peacekeeping activities.

During the Cold War, the OAU's ability to effectively manage disputes was weakened by two major factors. To begin with, the ambiguity of the organization's Charter over a number of issues left members to interpret it in the ways they found convenient. There was a dogmatic interpretation of the OAU Charter's provision on non-interference in internal affairs of states[7]. Indeed the OAU's response to the Western Sahara whose sovereignty was then contested by Morocco reflected this ambiguity.

The prevailing Cold War politics that faced conflicts and encouraged intransigence on the part of belligerents was the second factor that impaired the OAU's effectiveness in conflict management. Some of the conflicts that were influenced by the Cold War politics include the Angolan, and Mozambican civil wars and the instability in the Horn of Africa.

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[6] Amadu Sesay "The Limit of Peacekeeping by a Regional Organization: the OAU Peacekeeping Force in Chad, Conflict quarterly, vol. XI, No. 1 Winter 1991.

A number of conclusions have been drawn from the OAU's management of conflicts during the Cold War era. First, apart from the efforts directed towards the elimination of apartheid and other minority regimes, the organization was not particularly successful in its bid to prevent and resolve disputes in the continent. Second, the prevailing Cold War politics created problems for its initiatives. Third, many observers believe that the charter of the organization while it may have been applicable to the realities of 1963 when it was drafted, needed to be updated to suit changing realities[8].

With the end of the Cold War, the role of African regional organizations in conflict management has increased considerably, with innovative though sometimes controversial ideas bringing Africa's conflict management strategies to global attention. One of the major characteristics of post-Cold War conflict management strategies in Africa is that the sub-regional organizations have come to assume a very prominent position. Two reasons have been associated with this development ; First, the OAU and the UN and other organizations with responsibilities towards Africa were in a serious financial situation, such that they were looking for ways of disengaging from aspects of sub-regional conflicts[9]. Second, the nature of post –Cold War conflicts affected sub-regional political and socio-economic situations in that the internal conflicts which were then proliferating caused problems between countries, like refugee migration.

In the Post-Cold War era, the OAU took steps in the prevention and resolution of conflict by setting up the conflict Prevention, Management and Resolution Mechanism during 1993 Cairo

M. Mwagiru: Who will Bell the Cat? Article 3 (2) of the OAU charter and the crisis of OAU conflict management' (Kent Papers in Politics and International Relations, series 4, No. 7, 1995).
M. Mwagiru, Conflict: Theory, Processes and Institutions of Management op.cit p.146.
Mark Malan (ed) New Partners in Peace: Towards a Southern African Peacekeeping Capacity, IDP Monograph Series, No. 5 July 1996, p. 18.

Summit[10]. A shift was also noticeable in the organization's time- honoured policy on non-interference in the internal affairs of other states. Since most of the Post-Cold War conflicts are internal, it is inevitable that the organization had to take a more realistic and pragmatic look at its clause on non-interference. Though the clause still remained enshrined in the OAU Charter, it was now being ignored if exigencies so dictated. Infact, after a regional peacekeeping force intervened in the Liberian conflict, both the chairman and the Secretary General of OAU gave implicit endorsement to interference in certain circumstances. The then OAU chairman, Uganda's Yoweri Museveni noted... "when we talk of non-interference in the internal affairs of one another, we mean one state, which is functioning not interfering in another functioning state... we are not interfering in the internal affairs of Liberia because there was no longer any central authority in the country"[11].

The once Secretary General, Salim Ahmed Salim, also argued that the non-interference clause of the OAU should not be interpreted to mean indifference to massive human suffering of the kind witnessed in Liberia. He commented " before ECOWAS undertook its initiative, many, including the African media, were condemning the indifference demonstrated by Africa. The most desirable thing would be to have an agreement of all parties to the conflict but to argue that there was no legal basis is surprising. Should the countries in West Africa just leave Liberians to fight each other? Will that be more legitimate?"[12]

With this altered position on non-interference, it became easier for the OAU to work with the other regional organizations in conflict management. In Post Cold War conflicts, the OAU

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[10] See OAU, Declaration of the Assembly of Heads of state and Government of the OAU on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World (Addis Ababa, OAU, 11 July 1990).
[11] Quoted in ECOWAS Mediation in the Liberian Crisis, (Lagos: ECOWAS Publication) p.8.

employed two methods. First was to dispatch token forces as observers or election monitors to conflict areas. As such since the end of the Cold War, countries like Benin, Cape Verde, Comoro, Mali, Ethiopia, South Africa, Nigeria and Togo have had election monitors dispatched to them to oversee crucial elections while observer missions have been sent to Angola, Burundi;, Liberia and Rwanda. But even in this, the financial predicament of the organization continued to reflect. For instance, it sent only 18 election monitors to cover the whole of Angola with a total of 6,000 polling stations. The second way was through the organization's close working relations with sub- regional organizations and the United Nations. Whether the recently announced African Union will be better than its predecessor, the OAU in overcoming the shortcomings and performing more effectively remains to be seen. However it seems sub-regional organizations would constitute the corner stones of the regional approach of African conflict management.

2.3   Sub- regional Organizations Alternative mechanisms

The critical combination of the OAU's shortcomings on one side and the appalling African situation on the other side seem to have necessitated that sub–regional organizations play a vital role in their respective sub-regions. The actual number of sub-regional organizations involved in the management of African conflicts may not be easily known as there are several ad hoc coalitions making important although often unrecognized involvement in preventing and resolving disputes on the continent[13].

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[12]Quoted in Abiodun Alao, The Burden of Collective Goodwill: The International Involvement in the Liberian Civil War, (Aldershot: Ashgate Publishers, 1998) p.61.

However, there are three sub-regional organizations whose activities are particularly important. These are the Economic community of West African States (ECOWAS), the South African Development Community (SADC) and the Inter-governmental Authority on Development IGAD. Other sub-regional organizations include the Arab Margreb Union (AMU) and the Economic community of Central African states (ECCAS).

The best known of these organizations in conflicts management is the ECOWAS having gained a good measure of international recognition through its massive peacekeeping efforts in Liberia and later in Sierra Leone. SADC is the other organization fast gaining a reputation for involvement of robust conflict management endeavours, and IGAD is also asserting a role for itself in the resolution of sub-regional conflict. On the other hand ECCAS and UMA are less commonly known in terms of their roles in conflict resolution.

2.3.1 The ECOWAS

The ECOWAS was founded in 1975[14] to integrate West Africa's economic potentials for sub-regional growth. Although the organization did not contain defense clauses at the time of its formation, it soon appreciated the importance of security to the realization of its identified economic objectives and in April 1976, signed a *Protocol on Non-Aggression* which commits members to "refrain from committing, encouraging or condoning the acts of subversion hostility or aggression against other members." This was expanded in 1978, with the signing of the

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[13] See for example O.Opiyo, Ad hoc Non-Institutional Conflict Management: A Case Study of Burundi and Zaire. (M.A. Dissertation, Institute of Diplomacy and International Studies, University of Nairobi, 1999).

[14] I.W Zartman, African Regional Security and Charging Patterns of Relations in Edmod J. Keller and D. Rothchild (eds). AFRICA in the New World Order, Rethinking State Sovereignty and Regional Security (Boulder Lynne Riener 1996).

Protocal on Mutual Assistance on Defence[15] which stipulates that an act of aggression against a member state constitutes an act of aggression against the entire community. In these defense arrangements are some in-build mechanisms to be activated in times of crisis, including the appointment of a Deputy Executive Secretary for Military Affairs, whose duty is to manage the operational aspects of management.

Procedures were established to deal with how the affected state should contact the defense structure, and the types of conflicts that were considered worthy of the community's intervention[16]. Finally, three types of conflicts were identified: aggression from non- member states; conflict between member states; and internal conflict in a member state.

A major problem that was to become complex in later years was however brewing even at the early stages of the ECOWAS and its incorporation of defense clauses into its agenda. This was the antipathy between Nigeria; the key motivation of ECOWAS, and some ECOWAS Francophone countries, especially Cote d'Ivoire.

The prospect of a sub-regional organization dominated by Nigeria was viewed with apprehension in several Francophone circles, such that even after the ECOWAS defense pact was adopted, three Francophone countries, Cape Verde, Guinea –Bissau and Mali, refused to sign. The fact that the security threat facing the ECOWAS sub-region was perceived to be largely external was another important issue that was to have a lasting impact on the organization's conflict management strategy. Little attention was given to the need to prevent internal security threats

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[15] The Protocol on Mutual Assistance on Defense was signed in Freetown Sierra Leone on the May 29,1981.

or the escalation of internal conflicts through a change in the system of governance and the use of accountability, rule of law and respect for citizens' human rights as conflict prevention strategies. It is no wonder that West African leaders did not (officially) give much thought to this as more than two thirds of the sixteen member states of ECOWAS were under dictatorial regimes Therefore they lacked the opportunities for early warning, conflict prevention or avoidance or early mediation. This was revealed especially when the organization has had to respond to post-Cold War conflicts.

ECOWAS and Security in West Africa

The Economic Community of West African States ECOWAS was the first sub-regional organization to manage the Liberian crisis which provided the first test of Africa's assumption of responsibility for conflict management and resolution. Indeed the ECOWAS cease-fire monitoring group ECOMOG sparked interest as a regional peacekeeping[17]. The Liberian War started in December 1989 when a rebel movement, the National Patriotic front of Liberia, (NPFL) led by Charles Taylor, Launched an attack on the government of the late president Samuel Doe. Within months, the structure governance had been destroyed and civilians become victims in a war that was prosecuted without respect for international law. This was what launched the sub-regional organization, ECOWAS into intervening in the conflict.

