UNIVERSITY OF NAIROBI

THE ROLE OF SUB-REGIONAL ORGANIZATIONS IN CONFLICT MANAGEMENT: A CASE STUDY OF THE IGAD PEACE PROCESS IN SOMALIA, 2002-2006.

BY

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DECLARATION

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

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

Patricia Mbote, Ph.d ------PbKamui------------- -------21/9/07------------

<div style="text-align:center">Signature   Date</div>

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LONG LIFE NDC!

ABSTRACT

The research is set to investigate the role of sub-regional organisations in conflict management. In its objectives, it soughts to identify the specific inputs that sub-regional organisations contribute to mediation of internal conflicts. The research also set to find out the constraints that face these organisations in carrying out the task of conflict management. The research further intended to make recommendations on the approaches to effective mediation by sub-regional organisations.

The first chapter laid a background to the study and set clear objectives and hypotheses to guide the research. The second chapter made an overview on the role of sub-regional organisations in the management of conflicts in the globe. The third chapter examined IGAD as sub-regional organisation and its decision making structures in conflict intervention. The fourth chapter did a case study of the Somali Peace Process with a focus on the mediation process and the outcomes and the role IGAD played in the peace process. The fifth chapter carried out a critical analysis of the research findings in other chapters and synthesises the role of sub-regional organisations in the management of intra-state conflicts. The chapter further makes concluding remarks on the study and makes recommendations regarding IGAD and the management of the Somali conflict.

The research comprehensively examined the role sub-regional organisations could play in the mediation process to end internal conflicts. It also makes recommendations based on the findings from the case study on the challenges that face the sub-regional organisations in peace processes.

The research is recommended for reading by students of conflict management, scholars and government policy makers to understand how sub-regional organisations would be

effectively utilised as vehicles for managing internal conflicts that are numerous and recurrent in

Africa and elsewhere in the world.

DEDICATION

To my wife Qasida Abdi Yusuf and children Maryam, Abdi Latif, Asha and Filsan for their patience, support and understanding during the period of my studies at National Defence College, Karen.

Ever Lasting Love

ABBREVIATIONS

ACCORD	-	African Centre for Conflict Resolution and Development
ASEAN	-	Association of South East Asian Nations
AU	-	African Union
CEWARN	-	Conflict Early Warning and Response Mechanism
COMESA	-	Common Market for Eastern and Southern Africa
EAC	-	East African Community
ECOMOG	-	Economic Community of West African States Monitoring Group
ECOWAS	-	Economic Community of West African States
EU	-	European Union
IFC	-	IGAD Facilitation Committee
IGAD	-	Intergovernmental Authority on Development
IGADD	-	Intergovernmental Authority on Drought and Desertification
MPs	-	Members of Parliament
NARC	-	National Rainbow Coalition
NATO	-	North Atlantic Treaty Organisation
NEPAD	-	New Partnership for African Development
NGO	-	Non Governmental Organisations
OAS	-	Organisation of American States
OAU	-	Organisation of African Unity
PTA	-	Preferential Trade Area
SADC	-	South African Development Community
SPLM/A	-	Sudan Peoples Liberation Movement/Army
SRRC	-	Somali Restoration and Reconciliation Council
TFG	-	Transitional Federal Government
TNG	-	Transitional National Government

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1.0 BACKGROUND TO THE STUDY ON THE ROLE OF SUB-REGIONAL ORGANIZATIONS IN CONFLICT MANAGEMENT: A CASE STUDY OF THE IGAD PROCESS IN SOMALIA, 2002-2006

1.1 Introduction

Somalia conflict is a unique conflict to manifest in Africa. It is a conflict that has manifested in a nation-state with a homogeneous group of people. Somalia conflict could not be resolved by military intervention as reflected in the 1993 UNOSOM. The Somali National Reconciliation Conference was the fourteenth attempt to restore law and order. Thirteen earlier peace efforts had failed to bring out peace.

Under the auspices of IGAD Kenya was mandated to host the fourteenth attempt through which a government has been established in Somalia and it is making efforts to restore order in a period of sixteen years. The study on the role of IGAD in managing internal conflicts will be informed by one broad question. Are sub-regional organizations able to address regional peace and stability concerns that arise from internal conflicts? To answer this question, the research will first investigate into the background of international institutions. This will reveal theoretical foundation of international institutions is to promote security and peace among member states. The agenda of states to improve regional peace and security through establishment of institutions will be reviewed. The IGAD-Somalia peace talks are basis to question whether the vision of states on peace and security matters is achievable in spite of competing state interests.

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Interest in this peace process is justified on a number of grounds. First, the conflict has been very costly in terms of human life, the destruction of property and infrastructure. Secondly, the peace process has costed the region, its governments and peoples a lot in terms of resources and lives. The international community has also invested heavily in terms of humanitarian assistance and financial support for the peace process. Besides, the lack of peace in Somalia has other effects like disruption of peace and leads to general insecurity in the region as a whole. Lastly, the peace process has generated diplomatic tensions between the front line states as each of them tries to protect its interests in Somalia.

1.2   Background

The IGAD-Somalia peace-talks and the eventual conclusion took a length of time. The regional body, IGAD takes credit for resolving many issues that have been outstanding in the Somali conflict. In the last ten years, IGAD has been in the centre stage of peace making in the Horn of Africa. This has been so in the cases of Sudan and Somalia. The peace-making role of IGAD has been faced with many challenges. The challenges led to many setbacks in IGAD institution while endeavouring to make peace especially internal conflicts have interlinkages with external interests. IGAD mediation efforts have pointed to weaknesses and strengths of institutional conflict management processes in the management of internal conflicts.

The formation of sub-regional organizations dates back to 1st century.[1] States at that time had realised that the state welfare would be achieved more if they cooperated with their neighbours in specific areas of interest. This approach by states to organize themselves

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[1] Archer, C., International Organizations. London, George Allen and Unwin, 1983, p.3.

and solve a common issue that affect their territorial borders is founded on the concept of common security approach.[2] Studying IGAD will reveal if the institution is capable of resolving matters of concern in the Horn of Africa region. In addition, the study will reveal the challenges that international institutions are strong as they struggle to accomplish the objectives set by member states.

1.3   Statement of the Problem

The Somalia peace process has been faced with various obstacles based on clan interests and clamour for power. Due to the homogeneity of Somali culture, it was expected that the Somali factions should have agreed in most issues to help end war. Consequently the country has been unable to have a government of national unity since the overthrow of President Siad Barre in 1990. The country degenerated into anarchy and at the moment the efforts to put up a new is threatened after IGAD peace process was concluded in 2005.

Currently the Somali government is not fully operational within its territory. The external military assistance recently drawn from Ethiopia indicates that the peace deal has not succeeded in restoring Somali state and government. There are a few lessons that the world can learn out of IGAD Somali peace process. One is the conclusion of peace talks yet the transitional government could not operate from its mandated territory despite having an institutional structure. The government was made up of appointed clan delegates who represented each clan's ambition and interests. The problem that is evident currently is whether the concluded Somali IGAD – peace talks would be sustainable in the long-term. To respond to this uncertainties then the role of IGAD as a sub-regional

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[2] Goldstein, J. S., International Relations. New York, Priscilla, M C Geehan, 2001. p. 119-120.

organization to end conflict is subjected to the question of if IGAD can fully bring peace to an internal conflicts.

The study on the role of IGAD in managing internal conflicts will be informed by broad question. What is the role of sub-regional organizations in the management of internal conflicts? To answer the question, the study would look into the background of sub-regional organizations and establish their theoretical foundations in the promotion of security and peace among member states. The agenda of states to improve regional peace and security through establishment of institutions would also be reviewed to find out if IGAD-Somalia peace talks were able to comprehensively address the underlying issues in the conflict.

The ability of sub-regional organisations to make timely intervention and prevent conflict escalation is questionable when it is observed that there are numerous organisations that exist in Africa, conflicts are numerous and others are protracted. To this end, this research will endeavour to find out if sub-regional organisations are accomplishing their mandates or they are facing challenges from which lessons could be learnt for future conflict intervention.

1.4 Objectives of the Study

This study is intended to make inquiry into the role of sub-regional organisations in negotiations and conclusion of peace talks based on the following objectives:

1. To find out the role of sub-regional organisations in the management of internal conflicts.

2.   To investigate the role of IGAD in promoting peace and security in the Horn of Africa through conflict management.

3.   To find out the strategies that IGAD employed to broker the final Somali peace.

4.   To inquire into the constraining factors that affected IGAD from reaching comprehensive peace in Somalia.

1.5   Hypotheses

1.   Sub-regional organisations are an effective platform to manage conflicts.

2.   IGAD has worked towards the attainment of peace and security in the Horn of Africa through resolution of internal conflicts.

3.   IGAD has employed negotiations as a means to end internal conflicts in the Horn of Africa.

4.   IGAD is faced with constraints in its endeavour to resolve conflicts comprehensively.

1.6   Justification of the Study

This study is justifiable both at academic and policy levels.

Academic Justification

Academically this research shall contribute towards literature in the field of conflict management.   In addition, it will contribute to the studies in the collective security approach through sub-regional organisations. As a reference, it will also provide rich material on negotiating for peace in internal conflicts.

Policy Justifications

At policy level the outcome of this research will inform conflict managers, diplomats and government agents on how to formulate strategies for intervening in internal conflicts. It will also help international organizations to be informed on how to intervene on time and resolve internal conflicts.

1.7   Literature Review

The literature review for this study will be in two parts. The first part will cover international organisations where sub-regional organisations are a subset. The second part of the literature review will cover conflict and its management.

Literature on International Organisations

Literature on international organisations is vast but for the purpose of this study, it shall be narrowed to demonstrate the emerging role of international organisations in the contemporary international society.

International organisations are entities created by sovereign states to serve certain interests among them within the framework of international law.[3] It is significant to note from this definition that international organisations are a composition of states and are supported by the same states to operate. This framework gives them an official status in member countries.

Frankel,[4] observes that international organisations can be differentiated into various categories. The first distinction he makes is that of universal and regional organisations.

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[3] Taylor, P. & A.J.R., Groom (Eds), International Institutional Work. London, Printer, 1988, p. 4-5.
[4] Frankel, J., International Relations in Changing World. Oxford, Oxford University Press, 1987, p. 85.

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Universal organisations refer to those which encompass the whole international community. Regional organisations are restricted to a continent or part of a continent. He further acknowledges that some regional organisations may not be composed of member states that are contiguous but could only be sharing a common goal. This observation gives a notion that international organisations do not only emerge from the states that share the same geographical region, but they could be constituted of the members that are extra-regional like in the case of the Arab League.

Another distinction on international organisations can be made between multipurpose or political organisations and functional or specialised organisations. Goldstein[5] observes that such organizations have specific functions and these organisations work better than those with broad purposes. In addition, these organisations hold together because they promote the national interests of their member states and increase leverage for bargaining in the region where they are founded. These goals would be political, social or economic in nature.

Klepacki[6] divides international organizations into those having interstate organs made of heads of state and those having intergovernmental organs with government representatives. This means that some international organisations are linked in functions either through summit diplomacy or through state agents. In either case, the states are able to pursue their interests through these organisations. This confirms that sub-regional organisations are a platform for states to pursue their national interests.

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[5] Goldstein, J.S., International Relations. New York, Priscilla McGeehan, 2001, p. 298.
[6] Klepacki, Z. L., The Organ of International Organisations. Alphen an den Rijn, S. J. off Noordhoff, 1973, p. 5.

Jenks[7] observes that a fundamental distinction between international organisations is based on a treaty between governments. An interstate treaty is demonstrated across all the institutions of the state.

These are administrative, executive, legislative and judicial. Meanwhile inter-governmental organisations are established purely by the administrative branch of the government. However, these distinctions do have significant differences in effect. Any interstate agreement is concluded by agents representative of those states whether the agents are heads of states or heads of government or both the role of sub-regional organisations it demonstrated here to be a means of conducting summit diplomacy.

In another context Keohane and Nye[8] observes that inter-governmental organisations that result from relations between governmental actors that are not controlled by central foreign policy organs of their governments are inclusive of the governmental processes of a country. These include the legislative, judiciary or executive at local government level or as part of a regional government. Therefore, international organisations can formulate and enforce policies that are pertinent to state interests. But this raises the issue of sovereignty of states when decisions are imposed on them.

Canton and Spiegel[9] consider regions to be areas of the globe that contain geographical proximate states forming in foreign affairs mutually interrelated units. For every participant, the activities of other members of the region whether antagonistic or

[7] Jenks, C. W., Some Constitutional Problems of International Organisations; in British Year Book of International Law, Vol. 22, 1945, p. 11-72.
[8] Keohane, R. O. & Nye, J. S., Transnational Relations and World Politics, Cambridge. Harvard University Press, 1971, p. xv.
[9] Canton, L. J. & S. L. Spiegel, the International Politics of Regions: A Comparative Approach, Engle Woods Cliffs, N. J: Prentice Hall, 1970, p. 1.

cooperative are significant determinants of its foreign policy. While particular members of certain regions may have extra regional concerns, their primary involvement in foreign affairs will ordinarily be the region, which they find themselves in. Thus, states are independent units but again there is a degree of interdependence on trans-boundary issues such as conflict and refugees.

Kaiser[10] with the above views when defining regional subsystems. He postulates that a subsystem constitutes a pattern of relations among basic units in world politics which exhibit a particular degree of regularity and intensity of relations as well as awareness of inter-dependence among the participating units. This implies that a regional subsystem is a partial international system whose members exist in a common geographical area.

Meanwhile Padelford[11] concurs with the above view and expresses that regional organisations can be defined on the basis of intermix geographical and political elements. Therefore, regions are spatial areas, which arise as a result of the practices of groups of states, or the terms of treaties or agreements between groups of states.

The emphasis is placed on the behaviour of state representatives and whether an area becomes defined as a region as a result of states activities. These activities may give rise to an international organisation, which institutionalises the relations of the member states in a regional context.

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[10] Kaiser, K., The Interaction of Regional Subsystems; Some Preliminary Notes on Recurrent Patterns and the Role of Super Powers. World Politics, Vol. 21, No. 1, 1968, p. 84-107.
[11] Padelford, N., Recent Developments in Regional Organisations. Proceedings of the American Society of International Law, 1955, p. 25.

Russett[12] contends that regionalism encompasses five aspects. These aspects denote regions of social and cultural homogeneity regions sharing similar attitudes or external behaviour, regions of political interdependence, regions of economic interdependence and regions of geographic proximity. These factors are responsible for defining the strength of regional organisations. If a regional organisation scores only in one of these factors then it is weak and cannot sufficiently promote the interests of member states. If it scores in all of these categories then it is a strong organisation and it will exhibit a strong ability to solve problems of states within the region would not deal with at national level. Therefore, the states are likely to be more peaceful if they depend on the sub-regional organisation to resolve matters of common interest.

Wallace and Singer[13] distinguish intergovernmental organisations by three criteria. First, the organisation must consist of at least two qualified members of the international system and must have been created by a formal instrument of agreement between the governments of the nation-states. Secondly, the organisation must hold more or less regular plenary sessions at intervals not greater than once a decade. Thirdly, the organisation must have a permanent secretariat with a permanent headquarters arrangement and which performs ongoing tasks. These prerequisites enable sub-regional organisations to identify the dynamics need of states and adopt new policies and approaches to address them.

This description suits in the contemporary regional organisation in Africa. The IGAD sub-region is organised and carries out its role of regional security and development through its Secretariat and annual summit meetings. In studying IGAD, the role of conflict

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[12] Russett, B., International Relations and the International System; A Study in Political Ecology, Chicago; Rand McNally, 1967, p. 11.
[13] Wallace, M. and D. Singer; International Organizations in the Global System, 1815-1964. in International Organisation, Vol. 24, No. 2, 1970, p. 239-87.

management emerges from the fundamental framework and the mandate conferred to it by member states.

International organisations in Africa have been involved in conflict intervention in various regions. In West Africa, ECOWAS through its monitoring group has intervened in the civil wars in Liberia and Sierra Leone in the 1990s.[14] It undertook military peacekeeping to improve the security situations in these states as a result of internal conflicts. Over time, ECOWAS's peace and security framework has developed the mechanism for conflict prevention, management, resolution and security.

This mechanism is charged with responding to sub-regional conflicts ranging from fact-finding and diplomatic efforts to military intervention. In addition, ECOWAS has been active in other conflicts like that of Ivory Coast and the Mano River Union through mediation efforts, tact-finding missions and some peacekeeping deployments. These observations are indicative that international organisations at regional level are capable of responding to conflict through various methodologies to enhance peace and security.

This trend is also reflected in the Southern African region by SADC. [15] Through its organs for Politics, Defence and Security it has managed to enhance peace, and security among its member countries. This organ has the authority to specify the type of intervention that should be adopted in various crises. SADC has been involved in diplomatic and military interventions in DRC and Lesotho with fair success. Despite its regional dimension in membership, SADC has been faced with hindrances emerging from unilateralism and the procedures to be used in the intervention of conflicts. The problem has been addressed

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[14] Saferworld International Alert, EU Conflict prevention, Management and Resolution in Africa, Rome, Saferworld International Alert, 2003, p. 44.
[15] Ibid.

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through institutional revision of the legal framework for intervention. This will prevent future loopholes for unilateral action. This approach is essential to strengthen the institutions ability to promote regional peace and security.

The above problem is not only confined to Africa. NATO has been an establishment that looks into the European and North American interests.[16] Initially it was founded in 1949, to deter Soviet power in Europe during the cold war era. In the post-cold war period, NATO has been key in the military intervention in Europe. In 1994, NATO through UN mandate took part in the military peacekeeping in Bosnia. Its military strategy raised furor from the UN and Russia when it used air strikes against the strong Serbian forces to protect the Bosnian civilians. NATO's credibility in intervening in future conflicts was put into question. On one hand the Soviet leaders protested over its intention to dominate in the Eastern Europe and on the other, tension started emerging between the American and European members over the new role of NATO in post-cold war period.[17] Despite these impediments, NATO has provided some stability among its member states.

Tunkin[18] concurs with the above views when he asserts that international organisations are permanent bodies which states create to handle matters entrusted to them and which result from international agreements.

Therefore, any contemporary intergovernmental organisation is created by states through means of concluding an international treaty for a set purpose. A constituent instrument and international organisation provides for certain rights and capabilities of the organisation,

[16] Goldstein, J. S., International Relations. Washington DC, Priscilla McGleen, New York, 2001, p. 99.
[17] Yost, D. S., NATO Transformed: The Alliance's New Role in International Security, Washington DC, US Peace Institute of Peace Press, 1999, p. 67.
[18] Tunkin, G. I., The Legal Personality of International Organisations in Osakwe, C., (Ed) International Law and International Organisations, Laiden. A. W., Sijthoff, 1972, p. 24-42.

which lead to the conclusion that the organisation possesses a certain degree of international legal personality. IGAD derives its mandate to manage conflict in the region since member states recognize ability as a basic factor in social and economic development.

Literature on Conflict

Literature on conflict looks at the conflict systems, dynamics, intervention, and processes. According to Coser,[19] conflict is a struggle over values and claims to scarce status, power and resources in which the aims of the opponents are to neutralise, injure or eliminate rivals. Conflict is therefore an interaction involving humans. It implies people compete with each other for something that is in shortage without being fully aware of their competitors existence or without seeking to prevent the competitors from achieving their objectives.

Mwagiru[20] observes that conflict may be violent or non-violent. Violent conflict is visible in terms of use of force. Non-violent conflict is structural in nature and is not easy to observe. Relations among people in these societies are organised in such a way that the potential development of some significant numbers of the society impeded. This potential for development is impeded by factors which may be economic, social or psychological.

The Horn of Africa is one of the most conflict prone parts of Africa. Mwagiru observes that these conflicts are characterized by among other things, their protracted nature.[21] The traditional dichotomy of internal and international conflict is not, therefore, strictly true

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[19] Coser, L. A., The Functions of Social Conflict, New York, Free Press, 1956, p. 3.
[20] Mwagiru, M., Conflict: Theory, Processes & Institutions of Management, Nairobi, Watermark Publications 2000, p. 26.
[21] M. Mwagiru, "Conflict and Peace Management in the Horn of Africa" in TRG Conference Report on Regional Security in the Horn of Africa (Series & Special Report) Vol. 1, 1996.

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since the process of internationalization of internal conflicts has rendered that classic dichotomy void of this and other conflict areas.

Makakis[22] contends that ethnicity certainly is a factor in the conflict since in nearly all cases the opposing parties being to groups with different ethnic and clan identities. Further, he argues that whether such differences in themselves are sufficient cause for conflict is questionable. It is only when they analyse situations and realise that there has been an element of marginalization by the incumbents government.

In this context, Enloe[23] highlights two factors considered as catalysts in conflict. First is competition for resources in conditions of great scarcity and secondly, the role the state plays in controlling the allocation of such resources. State controls the production and distribution of material and social resources and hence his become the focus of the conflicts. Access to power of the subjects is of vital importance for the welfare of its subjects. This has consequently resulted to the state being both the object of the conflict and principle means by which it is waged.

Solomon[24] observes that emergence of violent conflict is between the results of complex processes often with deep historical roots. In this view, conflict is not sudden. The eventuality of conflict is as a result of cumulative issues that are never addressed at the earliest opportunity. The manifest of conflict ban only be addressed through historical investigations to find out how the conflict is informed by act may not be evident as the present.

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[22] J. Makakis in K. Fukui, Ethnicity and Conflict in the Horn of Africa: Ohio: Ohio University Press, 1994, p. 217.
[23] Enloe, H., Ethnic Conflict and Political Development. Boston Little Brown, 1973, p. 22-23.
[24] Solomon H., "Analysing conflicts" in Mekenkamp Search for Peace in Africa, Op. Cit. p. 35.

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ACCORD'S Early Warning Systems[25] views conflict as the result of five sources of insecurity which it defines in terms of political, economic, military, environmental and social cultural variables. In this perspective, the political insecurity arises depending on who is making decisions and how those decisions affect the society. The political decisions should be representative and equitable for the entire community if peace was expected. Politics determine how the economy is run and managed and how the other social public sectors determine their sustainability.

Samarasinghe[26] sees a functional correlation existing between poverty and conflict. Most conflicts in the Horn of Africa actually all can be analysed based on insecurities as well as poverty. Often the scarce resources of the state are under the control of the political elite. The struggle for communities to survive in the midst of political patronage has led to intra-state wars like the one previously in the South Sudan. Poverty and desperation will drive people into the extreme of war.

According to Brown[27] internal conflicts are violent or potentially violent as a result of political disputes. Political disputes if unsettled are primary to offend a party and spark war. Political disputes may arise as a result of alienation or exploitation of a section of the society. The marginalized group may wish to assert its grievances and to attract attention through war.

These wars may be protracted if their position is not improved in the society. Whenever domestic violence takes place it also threatens both the stability of the state and the territories beyond.

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[25] Ibid.
[26] S. Samarasinghe (ed), 'Conflict Management Throughout the Crisis Life Cycle' in H. Solomon, Analysing Conflicts, Op. Cit. p. 35.
[27] M. Brown, International Dimensions of Internal Conflict, Centre for Science and International Affairs, Harvard University, Mit Press, 1996, p. 3.

Rupesinghe[28] in his discussion about disappearing boundaries observes that the line between internal and external conflict is rendered very thin especially in this era of globalization. He contends that even within states, the control of central authority as the custodian of sovereignty may also be limited by either conflict or structural and institutional weaknesses so as to generate crisis of state responsibility. These viewpoints that the process of internationalising conflict is getting faster when effects of one conflict are experienced in the neighbouring states. The conflict of one state becomes a concern of others. The states are threatened of the conflicts in their neighbouring territory whenever they lead to insecurity in their own territories.

Holding a similar view is Koech[29] who contends the notion of internationalisation of conflict raises the issue of the relationship between borders and states. Somali conflict for example has extended beyond its traditional boundaries. Neighbouring states are viewing the conflict with a concern over the insecurity it has caused in their common-frontiers with Somalia. The states bordering Somalia are experiencing transfer of small arms that are causing a series in crime and security problems.

Hiteng[30] observes that the proliferation of conflicts in the region has generated the problem of proliferation of light weapons. In addition, he argues that the influx of refugees and the uncontrolled movement of people within the region has made the trafficking of illegal arms much easier resulting into security vulnerability within and between communities in the Horn of Africa.

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[28] K. Rupensighe, "The Disappearing Boundaries between Internal and External Conflicts" in E. Boulden, Peace Research, Conflict and Security Re-examined. Boulder: Lynne Rienner Publishers p. 43-64.
[29] Koech, J., "Emerging Challenges of Security in IGAD in M. Mwagiru," African Regional Security in the Age of Globalisation. Nairobi: Heinrich Boll Foundation 2000, p. 128.
[30] C. Hiteng, "Security Concerns in the Horn of Africa in Mwagiru", African Regional Security in the Age of Globalisation Op. Cit. p. 12

Kiplagat[31] noted that political and security implications of conflict in the Horn of Africa are grave. He argues that there have been millions of internally displaced persons and refugees, a crumbling infrastructure due to the unresolved conflicts that are escalating across the region. The enormous transfer of small arms is a source of insecurity currently and in the forthcoming years. This observation makes conflict have interrelated security problems within the state and across the boundaries.

Mwagiru[32] observes that there have been various developments that render a conflict not to be considered as internal. These include the problem of ethnicity and borders inherited at independence have led to the increase in number of internal conflicts in Africa. Mwagiru in his attempt to conceptualise internationalisation of conflict, noted that conflicts in one state that involve an ethnic group that permeates the state boundaries become another conflict across the frontiers that share the same ethnic population. The former OAU had a problem in its efforts to manage conflicts since it had dichotomized conflict as either internal or international conflict.

However, as noted by Mwagiru[33] the OAU did realise the reality and the strict dichotomy do not exist. Therefore, the context in which a conflict belongs should determine the type of conflict management. Conflict system approach gives useful printers to the wide causes of conflict and eventually to the suitable management approaches that should be adopted. This approach advises that when managing a particular conflict all other conflicts should be held in contemplation. In the case of Ethiopia-Eritrea, it might have been seen

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[31] B. A. Kiplagat, "Politics and Security Implications" in IRG Conference Report, Op. Cit. p. 15.
[32] M. Mwagiru, "Conflict and Peace Management in the Horn of Africa: Theoretical and Practical Perspectives," in IRG Conference Report, Op. Cit. p. 30.
[33] M. Mwagiru, "The Internal Management of Internal Conflict in Africa; The Uganda Mediation 1985" (PhD Dissertation: University of Kent 1994) p. 145.

like a conflict between only the two states but as the conflict progressed, it had regional linkages with Sudan, Somalia and Djibouti and therefore its resolution meant taking into consideration other actors.

The United Nations and regional organisations at the end of the cold war assumed greater responsibility for conflict resolution and prevention than ever before.[34] With the changing nature of conflicts that is mostly within states a significant problem has been posed for intergovernmental organisation. The problem of well designed they are to manage disputes between states and whose characters specifically prohibited them from interfering in the internal affairs of its members. The UN Charter[35] gives provision for sub-regional organisations to intervene in conflicts that arise from the region they derive membership from. This provision has empowered sub-regional organisations to entrench their involvement in conflict management.

Peck[36] further argues that the UN and regional organisations had to reconsider how to meet this new challenge. This led to the ongoing debate about which kind of organisation is best fit to carry out a comparative study and concluded that strategic co-operation between the UN regional and sub-regional organisation and NGO's could also be expected to have a synergetic effect. Further, she argues that increasing resources for conflict prevention and shifting the focus for preventive assistance approach could go along way to helping member states of the UN and regional organisation work more effectively to ameliorate the many existing and potential conflict.

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[34] Ibid.
[35] UN Charter Article 33.
[36] C. Peck, "A More Strategic Partnership for Preventing and Resolving Conflict" in M. Mekenkamp, Searching for Peace in Africa. Op. Cit. p. 39.

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The preoccupation of the institutions that engage themselves in peace processes is to settle the conflict peacefully. This is espoused in the UN Charter.[37] The Somali peace processes have tried to limit their scope of conflict management to this specification. Since the process of settlement of conflict would be long, it makes the conflict to be protracted and change in dimension. This brings about the problem of conflict transformation. New issues arise actors increase and the management process gets more complex. This significantly has to rely on the problem-solving workshop to gather consensus.

Peace and Reconciliation initiatives in Somalia have involved the UN, the EC and the Djibouti government. All of them have facilitated peace and reconciliation effort. Although they have failed to take root, some of them have had positive impacts. The UN and the Djibouti government tried unofficial diplomacy by targeting members of the civil society. IGAD stands out as an effective institution with structures that have engaged an effective peace process where the UN and the US have failed.

The United Nations representatives arrive in Somali in 1992 to initiate UN operations in Somalia.[38] The UN sought to have a political settlement and national reconciliation through traditional elder-based structures. Some progress was achieved after six months since most intractable issues were resolved. Ceasefire was largely respected, ports and airports were reopened a chain of solidarity had begun to materialise.

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[37] UN, UN Charter, Article 2 (4).
[38] Mekenkamp, M., P. Tongeren, & H. Veen, Searching for Peace in Africa: An Overview of Conflict Prevention and Management Activities. http://www.euconflict.org, accessed on 19th January, 2007.

In December 1992, the first military intervention arrived.[39] The Operation Restore Hope Military Units took three years and left in 1995. The UN failed to disarm the militias and would not consult the local inhabitants about the UN's plans to set up District Councils. The failure of the UN in restoring peace in Somalia left. Vacuum that would not be filled soon by any stronger organisation. The next move by regional member states remained upon IGAD to decide on the way forward.

IGAD was founded in 1986 and its mandate expanded in 1996 to include that of managing conflict in the region.[40] IGAD comprises countries of Kenya, Uganda, Sudan, Ethiopia, Eritrea, Djibouti and Somalia. IGAD became involved in the peace talks late 1996 after other international interventions were witnessed. In the last ten years, the peacemaking role of the Intergovernmental Authority for Development (IGAD) has propelled it to the centre of activity in the Horn of Africa.

While this literature shows some consistency in respect to the foundation and the role of international organisations in promoting regional security and peace through conflict management, there have been observable constrains on the part of IGAD. The constraints arise partly from the various competing interests from within the region. In addition extra-regional interests add an impetus to achieving peace or complications to the same. The literature review indicates there is a gap in the analysis of regional and extra-regional interests and their impact on institutional conflict management. This research shall seek to fill this gap through investigating the different IGAD peace talks in Somalia.

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[39] IGAD Documents: www.igad.org.
[40] Ibid.

1.8   Theoretical Framework

This study will be informed by mediation theory. Bercovitch[41] observes that mediation is a voluntary process. It takes place when disputants seek the assistance of third parties and the right to accept or reject an offer of mediation or a mediation outcome rests entirely with the parties of the conflict. The fact that mediation is a voluntary process is directly related to its success or failure. Without a high level of disputants' willingness to concede, and motivation to engage in conflict management, a successful mediation outcome is unlikely to be achieved. Issues that can be settled through mediation surround the Somali conflict. The parties to conflict have been unable to agree over many issues at home. They chose IGAD to mediate over the conflict considering that the previous mediation exercises ended in futility due to perceived lack of impartiality in the process.