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[16] Emmanuel Aning, The Dynamics of ECOWAS Security Regime: "Constraints and Prospects", Paper presented at the Conference on "The Future Face of Post-Cold War Africa: Building Inter-African Solutions to urgent Needs", Leiden, Holland, November 1996.
[17] Paul E. Diehl "Institutional Alternatives to Traditional UN Peacekeeping: An Assessment of Regional and Multinational Options" Armed Forces and Society 19, 2 (1993) p. 211 – 218.

ECOWAS's involvement in Liberia was full of a number of complexities. Even before the dispatch, the peacekeeping mission faced a string of controversies, including the political and legal ramifications of the action[18]. The political problems had their roots in the division within the organization as to the need to dispatch the peacekeeping force and the possible hidden agenda behind Nigeria's agenda to spearhead the initiative. This was due to the profound friendship between Nigeria's former leader Ibrahim Babangida and the late Liberian President Samuel Doe. The legal problems centred on the justification under which ECOMOG was intervening in Nigeria. Article 18 of the protocol on Mutual Assistance on Defense on which ECOWAS based its reasons for intervention was considered as an inadequate justification. Others also claimed that the intervention was a violation of the internal affairs of Liberia, a clause held sacred by the OAU Charter.

It is also important to note that the organization had no practical experience in addressing a complex emergency of this magnitude. Although there had been conflicts between and within member states since its formation, they had not been of such a massive scale as to attract any major external intervention as was necessitated by the collapse of Liberia. The countries which contributed troops for the mission were also not known to have any link of military co-operation either in a peacekeeping mission or joint military training. Thus they had to solve the fundamental problem of harmonization simultaneously with tying to bring the crisis in Liberia under control.

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[18] For an exhaustive account of the ECOMOG Operations see C.Y.Iweze, Nigeria in Liberia: The Military Operations of ECOMOG:" Nigeria in International peacekeeping 1960 – 1990 (Lagos: Malthanse Press Limited 1993).

Further, the ECOWAS intervention into the conflict was uncoordinated. The human suffering that had characterized the war had touched on the moral chord of some of the countries in the region, and they seemed to succumb to the spontaneous urge to intervene and stop what was seen as a needless loss of lives, without considering some practical implications. For instance not much consideration was given to where the finances would come from. Although initially it was agreed that each of the countries sending its troops would be responsible for its contingent for the first three months before ECOWAS took over, it was not carefully considered whether ECOWAS really had the resources to carry this responsibility after this initial three months. Finally each of the countries carried the responsibility of its troops, with Nigeria shouldering the bulk of the burden.

Even before the involvement in Liberia came to an end, the organization had become involved in another crisis in neighbouring Sierra Leone where a rebel movement, the Revolutionary United Front (RUF) under Foday Sanko, took up arms against the central government. ECOWAS involvement in Sierra Leon was similar in many aspects to that in Liberia.

As a result of the experiences of the ECOWAS peacekeeping force ECOMOG, ECOWAS decided to institutionalize a peace mechanism to manage conflict in the region and the ministers of all the states were mandated by the Heads of State to create a conflict management strategy. The ministers met and came up with an outline, which was later given to experts to deliberate upon. These people then composed a draft of conflict management mechanisms which they presented to the council of Heads of State in October 1998. This was accepted in principle, and the committees were set up to fine-tune the draft. The new protocol has the following institutions.

1. The summit of Heads of State

2. The Mediation and Security Council which will comprise ministers of defense of member states;

3. The Council of Elders, to be comprised of eminent personalities from member states and

4. The peacekeeping intervention force (ECOMOG).

Under this new structure, the peacekeeping force can intervene in conflicts under five different circumstances. External attack; internal crisis: in cases of humanitarian disaster or human rights abuses; a coup against an elected government and any other situation deemed fit by the Mediation and Security Committee. The mechanism covers landmines too and money laundering. The source of funding will be through the organization's annual budget and through a general community levy that will be imposed on all goods coming into member states. It is yet to be seen how this new protocol will work.

2.3.2   The SADC

The SADC was created in 1980 as a response to apartheid South Africa's economic domination of the sub-region[19]. Against this background, it had, from the time of its origin, been conscious of the hostile environment under which it had to operate. However, the struggle against apartheid and other minority regimes in Southern Africa also resulted in another grouping that shared SADC's ideals. This was the Frontline States (FLS) which comprised of Tanzania, Angola, Mozambique, Botswana and Zambia and the primary objective was to assist in the military effort

to liberate Southern Africa. However, the membership of the FLS was more exclusive than the SADC as only those believed to have ideological commitment to the military liberation of Southern Africa or those with strength to contribute to the struggle were allowed into FLS membership. Under FLS arrangement the oldest serving member acted as the chairperson[20]. With Zimbabwe's independence in 1980 and Namibia's in 1990, the membership of the two organizations strengthened. However, when in later years apartheid collapsed and South Africa against whom the structure had been targeted, become a respectable member of the international community, the future of the organizations came up for review.

The future of the two organizations was reached in July 1994 when it was suggested that the FLS be dissolved to become the political and security wing of SADC. After several meetings it was recommended in March 1995 that the FLS should cease to exist, and that an Association of Southern African States (ASAS) be created under chapter 7, Article 21 – (3) g of the SADC treaty. ASAS was to function independently of the SADC secretariat, and report directly to SADC Heads of States and governments. Due to technical considerations, ratification was delayed till January 1996 when the SADC ministers of foreign affairs, defense and security recommended to their Heads of State the creation of a SADC Organ For Politics, Defense and Security, which would allow more flexibility and timely response, at the highest level, to sensitive and potentially explosive situation[21]. The SADC Heads of State accepted this in June 1996, and the SADC's security wing, the Organ on Politics, Defense and Security was formed. The objectives of the body at its formation were:

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[19] Patrick J. McGowan, The Regional sub-system of Southern Africa in Philip Nel and Patrick J. McGowan (eds) Power. Wealth and Global Order. An International Relations Textbook for Africa (University of Cape Town Press, Rondebosch. 1999).
[20] Mark Malan SADC and Sub Regional Security: Undes Venis et Quo vadis? ISS monograph series, NO. 19, February 1998, p.12.

1. To safeguard the people and development in the region against instability arising from civil disorder, interstate conflict and external aggression;

2. To undertake conflict prevention, management and resolution activities by mediating in inter state and intra state disputes and conflicts, pre-empting conflicts through an early warning system and using diplomacy and peacekeeping to achieve sustainable peace;

3. To promote the development of a common foreign policy in areas of mutual interest; to develop close co-operation between the police and security services of the region and to encourage observance of human rights[22].

Disagreements among members over different interpretations given to certain sections of the charter however resulted in the organ being suspended.

The SADC in the Central and Southern Africa

Rivalry and internal wrangling among members have coloured the SADC's conflict management strategy just like the ECOWAS[23]. To a large extent the problem within the organization lied in the personality clash between former president Nelson Mandela of South Africa and Zimbabwe's president Robert Mugabe, and also between the two countries themselves. This rivalry and tension is rooted in the fact that although South Africa is considered the undisputed economic power in the region, Zimbabwe often lay claims to be a 'senior' in the armed struggle, having won its armed war of independence more than a decade earlier than South Africa. Second, many

[21] Ibid p. 13-14.
[22] SADC (1995) Declaration Treaty and Protocol of Southern African Development Community (Gaborone, SADC Secretariat).
[23] Abiodun Alao. The Role of African Regional and Sub-Regional Organizations in Conflict Prevention and Resolution. The Journal of Humanitarian Assistance .

Zimbabweans believe that their own war was more conclusive and that their independence was won because of their efforts and not through the kind of global security shift and the goodwill of de Klerk that determined South Africa's independence. Third Zimbabwe and to an extent Namibia felt unhappy with the shift of global goodwill to South Africa : Namibia and Zimbabwe had previously enjoyed some form of sympathy as recently liberated countries and all this disappeared when South Africa became independent. Finally many of the countries in southern African do not like the fact that South Africa easily concluded trade agreements with the European union, and not with its fellow Southern African states.

Within the politics of SADC, the South African Zimbabwe rivalry centres on the position of the Organ on Security vis-a-vis the larger SADC[24]. The institutional framework of the Organ is vague and this has created problems between South Africa and Zimbabwe. South Africa argues that the Organ on Security is under the SADC and should behave as such. It further argues that it was never the intention of the SADC to create a security wing that should be outside its control, and that under article 10 (1) (2) and (6) of the SADC charter, the organization is the supreme policy making institution and that its chairman is *ipso facto*, the head of all the units attached to it. Zimbabwe, however sees things differently. It argues that the Organ on Security is separate from the SADC, as it is based on the FLS principles and that the latter should not concern itself with political, diplomatic, defense and security issues. This position is based in part on the understanding that the SADC proper is largely dependent on donor funding, and that political and security issues should not be dealt with by a donor funded organization[25].

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[24] Ibid p.12.
[25] Cederic de Coning "Why the SADC Intervened", West Africa 19 October – November 1998 p.766.

Efforts to resolve this impasse continue. A lesser cause of controversy is South Africa's position that the SADC organ, as set out by the Gaborone summit tends to focus more on the use of armed forces for conflict resolution at the expense of other more peaceful measures, especially early warning mechanism and preventive diplomacy. The dispute however led to an acrimonious SADC summit in August 1997 in Blantyre, Malawi that failed to resolve the matter[26]. The civil war in the Democratic Republic of Congo (DRC) is one crisis that reflects the political infighting among the members of the SADC[27].

The complexities of the war as much due the internal crisis, within the DRC as it were to the external wrangling among different external actors. The Congo crisis which had begun initially as an attempt to overthrow the late dictator Mobutu Sese Seko had by middle of 1999 enveloped a catalogue of other sub regional disputes.