Wall[42] observes that conflict can be effectively resolved when the mediation is done in an environment where parties to the conflict, the constituents and the mediator are involved. This will also include the third parties who affect, or are affected by the process and the outcome of the management process.[43] This set up reveals the situation that surrounded the Somali conflict and the Horn of Africa region. Therefore mediation theory will inform the study on Somali IGAD peace talks.

1.9   Definition of Concepts

Sub-regional Organisations

This is an association of states established by an agreement among its members and possessing a permanent system or set of organs whose tasks is to pursue objectives of

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[41] Bercovitch, J. (Ed), Resolving International Conflicts: The Theory and Practice of Mediation, London, Macmillan Press, 1992, p. 11.

[42] Wall, J. A., "Mediation: An Analysis, Review and Proposed Research, Journal of Conflict Resolution, Vol. 25 (1981), p. 157-180.

[43] Mwagiru, M., Conflict: Theory, Process and Institutions of Management, Op Cit., p. 97.

common interest by means of co-operation among its members who emanate from a contiguous area on the globe.[44]

Conflict

It refers to a condition in which one identifiable group of human beings whether tribal, ethnic, linguistic, cultural, religious, social-economic, political or other is engaged in conscious opposition to one or more other identifiable human groups because these groups are pursuing what are or appear to be incompatible goals.[45]

Conflict Management

It is defined as the process of introducing external actors or exogenous managers and introducing external factors such as mediation into a conflict. Conflict management can also be carried out by endogenous, exogenous or heterogeneous conflict managers. Endogenous refer to conflict managers who hail from within the conflict, exogenous are external to the conflict and heterogeneous exhibit both characteristics.[46]

1.10 Methodology

The research will employ both primary and secondary data. Primary sources data will be obtained through interviews with people of authority that took part in the Somali peace talks. The target sample of the interviewees will be selectively done. The research topic is specific and purposeful to only one unique case study, thus inevitably selecting only resource persons acquainted with the research problems. The information gathered from primary sources will then be subjected to qualitative analysis and interpretation. The

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[44] Virally, M., "Definition and Classification: A Legal Approach," In International Social Science Journal, Vol. 29, No. 1, 1977, p. 58-72.
[45] Dougherty, J. E., & R. L. Pfaltzgraff, "Contending Theories of International Relations". New York, Harper & Row Publishers, 1971, p. 182.
[46] Ibid, p. 24.

researcher will draw inferences that will meaningfully contribute to the body of knowledge in the filed of conflict management.

Secondary data will be sourced from published texts, journals, newspapers, magazines, research papers, conference reports and the internet. The secondary data will be qualitatively analysed and presented in academic perspective in tandem with the proposed research topic.

The combination of primary and secondary forms of data will therefore form a compact basis for academic arguments and policy formulation. The researcher intends to validate the objectives not only from the theoretical basis but also form experiences gathered from the society.

1.11 Chapter Outline

The proposed research shall constitute of the following chapters:

Chapter 1: BACKGROUND TO THE STUDY ON THE ROLE OF SUB-REGIONAL ORGANISATIONS IN CONFLICT MANAGEMENT

Chapter 2: AN OVERVIEW OF SUB-REGIONAL ORGANISATIONS AND MANAGEMENT OF CONFLICTS.

Chapter 3: IGAD AND OPERATIONAL STRUCTURES IN CONFLICT MANAGEMENT.

Chapter 4: IGAD AND THE MANAGEMENT OF THE SOMALI PEACE
PROCESS (2003-2004).

Chapter 5: SUMMARY, CONCLUSION AND RECOMMENDATIONS.

2.0 OVERVIEW OF INTERNATIONAL ORGANISATIONS AND MANAGEMENT OF CONFLICTS

2.1 Introduction

This chapter will present an expose of international organisations and their approaches to manage security within and between states. The survey shall focus on the traditional approaches to security management and the modern view points about conflict. The conflict management strategy is a relatively modern idea. Apart from the traditional interstate conflicts, there is need to find out the views that are coming up on the management of intrastate conflicts that threaten the security framework of a state.

This chapter will later collate the concepts of international organisations, their development objectives and the current status in maintaining peace and security. The linkages will provide a basis for involving international organisations in the management of intrastate conflicts.

2.2 Background

International organisations have been evolved in the advent of Post-Westphalia Treaty that saw the creation of independent sovereign territorial units.[47]

The rise of territorial sovereign units created a need for international cooperation. As the system expanded, states began seeking to fulfill more interests through cooperative

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[47] Amerasinghe, E. F., Principles of the Institutional Law of International Organisations, Cambridge, Cambridge University Press, 1996, p. 59.

approaches. This resulted in some formal treaties which aimed at solving international problems.[48] The first major instance of this occurred with the peace of Westphalia in 1648 and it concluded the thirty-year old religions conflict of central Europe and formally established the contemporary nation-state arrangement in Europe.[49]

The rules that govern interactions in international relations (IR) are rooted in moral norms.[50] International norms are expectations held by state leaders about normal inter-state interactions. They shape expectations about state behaviour and set standards that make deviations stand out. Agreed universal norms help states pursue their interests without hurting others. Sovereign states hence agree to work together through structures and organisations that would respect each member's autonomy and not create a world government over them.[51] Therefore states embody in practical organisations where they participate to manage specific issues that they would not achieve on their own.

Until 1914 when the First World War broke out, the world affairs were influenced by periodic conferences held in Europe.[52] These were exemplified in the Paris Conference of 1856; the Berlin gathering of 1879 that dealt with the problems of the Balkans. The 1884-5 Berlin Conferences imposed some order upon the scramble for Africa. These conferences formed a background to resolve crises but they were inadequate in two ways. First, there was no predetermined structure on who to call the conference and who to be in attendance. Secondly, the states invited and in attendance would only make decisions through

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[48] Shaw, M. N., International Law, Cambridge, Cambridge University press, 1997, p. 887.
[49] Gross, L., The Peace of Westphalia. 1648-1948, 42 AJIL, 1948, p. 26.
[50] Falk, R., Explorations at the Edge of Time: The Prospects for World Order, Philadelphia, Temple University Press, 1992, pp. 68-69.
[51] Goldstein, J. S., International Relations, New York, Priscilla McGehan, 2002, pp. 295-296.
[52] Shaw, M. N., Op. Cit., p. 888.

unanimous agreement a factor which restricted the utility of consultative approach in resolving inter-state problems.

The 19th century witnessed an upsurge of international non-governmental organisations such as the International Committee of the Red Cross founded in 1863 and the International Law in 1873.[53] These private international unions demonstrated a wide ranging-community of interest on specific topics and an awareness that cooperation should be international in scope to be effective. These institutions established machinery for regular meetings and created secretariats to permanently engage in the core values of the organisation. The work performed by these organisations remains of considerable value in influencing governmental activities and stimulating world action in areas of specialization.

The second half of 19th century also witnessed the development of public international unions which linked together governmental agencies for specific purposes.[54] These were functional associations that were set up through multilateral treaties and fulfilled the need for a more efficient method of international cooperation and regulation in an independent world. The first instances of such intergovernmental associations were provided by the international commissions established for the functioning of communication network in the Rhine and Danube Rivers and later for other rivers in Central and Western Europe.

The Foundation of the Public International Unions in 19th century restricted themselves to dealing with specific areas were not comprehensive. However their existence provided a basic foundation of new ideas that paved way for the universal organisations of the 20th

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[53] Bowett, D. W., The Law of International Institutions. 4th Ed. London: Cambridge University Press. 1982, pp. 64.65.
[54] Bowett, D. W., Op. Cit., pp. 6-9.

century.[55] These unions provided for the primordial notions on Permanent Secretariats, periodic conferences, majority voting, weighted voting and proportionate financial contributions. All these were vital in the inception of contemporary international organisations that structure their decisions making process to enable them articulate and pursue national interests without creating conflicts.

The 20th century achievement international organisation is the foundation of universal comprehensive organisations in the United Nations.[56] The UN has played a prominent role in international security. Its foundation is empowered by sovereign states and the UN action is necessitated by their consent.[57] Although the UN strengthens World order, international anarchy is still abound due to unwillingness of states to surrender their sovereignty. Within this limits the UN continues to provide a global institutional structure through which states can settle conflicts with less reliance on the use of force.

From this overview, international organisations portray a trend whereby states seek to pool their efforts to solve a common problem. These states fined the cooperative approach inevitable due to the inability of unitary action to resolve global problems. The next section will try to present the general approaches to the study of international organisations.

2.3   Approaches to the Study of International Organisations

To study and investigate the role of international organisations, one has to outline the various world-views that form the backbone of the discipline. This section will present these approaches that form the basis of studying international organisations.

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[55] Shaw, W. N., Op. Cit., p. 889.
[56] Goldstein, J. S. Op. Cit., p. 298.
[57] Luard, E & D. Heater., The United Nations: How It Works and What It Does. 2nd Ed. New York, St. Martin's Press, 1994, p. 24.

The rationalist approach tries to link the notion of world order states that order found within states.[58] This conceptualization believes in the transformation of a society of states into a true world community based upon the application of universally valid moral and legal principles. This can be achieved through gradual increase in the influence and responsibility of international organisations in all fields of peace and security. This view presupposes that international organisations have a substantive and a procedural purpose that are intended to function above the just administrative convenience. Thus international institutions have a significant role to play upon the world stage rather than being only mechanisms to greater efficiency.[59]

The second approach that helps to evaluate the role of international organisation in the international system is that revolutionary one.[60] It regards international institutions as objects for specific policy formulation. The primary aim of international institutions is viewed to be that of being utilized as a means of attaining a final objective as envisioned by the states. This view does not consider international institutions as primarily targeting to evolve a world community of states based on global association. This approach sees states as units that will benefit from global institutional structures.

The third approach is projected by realist thoughts. In realist perspective international organisations are viewed as a forum for states searching for dominance.[61] States are in a constant search for power and supremacy. The eventuality of the first and second world wars demonstrated that the foundation of the League of Nations and the UN reinforced the

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[58] Goodwin, G., World Institutions and World Order, in C. Cosgrove & K. Twitchett, The International Actors, New York, 1970, pp. 55-7.
[59] Bowett, D. W., Op. Cit., p. 73.
[60] Goodwin, G., Op. Cit., pp. 57-91.
[61] Godwin, G., Op. Cit., p. 62.

status quo of the new balance of power.[62] Thus what is described as the world order is a reflection of the operation of the principle of the balance of power. Realist perceive the role of the world organisations as reinforcing the balance and enabling it to safely and gradually altered in the light of changing patterns of power. This has led to some weaknesses on the part of international organisations to effectively tackle issues without causing intrigues among member states.

International institutions can be looked into more adequately by combining the above approaches and establish an inter-linkages between the various world views. The success of collective security depends on two points. First the members must keep their alliance commitments to the organisation. Secondly enough members must agree what constitutes aggression. Despite these claims the international organisations are still contending with powerful states whose actions cannot be suppressed to deter aggression.

Each regional or supranational organisation is structured to contain aggression but does not work against aggression by a great power.[63] The inter-dependence of states has indeed compelled states to create viable organs for cooperation. Through international agreements, cooperation can be sustained to improve upon the basic political areas of peace. The next section will examine some of the sub-regional organisations and their role in the management of peace and security at regional and global levels.

2.4   Scope of International Organisations and Management of Conflicts

This section will look at various regional and sub-regional organisations and the UN as a supranational organisation in the management of conflicts. This approach has been taken

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[62] Shaw, M. N.., Op. Cit., p. 890.
[63] Goldstein, J., Op. Cit., p. 120.

in investigating the activities of these organisations to find out their capacity in engaging parties to conflict through peaceful methods or military intervention to end disputes. The analysis will then be useful to deducing the extent to which these organisations can be effective when resolving internal conflicts.

2.4.1 Organisations with Universal Character

Organisations with universal character encompass membership from across the globe. These types of organisations seek to promote international cooperation, peace and security.[64] The member states in the international system continue to face a wide range of new and unprecedented threats and challenges. To address them the states need cooperative efforts that transcend their regional territories. Some of these problems cannot be addressed by individual states. They include environmental threats, security, economic and international crime.

The development of international cooperation has engendered supranational organisations like the UN and international regimes that seek to establish norms, rules, processes and organisation that help govern the behaviour of states in an area of international concern.[65] These regimes have been noted in protection of international bodies of water like the Regime for Oceans and Seas. The trade regime under the WTO has established regulations for international trade practices.

The UN encompasses specialised agencies whose influence on government policies has gradually improved the nature of international relations.[66] The UN has the responsibility to ensure peaceful settlement of disputes among states and also promote economic and

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[64] Rourke, T. J., International Relations in the World State. McGraw Hill Publishers. 2002, p. 197.
[65] Rourke, T. J., Op. Cit., p. 197.
[66] Shaw, M. N., Op. Cit., p. 892.

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social cooperation in a wide range of issues to achieve collective security.[67] At its inception it emphasized on the principles of peace in the global and elimination of any threats that may lead to war.

To achieve the objective of promoting peace and security, the UN has created norms against violence.[68] To accomplish this task, the UN has works in areas like promoting nuclear non-proliferation through the International Atomic Energy Agency. This ideally is to limit the production and use of chemical and biological weapons, and fostering rules for the restrained conduct of war.[69] Countries that sign the charter pledge to accept that armed force shall be not used in international relations except when in the common interest. But the UN has been unable to prevail upon the powerful countries that invade others in their own interest. A recent example is when the USA invaded Iraq unilaterally despite the objective by the UN. There was no proof of threat that US and the Great Britain were acting in self-defence. The difficulties faced by the two countries by Iraq demonstrate the need to observe the norm of non-violence in international relations.

Another peace-enhancing role is the United Nations is to serve as a passive forum in which members publicly air their points of view and privately negotiate their differences.[70] The UN acts therefore as a safety value where drama can be played out without dire consequences. The grand debate approach to peace involves denouncing opponents, defending your actions, trying to influence world opinion and winning symbolic victories. The UN General Assembly has been an appropriate forum where all member states are able to articulate their views on issues that affect them locally and universally.

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[67] UN Charter, The Preamble, 1945.
[68] UN Charter, Article 5 (2).
[69] Goldstein, J. S., International Relations. 4th Ed. Priscilla, McGeehan, Washington, 2001, pp. 319-320.
[70] Rourke, Op. Cit., p. 219.

Diplomatic intervention has been another major role of the UN. UN encourages countries to settle their disputes peacefully.[71] This occurs before hostilities occur or after the fighting has started. The UN carries out inquiry, provides good offices, mediation, arbitration or adjudication to parties in a dispute. All these measures are meant to bring about peace end to disputes in the international system.

The UN uses sanctions as a measure to make countries comply to norms of non-violence.[72] The sanctions have not been successfully entirely. However some cases have made countries to comply with the UN demands. For example in 2003 the sanctions that had been in place against Libya for 15 years persuaded it to pay US $ 2.7 billion in reparations to the families of the 280 people killed when a bomb planted by Libyan agents destroyed a Pan Am flight 103 over Lockerbie, Scotland in 1988. This period is lengthy, to realise the objective of conformity to non-violence among UN member states.

Peacekeeping had been a major activity within the UN. The UN has limited ability to intervene militarily in a dispute.[73] Due to lack of a UN standby military force, it is forced to seek member states' contribution of military personnel before initiating a military intervention in a conflict. The UN for example in 2004 mounted 56 peacekeeping operations that utilized military and police personnel from 130 countries.[74] These operations ranged from lightly armed observer missions through police forces to full-fledged military forces. UN peacekeeping is normally coming between as a neutral force that creates space and is intended to help defuse an explosive situation. This has helped

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[71] Nicholas, H. G., The United Nations as a Political Institution, London, Oxford University Press, 1967, p. 98.
[72] Ibid.
[73] United Nations, Basic Facts about the United Nations, New York, 2000, pp. 7-8.
[74] http://www.un.org/peacekeeping.2html/accessed on 14th April, 2007.

the situation in East Timor especially in the transition period during the withdrawal of Indonesia's troops in 2002 to user independence.

The UN Security Council is responsible for maintaining peace and security.[75] Member states are obliged to carry out its decisions. When a dispute is brought to its attention, the council urges the parties to settle their dispute through peaceful means. When a dispute leads to fighting, the council seeks to bring it to an end as quickly as possible. Under Chapter VII of the UN Charter, the council is empowered to take measures to enforce its decisions. It can impose embargoes and sanctions or authorize the use of force to ensure that its mandates are fulfilled. The use of military force is used as a last resort after determining that a threat to peace, a breach of the peace or an act of aggression exists.[76] The UN as a supranational organisation has the mandate to enforce peace across the globe as a result of the constitutive act and the binding authority among the member states.

2.4.2 Regional Organisations

Regional organisations emerged more prominently after the end of the 2nd world war. These are organisations that link together geographically and ideologically related states.[77] These organisations have emerged across the continents with different objectives.

In Europe, NATO emerged to counter possible threats from the Soviet Union.[78] NATO member states included the US and Canada plus fourteen members from Europe. They sought to consult where territorial integrity, political independence or security of any of

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[75] UN Charter, Articles 28-32.
[76] Bent Wich, N. & Andrew Martin., A Commentary on the Charter of the United Nations, London, Routledge & Kegan Paul Ltd, 1950, p. 68.
[77] Shaw, M. N., Op. Cit., p. 893.
[78] Rourke, T. J., Op. Cit., p. 200.

them has been threatened.[79] These states accepted an armed attack on one of them should be considered as an attack against all. This approach aimed at enhancing the security of the member states and deter any external security threats.

NATO has in effect managed to fulfill its mandate and in cooperation with the western European countries managed to help implement UN sanctions in trouble like former Yugoslavia and Bosnia.[80] This shows that security is more guaranteed at regional level through inter-state cooperation and by collaboration with the United Nations.

The European Union was founded to further economic integration and in the longer run a political federation.[81] The EU has endeavoured to protect the European economy from any external unfair trade practices. In addition it has established organs of governance like the EU parliament to develop common external policies, political or economic that promotes the welfare of member states. The union was founded to safeguard the economic and political interests of member states.

In the Southern American region, the Organisation of American states emerged after the Second World War.[82] It consists of the Rio Treaty of 1947 that aims to provide a collective defence system and the 1948 Treaty of Bogara. The organisation aims to entrench a collective system where an attack on one is deemed an attack on all members.[83] The organisation consists of structures such as the General Assembly and Permanent Council whose responsibilities are to make facilitate decision-makings on social and political affairs. In addition the OAS has adopted a Human Rights Convention that spells

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[79] Myers, K., NATO.. The Next Thirty Years. London, Boulder, 1980, p. 14.
[80] Shaw, M. N., Op. Cit.. p. 895.
[81] Ibid, p. 898.
[82] Shaw, M. N. Op. Cit.. p. 905.
[83] Wood, M., The Organisation of American States, 33 Year Book of World Affairs. 1979, p. 148.

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out what the respective member-states should adopt in their territories regarding human rights issues.

The OAS institution has not only concerned itself on state security but it has sought ways to ascertain human beings are also secure within territorial state.[84] It is important for states to understand that not only external aggression is a threat to state security but also domestic high handedness is a threat to people's security. Emphasis should be linked to human security of which states will build national security. To this end the regional organisation has the duty to foresee states' supervisory and governance issues on human rights.

In the Arab world, the Arab League was founded in 1944 and it spelt out broad objectives.[85] It draws membership from Arabian countries and North Africa. It is a forum for the formulation of Arab politics and encourages regional cooperation. The Council of the League is the supreme organ and performs useful conciliatory role in conflicts. Other subsidiary organs of the league deal with economic, cultural and social issues.

The Council of the Arab League has been pivotal in peacekeeping operations. Notable in these are in Kuwait in 1961 when an inter Arab Force was established to deter Iraqi threats had in Lebanon in 1976 when it served as an umbrella for the operations of the Syrian troops.[86]

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[84] Ibid.
[85] MacDonald, R. W., The League of Arab States; Princeton, Princeton University Press, 1965, p. 23.
[86] Bowett, D. W., Op. Cit., p. 230.

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From the view point of Arab League involvement, the regional organisations are indeed a forum for states to promote regional peace, cooperation and security.[87]   The states are occupied with security issues that may generate insecurity. The states are also interested to promote their welfare through ascertaining their interests are not threatened by more powerful states. The case of Kuwait for example demonstrates how vulnerable a state would be to aggression if not a member to a regional organisation that can protect it when under siege. It is valid to assert that regional organisations are effective instruments for not only promoting national interest but also resolving disputes and enforcing peace.

In Africa, the continent has had its fair share of regional groupings.   However at continental level there has been one organisation operating formerly in the banner of OAU and currently the AU. The objectives of AU are social, economic, educationally, security and scientific in nature.[88] The organisation is equipped with a Commission of Mediation, Conciliation and Arbitration for the Peaceful Settlement of disputes. The former OAU faced considerable problems in reconciling member states policies especially in conflicts. For example Morocco withdrew its membership when the OAU advocated for the independence of Western Sahara in 1976.   The organisation was also unable to successfully mediate the Chadian civil war in 1983.[89]

In 1993, the OAU established its mechanisms on conflict prevention, management and resolution. There was a stated recognition for the conflict management potential of civil society.[90]   This was a new ground for this intergovernmental organisation in 1996 consultations with civil society roles helped define an agenda for possibilities of

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[87] Ibid.
[88] AU Charter.
[89] Shaw, M. N., Dispute Settlement in Africa in 37 Year Book of World Affairs, 1983, pp. 158-60.
[90] Muyangwa, M. & Vogt, M. An Assessment of the OAU Mechanism for Conflict Prevention, Management and Resolution 1993-2000, New York, International Peace Academy, Nov, 2000, p. 37.

collaboration in management of internal conflict. Recommendations included inter alia the elaboration of define programme for collaboration and promotion of civil society initiatives in conflict management.[91] This resulted in the establishment of partnership with the civil society in the programme on building partnerships with civil society organisations and the creation of the African Committee on Peace and Development.

Apart from the continent body, there are other regional economic associations. There is ECOWAS in the West Africa, SADC in the Southern Africa region and COMESA in the Eastern and Southern Africa. The Sub-regional groupings have common aims. They all seek to promote trade, economic and security among member states.

In the West Africa the Economic Community of West African States (ECOWAS) was created on May 28, 1975 in Lagos, Nigeria. It was established to promote cooperation and integration in order to create an economic and monetary union for promoting economic growth and development in West Africa.[92] ECOWAS has encountered many problems of the process of regionally integrating West Africa. These include; political instability and lack of good governance that has plagued many member countries; the insufficient diversification of national economies; the absence of reliable infrastructure; and the multiplicity of organisations for regional integration with the same objectives.

In addition ECOWAS seeks to strengthen its military arm, the ECOMOG.[93] ECOWAS is seeking international support to enable it train and equip the 15 battalions of troops pledged by member states as stand by units for its peacekeeping force, ECOMOG. The

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[91] Report of the IPA/OAU Consultation on Civil Society and Conflict Management in Africa, Cape Town, South Africa, New York: International Peace Academy, 1996, p. 43.
[92] www.ecowas.org Accessed on 14th April, 2007.
[93] Ibid.

training of the composite units will facilitate their effectiveness in peacekeeping, humanitarian assistance and other missions for which they could be deployed. ECOMOG forces have been deployed previously in civil conflicts in Sierra Leone and Liberia. Senegal announced in November, 2002 that it is to boost its contribution to the ECOWAS military mission to Cote d'Ivoire and provide the Force Commander. Five countries .....Benin, Ghana, Niger, Senegal and Togo .... have contributed the 1,264 troops for the first phase by the mission. The force will take over from French troops who have been monitoring the October 17, 2002 agreement for the cessation of hostilities under an agreement involving ECOWAS, France and the government of Cote d'Ivoire. Nigeria also participated in the mission and it pledged to provide medical and signal teams as its contribution. The involvement of ECOMOG in mitigating in internal conflicts demonstrates the approach of managing conflicts through interstate relations at regional level.

Several ECOWAS member countries are currently part of the West African Monetary Union (UEMOA), a regional economic and Monetary Union that shares a common currency (the CFA Franc). The Francophone countries of Benin, Burkina Faso, Cote d'Ivoire, Mali, Niger, Senegal and Togo, with Guinea Bissau (Lusophone), comprise UEMOA. From this presentation it is indicative that regional organisations are out to pursue the common security strategy for member countries in the economic and socio-political fronts.

In the Eastern and South Africa region, the Common Market for Eastern and South Africa (COMESA) is considered as an economic bloc for promoting member states economic welfare. It is a regional body with member states drawn from the Eastern and Southern

African regions. COMESA was established in 1994 as a successor to PTA to create an internationally competitive economic community with high standards of living for its people.[94] COMESA has 20 member states namely, Angola, Burundi, Comoros, Democratic Republic of Congo, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Madagascar, Malawi, Mauritius, Namibia, Rwanda, Seychelles, Sudan, Swaziland, Uganda, Zambia, and Zimbabwe. The aim for COMESA is to establish a single market for goods and services and a common investment area through regional integration in trade and investment. COMESA thus focuses on the creation of a conducive environment for regional trade and investment, which includes an enabling infrastructure.

COMESA is founded on the goal of promoting peace and security as pre-requisites to development.[95] Enhanced peace and security not only benefits the upper levels but also benefits medium and small scale business among member states. Further it places the region better in combating some of the basic causes of conflict like resources, poverty and marginalization. COMESA is prided as being one of the building blocks for the African Unity and also has lead in establishing a free trade area. COMESA does not intend to play the role of conflict resolution but only complements such activity through other regional bodies such as the African Union (AU), the Intergovernmental Authority on Development (IGAD) and East African Community (EAC).

The Cotonou Agreement is a partnership between the African Caribbean and Pacific countries and the EU. The partnership engages the countries from these areas in various programmes for developmental purposes. The area that is focused prominently is that of peace and security. The two are essential for development to be realized. Article 4 of the

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[94] www.comesa.org Accessed on 4th April, 2007.
[95] Ibid.

Cotonou Agreement provides for the non-state actors involvement on cooperation policies and strategies in areas that directly affect them.[96] The words peace and security refer to perceptions of conflict, violence and lawlessness in a given environment. The African continent is full of intrastate and interstate conflicts. The conflicts that are internal are like that of Sudan and Somalia, and others are interstate like of Uganda-Sudan, Ethiopia-Eritrea and Sudan Ethiopia. Conflicts in these areas are caused by poor democratization, human rights abuses, economic and social injustices. These problems cannot be resolved by the state as an entity. The gap between the governments performance and its expected goals can be bridged though non-state actor involvement. These non-state organs can be reflected in inter-state organisations or peace initiatives like NEPAD.

The strategic objectives, as outlined in the NEPAD document, are: promotion of accelerated growth and sustainable development, eradication of widespread and severe poverty, halting of Africa's Marginalization and the increase of its competitiveness/bargaining power in the process of globalization and restoration of peace, security and stability.[97] The last element on security and stability is vital for the progress of states. The NEPAD vision recognizes the limitation of states to protect themselves from both internal and external threats. The limitation is in part due to state failure to uphold those principles that are basic in ensuring state and human security.

The EU has also recognized the need to address conflict prevention in order to achieve development. Conflict perpetuates poverty and poverty and social exclusion increase the risk of violent conflict. The EU has undertaken the effort to ensure that specific conflict

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[96] The Cotonou Agreement, ACP-EU Agreement, 2000.
[97] NEPAD www.nepad.org/en.html.accessed on 14th April, 2007.

prevention activities are supported.[98] The non-state actors have been allocated resources to run programmes that will bring an end to an existing conflict like that of Sudan and Somalia through IGAD mediation. Direct peace processes and peace building initiatives have benefited from the EU. Peace that is realized through non-state engagement is a pointer towards the role international organisations can play in promoting peace and security.

In Asian the conspicuous regional grouping is the Association of South East Asian Nations (ASEAN). The organisation was founded in 1967 and it possesses both economic and political aims.[99] It operates on the basis of annual Ministerial meetings and a series of permanent committees covering areas of trade, commerce and research.

The ASEAN has undergone changes since inception. In 1976 the member states signed an agreement on amity and cooperation.[100] In this agreement they reaffirmed the parties' commitment to peace and dealt with the peaceful settlement of disputes. In addition the members signed the Declaration of ASEA Concord that called for expanded political and economic coordination and cooperation. The Permanent Secretariat that coordinates the national secretariats was strengthened in 1992. It was given the mandate to foresee the other five secretariats established in 1967. In 1987 the Treaty of Amity was amended to allow countries outside ASEAN to accede to the treaty.

The ASEAN case demonstrates that countries that share a common vision on social economic and research development can team up for promote these ideals. To effectively tackle these problems, it is evident that member states should be bound and they must have

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[98] Cotonou Agreement, Article 72.
[99] Shaw, M. N., International Law, 4th Ed, Cambridge University Press, UK, 1997, p. 2.
[100] Ibid.

an established coordinating organ. The organisations are also required to be dynamic. They should change their goals and operate mechanisms to reflect the changes in the contemporary world. In pursuing these common goals the states are able to enhance their national and regional security under an umbrella body.

2.5   Conclusions

From the preceding overview of international organisation, it emerges that international organisations serve different purposes in the international system. It is evident that international organisations serve three major roles. First, international organisations serve as instruments for meeting the goals of member states.[101] This is so because independent states are sovereign and limited in ability to act across their territories. It is vital for these independent units to realise some of the desired goals through inter-governmental cooperative arrangements. Therefore intergovernmental organisation will reflect the values of member states aspirations.

Secondly, international organisations are forums within which interstate action takes place.[102] The organisations provide meeting places for member states to interact, discuss argue and cooperate or disagree. These forums are deemed neutral and provide an arena for airing views and reinforce diplomatically their values and policies.[103] This means member states can call upon other states to consider certain approaches in trying to solve problems that affect them or their citizens regionally or universally. Albeit disagreements that may arise states will gradually through negotiation formulate strategies for tanning any teething problems.

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[101] Archer, C., International Organisations. London: George Allen & Irwin, 1983, p. 130.
[102] Archer, C., Op. Cit.. p. 136.
[103] Hoffman, S., International Organisations and the International System in International Organisation. Vol. 24, 1970, pp. 389-413.

Thirdly, international organisations play the role of independent actor in the international system. This means international organisations act in the world scene without being affected significantly by the external forces.[104] In this view the organisation's responses are not predicated even from the most thorough knowledge of the environment and it possesses a stable and coherent decision-making machinery within its boundaries.

The entities are therefore actors in the international arena and compare with the nation-states in resolving international matters. However since these entities are a creation of states they are able to identify with the interests of member states as they champion their cause. The international organisations capacity to act depends on the resolutions, recommendations or orders that emerge from its organs. This compels the member governments to act differently from the way in which they would otherwise act.

The observations above provide a basis for analysing the effectiveness of international organisations in managing conflicts and entrenching human security further on. These organisations have the institutional legal framework from where to launch the activities within and between states. In addition these institutions have the mandate of states to carry forward the values upon which they were founded. Since states are bound by a treaty that gave rise a specific international organisations they will support it and if there are any biting problems, the disagreements can be negotiated to arrive at a peaceful solution. From this end states will achieve stability where international peace and security will be reassured.

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[104] Deustch, K., External Influences in the Internal Behaviour of States, in Garrell, R. B., (Ed), Approaches to Comparative International Politics. New York: Free Press, 1966, p. 7.