The DRC conflict highlighted the dangers and complications inherent in the fighting and the intricate political problems within the SADC. Although the organization wanted to come up with a credible policy that could help resolve the crisis, the various countries perception of their national interest and prestige overrode sub-regional interest. Once the rebel force attacked the fledging government of Laurent Kabila and began to enjoy from Uganda and Rwanda, governments in countries like Zimbabwe, Angola and Namibia viewed the developments as a case of foreign attack, and thus felt obliged to support the Kabila government. To give this action an image of SADC support, a controversial meeting of the defense ministers of the SADC was held in Harare Zimbabwe and approval was said to have been given for military support for Kabila. The action of the ministers was neither unanimous nor clearly postulated and there were

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[26] P.J McGowan and F. Ahwireng Obeng. Partner or Hegeman? South Africa in Africa: Part one Journal of Contemporary African studies, 16 (1) 5-38.

doubts as to the legality of ministers dispatching a military force to pacify a civil war. The Harare meeting was attended by the defense ministers of Angola, Namibia, Zambia and Zimbabwe, while five other countries were represented at junior levels, with South Africa sending only its Acting High Commissioner. To prevent further complications, President Mandela called an argent meeting to which he invited the Rwandan and Ugandan presidents. Finally Zimbabwe, Angola, and Namibia sent troops to assist Kabila.

It is important to note that SADC's military intervention in the country has far reaching lessons and implications for the region. The first lesson is that the SADC was clearly not effectively prepared for the post-apartheid diplomatic realities of Southern Africa. Second, the intervention of some countries may have robbed the SADC of the opportunity to play any effective role in future diplomatic initiatives to end the impasse as its neutrality could no longer be guaranteed. Third, a clear division has emerged within the SADC between those who favour diplomatic means to end disputes and those more inclined to resort to military means. Under this crude division, countries such as South Africa and Botswana seem to be in the former, while Zimbabwe, Angola, and Namibia are in the latter group. Lastly the handling of the DRC crisis could have serious domestic implications for some of the countries, which in turn, may affect regional stability.

After the peace agreement was signed with Congolese rebels, Zimbabwe and Namibia decided that they would send their troops to help the Luandan authorities send out the UNITA rebels. However, at the August 1999 SADC meeting held in Maputo, Mozambique the organization

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[17] Walter Tapfumantei "Regional Security Co-Operation in Southern Africa. A View from Zimbabwe Global Dialogue Vol. 4.2, August 1999, p.23.

again rejected the idea of SADC sending troops to Angola. Indeed the then SADC Secretary General Kaire Mbuende of Namibia, who pleaded that the organization should send troops as demanded by Angola, Zimbabwe and Namibia had to resign after heavy criticism. Despite all these disagreements and difficulties, the SADC has continued to engage in capacity building for peace missions.

2:3:3 The IGAD

IGAD 'Intergovernmental Authority on Development' is the new name of the authority superseding the Intergovernmental Authority and Drought and Development (IGADD) which was created in 1986 by the six drought stricken countries of Djibouti, Ethiopia, Kenya, Somalia, Sudan and Uganda to coordinate development in the Horn of Africa.

Eritrea become the seventh member of IGADD in September 1993 after its independence. On 18 April 1995 at an Extraordinary Summit in Addis Ababa Ethiopia, the IGADD Heads of State and Government resolved to revitalize the authority and expand its areas of regional cooperation. In a second Extraordinary Summit in Nairobi on March 21, 1996, the Heads of State and Government adopted the new name of the Authority, the Inter-Governmental Authority on Development (IGAD). On the recommendation of the summit of the Heads of State and Government, the IGAD Council of Ministers identified priority areas of cooperation to cover both political and economic issues. This change of focus was necessitated by developments in many of the countries in the region. Most of the countries in IGAD had significant internal security problems.

IGAD's Peace Efforts in the Horn of Africa

With conviction that the crisis in the Sudan is a regional rather than a national crisis, IGAD in September 1993 initiated a mediatory intervention into the crisis. Both the Sudanese government and the SPLM/A agreed that IGAD should assume the task of mediating their differences in an effort to contribute to a lasting peace in Sudan.

In its effort to resolve the conflict, IGAD faced a major problem as a result of the warring factions' divergent views on self determination and the place of religion in politics. While the central government insisted that Islam should remain the state religion, the SPLA continued to favour the secularism of the country. Also, while the government vowed that self determination would never be an issue for discussion, the rebels saw it as the only way forward. By the end of 1994 it was obvious that IGAD was facing serious difficulties in resolving the dispute, and in January 1995, the organization called on the OAU and UN and the international community to co-operate with it in finding a suitable solution to the war in Sudan. However, this did nothing to break the deadlock and IGAD's interest in the conflict diminished.

In mid 1995, the IGAD involvement took a new dimension when a group of countries – friends of IGAD - put pressure on the organization to relaunch its interest in the conflict. The friends of IGAD advocated for a longer cease – fire through IGAD the introduction of a joint surveillance patrols assisted by International monitors and a new round of IGAD sponsored peace talks. To assist in these, the Friends of IGAD-now (IPF) IGAD Partners Forum. Agreed to finance the surveillance patrol and assist in the establishment of an IGAD peace talks secretariat in Nairobi. Much of IGAD's attention has been directed at peace efforts in Somalia and the Sudan , and the

recent tensions between Ethiopia and Eritrea. Parallel to such initiatives, the main focus is on capacity building and awareness creation and on early warning of conflicts.

CHAPTER THREE

SUB-REGIONAL ORGANIZATIONS IN CONFLICT MEDIATION:

The case of IGAD in the Sudan peace process

3.1 Introduction

There is unanimous agreement on the principle of peaceful settlement of disputes at both the international and regional level as the requirement that conflict management be peaceful is one of the bedrocks of the international legal and political system. In article 2(3) of the UN charter, all members agree to settle their international disputes by peaceful means.

Further, article 33(1) of the UN Charter specifies the methods of peaceful settlement of disputes.[28] These are negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement resort to regional agencies or arrangements, or any other peaceful means of their own choice.

Sub-regional organizations in their approaches to conflict management have had to remain within the bounds of the larger organizations from which they derive their role for conflict management. For instance, in its article 18(A), the agreement establishing IGAD asserts that member states establish an effective mechanism of consultation and cooperation for the pacific settlement of disputes.

As can be observed from chapter two, the pattern of conflict management by Africa's sub-regional organizations leads to the conclusion that mediation is almost always part of their management strategy. Though it may not be the first channel to be used, it is always part of the envisaged process of responding to conflict and returning to normalcy.

The pattern that emerges from intervention in conflicts in Africa shows that mediation is engaged in for practically all conflicts.[29]. For instance, from the time ECOMOG was set up, substantial resources were also committed to mediation. The Lusaka peace process was also a regional forum that tried to mediate the DRC conflict. Further, in responding to the Sudan conflict and the Somalia one, IGAD has pursued a mediation strategies.

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[28]. For a detailed discussion on peaceful settlement of disputes see J.G. Merrils. International dispute settlement Cambridge. Cambridge University press 1993. Also UN Handbook on the peaceful settlement of disputes between states. New York, United Nations (1992)

[29] J.Odera PhD. Dissertation (2000) P. 33

3.2 Mediation in Theory

Mediation is defined as a form of third-party intervention in conflict for the purpose of abating or resolving that conflict through negotiation. [30] Mediation has also been defined as a continuation of negotiation by other means[31]. Like other forms of peace-making, mediation is an intervention that must be acceptable to the adversaries in the conflict who work together diplomatically with the intervener. On the other hand, mediation is distinguished from other forms of peacemaking by the functions the mediator performs.

Besides helping adversaries communicate and endeavoring to change their images of one another, mediators often suggest compromise and may negotiate and bargain with adversaries in an effort to induce them to change their stance. It is argued that the entry of a mediator in a conflict transforms the originally dyadic structure of conflict into a triadic one.[32] As such mediators become one of the parties to the conflict.

3:2:1 The Motives of Mediators and Parties

It is usually assumed that mediators aim at reducing or resolving conflict between adversaries. However, this peacemaking goal is often intertwined with less generous motives inspired by self-interest. As such, it is now widely acknowledged that third parties do not involve themselves in

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[30] S.Touryal and Zartman P.1

[31] Mwangiru-conflict-process p.115

[32] J.Bercovitch, <u>Social Conflict and Third Parties Strategies for Conflict Resolution</u> Boulder Co. Westview Press (1984).

mediation purely for altruistic reasons[33]. Every mediator brings to the meditation situation its own interests, perceptions and resources. [34]. Each of them may adopt behavior that ranges from the very passive through the facilitative to the highly active. The form and character of mediation in a particular international conflict are determined by the context of the international system and the conflict itself, the issues, the parties involved and the identity of the mediator.

Mediation therefore should not be seen as a totally exogenous input, as a unique role and a distinct humanitarian response to the conflict in which a well meaning actor, motivated only by altruism is keen to resolve a conflict. Through the very act of mediating a mediator becomes a legitimate actor in a conflictual relationship. This relationship involves interests, costs, and potential rewards and exemplifies certain roles and strategies. A mediator's role is part of this broad interaction. As such, to be effective therefore, the mediator's role must reflect and be congruent with that interaction. [35] A parallel analysis is true of the parties to the conflict. It is unlikely that they invite or accept mediation because they are interested only in peace; they most likely expect the mediator's intervention to work in their favor. They may also believe that a mediator's involvement will constitute a guarantee for the eventual agreement, thus reducing the risk of violation by the adversary.