CHAPTER THREE

3.0 IGAD AND OPERATIONAL STRUCTURES IN CONFLICT MANAGEMENT

3.1 Introduction

IGAD on its re-establishment in 1996, it spelt out one of its objectives as promotion of peace and stability in the Horn of Africa sub-region.[105] To achieve this objective IGAD had to created mechanisms within the sub-region for the prevention, management and resolution of inter and intra-state conflicts through dialogue. To strengthen its position at the regional level it has undertaken the mediation of the Sudan and Somalia as a way of raising its stake as a regional actor and to respond to challenges that arise from the member states.

This Chapter analyses the structures of IGAD as a sub-regional organisation, its mandate and the relationships it bears with the African Union (AU). The chapter shall establish the connectivity of the IGAD objectives to those of the AU. The principal link will emerge from the viability of AU transformation in its structures to accommodate the peace keeping role among its functions.

3.2 Background to IGAD

The IGAD region comprises the countries of Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan and Uganda. Eritrea joined the organisation after its independence in 1993. The organisation was set up in 1986 to address the devastating ecological effects of drought

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[105] Agreement Establishing the Intergovernmental Authority on Development, Assembly of Heads of State and Government, Nairobi, March 1996.

and the subsequent development impact. Initially known as the Intergovernmental Authority on Drought and Desertification (IGADD), the organisation was established in 1986 on the basis of a UN resolution sponsored by countries of the region at the 1983 summer meeting of the Economic and Social Council.[106] This resolution, which was subsequently endorsed by the UN General Assembly in the same year, conceived of IGAD as a vehicle for redressing drought related economic and social crises in the Horn of Africa.

In 1995, the regional body found itself in a context of sprouting conflicts that impaired its objectives and had to revise its mission in the region.[107] To address this obstacle the initial Intergovernmental Authority on Drought and Desertification (IGADD) had to be amended to include among its objectives that of conflict management. This brought about a rejuvenated organisation, Intergovernmental Authority on Development (IGAD) whose mandate increased in scope to tackle conflicts in the region. The role is particularly relevant to explore because it makes a significant departure from its original mandate of addressing the perennial issues of drought and desertification in the Horn of Africa. Since its establishment, IGAD has been at the centre of peacemaking playing a particularly central role in Sudan and Somalia peace processes.

To effectively examine the role of IGAD in the Somali Peace Talks, it is important to look into its constitution. This will reveal the decision-making structures that enable an inter-state institution carry influence among member states. The decision making organs of IGAD provide an insight on whether the institution is in a position to compel member states into taking common position in matters of peace and security in the region.

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[106]Odera, J. A., Intervening in African Internal Conflicts in the Post-Cold War Era, 1990 – 1999: A Case Study of IGAD Mediation of the Sudan Conflict. PhD Thesis. University of Ghent, 2002, p. 71
[107] IGAD, Documents on Establishment of IGAD, www.igad.org accessed on 14th April, 2007.

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The IGAD mediation is structured along the lines of the intergovernmental body itself.[108] This means that it is of a hierarchical nature with the Summit of heads of state being the highest authority. The actual mediating body is the council of ministers that is composed mainly of ministers responsible for foreign affairs. The ministerial portfolio of the members of the sub-committee is not a crucial factor and countries reserve the right to appoint whomsoever they see fit to handle the mediation. The council of ministers reports to the summit. Until the IGAD secretariat was set up in 1999, staff of the ministry of foreign affairs of Kenya was responsible for providing secretariat services for the mediation.[109]

The mediation itself operates almost independently of the host intergovernmental body and its activities are not part of the core budget of the organisation.[110] This explains why setting up the mediation almost as a distinct entity was acceptable that it has to eliminate any significant institutional difficulties between the mediating structure and the intergovernmental body. This operational structure has however meant that participating countries take the burden and responsibility for meeting the requirements of the mediation and ensuring its continuity. This mode of operating has implications for the institutional character of the mediation. Individual member states can define the pace and progress of the mediation which translates into a weak institutional framework for the mediation.

Although the mediation is located in IGAD, the organisation only provides a flag and confirms the view expressed by certain analysts and scholars that sub-regional

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[108]IGAD, Frequently Asked Questions, www.igad.org. Accessed on 12th May, 2007.
[109]Ministry of Foreign Affairs, Ministry of Foreign Affairs Bulletin, June 2001.
[110] Amani Forum, Peace Making in Somalia, Nairobi, 2004.

organisations can only play a limited role in mediation.[111] Although there has been little friction between the mediation committee and the host organisation, the IGAD mediation also confirms the view that unless they coincide, it is the interests of the participating countries and not necessarily those of the organisation that will dictate the course of mediation.

3.3   Structure of Decision-Making in the IGAD Somali Peace Process

IGAD is comprised of four hierarchical policy organs.[112]   First is the Assembly of the Heads of State and Government.   This is the supreme policy making organ of the Authority.   It is charged with determining the objectives, guidelines and programmes for IGAD.   It meets once a year when it elects a chairman from among the member sates in rotation.   The chairman is responsible for giving direction to the peace talks.

The Council of ministers is the second organ of IGAD.[113]   It is composed of the Ministers of Foreign Affairs and one other Focal Minister designated by each member state.   The Council formulates policy, approves the work programme and annual budget of the Secretariat during its biannual sessions.   The Council of Ministers is the actual mediating body in conflicts.   The Council Ministers reports to the Summit of heads of state.

The third organ is the Committee of Ambassadors that comprises of the IGAD member states' Ambassadors or Plenipotentiaries accredited to the country of IGAD Headquarters. The headquarters of IGAD are in Djibouti. The responsibility of this committee is to guide the Executive Secretary in making decisions.[114]

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[111] Amoo, S. G. and Zartman, W.I Mediation by Regional Organisations. Oxford: Bouldings , 1998, p. 167.
[112] Odera, J., Op cit, P. 89
[113] Ibid, p. 90
[114] Ibid, p 92

The Secretariat is the last organ of the IGAD structure. It is headed by an Executive Secretary appointed by the Assembly of Heads of State and Government for a term of four years renewable once.[115] The Secretariat assists member states in formulating regional projects in the priority areas. It also facilitates the coordination and harmonisation of development policies among the member states. It is also charged with mobilising resources to implement regional projects and programmes approved by the Council.

IGAD has made initiatives to establish supportive mechanisms to facilitate conflict management approaches. The IGAD Conflict Early Warning and Response Mechanism (CEWARN) arm has been developed to point out to the institution the early signs of conflict and the intervention methodologies.[116] The functions of CEWARN cover both early warning and response and they include the promoting the exchange of information and collaboration among member states on early warning and response on the basis timeliness, transparency, cooperation and free flow of information. These principles help gather, verify, process and analyse information about conflicts in the sub-region of the Horn of Africa.

The CEWARN is working in line with AU Security Council framework. The impetus for the creation of a Peace and Security Council for the African Union was realised with the Protocol Relating to the Establishment of the Peace and Security Council of the AU in July 2002.[117] In accordance with the protocol, the Commission, a Panel of the Wise, a

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[115] Ibid, p. 93
[116] IGAD, Protocol on the Establishment of a Conflict Early Warning and Response Mechanism for IGAD Member State, Khartoum, 2000.
[117] African Union, 'Protocol Relating to the Establishment of the Peace and Security Council of the African Union'. http://www.african-union.org.. Accessed on 4th May 2007.

Continental Early Warning System, an African Standby Force, and a Special Fund, shall support the Peace and Security Council. The central objectives of the Peace and Security

Council shall be to promote peace, security and stability in Africa; anticipate and prevent conflicts and circumstances where conflicts have occurred; undertake peace-making and peace building functions for the resolution of these conflicts; Promote and implement peace-building and post-conflict reconstruction activities to consolidate peace and prevent the resurgence of violence. This outline is in agreement with the IGAD objectives in promoting peace and security not only in the region but also in the neighbourhoods. IGAD will be in a position to mitigate adequately in the conflicts likely to affect the member states.

The AU Peace and Security Council guiding principles include early responses to contain crisis situations, so as to prevent them from developing into full-blown conflicts, non-interference by any member state in the internal affairs of another, respect for borders inherited on achievement of independence, and the right of the AU to intervene in a member state pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide and crimes against humanity.[118] Early warning and preventive diplomacy can support peace operations and interventions. In this view the AU Security Council shall be organised to be able to function continuously, facilitate the anticipation and prevention of conflicts through the establishment of a Continental Early Warning System consisting of an observation and monitoring centre. The implication of this mechanism is that sub-regional organizations like IGAD will serve as monitoring and

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[118]Ibid

observation units for continental stability. Sub-regional entities with their own established centers for conflict early warning will be useful to the peace and security of the continent.

In order to enable the Peace and Security Council to perform its responsibilities with respect to the deployment of peace support missions and intervention, an African Standby Force is to be established.[119] Such a force should be composed of standby multidisciplinary contingents with civilian and military components in their countries of origin and ready for rapid deployment at appropriate notice. A central and vital task of the Peace and Security Council includes that of peace-building, where assistance will be provided for the restoration of the rule of law, the establishment and development of democratic institutions, and the preparation, organisation and supervision of elections in the concerned member state. Other functions include the consolidation of peace agreements that have been negotiated following the end of hostilities, the implementation of disarmament, demobilization and reintegration (DDR) programmes, and the resettlement of refugees and internally displaced persons. The Peace and Security Council would also cooperate and work closely with the United Nations Security Council and other relevant UN agencies in the promotion of peace, security and stability in Africa. In this view the strength of the AU standby force will be drawn from the member states. The member states will rely on the sub-regional arrangements to comprehensively initiate and implement the AU objectives. IGAD therefore becomes a strong focal point to initiate early warning and intervention activities in the Horn of Africa sub-region.

3.4 Conclusion

Sub-regional organisations are gradually defining the security interest of the member states at sub-regional level. IGAD and the protocols that put it into operational are distinct on the

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[119]Ibid

matters of peace and security. The approach of conflict management mechanism is a desire by the member states to fully address both domestic and external sources of conflict. There are numerous issues that emerge from the protocol on the peace and security in the Horn of Africa. The IGAD protocol is heavy laden with diplomatic and governmental processes to address conflicts within the region. The government diplomatic channels do not have the military capability to address volatile situations. This demands for a military contingent to intervene. The new initiative by the African Union to establish a standby brigade to be dispatched to threatening situations is ideal for the Horn of Africa region that is prone to conflicts. The framework for a standby African Union brigade should be worked out to ensure the member states are able to contribute personnel and be stationed where their response to emergency will be timely.

Apart from the standby brigade, information gathering and dissemination is important. The situations that are threatening should be identified and the relevant information about the threats and the way to address them should be known in advance. This justifies the establishment of conflict early warning and response units. IGAD is pioneer to this framework and it will contribute favourably to the management of conflict not only in the sub-region but also to the continent.

CHAPTER FOUR

4.0 IGAD AND THE MANAGEMENT OF THE SOMALI PEACE PROCESS (2002-2004)

4.1 Introduction

The Somali National Reconciliation Process under IGAD was structured in four levels of decision-making.[120] The first level was that of heads of IGAD states and governments. This level incorporated the various heads of states and government of the IGAD region. Below this was a second level of decision making composed of the IGAD ministerial council. This involved all the foreign ministers of the IGAD region and acts as an advisory organ to the summit. The third level was the facilitation committee which comprised of the special envoys of Kenya, Djibouti, Eritrea and Uganda did the day to day running of the conference on behalf of the IGAD governments. The fourth level of decision making to assist the facilitation committee was a secretariat. The facilitation committee worked closely with the IGAD Partners Forum who are the key donors to the conference.

The conference had three levels of decision-making.[121] The first was the leader's committee composed of Somali leaders. There was no consensus on who the Somali leaders are, and this has often led to a lot of debate. There are those who perceived that the genuine Somali leaders to be those who signed the Declaration on Cessation of Hostilities on 27th October, 2002. That position restricted the leadership to a group of 24 faction leaders.

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[120]The IGAD Structures, www.igad.org. Accessed on May 13th, 2007
[121] IRIN News, IGAD Somali Peace Talks, October 23rd, 2005

The second level is that of the officially invited delegates who belonged to different factions.[122] The number of official delegates remained a contentious issue right from the beginning of the conference. While the officially invited delegates were 361 there was an additional 5 from the civil society. However, there were between 800-1000 delegates at the conference at all times. The question of which of them are genuine has remained elusive. The last level of decision-making in the conference is the plenary. This comprises of the delegates, the leaders committee, the IGAD facilitation committee and observers who include the IGAD Partners Forum. The plenary was the highest decision-making organ of the conference. It ratified all decisions taken by the other organs of the conference. The rationale behind this was to allow the widest participation in decision-making for purposes of ownership and consensus building.

4.2   Over-View of the Peace Process

The overview examines certain landmarks in the 14th conference that have determined the direction and outcomes during the current peace initiative. The analysis begins by discussing the collapse of the state of Somalia as an entry point to the peace process. Siad Barre's government remained unresponsive to the wishes of the people of Somalia and turned itself into an autocratic, authoritarian regime.[123] The poor management of public affairs affected not only the allocation of political power but also resources. It is this situation that degenerated into conflict between the government and its citizenry. The collapse of the Somali state came after the deposition of Siad Barre in 1991 by a combination of rebel forces.[124] However, once the common enemy as deposed, the rebel forces led by Gen. Mohamed Aideed, Ali Mahdi and others fragmented into clan-based

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[122] Ibid
[123] http://countrystudies.us/somalia/78.htm. Accessed on 13/05/2007
[124] Ibid

groups that disagreed on everything except the deposition of the Somali dictatorship. The declaration of Ali Mahdi as president did not go well with other groups who began war afresh.[125] The violence that ensued propagated clan animosity and competition; massive destruction of property and internal and external displacement.

During the civil war, Somalis were divided between those who alleged that their clan or sub-clan was underrepresented in the collapsed government, and those that believed that the previous governments had maintained clan and regional balance.[126] Those who were aggrieved like the Hawiye, Dir, Digil, Mirifle sought more say in the new decision making structures. The subdivision among the clans complicated the negotiations of the Somalia peace.

The wrangles at the concluded peace talks revolved around who becomes the next president.[127] Groups such as the Hawiye vowed never to let another Darood take over power after the reconciliation process. The latter on their part insisted that the Arta peace process led by Djibouti had rewarded the Hawiye and it was their turn to lead in the new dispensation. The sub-divisions were a great threat to the sustainability of the peace talks and the peace conclusion. The clans have continued to intensify military action against each other and to date has not brought a solution to the problem since no single group has managed to have a clear-cut military advantage over the others at the local scene.

4.3   Fourteenth Somalia Peace Conference

The fourteenth peace initiative under the auspices of IGAD mandated the three frontline states of Kenya, Djibouti and Ethiopia (as the Technical Committee) to run the

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[125] Mohammed O. Omar, The Road to Zero: Somalia's Self Destruction (New Delhi: Everest Press, 1992), p. 218
[126] Aves O. Hagi and Abdiwahid O. Hagi, Clan, Sub-Clan and Regional Representation in the Somali Government Organisation 1960-1990: Statistical Data and Findings.
[127] Discussion With former Somali Delegate to the 14th Somalia Peace Conference in Nairobi, June 2, 2007

conference.[128] The pre-negotiation phase of this conference involved the identification of the actors in the conflict. IGAD sent a team to Somalia for this purpose.[129] However, the letters of invitation sent out did not reach all the identified leaders of the parties as arranged, and this caused a problem on the debut of the Peace Talks.[130]

The conference can be distinguished into three phases. Phase I was the pre-negotiation; Phase II was the negotiation stage, and Phase III was concerned with power sharing.[131] In the first phase the actors were identified and all the parties agreed on the venue. Invitations were sent out and Phase I was completed. The Conference originally progressed to Phase II, which was declared officially closed by the IGAD Council of Ministers. The ministers also officially launched the preliminary part of Phase III.[132]

4.4   Phase One of the Conference

The IGAD Council of Ministers on Somalia met on the 6th September 2002 in Nairobi to consider a report by Somalia Frontline States Technical Committee, which had been preparing for the Somalia National Reconciliation Conference.[133] The Ministers approved the report but instructed the technical committee to finalise the criteria for participating in the peace process by Somalis. The committee also had to look into the conference process framework, logistics and financial issues. The Ministers also approved that the Conference begin on the 15th October 2002.