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[33] . J.Bercovitch. The structure and diversity of mediation in international relations in J.Bercovitch and J.Z Rubins (eds) Mediation in international relation multiple approaches to conflict management London: Macmillan (1992) p.1-29 also C.R Mitchell, the motives for mediation in C.R Mitchell and K.Webb (eds) New Approaches to international Mediation West Port CT: Greenwood Press (1988) .29-51

[34] Ibid.
[35] J. Bercovitch, Mediation in International Conflict in I.W Zartman and J.Lewis(eds) PEACEMAKING IN INTERNATIONAL CONFLICT. METHODS AND TECHNIQUES USIP Press Washington DC(1997)

Acceptance or invitation of mediation may also be related to additional power-political considerations in which one or both parties wish to gain time or be relieved of the dilemma of choosing between escalation and concessions. Also one party may wish to engage the third party and enlist its support in the expectation that negotiations will fail to produce an agreement.

Mediation may also be viewed to provide an occasion for improving relations with the mediator while souring relations between the mediator and the adversary. Such power-related side effects may be often an important motive for inviting or accepting mediation. As such, the relationship is characterized with continuous bargaining and the mediator's conduct and its consequences are subject to constant scrutiny by both parties.

3.2.2 Impartiality

Whether it is necessary for the mediator to be impartial in order to deliver a successful outcome to the conflict is an issue in mediation. In classical analyses, it was thought that a mediator must be impartial in order to ensure a successful outcome. [36] However, this claim has been challenged in modern times and found wanting.[37] Tourval [38] argues that it is not necessary for a mediator to be impartial as the mediator possesses certain resources which the parties in conflict value. Because they value those resources they are less concerned with whether or not the mediator is

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[36] SeeO R Young The Intermediaries, Third Parties in International Crisis. Princeton:Princeton University Press (1997).

[37] See P. J Carnevale and S. Arad, 'Bias and Impartiality in International Mediation in J. Bercovitch (ed) Resolving international conflicts: The Theory and Practice Mediation Boulder Co. Lynne Rienner (1996) p.39-53.

[38] I.S. Tourval.'Biased Intermediaries: Theoretical and Historical considerations' Jerusalem Journal of International Relations. Vol 1. (1975) p.51-70

impartial. Their preoccupation is with the delivery of those resources rather than with the mediator's impartiality.

3:2:3 Timing

The ripe moment for mediation is another issue in mediation Zartman [39] argues that the parties must themselves be ready for mediation before the process can proceed. The ripe moment for mediation occurs when the parties in conflict reach a stage in their conflict when the costs of continuing with the conflicts are higher than the costs of negotiating. However, the problem is that ripe moments can only be realized by the parties in conflict. As such, it is not easy for a third party to know precisely when the ripe moment for mediation. The mediation process is also affected by the problem of conflicts in transition. Conflicts are dynamic and organic and therefore change with time. This transformation impacts on the mediation of a conflict such that when a conflict is in transition, mediation is unlikely to work successfully. [40]

3.2.3 Success

What constitutes successful mediation remains debatable. Success may be taken to mean the final resolution of all conflict and the reconciliation of the parties and in this case there would be

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[39] I. W Zartman, Alternative Attempts at Crisis Management. Concepts and Processes in C R Winham (ed) New Issues in International Crisis Management: Boulder Co. Westview Press (1988) p.199-223. Also see 'Ripening Conflict in Ripe Moment Formula and Mediation' in D.Bendahmane and J.W Macdonald (eds) Perspectives In Negotiations: Case Studies And Interpretations. Washington: Foreign Service Institute (1986) P. 205-227

[40] See M. Ottaway, 'Mediation In A Transitional Conflict:Eritrea' in I.W Zartman (ed) Resolving Regional Conflicts: International Perspectives Newbury Park: Sage Publications (1991) p.69-81

very little successful mediation. Alternatively, success may be taken to mean a contribution towards a formal agreement promising the reduction of conflict. [41]

However, there is the difficulty of assessing the mediator's contribution to a temporary reduction in conflict or gauging its responsibility for renewed escalation within some arbitrarily defined period of time.

3:3 Mediation by Regional Organizations

The study of mediation by regional organization has been of considerable interest to scholars[42]. A comprehensive study concludes that mediation by regional organizations reflects the interests and concerns of individual' sovereign states and the organization is simply a locus and a flag not a corporate actor. As such the organization provides an umbrella for individual member states to pursue their interests through the mediation. Due to this perceived inability of regional organizations to act corporately, regional organizations bring nothing to the mediation that member states acting individually cannot do. Nevertheless, regional organizations provide a forum to collectively manage external interests without isolating individual states [43]

3:4 The Case of IGAD In The Sudan Peace Process (1993 – 2004)

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[41] Zartman W. and S. Tourval, Mediation: ' The Role Of Third Party Diplomacy And Informal Peacemaking' In S.J Brown & K. M. Schrauls (Eds) Resolving Third World Conflict- Challenges For a New Era (Washington: United States Institute For Peace (1992) p. 241-261

[42] Amoo S.G& Zartman I. W 'Mediation by Regional Organizations. The Organization of African Unity in Chad: in Bercovitch J and Rubin J Z (eds) Mediation in International Relations: op. cit (1992) and also Wedgwood R. 'Regional and Sub-regional Organizations' in Crocker et al (eds) Managing Global Chaos. Sources of and Responses to International Conflict. USIP Press, Washington (1996).

[43] Ibid p. 135

3:4.1 Sudan: Historical Background

Sudan has an estimated population of 37 million, a land mass of 2.376 million spare kilometers and shares a border with 9 other African countries. The resource abundant wealthy country's north is inhabited by Muslim Arabs and less developed south of the country is inhabited by Christians and traditional ethnic African groups. In 1957, Sudan became the first country to achieve independence from (Britain and Egypt) in sub-Saharan Africa. For four decades, Sudan, geographically the largest country in Africa has been the scene of intermittent conflict. Since the current conflict erupted, more than two million people have died from war-related causes and famine in southern Sudan, and an estimated four million people have been displaced. The sources of the conflict are deeper and more complicated than indicated by the claims of political leaders and some observers. Religion is a major factor because of the Islamic fundamental list agenda of the current government, dominated by the mostly Muslim Arab. Southerns, who are Christian and traditional believers, reflect the islamization of the country and favor a secular arrangement. Social and economic disparities are also major contributing factors to the Sudanese conflict.

The abrogation in 1983 by then president Jaffer Nimeiri of the 1972 Addis Ababa agreement, which ended the first phase of the civil war in the south, is considered a major triggering factor in the current civil war. Although the National Islamic Front (NIF) government, which ousted the democratically elected civilian government in 1989, has pursued the war in southern Sudan with vigor, previous governments, both civilian and military, had also rejected southern demands for

autonomy and equality. It has pointed out that northern political leaders for decades treated southerners as second-class citizens and did not see the south as an integral part of the country.

Convinced that African problems deserved African solutions, Sudan's president Bashir began to approach certain African countries to intervene. In 1991, having been requested by Bashir,Nigeria accepted to mediate the conflict and the OAU Heads of State Summit gave resident Babangida that mandate and the process was named *The Abuja Process for Sudan*

Two rounds of talks were held in Abuja from 26 may to 4 June, 1992 and 26 April to 17 May, 1993 [44]The first rounds of talks were preceded by pre-negotiation sessions in Abuja from 28 October to 6 November 1991.

Since Nigeria was mandated by the OAU to mediate in the Sudan conflict, it prepared a report to be presented to the OAU Summit held in Dakar in June after the first round of talks. However, the report was never discussed in the summit as other pressing issues that the organization was faced with were given priority first. These incidents left much to be interpreted about the OAU's interests. For instance, the OAU did not find the Sudan conflict as pressing as other problems that were being experienced in other countries like Liberia.

One may argue that perhaps the OAU lacked the resources to involve itself in that conflict with great determination and preferred to let the matter be handled by a willing member state. However, OAU's failure to discuss the report clearly indicates that the organization's responsibility in the Sudan conflict was minimal. At the end of the talks, the Abuja process failed

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[44] Wondu and Lesch, A Battle for Peace in Sudan: An analysis of the Abuja conferences 1992-1993. University Press of America, New York (2000) p.152-153

to reconcile the positions of the parties in conflict and the mediator issued a statement that major differences in religious legislation prohibited the parties from reaching a consensus on the interim period. The mediator further issued a statement in areas where progress had been made and where disagreements remained. [45]

On progress the press statement indicated that the commitment to a negotiated settlement were the progress made and also the renewal of the determination to pursue negotiations on the question of state and religion. There was also agreement on maintaining the prevailing cease-fire commission. Areas of disagreement included separation of state and religion, definition of the south; security of the south during the interim period; composition of the cease-fire commission; decentralization of the judiciary; devolution of powers between states and the central authority; the supremacy rule in the case of conflict between states and the central authority.

3:4;2 Origin Of The IGAD Peace Process

Each conflict takes place in a regional context that significantly shapes the dynamics of the struggles, the resources that competing parties bring to bear in pursuit of their objectives and therefore, the prospects for managing, transforming or resolving specific conflicts. Furthermore, conflicts have regional repercussions as instability in one state generates spillover effects in neighboring states. Responsible regional organizations can facilitate cooperation, regularize relations, build confidence and develop norms that help to manage conflict. Convinced that the Sudan conflict was a regional threat, the IGAD (D) member states took up the challenge of

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[41] Communique Issued in 17 May 1993

mediating an end to the brutal war in Sudan in September 1993 [46]having been requested by the government of Sudan.

3:4:3 IGAD's Achievements In The Sudan Conflict

It was noted earlier that IGAD (D) redefined its mandate to take on the mediation of conflicts. It specifically set up a committee to seek resolution of the conflict within Sudan. The IGAD (D) Committee on Sudan had a series of Summit and Foreign Ministers meetings during 1993 and 1994.

Although the one in March 1994 attempted but failed to negotiate a ceasefire one positive outcome was to get agreement from the two sides (including all major SPLA factions) to a joint Declaration of Principles and actions that should govern the distribution of humanitarian assistance to civilians across battle lines, through the UN Operation Lifeline Sudan and with the support of IGAD(D).More generally, the IGAD(D) committee had agreed on a declaration of principles that they felt got to the actual roots of the conflict and which should be the basis for a negotiated settlement. These were based on the cultural diversity of Sudan and the particular position of the people of the south, realities which had to be recognized in any political framework that might resolve conflicts and hopefully keep Sudan together, realities which pointed to a democratic and secular form of government and to self-determination of the south. Not surprisingly these principles were quickly accepted by SPLA/M and the government of

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[46] F.M Deng, "Mediating the Sudanese Conflict: A Challenge for the IGADD" CSIS Africa notes, No 169 (Feb 1995) p. 1-7

Sudan. For many months the government of Sudan did not reject the principles out of hand but prevaricated before finally rejecting them.[47] .

Later, after the Khartoum regime signed a peace accord with the dissident former SPLA groups, the principles were once again questioned. Even though it solved little immediately, the peace accord still embodied most of the principles – the first time the current regime ever publicly articulated the need for some autonomy for the south and for a secular law and secular politics. Deteriorating relations between Sudan and first Eritrea, then Uganda and finally Ethiopia affected the workings of the committee. In September 1994 Sudan attacked the credentials of 'neutrality' of Eritrea and Uganda, referring to them as enemies[48]

At the same fourth meeting of the four-government committee, the Sudanese government made explicit its objections to the principles over the issues of self-determination for the south and the links between the state and religion. Shortly thereafter, the committee became inoperative until meetings resumed in late 1997 with Sudan coming back to the negotiating table on the basis of the principles. Surprisingly however, Sudan continued to send a representative to meetings of this IGAD (D) committee for a time, later in 1994 and in mid 1995 as well as participating in the normal business of IGAD (D) and in mid 1995, discussions to redefine its terms of reference. President Bashir was in fact present with his fellow presidents at the eventual relaunch of the organization as IGAD (D) in November 1996.

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[47] for a discussion of them see S Wondu 'IGADD Principles: Catalyst or Obstacle To Peace?' Sudan Democratic Gazette December 1995.

[48] Indian Ocean Newsletter, 24 September 1994

The Sudanese government's calculations behind their willingness to involve themselves in an IGAD process, despite all their condemnations of members of it are perhaps indicated by a revealing statement of president Bashir back in 1993, wherein he charged that the rebel movements were dependent on foreign support, but that the same foreign forces supporting the rebellion were the same forces that would compel the rebels to sit down with the government in order to achieve peace[49] This suggests that the IGAD(D) governments were seen to have some value to the Sudanese government. It also suggests that the military and diplomatic pressures to secure a favorable deal would be waged in part by indirect conflicts with neighboring regimes as much as by the internal counterinsurgency war. They might also be calculating that the external supports of the peace process might force their opponents to make concessions in the interests of securing a deal.

Despite reaching the apparent dead-end the IGAD (D) Committee itself continued to pursue the possibilities of peace throughout 1995. Even though there was no lasting progress in negotiations there was a ceasefire for a period in 1995 to allow vaccination campaigns against guinea worm. But two organizational by-products of this work emerged that arguably had significance for the long-run prospects of some regional security system. A Secretariat for the Sudan talks was brought into being based in the Kenyan Ministry of Foreign Affairs, the Headquarters staff in Djibouti and its systems was to be expanded so conflict early warning and resolution activities could be undertaken, and the meetings were resourced by a panel of experts from the region. This restructuring eventually led to the body reconstituting itself as the

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[49] . Radio Sudan, quoted in HAB, I, 1994.

Intergovernmental Authority on Development (IGAD) with a Council and Summit, a doubling of professional staff and three divisions- for Economic Co-operation, Agriculture and Environment, and Political and Humanitarian Affairs – and a new Executive secretary. This was finally inaugurated in September- 1996. The second development was that an international network of Friends of IGAD was brought into being in 1995, chaired by Jan Pronk, Dutch Aid Minister and one of the co-presidents of the donor government dialogue body, the Global Coalition for Africa, and with representatives of Italy, Canada and UK

The original Ministerial Sub- committee was replaced by the Permanent Secretariat on the Sudan Peace Process, based in Nairobi to mount a sustained effort to resolve the conflict. President Moi appointed Lieutenant-General Lazarus Sumbeiywo as special envoy to Sudan. The first round of talks held under this arrangement began in February 2000. In July 2002 talks in Machakos, Kenya resulted in the Sudanese government and the SPLA signing the Machakos protocol. The protocol provides for a six-month "pre-interim period" during which hostilities should cease and a formal ceasefire should be maintained and sharia law should not be applied in the south during that period. After six years, a referendum on southern self-determination should be held.

A second round of talks were held in Machakos during August –September 2002, which attempted to negotiate a ceasefire. However, the talks broke down on 3 September when the Khartoum government recalled its delegation for 'consultation' over the SPLA capture of the strategic town of Torit. Talks resumed in Machakos in October 2002. On 15 October a Memorandum of Understanding was signed which agreed to a cessation of hostilities for the duration of talks.

Aspects of power and wealth sharing were agreed on 6 February 2003 and an agreement on security arrangements during the interim period was signed on 25 September 2003. The Naivasha Declaration of 22 October 2003 raised expectations that a final peace agreement would be signed by the end of the year 2003. However, the parties remained unable to move forward on the outstanding issues of power sharing and the disputed region of Abyei, Nuba Mountains and southern Blue Nile. The ceasefire was extended to 2004 and talks continue at the highest level of negotiations between Sudanese first vice-president Ali Uthmani Muhammad Taha and SPLM/A leader, John Garang. At the same time, the IGAD Secretariat is preparing a work plan to support reconstruction and peace building in Sudan after a peace agreement is reached. The mediators and some observers are cautiously optimistic about the talks, although the optimism seems to reflect simply the fact that the talks are ongoing and have not collapsed[50]

3:4:4 Challenges To The IGAD In The Sudan Peace Process.

The IGAD peace process began with the view among the mediators that the Sudan conflict was having serious repercussions not only in the country but also in the region, and then sought to deal with the root causes of the conflict. Mediation by regional organizations reflects the interests and concerns of individual sovereign states and the organization is simply a locus and a flag not a corporate actor. As such, the organization provided an umbrella for individual member states to pursue their interests through the mediation. Due to this perceived inability of regional organizations one may argue that the IGAD brought nothing to the mediation that the member

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[50] (see Special Envoy Lazarus Sumbeiywo's letter to Secretary of State Powell, available at [http://www.state.gov/p/af/ci/su/c9101.htm

states acting individually cannot do. Nevertheless, the organization provided a forum to collectively manage external interests without isolating individual states.

Conditions were ripe for talks since both sides were exhausted from years of fighting and some members of the IGAD were seen by Khartoum as allies. Zartman[51] argues that the parties in conflict must themselves be ready for mediation before the process can proceed. The ripe moment for mediation occurs when the costs of continuing with the conflict when the costs of continuing with the conflict are higher than the costs of negotiating. However, the problem is that ripe moment can only best be by the parties in conflict. As such it is not easy for a third party to know precisely, when is the ripe moment for mediation. The mediation process is also affected by the problem of conflicts in transition. Conflicts are dynamic and organic therefore change with time. This transformation impacts on the mediation of conflict such that when a conflict is in transition, mediation is unlikely to work successfully. In 1994, relations between IGAD member Eritrea and Sudan began to deteriorate, largely due to Sudan's support for an Eritrean opposition group, the Eritrea Islamic Jihad.

Meanwhile, serious opposition to DOP began to emerge from the NIF government. The most contentious issues were secularism and self-determination which the Khartoum government refused to concede.

In July 1994, the polarization of the two sides intensified after the Khartoum government appointed a hard-line NIF member to its delegation. The Khartoum delegation professed the government's commitment to Islamic law as part of a religious and moral obligation to promote

Islam in Sudan and throughout the continent, and rejected self-determination as a ploy to split the country. In September 1994 then Kenyan President Moi convened a meeting of the committee's heads of state, Sudan's president Bashir and the leader of SPLM/A. The Khartoum government walked out of these peace talks rejecting the DoP. However military setbacks and intense international pressure forced the government back to the negotiating table in Nairobi in 1997 and it formally accepted the DoP. The return to IGAD process was in part in recognition of the government's failed effort to attract other mediators, who might have been more supportive of NIF positions.

Further meetings in 1997 – 1998 sought to narrow divisions between the two sides, with the government of Sudan formally agreeing to self-determination for the south. The government of Sudan also appeared willing to compromise on some other issues. In May 1998, the parties, despite some progress earlier, disagreed on which territories were considered part of the south. The Khartoum delegation defined the south as the three provinces of Bahr el Ghazal, Equatorial and upper Nile, established at independence in January 1956. The SPLM/A argued that southern Kordofan province and southern Blue Nile province and other areas were part of the south. Also serious disagreements on the duration of the interim period before a referendum on self-determination, and issues relating to interim arrangements were shelved by the mediators..

A follow-up meeting between the parties took place in Addis Ababa, Ethiopia in early August 1998. The talks collapsed due to differences on the role of religion in politics. The parties also disagreed again on the territorial definition of Southern Sudan for the purpose of referendum.

In February 2000, the parties met in Nairobi but failed to make progress. In early June 2001, president Moi reconvened the stalled IGAD peace talks in Nairobi.

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[1]I>W>Zartman(1986)op. cit. p.205-227

No progress was made according to a press release issued at the conclusion of the talks.

In January 2002, IGAD mandated President Moi to merge the IGAD peace progress with the Egypt-Libya initiative (ELI) a peace initiative launched by the governments of Egypt and Libya in 2000.