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[128] Interview With former Darood Clan Head Delegate to the 14th Somalia Peace Conference, Nairobi, June 2, 2007
[129] IGAD Working Document, A Report on the Visit to Somalia, (Djibouti) 1999.
[130] Discussion with a former Clan Delegate to the 14th IGAD Somalia Peace Talks, Nairobi 14th May 2007
[131] Simon Fischer and D. I. Abdi et al., Working with Conflict: Skills and Strategies for Action (London: Zed Books, 2000) pp. 115-117.
[132] IGAD Council of Ministers Meeting., Joint Communique, Issued Nairobi on 12th March, 2004.
[133] IGAD Somali Reconciliation Conference, www.igad.org/docs/som.htm. Accessed on 1st May 2007.

With the establishment of the background on the Somali Peace Conference, Kenya announced that it planned to hold the conference at Eldoret on the 15th October, 2002.[134] Delegates started arriving from Somalia on the 12th to 14th and the opening of the Conference took place a day later and several IGAD Heads of States attended the opening ceremony to give the process political support and the resolve of the region to assist the Somalis.

At the onset the Council of Ministers emphasized that the Somali Peace Process should be Somali owned and Somali driven and that IGAD will only facilitate the process of reconciliation.[135] The IGAD Frontline States demonstrated commitment towards ensuring that there is a government of National Unity, which is broad-based and all-inclusive. The approach of the Frontline states was not to prescribe solutions but create a basis for dialogue.[136] The Ministers during the meeting approved a Framework for a phased Peace Process to provide sufficient time for Somalis to identify core issues in their problem and deal with the issues adequately. The process would start with a phase one where about 300 delegates went to Eldoret and helped to identify the core issues to be tackled in the reconciliation effort. Thereafter after a select Committees for the second phase to work on issues identified. The Committees negotiated on those core issues and made recommendations to be considered by another delegates' conference in the third phase.

At the pre-negotiation stage, a venue to conduct the negotiations from Eldoret, a town in the western part of Kenya was agreed upon. This phase was significant to the peace process since it developed and signed a Declaration of Cessation of Hostilities on 27th

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[134]Ibid
[135] Ibid
[136]Speech delivered by Mr. Elijah Mwangale the then Kenya's Special envoy to the Somali Peace Process at Inauguration Ceremony, on 15th October 2002, Eldoret

October, 2002 at Eldoret.[137] This document became the reference point of who is a leader and who is not. In the view of the SRRC, the G8 Alliance and the TNG,[138] it is those who signed the Declaration that were recognised as authentic leaders of the Somali people. Those who did not sign the document and who mainly formed the TNG of Abdikassim and the National Salvation Council contended this view. This led to a stalemate that surrounded the two groups.

At the Eldoret conference, two sides took to opposing any suggestion made by their opponents. The divisions were quite remarked and the issue of numbers featured strongly as each group endeavoured to set the pace of the reconciliation process.[139] While the numbers favoured the signatories, they pushed for the quick conclusion of the conference. Later, when the numbers fell in their disfavour, they called for a recess of the conference.

The Eldoret Phase also endorsed the Rules of Procedure that would guide the conference.[140] These Rules of Procedure remained the backbone of the contentions during the peace talks. During the endorsement of the Transitional Charter on 15th September 2003, the groups that were unhappy with the results complained that the rules of procedure were flawed.[141] Similarly after the plenary session of 23rd February 2004, the same complaint had been made by those who had lost in the game of numbers earlier. There emerged dissatisfied groups that used the rules of procedure as the basis for dismissing serious issues.

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[137] Document on Agreement on Cessation of Hostilities, Eldoret, 27th October,2002
[138] There were two TNGs. One led by Hassan Abshir and that led by President Abdikassim Salaad. The group referred to here is the former.
[139] Discussion with a Former Delegate to IGAD Somalia Peace Talks , Nairobi, June 3rd 2006.
[140] Somali National Reconciliation Conference, The Rules of Procedure, Adopted by the plenary (Eldoret) on 26th October, 2002.
[141] "Somali Crucial Charter Adopted" IGAD News, No. 8 (July-September, 2003): 8.

The negotiation phase also had to contend with official and unofficial number of delegates in attendance. There was an excess number of delegates who had come uninvited to the Eldoret conference.[142] The number of delegates invited stood at 366 on the higher side yet at the venue there were more than 1000. Attempts to reduce the number by sending away some of the excess numbers met with stiff opposition from the leaders themselves. The issue became even more complicated when the conference shifted to Nairobi where the numbers increased. The process here indicated that the mediator should have resources that are valued by the parties to conflict. In regard to IGAD, there is a specific acknowledgement that it provided resources to run the process despite the numerous delegates and the expanded budget.

4.5   Phase Two of the Conference

Phase two of the IGAD Somali Peace process began with six committees dealing with different issues.[143] Committee One examined issues to do with the Charter and the transitional government, while Committee two looked at issues to do with disarmament, demobilisation and re-integration; Committee Three's mandate was to discuss land and property rights; Committee Four was on economic recovery and reconstruction; Committee, Five and Six dealt with issues of regional and international relations and conflict resolution and reconciliation respectively. The committees' work was not smooth because some of the delegates were unfamiliar with the issues involved. This was because some of them were too illiterate to participate effectively in the debate, while others had been away in self-exile and were unfamiliar with current realities that continued to change on the ground.

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[142] Interview in Nairobi with a former Somali Delegate to IGAD Peace Talks, in Nairobi, 3rd June, 2007.
[143] IGAD, Working Documents for Somali Peace Talks, Nairobi, March 2003

The onset of 2003 brought in many changes for the conference that created disequilibria among the Somalis and affected progress.[144] The factors that led to this situation were a result of political changes in Kenya. The elections of 2002 saw the exit of President Moi. This impacted negatively on the conference that had been supervised and frequently put on track under President Moi. President Moi was the architect of the conference and knew every faction leader and maintained close links with them. This made it possible to delicately balance and maintain power bargain.

The departure of Kenya's President Moi followed the inauguration of the NARC government in the debut of 2003. NARC government through lack of interest because of pre-occupation by internal wrangles and factual information failed to maintain the progress so far achieved in the peace process.[145] A window of opportunity presented itself and the SRRC used it to gain control and have an upper hand in the game of numbers. The TNG was not impressed by this arrangement. It began to plot on how to undo this new development. In the first scheme the TNG tried to scuttle the process by withdrawing its delegation. When this failed, it tried to sabotage the conference by organising a parallel one, which did not work either.

The IGAD facilitation committee work was also affected by other changes that happened in the same year.[146] The committees were almost through with their work by the end of January 2003. However, two significant things occurred. Bethuel Kiplagat replaced Elijah Mwangale as the special envoy and Chairman of the IGAD Technical Committee. This change affected the conference operations as the two leaders had different personalities and

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[144] Mwagiru, M, (Ed), African Regional Security in the Age of Globalisation, Nairobi, Heinrich Boll Foundation, 2004, p111
[145] Discussion with an IGAD Peace Technocrat in Nairobi, May 3rd 2007.
[146] Ibid

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approach to things. Mwangale was a politician, and had direct access to State House. This was an important factor to the Somalis. Kiplagat on the other hand as a career diplomat, did not frequent the corridors of power and the Somali knew this, which affected his reputation amongst them. The diplomatic approach that Kiplagat took did not augur well with the Somalis who mistook it for weakness. Considering that these were people who had been used to a dictatorship and a police state, their psychology was that of authoritarianism. Diplomacy did not have room in their vocabulary.

Secondly, Mwangale's departure was occasioned by accusations of corruption.[147] This meant that the Somalis were distracted from the negotiations as they put up a spirited fight to oust him. Thirdly, Kiplagat came in without proper handing over, and the same people took advantage of this situation to confuse things. This impacted negatively on the peace process as the list of delegates made earlier led to a boycott by the Marehan who complained of inadequate representation in the conference.[148] At that moment a decision to move the conference to Nairobi was also taken. This not only affected the momentum of the conference but also created other logistical problems. As the delegates arrived in Nairobi many Somalis from Eastleigh[149] invaded the conference venue.

After a month the committees were able to continue with their work and by April all committee reports were ready for the plenary sessions.[150] The plenary as the highest decision making organ of the conference was meant to adopt the committees' reports. The presentation of the reports began with the least controversial tot eh most controversial. The plenary was bale to adopt all the reports by May, except the tow reports given by

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[147] The Daily Nation, 24th January 2003.
[148] Mr. Kiplagat entrusted Andre Lasage with the list of delegates. Andre made a list that favoured Ethiopia's SRRC.
[149] Eastleigh is an estate/commercial hub of Nairobi where people of Somali origin stay and do business in large numbers.
[150] Mwagiru, M, (Ed), African Regional Security in the Age of Globalisation, Nairobi, Heinrich Boll Foundation, 2004, p114

Committee One. One committee led by some Somalis aligned to the TNG of Mr. Abdikassim Salaad and Djibouti produced a report that was in favour of a centralised form of government. The other group aligned to the SRRC and the Ethiopian government came up with a pro-federalist structure. Efforts to merge these two documents at committee level were fruitless. Those who favoured a federal system for Somalia could not see eye to eye with those for a centralist system of government. The TNG president Mr. Abdikassim Salaad who belonged to the anti-federalist group twice left the conference with a number of his delegates.

The Technical Committee engaged a group of experts to help it harmonise the two documents.[151] This committee led by Prof. Samatar drew a lot of animosity from the faction leaders, who on their part also set up their own team to do the same. This resulted confusion as the Technical Committee ended up with seven different versions of the two harmonised documents. Divisions among the leaders and the various groups were along the lines of the document they favoured. After long periods of negotiations and lobbying by women at the conference the leaders came up with an agreed document on 5th July, 2003.

A stalemate on Article 11 ensued during July to September, 2003 over the form of government, issues of governance and the selection process as diplomatic efforts were stepped up to harmonize the positions taken by the two groups.[152] The remaining groups of delegates of the TNG led by the Prime Minister Hassan Abshir and the speaker of parliament Mr. Abdallah Derrow, SRRC, and a section of the civil society struggled to

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[151] Ibid
[152] The IRIN News, March, 2003

write the Transitional Charter. The final version of the Transitional Charter was adopted by the plenary on 15th September, 2003.

After the adoption of the Charter, many stakeholders were unhappy and subsequently left the conference. Apart from Mr. Abdikassim Salaad, Mr. Mohamed Ibrahim Habsade, Mr. Jamal Ali Jama and Omar Jess who were signatories to the Declaration on Cessation of Hostilities namely Musa Sudi, Bare Aden Shire, Osman Ali "Atto" and Abdirizak Bihi also left the conference.[153] These leaders complained that the Rules of Procedure were not followed, non-delegates were allowed to participate in the plenary and the decisions of the arbitration committee on the composition of the delegates had not been effected. Djibouti also accused Kenya of foul play and questioned the credibility of the Charter and the ownership of the conference, and left the conference and withdrew from the Technical Committee too.

The withdrawal of Djibouti raised concern to all including the Somali leaders who wrote several appeals to President Ishmael Gele. Other IGAD member states including Kenya sent delegations to Djibouti to persuade them to return to the conference. The withdrawal of Djibouti was on the basis that the plenary lacked Somali ownership, the rules of procedure were not adhered to and that the process was no longer all-inclusive but favoured Ethiopia and its allies. The authenticity of these complaints against IGAD was not the issue; indeed the conference had to be halted before it went into the power-sharing phase with the numbers favouring the opponents.

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[153] Report from the IGAD Somali Peace Talks, 17th September, 2003

The 10th IGAD summit of Heads of State and Government was held at Kampala on 20-25th October, 2003.[154] The summit while reviewing the progress of the SNRC and the challenges faced made certain decisions. It expanded the technical committee to include all IGAD member states. This meant that Uganda, Eritrea and the Sudan joined it. In response to concerns over ownership of the process, the summit emphasised Somali ownership by reminding the IGAD facilitation committee. Thirdly the summit directed that the facilitation committee should meet at the ministerial level to review the status of the peace process with a view to removing all obstacles towards the attainment of peace in Somalia.

The first ministerial facilitation meeting took place in Nairobi, Kenya on 28th October 2003.[155] The ministers decided that an exclusive Somali leaders consultative meeting be held for a period of ten days to try and bring deeper reconciliation among the political leaders, create dialogue and remove the obstacles to the conference. This would also help to attain the needed inclusion of all stakeholders. In principle the IFC agreed that no party could be allowed to give preconditions for attending the consultative talks and that the conference could not be taken back to renegotiate certain issues. However, those who joined would be allowed to raise concerns that would be taken into consideration. The second and the third ministerial meetings while reiterating the same position, urged the Somali leaders to attend the consultative talks and those who were away were asked to return to the conference. Indeed the ministers issued a warning that whoever did not participate at the consultative talks risked being named as an anti-peace crusader in Somalia.

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[154] The 10th IGAD Summit Report, www.igad.org. Accessed on 22nd April 2007.
[155] Ibid

During the Somali leaders retreat, the groups identified to be represented included what had emerged from those who continued with the conference calling themselves the group of 20.[156] This group was willing to meet with the four members of the newly created NSC who had been with them and who were signatories to the Declaration of Cessation of Hostilities signed at Eldoret on the 27th October, 2002. In this case the numbers favoured Mr. Abdullai Yusuf who had led these leaders belonging to three factions into an alliance of power sharing with him on the presidential peddle. Mr. Hassan Abshir and Abdalla Derrow who were originally official delegates of the TNG but now considered rebels supported this course.

4.6   Phase III

On several occasions the consultative meeting could not take off because of various reasons among them who would be allowed to attend.[157] The leaders who remained in Mbagathi founded an alliance, the group of 20, which brought them together. They argued that they were unwilling to meet with any other leader at the consultative meting except Abdikassim Salaad and the other four signatories to the Declaration on Cessation of Hostilities signed in Eldoret. The leaders who had left for Somalia formed the Ballad group, which later called itself the National Salvation Council. This group insisted that it would not come back to the peace process unless they were all recognised as Somali leaders and accepted on equal terms at the talks. This meant that essentially the number that was to attend the talks was forty-two.

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[156]Interview with a Somali Delegate to the 14th Somali Peace Conference, Nairobi, May 4th 2007.
[157]IRIN News, July 2004

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After visits to Mogadishu by members of the Facilitation Committee[158] and the International Partners Forum the latter position was adopted on the grounds of inclusivity. After this visit the Mogadishu groups were willing to come to the consultations but the group of 20 were still unwilling to meet some of the individuals from Mogadishu accusing them of being fake or recently created leaders.[159] Combined pressure from the International community and the IFC made the group of 20 relent and the consultations began on 8th January, 2004.

President Yoweri Museveni, Chairman of IGAD Summit of Heads of State and Governments met with all the groups, comprising the TNG led by President Abdikassim Salaad, the group of 20, the National Salvation council and the Civil Society. On 9th January 2004, President Mwai Kibaki of Kenya and Chairman to IGAD Facilitation Committee on Somalia joined President Museveni for the launch of the consultative talks.[160] The breakthrough attained by president Museveni came about in the context of bringing together Abdikassim Salaad and Abdullai Yusuf to a round table discussion. This dialogue opened a window for discussion on power sharing that gave hope to these contestants. Driven by their individual considerations, they hoped they could share the cake without resolving the jigsaw puzzle of numbers they had created alliances over.