Regional Competition and Interests

The period of the early 1990s was characterized by a new political stance on the part of several governments as opposed to the previous period that was characterized by mutual intervention.
All conflicts in the horn of Africa since the 1970s could be said to have primarily internal origins but they were amplified by a pattern of mutual intervention. Each government sought to deal with its own internal conflicts by some degree of support for insurgencies in neighboring states. This pattern was reversed by a brief period of detente from 1991-1994 though it resumed later on. However, in the early 1990s several governments changed their political stance to refrain from supporting internal opposition in neighboring counties and even assist in suppressing exiled oppositions to seek peaceful solutions to intra and inter-state conflicts.

Prior to the government of Sudan's request to the IGAD(D) to mediate in 1993 the forces that Khartoum supported had deposed Mengistu of Ethiopia the main supporter of the SPLM/A. Also in 1993 Eritrea had just gained its independence having benefited from Sudan's help in the years of armed struggle. The government of Sudan therefore believed IGAD was made up of

countries that owed it favor. [52] However, this kind of relations had changed remarkably by the time the mediation process commenced.

Just before the launching of the mediation in 1994, Eritrea officially made complains to the UN Security Council claiming the government of Sudan was engaged in destabilization activities in Eritrea [53]

Ethiopia joined in the allegations claiming that the security of Eritrea was important to that of Ethiopia The perceived indebtedness of Ethiopia and Eritrea as at the time the government of Sudan requested for the mediation was therefore lost. Eritrea broke off relations with Khartoum and hosted a meeting of Sudanese opposition leaders. Ethiopia accused Khartoum of involvement in the assassination attempt against Egyptian president Hosni Mubarak in Addis Ababa and Kampala charged that Sudan was supporting rebels in northern Uganda[54]. Eritrea president Isaias Afewerki insisted that the stability of the region depended on the regime's defeat otherwise there was no room for diplomacy and no more compromise.

Meanwhile SPLM/A was happy with this trend of loss of allies for the government of Sudan as this would be in its favor. After a series of unsuccessful talks, some of Sudan's neighbors like Eritrea determined that the government in Khartoum was not interested in compromise began to

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[52] Wondu S.&Lesch A(2000) battle for peace in Sudan : An analysis of the Abuja conferences 1992-1993 university press of America New York p.152-153

[53] Ibid

[54] (For Some Background See Jeffrey A Lefebure, "Post-Cold-War Clouds: The Eritrea-Sudan Crisis." Middle East Policy Vol 4. (September 1995) p. 34-49 & Francis M Deng Egypt's Dilemmas on the Sudan, 'Middle East Policy, Vol 4 (September 1995) p. 50-56)

provide support for the insurgent SPLM/A. Notably the realignment in intra-regional relations affected the mediation process and its success.

Mediators have interests both in the process and outcome of mediation[55]. They are motivated by self-interest and they intervene on the basis of calculated outcomes[56].

Assessing the motives of the IGAD member states can be analyzed at two levels: the organization level and the individual members of the organization. As a sub-regional organization the IGAD has an interest in the mediation in order to strengthen its position as a sub-regional organization[57]. Collective responsibility can also explain the organization's motives. [58]. As for the individual members of the IGAD, Kenya was interested in building up an image of a regional peacemaker.

It has also been perceived as a trusted mediator by both the government of Sudan and SPLM/A. On the other hand Uganda and Eritrea considered involvement in the mediation to be a way of curtailing acts of destabilization by the government of Sudan. For the two countries therefore,

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[55] Zartman W.I & Tourval S International Mediation: Conflict Resolution and Power Politics, Journal of Social Issues No 41'(1985) P. 27-45

[56] J Bercovitch: The Structure and Diversity of International Mediation in International Relations in J. Bercovitch And J.Z Rubins (Eds): Mediation In International Relations: Multiple Approaches to Conflict Management: London Macmillan (1992) P.1-29 Also C.R Mitchell. The Motives For Mediation In C.R Mitchell And Keith Webb (Eds) New Approaches To International Mediation Westport CT: Greenwood Press (1985) p. 29-51

[57] Amoo S.G & Zartman W.I;Mediation by Regional Organizations. The Organizations Of African Union In Chad In J.Bercovitch & Rubin J. (Eds) Op.Cit P. 131-148)

[58] Afewerki I The Conflict in Sudan Paper Presented to The 17th Pan-African Congress. 4th April 1994 Kampala Uganda

interests in the Sudan conflict were driven by national security. Ethiopia was interested in assuming a peacemaking role.

Overview

Of all the past peace efforts it can be appreciated the IGAD peace progress has done the most to help narrow the differences between the government of Sudan and the SPLM. The organization has continued to play an effective communication and facilitation role aimed at encouraging the parties to narrow the differences on their principal concerns of self-determination and separation of state and religion. By developing the rules of procedure and prevailing over the parties to abide by them, IGAD has been able to keep the negotiation focused on the main issues. But IGAD has not been able to full resolve the Sudan crisis because of multiple of factors. Perhaps one of the most serious obstacles to peace in Sudan has been the government's notion that the war could be won and the SPLM/A defeated. Regional dynamics in the conflict prone horn of Africa have also contributed to the persistence of the conflict. Both the government of Sudan and the SPLM/A relied on the support of regional actors, enabling both sides to survive setbacks and creating a sort of balance of power between them. Shifting alliances further ensured continued instability in the Sudan. Competing regional initiatives such as the one pursued by Egypt and Libya have also undermined the IGAD efforts according to observers.

3:4:5 The Influence of the Parties Motives On The Peace Process

By submitting to the mediation both the government of Sudan and the SPLM/A would appear to be interested in a peaceful solution and therefore this would clear them off international criticism of their human rights record. The parties at the same time needed international visibility in a

structured peace process both for the constituencies and opponents. The peace initiative would also forestall unilateral action against either party and could serve to focus international attention more on the peace process and away from the war front.

For the government of Sudan the interest was based on initial perception of favor from the participating countries. Also after the failure of Abuja initiative and the mediator submission that the government of Sudan was largely responsible for that failure, the government of Sudan had to clear the image that it was against a peaceful solution of the problem. For the SPLA/M, being present at the negotiating table also gave it a psychological advantage. It conferred upon it the status of being the recognized opposition force. [59] Considering the SPLA/M's own sense of military weakness and vulnerability at the particular point in time, the mediation was also significant

For the constituencies of the parties the decision to mediate was not uniformly received within Sudan. While the cabinet felt it necessary to pursue a peace process, members of the Islamic council felt that the battle could still be worn militarily[60]. Within SPLM/A there was an initial skepticism about the mediation primarily based on suspicious over the intentions of Khartoum.

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[59] Deng F.M. Negotiating a Hidden Agenda: Sudan's Conflict of Identities in Dowyaro E.T ECOMOG Operations in West Africa in ISS Monograph Series No.46

[60] SPLA/M update No.10 Vol III (1994)

CHAPTER FOUR

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...is increasingly marginalized in global politics, the problems of Africa's internal ...are the subject of intense mediation efforts precisely because no conflict in the ...world is truly internal. These conflicts and their consequences have become ...both analytically and empirically[ ]

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...dominant role of the US during the multinational operation in the Gulf War against the Iraq
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CHAPTER FOUR

THE INTERNATIONAL COMMUNITY IN THE SUDAN PEACE PROCESS.

4.1 Introduction

Although Africa is increasingly marginalized in global politics, the problems of Africa's internal conflicts remain the subject of intense mediation efforts precisely because no conflict in the contemporary world is truly internal. These conflicts and their consequences have become internationalized both analytically and empirically[61].

The end of the Cold War, and the ultimate collapse of the Soviet Union left the world with a single dominant power. Aware of its position as the only superpower, the US became keen to play a more central role in world affairs. In this respect president George W. Bush stated, "The new world could, in time, be menacing as the old … A retreat from America leadership, from American involvement, would be a mistake"[62] The US had already assumed the implementation of its grand strategy by the time Bush made this statement[63] When a political situation evolved after the ouster of the Siad Barre regime in Somalia and the humanitarian catastrophe began to unfold as a result, the world community had to react to the new phenomenon of a failed or collapsed state. [64]The Somalia experience was so disastrous that it precipitated a re-evaluation of the "interventionist" policy and led to the abandonment of the "grand strategy" Consequently, the west adopted a policy of disengagement from Africa. The reluctance of the Clinton

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[61] For early literature on this theme see James Rosenau International War as an International Event, in James Rosenau (ed)*International Aspects of Civil Strife.* Princeton University Press Princeton (1964)
[62] . Bush, George as quoted by Church, J. George, "Out with a Bang," *Times*, January 11, 1993 p. 13 – 15.
[63] . Consider the dominant role of the US during the multinational operation in the Gulf War against the Iraq invasion of Kuwait.

administration to undertake direct intervention in Africa and the restriction of its engagement to mere humanitarian assistance and the provision of financial and diplomatic support to selective regional efforts of conflict management indicated the general state of affairs in the US' African policy.

Indeed, Susan Rice, then Assistance Secretary for African Affairs argued in respect to the American (dis) engagement in Africa that the intention was to "accelerate Africa's integration into the global economy," and the US' stake in Africa was "an enlightened self-interest. [65]A closer examination of the US initiative of Partnership for Economic Growth and Opportunity," reveals that at least in respect to conflict management, the US prefers indirect engagement in Africa.

At the same time, the French president Francis Mitterrand stated that "the time has come for Africans themselves to resolve their conflicts and organize their security," This in essence was emphasizing the significance of regional conflicts management to fill the vacuum left by France's disengagement.