Progress was made through shuttle diplomacy.[161] The positions of these parties that could not meet were identified. The TNG and a section of the Civil Society allied to them, the group of 20 and another section of the civil society and the National Salvation Council

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[158] The Troika for IFC, AU and the IPF made one of the visits. Amb Mohamed Ali Forum of AU led this delegation comprising of Amb. W. Barrigwa-Ugandas representative to Ethiopia and permanent representative to AU, ECA and IGAD, Col. P. Mwarwa of IGAD Djibouti. Mr. David Bell of the British High Commission, Mr. PerLingardeol the Swedish Embassy, Mr. A. Ramatta and Mr. J. Kiboi of IFC.
[159] IRIN News, July 14th 2003..
[160] IGAD Briefs, www.igad.org Accessed on 12th April 2007
[161] Ibid

held divergent views. The sticky issues revolved around the title of the Charter, and the government, the duration of the transitional period, the mode of selection of the members of parliament as stated in Article 30 of the adopted Transitional Charter, the size of the Transitional Parliament, the composition of the delegates and the plenary that adopted the Charter.[162]

The TNG insisted that the Charter be replaced by the 1960 constitution, the size of parliament be reduced to 171, the title of the Charter and the transitional government be changed, the selection of MPs be left to the traditional elders, the delegates and the plenary be reconstituted.[163] On the other hand the Group of 20 took the view that the Charter earlier adopted at Mbagathi remains, the size of parliament be 351, the selection of MPs be done by politicians in consultation with the traditional leaders and that the consultations could only be held between the 24 signatories and Abdikassim Salaad. In the view of the group of 20 the plenary was considered properly reconstituted.

These positions led the IFC to come up with a harmonized paper.[164] It proposed that the title of the Charter remains the same, and the title of government be left as it is. The most significant change it proposed was on Article 30 of the adopted Charter. It called for the selection of MPs to be done by sub-clan politicians recognised by TNG, existing regional administrations, faction leaders recognised by the conference and endorsed by genuine sub-clan traditional leaders.[165] Secondly, Article 32 of the Charter proposed that

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[162] Articles Contained in the TNG Charter.
[163] Abdikassim Salaad who had fallen off with his TNG delegation led by Hassan Abshir and Abdalla Derrow the Prime Minister and Speaker of Parliament respectively questioned the authenticity of delegates.
[164] Harmonised Position Paper Somali National Reconciliation Conference 29th January, 2004.
[165] "Declaration on Harmonisation of Various Issues Proposed by the Somali Delegates at the Somali Consultative Meetings" Harmonised Position Paper Somali National Reconciliation Conference 29th January, 2004.

transitional period should be five years[166] and finally a proposal was given that the amendments be adopted by an extra ordinary plenary.

The harmonised document did not go well with National Salvation Council who insisted that their name had to be explicitly reflected in Article 30. In their opinion they read that their right to the selection of MPs was being denied. After another round of shuttle diplomacy that was done in unclear circumstances another version of the harmonised document that explicitly mentioned their name and the other groups emerged. A ceremony was arranged at State House, Nairobi, where president Kibaki witnessed a symbolic signing ceremony on 29th January, 2004.

In the post-signing period some key faction leaders denied having signed the document earlier.[167] The complaint surrounded the text that had been signed at State House, Nairobi. They raised the following fundamental points on the signed document. Firstly, those who signed were not chosen according to the 4.5 clan formula that had earlier been agreed. Secondly Article 30 that was negotiated mentioned the term "sub clan" twice unlike the final document that did so three times. Thirdly, the question of who were "political leaders" referred to and who was to participate in the selection of MPs remained contentious; fourthly, Abdikassim Salaad only signed as a witness rather than a key party. The group of 20 was unhappy with the protocol that Abdikassim was being accorded as the president of the Republic of Somalia when his term had already expired.

The Somalia Peace Talks were concluded in November 2004 and the IGAD issued a memo to all parties signatory to the Peace Agreement to be ready for the election of MPs. The

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[166] TNG Proposal in the letter to Kenya's Minister for Foreign Affairs, Hon. Kalonzo Musyoka, dated 19th January, 2004.
[167] Discussion with an MP in the constituted Somalia Government, Nairobi 20th April, 2007

delegates were converged in the Kenya's Kasarani Stadium to conduct elections. The elections were concluded under the supervision of IGAD. The elections gave rise to the congregation of MPs who chose the president. President Abdullahi Yussuf appointed his cabinet that forms the current Somali government. Although the peace was concluded under IGAD supervision, the post-conflict challenges demand further institutional intervention.

4.7 Conclusion

The Somalia peace process has been unique in various ways. It is a case where conflict is unlikely due to the homogeneity of its culture and race. Despite these variables the country has been unable to have a government of national unity since the overthrow of President Siad Barre. The country has degenerated into anarchy and at the moment the efforts to put up a new government is threatened after a struggle with peace process. The Somali government is operated from Kenya before relocating to Somalia where there have been activities of violence.

There are lessons that the world can learn out of this case where a legitimate government is not able to exercise control in its own territorial state. The government was made up of appointed clan delegates who represent each clan's ambition and interests. The local conflict management mechanisms perhaps at clan level can help to solve a problem of national magnitude.

Previous interventions in Somalia did not bear fruits. The US-UN armed intervention encountered harsh realities in Somalia leading to a withdrawal. The intervention indicated a lack of understanding of the issues underlying the Somali conflict. The role of warlords

was under-estimated at the time. In an attempt to form order out of chaos, the local warlords and militias were central to incorporate in the peace-making mission. The lessons to draw from here include assessment of stakeholders' interests and their ability to sabotage any peace mission.

Institutional conflict management has propelled Somali peace process to its apex after a struggle to engage Somali factions in spirited formal and informal negotiations. Lack of institutional capacity in Somalia has been a big setback in achieving quicker results. Institutions are important in a state since they provide regulated procedures to work with. The Somalia case proved an enormous task to overcome. There are no formal structures that would be relied on to streamline individual and national interests. This weakness reveals the need to have independent and strong institutions inside states to help peace initiatives move forward much faster. Another lesson to be learnt here is on institutional and individual strengths in mediation.

The international community has been in the forefront in supporting the Somali peace process. The support has been in the form of funds and humanitarian aid. Their support has not successfully addressed the core objective of stabilising the country. The aid has fuelled more instability. In this regard there should be critical evaluation on whether aid is necessary in a conflict area. If it is indeed necessary it should be well managed to avoid wrong people accessing it eventually hampering peace in that country. The lessons to learn from this scenario include: aid management, local administration performance, civil society organisations and their mandate in humanitarian aid management and resource distribution.

As the new government is trying to achieve recognition both locally and internationally, the Somali in the diaspora have a significance role to contribute towards this end. The country needs their intellectual input to achieve a more enlightened and stable leadership. They can demonstrate this by repatriating to their country and help in its reconstruction.

Another challenging issue to learn from IGAD led Somali peace process is the interaction of the presence of small arms and sustenance of peace. Small arms present in Somalia are a challenge to any future peace. Disarmament of militiamen is an aspect IGAD and the international community must address as the new government intends to be installed. Mechanisms should be designed to disarm the locals for effective governance.

Civil wars in Africa have been a common feature due to lack of democracy. In Somalia democracy has never been embraced due to dominance of clan issues and leadership. There are lessons to learn from this country which has no tribal or racial issues that are linked to politics. The clan system of leadership and needs should be evaluated to understand the reasons of frequent violence in the country. This will inform proper policy intervention and conflict management.

IGAD as an organisation has used various significant roles in the mediation process to conduct its mediation between the parties to the conflict both in Somalia and Sudan. The approaches were determined by the nature of each conflict. While in Sudan it accepted only two principal actors, in Somalia it accepted Artah process as a base for continuity and expansion. From this analysis some lessons can be drawn to help institutional conflict management appreciate certain dynamics in a conflict and invite to the negotiations other actors who would determine the sustainability of peace.

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Institutional constraints in the mediation structure are necessary to analyse and come up with a critique with the efficiency of IGAD in managing conflict in the region. IGAD has not lived to realise its objectives due to lack of independent secretariats with insufficient human and resource personnel. The dependence on governments to support the organization financially and logistically has led to political interference in the running of its secretariats. To draw a lesson from here it requires evaluation of methods that will free the secretariat from state dependence.

The overall analysis of IGAD mediation will engender lessons that are vital for both government and institutions of conflict management in Africa. The analysis is necessary at this stage when both Sudan and Somalia are about to launch a final step towards their peace. The Somalia government has relocated to start performing its functions from Mogadishu.

What comes out clearly is that there are substantive issues in the Somali conflict. The contentions remain at the level of individual and clan interests on economics, property and the political space. All these are tied to a complex web of regional interests. The objective of the movements that followed Siad Barre's departure was the removal of the intolerable dictatorship and the re-establishment of the unity and democracy. What emerged instead were gangsters randomly plundering and sabotaging all peace efforts more than anything else. The way forward requires trying together both interests, that of replacing the old regime and that of unifying the fragmenting groups.

IGAD as an institution played various significant roles in the mediation process. First IGAD managed to bring together all the member states in the IGAD region to support the peace process. The IGAD member states were made to deliberate and agree that peace is necessary not only for Somalia but region too. To achieve this goal the cooperation of the states in the region was a pre-requisite to get a resolution.

Secondly, IGAD played the role of a facilitator to the peace process. IGAD scheduled for the meeting of the fighting groups. The groups agreed to meet under the auspices of IGAD that is a neutral actor in the regional politics. IGAD congregated the delegates in Kenya and they all accepted to talk to each other about their problems and eventually agree to develop a solution.

Thirdly, IGAD provided the necessary resources that would be valued by the parties to accept a mediator. IGAD mobilised resources from within the member states and from donors to effectively conduct the peace talks. The delegates were provided with sufficient upkeep facilities and logistics for travelling and security to feel at ease in the negotiations. IGAD practically managed to keep the negotiators in the conference venue from the beginning to the end of the negotiations. This proved that IGAD had enough and valuable resources to the Somali delegates that motivated them to stay in Nairobi and negotiate for peace.

Fourthly IGAD provided to the problems that affect the Somali and how to resolve them. IGAD with its technical committees helped the Somali delegates to come up with positions that would harmonise their differences. Despite acrimony over some contentious issues, the IGAD technical staff managed to draft positions that eventually became acceptable in

the final draft of the peace document. This achievement would not have emerged from unilateral state's intervention.

To surmise the role of IGAD in the Somalia peace process, it can be observed that the institution played the mediation role with impartiality, honesty, and dedication. The member states supported the institution in terms of resources and personnel to carry out the negotiations. IGAD facilitated the Somali peace process and drafted the final peace document. Despite the competing state interests in the IGAD region, the peace process was successfully concluded due to organisation of IGAD, its flag and authority.

5.0   SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1   Summary

This chapter makes a critical analysis of the research findings in other Chapters, and synthesises the role of sub-regional organisations in the management of intrastate conflicts. The Chapter further makes concluding remarks on the study and makes recommendations regarding IGAD and the management of the Somali conflict. To attain this goal, the synthesis in the Chapter consists of cross references to the issues raised and themes discussed in the previous Chapters.

The research set out in Chapter One to investigate the role of sub-regional organisations in internal conflicts with a case study of IGAD in the Somali peace process. In Chapter one the research defined the concepts of conflict and conflict management through a scholarly overview of the subject. The concepts were reviewed on the background of intrastate and interstate relations. The existence of conflict in one state in a given region indicated that states related in a specific pattern that protects their national interest. Conflict triggers insecurity among neighbouring states in a sub-region. The member states in a sub-region that share proximity to the conflict and hence seek to resolve the conflict through collective approaches. The collectivity of states efforts in pursuing peace and security is identified as achievable only through sub-regional organisations.[168]

Chapter Two examined the role of sub-regional organisations in the globe. It made observations that the sub-regional organisations have been useful to the states in pursuing

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[168] Interview with Kenya's Ambassador to Somalia and lead diplomat in the IGAD-led Somali Peace Process, in Nairobi on 5th July, 2007.

trans-national interests. It was observed that the major concern for states to integrate is to pursue collective security and economic prosperity. The sub-regional organisations also help define the best approaches to defending territory of member states from external aggression and developing common policies towards economic progress. The numerous sub-regional organisations that have emerged in Africa and beyond have managed to integrate and enhance the security of member states. However several challenges have emerged that hinder their progress. Inadequate resources and lack of complete autonomy reduce the potential of sub-regional organisations in conflict management.

Chapter Three demonstrated that conflicts in the Horn of Africa are many and have run into many years without a solution. The Chapter further brought out the extent to which conflicts in a region generate hostile intra-regional relations. The member states in a region end in viewing each other as allies or allies to the enemies. The challenge of rivalry and disunity among member states has confronted the IGAD region and it has not been possible to engage in conflict management effectively through cooperation. The IGAD institution is continually searching for a method to bring an end to the emerging conflicts both inter-state and intrastate.

In the Somali conflict, the choice of IGAD as a mediator was highlighted in Chapter Three. The idea of IGAD involvement in mediation is founded on the basis of its proximity to the conflict.[169] In addition the member states of IGAD in which Somalia is party, are contiguous to the Somali territory and hence possess an in-depth understanding of the causes of the conflict, the conflict dynamics and the issues that require attention to bring it to an end. The conflict has lasted for more than sixteen years and the previous

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[169] Ibid.

interventions did not yield sustainable peace. IGAD as a mediator had to build on the weaknesses of previous Somalia peace initiatives to design a sustainable peace strategy. Therefore the Chapter observed that the IGAD-led Somali peace process would give a solution to the protracted conflict in Somalia.

Chapter Three pointed out that IGAD peace process was founded through inter-governmental consultations between member states. The council of ministers was responsible for the overall mediation process. The IGAD Secretariat was charged with responsibility to handle mediation. This arrangement for the Somali peace process was shifted to the Kenya's Ministry of Foreign Affairs due to lack of adequate personnel and logistics from the IGAD secretariat. The host was responsible for meeting requirements of the mediation and its continuity.[170] This provision meant that individual member states defined the peace and process of the mediation thus weakening the IGAD institutional framework for the mediation. Thus the correlation between IGAD objectives and individual interests could lead to a compromise in the peace process and its outcome.

The Fourth Chapter indicated that the Somalia peace process in Kenya was a culmination of other previous thirteen attempts. The Somali National Reconciliation Conference proved a few milestones for IGAD as an institution. First it was able to use legal status to network with the extra-regional actors to ensure sufficient resources were available for the conduct and conclusion of the peace process. IGAD was also able to reconcile the various interests that emerged from the regional actors.[171] This was important if meaningful support would be realised for decisions agreed upon during the peace talks. This support would ensure resolutions are not interfered with or sabotaged by the states supporting

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[170] Ibid.
[171] Interview with a former technical Advisor to the IGAD Somali Peace Secretariat, Nairobi, 7th July 2007.

certain clans in Somalia. This approach also reduced diplomatic tensions among states that supported opposing interests in the territory.

The Fourth Chapter ultimately demonstrated that the IGAD peace talks for Somalia realised the objective of involving all stakeholders in the peace talks. The IGAD peace talks recognised all those delegates representing their clans and those from the civil society. The inclusion of the civil society is a pointer to effective representation of interests that are not necessarily espoused by the factional leaders.[172] The sustainability of the peace deal depends on wider participation in decision-making and consensus building. Comprehensive inclusion of clan and secular interests in the peace deal would perhaps ensure post-conflict consultations among the rival groups to build Somalia.