4.2 IGAD Partners Forum

IGAD Partners' Forum (IPF), is a group of countries that politically and financially support the Sudanese peace process. Formed in 1993 as Friends of IGAD: the group initially comprised of

[64] For discussion of the phenomenon, see I.W. Zartman (ed), *Collapsed States: The Disintegration and Restoration of Legitimate Authority,* London, Lynne Rienner publishers (1995).
[65] Susan Rice, Assistant Secretary for Africa, Testimony, House International Relations Committee, Subcommittee on Africa. Washington, DC, February11, 1999. See http. //www.state.gov/www/regions/africa/990211 rice.html.

countries of Netherlands Germany, Norway, Australia, Italy, Canada, USA and Britain. Its main purpose was to generate international support for the IGAD peace negotiations[66]. So far the membership has grown whereby by in March 1999, an IPF meeting in Oslo attracted seventeen western countries and several UN agencies[67]. The member countries came together out of individual interest in the outcome of the war in Sudan and also their financial support is crucial. Many of them have direct dealings with the government of Sudan and the SPLM/A and have been perceived to add the leverage to mediators. They have been involved in advising and giving direction for the mediation[68]. The length of time between different rounds of talks emerged as a concern not only for the Sudanese people but also for the IGAD partners' Forum. To overcome this shortcoming in July 1999, the Sudanese government and the SPLA/M agreed to an enhanced structure put forward by the IPF. The Sudanese parties gave their blessing to the establishment of a permanent Secretariat in Nairobi Kenya, the formation of technical committees for the key issues under negotiation and the appointment of a Kenyan special envoy. Notably the IPF played a peripheral role in the mediation in the early sessions as the government of Sudan demanded that the initiative should not be kept internationalized. However, towards the end of the year 2000 the IPF began demanding a more substantive role in the mediation[69].

In early June 2001, when president Moi reconvened the stalled IGAD peace talks in Nairobi no progress was made according to a press release issued at the conclusion of the talks. In January

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[66] Pronk Jan: letter from the chairman of Friends of IGAD dated 6th Feb, 1997 & printed in Sudan Democratic Gazette No.82 March 1997 p.11
[67] Report of the Fifth IGAD Partners Forum Oslo May 1999

[68] Communication from Norway on behalf of IPF urging for longer negotiations sessions

[69] Report of the IGAD Partners Forum IPF Assessment Mission September (October 2000)

2002, IGAD mandated president Moi to merge the IGAD peace process with the Egypt-Libya Initiative –ELI, a peace initiative launched by the governments of Egypt and Libya in 2000 [70]

4.3 The US

The Clinton Administration adopted a policy of isolation and containment of Sudan while at the same time supporting the IGAD peace initiative. Relations for most of the 1990s were dominated by concerns about Sudan's radical Islamic agenda, the civil war, human rights and the National Islamic Front's support for international terrorists and terrorist organizations including Osama bin Laden who lived in Sudan from 1991 to 1996.

There is a growing perception within the U.S. policy making establishment that Islamic fundamentalism is a threat to U.S. interests on the African continents. [71] This view was confirmed by a leaked national security review. [72] of US policy toward Africa for the 1990s which indicated that Islamic governments and movements particularly those sponsored by Iran, Libya and Sudan posed a direct threat to US interests in Africa. [73] The US perception of Islamic fundamentalism in clearly demonstrated by its foreign policy toward the Bashir regime in Sudan – in 1997, the Clinton Administrated imposed comprehensive economic and trade sanctions on Sudan.

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[70] Alistair Lyan, Egypt, Libya Trying for Peace in Sudan, Reuters, October 18, 1999.

[71] See John L. Esposito. *The Islamic Threat: Myth or Reality?* New York OUP (1992)
[72] National security review 30. signed by president George Bush in January 1993
[73] See Ian O. Lesser: *Security in North Africa. Internal and ExternalChallenges*. Santa Monica. Calif: RAND (1993).

Beginning mid-1999, the government of Sudan sought to soften its image and called for improved relations with the United States. The Sudanese government has been remarkably successful in breaking out of the isolation it had suffered as a consequence of its Islamic domestic and foreign policies. Sudan's foreign relations further improved following the decision of the government to close the headquarters of the popular Arab and Islamic Conference, regarded as a spearhead of Islamic fundamentalist movement. The Clinton Administration appointed former Congressman Harry Johnston, as special Envoy for Sudan. [74] In 2000, then assistant secretary of state for Africa, Susan Rice met with Sudanese foreign minister and gave him a document which outlined US demands for improved relations. The government of Sudan agreed to implement some of the reforms demanded by Washington and agreed to stationing of US counter terrorism officials in Khartoum to deal with the government of Sudan on issues relating to international terrorism.

Special envoy Johnston made several trips to Sudan and other countries in the region to rally support for the IGAD peace process. By early 2000, serious dialogue on a wide range of issues between the government of Sudan and the Clinton Administration began to take place. Progress made on counter-terrorism talks, while the IGAD peace process stalled.

Clinton Administration officials encouraged the SPLM/A and the government of Sudan to stick to the IGAD led peace process and provided financial support to the IGAD peace secretariat. Concerned about lack of progress in the peace process, Clinton Administration officials also sought to bring the IGAD peace process to Washington, D.C. and initially received the supports of both the SPLM/A and the government of Sudan. This plan however failed to materialize

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[74] For more on the Clinton Administration policy on Sudan, see Ted Dagne, *Humanitarian Crisis, Peace Talks, Terrorism and US Policy.* Congressional Research Service.

because of Khartoum's instance on the lifting of U.S. and UN sanctions as a condition for its participation.[75]

The Bush Administration has made Sudan a high priority. On September 2001, president Bush appointed former senator John Danforth as special Envoy for Sudan. During a White House ceremony, president Bush stated that "For nearly two decades, the government of Sudan has waged a brutal and shameful war against its own people and this is not right and this must step". President Bush affirmed his Administration's commitment to "bringing stability to Sudan". [76]

In response, envoy Danforth stated that the effectiveness of America's efforts for peace in Sudan depended in US' communication and cooperation with other interested countries including the European Union and countries neighboring Sudan." In November 2001, Danforth made his first visit to Sudan and other neighboring countries to assess the Sudan peace process and humanitarian conditions. In Khartoum he met with president Bashir of Sudan and senior government officials. He also met with senior officials of the SPLM. In Nairobi, Kenya, he met the then president Daniel Arap Moi, and in Egypt, Danforth met with president Hosni Mubarak and senior government officials.

Danforth was given the mandate to ascertain if there was a role for United States to play in the peace process. As part of his mandate, he first sought to test the parties to the conflict to determine whether they were serious about a negotiated settlement. He proposed four confidence

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The United Nation imposed sanctions on the government of Sudan after the assassination attempt on Egyptian president Hosni Mubarak in Ethiopia in 1995. The government of Sudan was implicated in the assassination attempt. Washington also imposed a number of sanctions on the government of Sudan in response to human rights violations and the government's support for international terrorism. In November 1997, the Clinton Administration imposed comprehensive economic and trade sanctions on Sudan. President Bush renewed these sanctions in 2002.
Text of president Bush's speech is available at White House website – [http:www.whitehouse.gov.].

building measures: a cease-fire in the Nuba mountains region to facilitate relief assistance, the creation of 'days of tranquility' to administer immunizations and provide humanitarian relief, assistance; an end to aerial bombardment of civilian targets; and the creation of an Eminent Persons Group on slavery in Sudan Danforth successfully secured agreement from both parties. In April 2002, Danforth submitted his report to president Bush in which he made a number of recommendations, and gave his assessment of the situation concerning the peace progress. He concluded that there is a role for the United States in the peace process. [77]He recommended that the US supported the IGAD peace process and coordinates it with other initiatives.

Such a recommendation may be interpreted as an endorsement of constructive and energetic US engagement in the process currently spearheaded by Kenya. It may also be seen as a rejection of a unilateral or US led peace initiative. The recommendation reaffirms continued US support of and preference for the IGAD peace process which had been pursued by the Clinton Administration for several years. The policy does not represent a change in US policy, although the levels of engagement and financial and political support subsequently increased significantly. The Bush Administration however renewed the sanctions imposed by the Clinton Administration although has relaxed the travel ban that had been imposed on Sudanese officials. Further, the Administration has expanded dialogue with the Sudanese government on counter-terrorism and the peace process.

Danforth further concluded that the war is not winnable by either side to the conflict and therefore, a negotiated settlement is the only option, echoing the long-standing conventional

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[77] Danforth's report to president Bush is available at [htt://www.whitehouse.gov/news/release/2002/05/20020414// html].

wisdom that the war is stalemated. When governments are unable to defeat challengers, and challengers are unable to decisively topple governments, over time a mutually hurting stalemate can develop. This suggests that parties have reached the point where further escalation is self-defeating and indeed further pursuit of the conflict imposes greater costs than benefits. Internal conflicts such as the case in Sudan seem to have the ability to continue for decades and arrive neither at victorious resolution for one side nor at satisfactory reconciliation. [78] As Stedman, [79] illustrates, when negotiated settlements have been reached; they have been based on the parties' common realization that such a stalemate existed.

The US considers the Nuba cease-fire agreement as a success and suggests that progress on the other three confidence building measures should, be as an expression of the parties' continued commitment to a negotiated settlement.

The Bush Administration has played key roles in strengthening the working relationship of the so-called Troika: Norway, Britain and the United States. Meanwhile, other US agencies are expanding their activities in Sudan. USAID has significantly increased development programmes in Southern Sudan and US counter-terrorism experts are involved in a dialogue with their counterparts in Khartoum. These multiple engagements may enhance peace efforts, and they have led to improved relations between the United States and the government of Sudan. However, the government of Sudan had intensified its efforts to reduce American influence over the peace process by actively encouraging others to play more significant roles. [80]

[78] Zartman I.W., "The Unfinished Agenda: Negotiating Internal Conflicts, in Roy Licklider (ed), *Stopping the Killing: How Civil Wars End.* New York University Press: New York. P. 20

[79] Stedman Stephen John, *Peacemaking in Civil War: International Mediation in Zimbabwe, 1974 – 1980.* Lynne Rienner: Builder (1991)

[80] Agence France-Presse, 2 December, 2002.

Inarguably, the Sudanese process is critical to Africa's well being as well as to America's security since US commitment to this process would not only lead to a Humanitarian triumph but also an increase in development of sweeping success on the US led war against terrorism. US major interest therefore is that Sudan remains non-threatening in the war against terrorism. Notably the US is pursuing its interests in Sudan and therefore its involvement is not altruism.

4.4 The European Union and its member states

Formal European Community (EC) – Sudan development co-operation was suspended on March 1990 and ongoing development assistance was phased out due to concerns about lack of respect for human rights and democracy, and to the civil conflict. Since then, formal EU development aid to Sudan has remained suspended. However, the EU has provided substantial humanitarian assistance to the victims of the civil war and natural disasters according to basic humanitarian principles. In October 2002, the EU agreed that normalization of relations and resumption of co-operation be tied to progress in the peace process.

Sudan's foreign minister Mustafa Ismail cited a constant flow of visits by European delegations to Khartoum as evidence of considerable progress in the Sudan – Europe dialogue.[81] However, an EU – Troika delegation concluded its early December 2002 talks by conditioning the resumption of development cooperation on the signing of a peace deal to end the civil war. The two parties agreed that the government's performance on human rights, democracy and the rule of law had become somewhat better but the peace was essential for across-the-board improvements. [82]

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[81] Quoted in ICG Report: *Wealth Sharing Make or Break Time in Sudan's Peace Process.* Africa. Report No. 55 Nairobi.
[82] Agence France-Presse, 11 December, 2002.

Visits from EU member states conveyed the same messages. Belgian foreign minister Louis Michael discussed the peace process and human rights concerns with his counterpart and president Bashir in November 2002. [83]

The senior Norwegian observer at the Machakos talks visited the Nuba Mountains followed shortly by a working team of the Swedish Foreign Ministry and the Swedish International Development Agency. Both visits aimed at consolidating the partial ceasefire and normalization underway in the area and readying the next round of talks. The government of Sudan has also been cited to have sought a French role in the peace process.[84]. While Sudan's interest in a more active French role is in part to obtain some possible counter-balance to Washington's influence, there is also a desire to draw on French Expertise on constitutional matters and international guarantees for security arrangements and ceasefire.

4.5 The Arab League

At its meeting in late October 2002, the Arab League treated the crisis in Sudan as a priority on a par with Iraq and Israel-Palestine. Secretary General Mousa appointed Nadiya Makran Obeidi, former Egyptian state minister for environment as his personal envoy to Sudan. As a Coptic Christian she is to reassure SPLA while she provides Egypt a window into the process. However, both the government of Sudan and SPLA remain very cautious about Egypt's intentions. Further, it has been claimed that Egypt and Libya want to see the peace process fail.[85]. Egypt has several sets of interests in Sudan including: The River Nile, Arab solidarity and even has internal allies in Sudan, the closest of which is the Democratic Unionist Party which is Unionist.

[83] Agence France-Presse, 27 December, 2002.

[84] Agence France-Presse, 2 December, 2002

CHAPTER FIVE

...an sub-regional organizations have established mechanisms for conflict management ...step forward for Africa. From the experience of the African sub-regional organizations ..., it is evident that they suffer several limitations. Besides the difficulty of maintaining ...ty and forging common positions, other limitations include limited resources, a lack of ... that they may not be readily acceptable to the parties in conflict. As sub-regional ...on are close to a conflict and their members are likely to have vested interests, it is ... of them to remain impartial at least not for long. Consequently, they may be less ... to one or more parties to the conflict. Perhaps this explains why the government of ... insisted that it can only negotiate the contested areas in the Eastern part of the country ...fferent forum a part from the IGAD led peace initiative.

...gional organizations also suffer organizational shortcomings. For instance, IGAD an ...ion and an association of states is weak. The IGAD secretariat has not been able to ...e momentum of the peace process by detailed follow-up of the peace talks and ...n of technical issues. The negotiation mechanism has been cumbersome and slow. ...Eritrea dispute has shattered the unity of IGAD's two most active states and has ...d the credibility of the organization itself.

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[15] Quoted in ICG Africa report no. 55 op. cit. p 15

CHAPTER FIVE

CONCLUSION

That African sub-regional organizations have established mechanisms for conflict management is a major step forward for Africa. From the experience of the African sub-regional organizations identified, it is evident that they suffer several limitations. Besides the difficulty of maintaining impartiality and forging common positions, other limitations include limited resources, a lack of mandate in that they may not be readily acceptable to the parties in conflict. As sub-regional organization are close to a conflict and their members are likely to have vested interests, it is difficult for them to remain impartial at least not for long. Consequently, they may be less acceptable to one or more parties to the conflict. Perhaps this explains why the government of Sudan has insisted that it can only negotiate the contested areas in the Eastern part of the country under a different forum a part from the IGAD led peace initiative.

The sub-regional organizations also suffer organizational shortcomings. For instance, IGAD as an institution and an association of states is weak. The IGAD secretariat has not been able to sustain the momentum of the peace process by detailed follow-up of the peace talks and examination of technical issues. The negotiation mechanism has been cumbersome and slow. The Ethic-Eritrea dispute has shattered the unity of IGAD's two most active states and has challenged the credibility of the organization itself.

To be effective, sub-regional institutions must command the respect and authority of the parties to the conflict concerned. For this to be the case, they must be perceived to be impartial and strong and with a good track record. However, as already observed from the IGAD case, member states of a sub-regional organization are not necessarily impartial to a conflict in their sub-region. Nevertheless, their proximity and therefore potential for coalition with one side has conferred a certain degree of coverage to sub-regional organizations' peace initiatives in their own sub-regions. As such, they can contribute useful pieces to the puzzle of peace. Hence their efforts should be nurtured and modalities established for enhancing their reliability and competence. In the case of IGAD in the Sudan conflict, staying out of the peace process seems to be less desirable due to the proximity of mediators and calculations based on the likely impact of coalitions with the opposition. The advantage of proximity on its own is of limited leverage and only serves as a constraint on the parties to continue a process even if no real progress is being made. Mediators must be in a position of being able to offer genuine inducements to peace and genuine sanctions for not achieving it[86]. In the case of the IGAD peace process, perceived biasedness seem to make the government of Sudan weary of the mediation and explains why it has on occasion tried to disengage from the IGAD process to seek alternative mediators especially on the contested areas of Abyei, Nuba Mountains and the Southern Blue Nile.

Peace efforts in any situation must be carried out by a variety of actors and at a number of levels. However, successful peace initiatives can be realized only when several actors play their respective roles in complementary rather than in competitive approach[87]. Any achievement of

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[86] Stein Kenneth, W & Lewis S.W. Mediation in the Middle East , "The varieties of intervention: Conditions for success", in Crocker, Chester A. et al, (1995), *Managing Global Chaos, Sources of and Responses to International Conflict.* Washington, DC: United States Institute of Peace Press. p. 463-473.
[87] D.M. Tutu – Ecumenical Collaboration for Peace and Justice in the Sudan. Project Document; Nairobi January 1994 p. 1.

peace in Sudan can be sustained only with the assistance of both regional and international actors. On the understanding that neither of them can individually lead to resolution, they must support each other.[88] To encourage the parties towards negotiation requires action on multiple fronts from within and beyond the region.[89]

Under the UN charter, the Security Council has and will continue to have primary responsibility for maintaining international peace and security, but regional action as a matter of decentralization, delegation and cooperation with United Nations efforts not only lighten the burden of the Security Council but also contribute to a deeper sense of participation, consensus and democratization in international affairs.

Termination of the cold war reinvigorated the UN and simultaneously reinforced the trend towards security regionalism. In contrast to the formative years of the UN, when regional arrangements were seen as competing with and detrimental to the universal approach embodied in the UN, it is now widely accepted that global and regional institutions can and should work together in promoting international peace and security.[90]

Regional actors have a deep interest in conflicts management in their respective regions and they can provide legitimacy, local knowledge and experience and also resources especially in terms of personnel. However, as several experiences in Africa show, regional conflict management could

[88] M.Mwagiru "Conflict and Peace Management in the Horn of Africa" A paper presented at the IRG Conference on Peace and Security in the Horn of Africa, Mombasa, November 6th – 9th 1996 p. 19.
[89] B. Kiplagat, "The Sudan Peace Process: An overview", Nairobi: AACC Document File, from November 15th 1994 to December 31st 1995: (October 1995) p. 2.
[90] For a good account of deliberation on regionalism versus globalism in the context of the formulation of the UN charter, see Inis J Claude, Jr, 'The OAS, the UN, and the United States', *International Conciliation*, 547, March

not "represent a panacea for all difficulty problems. As Annan rightfully warns, not only because "regional organizations can face political, structural, financial and planning limitation", but also because "the impartiality or neutrality of their member states may be questioned, for historical reasons or for political reasons or economic reasons.[91]

Interested parties beyond Africa have played an important role in reducing the obscurity of the Sudan conflict and also help in the mobilization of resources to address the said conflict. A variety of actors have also served to mitigate the effects of the conflict through for example humanitarian assistance or support for peacemaking. As such, it not clearly valid to talk of African solutions and therefore sub-regional efforts must subsequently take account of international context. In the IGAD mediation the IPF has not only provided financial and moral support has also become more engaged in making substantive proposals for the peace process. The face that the IGAD peace initiative in Sudan is not purely African therefore confirms that the principle of African solutions to African problems is more of a wistful statement than a reflection of reality.

1964 p. 3-60. See also his *Swords into Plowshares: The Problems and Progress of International Organization*, New York: Random House 1971 p. 102 – 117.
[91] Annan Kofi, 1998, "The causes of conflict and the promotion of Durable peace and Sustainable Development in Africa", Report of the Secretary – General. In: http:/www.un.org/ecosocdev/geninf/afrec/sgreport/report.htm.

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