In Chapter One the study set out to achieve four objectives. These objectives were well demonstrated across the chapters. The first objective was to find out the role of IGAD institution in the management of internal conflicts. This objective was accomplished in Chapter Two, Three and Four. In Chapter Two, the overview of sub-regional organisations and management of conflicts showed that the IGAD institution has acted as a mediator in Sudan and Somalia conflicts. The mediation of IGAD in the conflicts is based on its acceptability to parties to the conflict. This means IGAD as an institution is trusted with neutrality in handling the conflicts and fulfill the parties to conflict's interests. The parties albeit raising issues that are incompatible, the institution is expected to harmonise these views to a level where both sides accept the outcome.[173] This provision was realised in IGAD Somali peace talks. This was discussed in Chapter 3 at the review of the 14th Somali IGAD Peace Conference. The delegates from Somalia clans and the civil society

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[172] Ibid.
[173] Interview with the Former Kenya Ambassador to Somalia, and Lead Diplomat in the concluded IGAD led Somali Peace Process, Nairobi, 5th July 2007.

were coalesced at the conclusion of the peace talks to come up with a peace agreement that has been used to form a Transitional National Government for Somalia.

The Chapter further demonstrated that another role played by IGAD in the management of internal conflicts is to facilitate the peace talks. This is achieved through the Summitry decisions that bind member states regarding the acceptable approach to handle conflicts that threaten regional stability. IGAD is an entity created by states and it should formulate common external policies on peace and security in the region. This responsibility is demonstrated by the way the 14th Somalia Peace Talks were formulated. The member states consulted on how to reverse the degeneration of Somali state through peaceful negotiations.[174]

In Chapter Four, it was revealed that member states in the IGAD region share an agreement on the role of IGAD secretariat in the mediation process of conflicts. It further demonstrated that the Secretariat to effectively manage conflicts could be hosted on a country of choice and run independently of the IGAD institution. This means that IGAD used its flag to inaugurate peace talks but in deed the member states take the lead in the way in which mediation would be conducted to achieve a comprehensive peace agreement. This is an added advantage because the state units constitute IGAD and they utilize its platform to pursue collective national interests. Thus the regional body can make the peace process more sustainable when member states are allowed to design the course of mediation.[175] The states are thus in a position to align their interests and the negotiation outcome would shelter internal divisions among factions due to external interests.

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[174] Ibid.
[175] Interview with a former Technical Resource Person in the Concluded Somalia Peace Process, Nairobi, 7th July 2007.

The second objective set out in the study was to investigate the role of sub-regional institutions in promoting peace and security among member states. This objective suggested that the sub-regional organisations are established to help states attain peace and stability. In Chapter 2, it was established that sub-regional organisations are founded by states due to security dilemma. The security dilemma in states compels them to adopt a cooperative approach to resolve issues that threaten state or regional stability. This is exemplified in IGAD whose mandate was to engage member states in environmental and food security, and management of trans-border disputes. All these considerations point out that states are vulnerable to threats that are beyond territorial control. States develop a need for cooperation within a region to pursue common security when threatened by factors that are internal at sub-regional or extra-regional levels. Therefore IGAD member states engage in cooperative efforts to manage peace in the region to foster peace, security and development.

The third objective of the study was to make investigations and find out the factors that constrain regional institutions from effectively promoting peace and security. This objective was achieved in the analysis of Somali IGAD peace talks in Chapter Four. IGAD as a sub-regional institution aims to promote peace and security but it has faced various impediments in trying to achieve this objective. The first constraint arises from the competing national interests of member states.[176] The IGAD faced this obstacle in every level of peace talk where the Chair to head the Somali Peace Process was contested. The Ethiopia, Djibouti, Eritrea and sedan members were refused to be official Chair in the Somalia Peace talks due to the historical inter-linkages with the Somali conflict. While Ethiopia and Djibouti harbour boundary disputes with Somalia, they would not act as

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[176] Interview with Kenya's Former Ambassador to Somalia and lead Diplomat in IGAD Somali Peace Process, Nairobi, 5th July, 2007.

neutral Chairs in the peace talks. In addition these countries are known to support certain clan faction in the Somali territory.[177] Sudan and Eritrea have been known to support some clan factions militarily to help destablise Ethiopia over its role in insurgency in the two states.

The above competing interests led to a situation of institutional indecisiveness on how to deal with conflict situations where the other member states are directly involved. This makes the regional organisation to take long before making meaningful progress in the design of effective peace process. The institution finds difficult to engage the states in diplomatic discourse and expect them to be transparent and trustworthy to each other.

IGAD also found it difficult to mobilise resources from the member states to facilitate the negotiations of the protracted peace process for Somalia. The member states are underdeveloped and many of them are emerging from conflicts.[178] The state of economic growth is varied. Some states are perceived as more developed than others. States that are more developed display hegemonic behaviour and eclipse the sub-regional organisation's delivery of the expected goals. Although countries in the IGAD region are dragged economically by underdevelopment and conflicts, they are relying heavily on foreign aid to run their domestic budgets. This makes IGAD to establish network with the donor community to support peace initiatives in the region. Donors will support an imitative if they have an interest and subject to availability of funds. This meant the process would not proceed effectively according to IGAD's schedule.

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[177] Ibid.
[178] Interview with a Technical Resource Person in the IGAD Somali Peace Process, Nairobi, 7th July, 2007.

The dependence behaviour of IGAD on donor funding was also a hindrance towards the Somali peace process. The donors did set a limit of funding and the institution was expected to cater for the budget deficits. Budgetary constraints limited the number of participants in the peace talks, the duration within which to conclude the peace talks and the type of personnel and resources to be available. However the Kenya Government as the host government donated the extra budget requirement that would not be catered by the donors.[179] This pre-determined funding impedes an institution from independently run a peace process to its meaningful conclusion. This process would be hurried due to the constraining budget. The IGAD peace processes for Somalia witnessed post-ponements and venue relocations as a result of inadequate funding. This delaying the conclusion of peace talks and effective negotiations.

IGAD further encountered a constraint emerging from the sabotage of its initiatives. Sabotage mainly arose from parties or stakeholders whose interests would not be adequately catered for in the peace process. The positions arrived at by the delegates would be repudiated by others not on the basis of merit but rather the ostensible wish of some patrons.[180] The issues hence concluded in plenary sessions would resurface again in the committees when other substantive agenda is being debated. This made the peace talks stall or negotiate on non-issues for a long period of time. Time wastage leads to resource under utilisation and poor document for peace agreement may be realised.

The other challenge witnessed by IGAD in the Somalia peace process emerged from the effort of reconciling clan interests in what seems to be the only nation-state in the IGAD region. The Somalia state with a homogenous community should indeed have peaceful

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[179] Ibid.
[180] Interview with a former Technical Resource Person in the Somali Peace Process, Nairobi, 7th July, 2007.

coexistence. But the clan factions seeking to have power led to a long process of reconciling the delegates' position on what should be the structure of their future government. The clan issues that are not national in nature dominated the discussions and the final document encouraged the delegates to elect their leaders before leaving the country.[181]

The clan based approach in identifying the leaders was necessary for IGAD considering that Somalia was not having a government that would be the basis for implementing the peace accord. The absence of the Somali government was a challenge considering that in ordinary negotiations, a government in power and a rebel groups are involved. The end result was that the warring factions that control regions had to make reasonable and constructive decisions about government structures and power sharing.[182] The warlords and factional leaders were meant to take part in the role of leadership in the transitional government and ensure that there would be effective control and order of the Transitional Federal Government (TFG) in the Somali territory. IGAD made a leeway for an effective TFG whose role is to give Somali a functional government after a fifteen-year interval (1991-2006).

In the IGAD mediation, which was structured along the lines of the inter-governmental body as pointed in Chapter Four, had numerous implications for the Somalia peace process. With self interests among IGAD member states, internal divisions and divergent views in the conduct of the peace led to the constraints in the conclusion of peace agreement.

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[181] Ibid.
[182] Ibid.

IGAD mediators observed that no regional leaders, Somali group or factional leader knows what constituents they represent, what they will do, or what they would add to the negotiations.[183] The factions are proxies of regional and foreign powers. Understanding the regional dimension of the Somalia conflict and the attempts to its settlement is crucial. Identifying the intentions and motives of the regional actors will make IGAD make informed decisions on proposals brought to the peace process.

This research was informed by three hypotheses. The first one asserted that sub-regional institutions are an effective framework to manage internal conflicts. From the above arguments, IGAD has demonstrated that sub-regional organisations are an effective forum for addressing internal conflicts. The Somali peace talks had for a period of time been unable to make a conclusive peace agreement. The mediators earlier on lacked neutrality in the negotiations and therefore would not come up with acceptance peace agreement. IGAD exhibited neutrality and was acceptable to the parties to conflict. It hence convinced the parties to the conflict to come to a negotiation table with an intent of coming up with peace agreement that is favorable to all factions.

The second hypothesis postulated that regional institutions promote peace and security interests of members' states. The assumption here is that the member states entrust the regional organization with an obligation to harmonise the nation-states interests for the benefit of a regional grouping. IGAD has identified the need for peace if security of states can be reassured. The presence of conflicts in states is threat to the security of others. The states that are stable must therefore seek to intervene to end the conflict. The state intervention cannot work if it is unilaterally imposed. Institutional mandate to intervene is

[183] Interview with Kenya's Former Ambassador to Somalia and Lead diplomat In the IGAD Somali Peace Process, Nairobi, 7th July, 2007.

more justified because it is cooperative and will be viewed as having a legal standing to protect the interests of other nation states. IGAD in order to protect states from spillover effects from other states, it is mandated to intervene in internal conflicts through its constitutive act.

The UN Charter recognizes the role of sub-regional organizations in managing conflicts in accordance to the UN principles and purposes. This means that sub-regional organizations could undertake initiates as long as they are in a position to substantiate their actions as such. Such possibilities make the regional conflict management susceptible to subservient interests of regional actors.

The last hypothesis postulated that interests of member states are a constraint to regional institutions ability to carry out their mandate in mediation. In Chapter 3, this hypothesis was demonstrated through the analysis of decision-making structures of IGAD. The IGAD summit is the top decision-making organ. It is composed of head of states and governments. In nature these executives have a mandate to protect and represent national interests in the region. The leaders of governments and states in the IGAD region contravene some of the decisions arrived at in the institutional decisions. States like Ethiopia and Djibouti have continued to offer support to factions in Somalia that has led to continued fighting when cessation of hostilities had been agreed. This indeed leads to a blurred process of peace seeking at regional level.

This institution seeking to end war at one of the member states reneging on its good will do not play complementary roles in the negotiations. The International Crisis Group[184]

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[184] International Crisis Group, Biting the Somali Bullet. Africa Report No.79, 4th May 2004, Nairobi/Brussels.

observed that deep and persistent rivalries among regional states have undone the peace making and done much to sustain and aggravate the Somali crisis. It noted that IGAD should end the internal divisions if peace could be attainable for Somalia.

5.2   CONCLUSION

The preceding section has made a critical analysis of the study on the role of sub-regional organisations and the management of internal conflicts. It has evaluated the research findings and made cross reference to the proposed objectives of the study. The objectives that were proposed for the study were demonstrated in the study. The section further tested the hypotheses and they were validated in the research findings. This section makes concluding remarks and the study proposes recommendations for the way forward in institutional intervention in internal conflicts.

This study has to this end identified the role of sub-regional institutions in mediation to successfully promote peace and security in a given region. IGAD's intervention in the Somali conflict illustrates the role intra-regional institutions could play in negotiations to end protracted conflicts. It emerged that the sub-regional institutions would successfully assemble the actors in the conflict and align the competing interests to draw a peace deal. The debate on how a peace initiated by a sub-regional organisation is useful in the process of reconciling competing interests from various actors was illustrated in the process of constituting the Somali peace process. The sub-regional actors despite their ideological or inter-state differences they managed to agree to have the chair and venue assigned to Kenya. This made it possible to have a neutral actor spear heading the peace process.

The sub-regional organisations are founded to promote peace and security among the member states. The sub-regional organisations are tasked with the responsibility of establishing the mechanisms to harmonise the interests of member states and those of fighting groups to draw up a comprehensive peace agreement. IGAD called upon the member states to contribute resources to facilitate the Somali peace process and eventually protect the peace and stability of the region. The Somali conflict threatened the regions peace and a solution had to be sought from within IGAD sub-region.

The research highlighted further that sub-regional organisations have developed conflict management procedures to guide peace processes. In addition the sub-regional organisations posses comparative advantages in dealing with conflicts that occur within the territory of the member states. Such advantages include their proximity to conflict situations and hence the ability to respond quickly to any emerging breach of peace and security. The sub-regional organisations also have personal relationships with some key players in the peace processes and can therefore embark in diplomatic efforts much more quickly than extra-regional organisations. IGAD revealed that the success of the sub-regional organisations in conflict managements depends on the understanding of the conflict and the access of the negotiators who make decisions without reference to any other authority outside the region. The parties to conflict in the IGAD led Somali peace process were convinced that they owned the peace process following the contribution and adoption of their position papers. This led to a progressive peace process that accommodated the diverse parties and their interests.

The study further observed that sub-regional organisations are cheaper to maintain and to run than extra-regional initiatives in conflict management. For example, in the assessment

of the operations of IGAD, it emerged that IGAD initially utilized the foreign affairs staff of Kenya to lay foundation for the negotiations. The extra regional initiatives are expensive to arrange for in terms of personnel and logistics. They also delay in the intervention of peace initiative as a result of bureaucracy and distance between the conflict environment and the location of the headquarters of the organisation. IGAD is located close to the Somali conflict and the member states are within the conflict system of Somali. IGAD need a better position in the negotiations of the peace process as it enjoyed political support from the frontline states.

IGAD intervention in the Somali conflict was motivated by the consequences of a failed state and its cumulative consequences in the neighbouring states. The issues that raised concern in the neighbouring states include insecurity and influx of refugees. The conflicts in one country would often spill over into neighbouring states and it becomes imperative to take collective action among states seeking a comprehensive resolution of the Somali conflict. IGAD as an institution therefore took up the collective security perspectives in pursuing peace in Somalia and eventually stabilize the sub-region from the contagious effect of the Somali conflict.

5.3   RECOMMENDATIONS

IGAD has managed to draw together member states to discuss and come up with durable solutions to recurrent conflicts in the Horn of Africa region. However, IGAD should continue engaging member states in a dialogue to effectively define the way forward for managing conflicts emanating from within the region. IGAD should also desist from depending on the donor community to fund its peace initiatives. The peace processes

should be planned and budgeted for through the available resources. The IGAD institution should be more independent if it can initiate projects that can generate income. In addition the institution should commit the regional member states to meet their targets when paying their annual quotas. Countries that have lagged behind in payments should eventually be reminded to pay their arrears if in the long run the institutions will fulfil its obligations in providing peace and security in the region.

The research noted that IGAD's mandate is to promote the regional peace and security. Countries that are party to its charter should persistently recall of their role towards achieving that end. This would be done through pressurising the leaders of the states or sanctioning governments that do not comply with resolutions arrived at with an intention of facilitating a peace process. This can be done in collaboration with other international organisations or the donor community.

This study observed that IGAD initiatives attracted goodwill from across the continent which indicates that the institution would bring peace and reconstruction in Somalia. There were efforts to bring deeper reconstruction in Somalia. There were efforts to bring deeper reconciliation amongst the political leaders with an objective to establish a Transitional Federal Government. In spite of the IGAD mediation, various issues confront the successful conclusion of the Somali peace process. First, the issue of Somaliland that seeks to integrate all the regions inhabited by the Somali population. Secondly is the mapping of the stateless Somalia into three regions that are claiming for autonomy. Similarly military intervention would not lead to a restoration of peace and in a state. These divisions draw a contestation for a united Somalia.

Another issue that sticks out in the Somali conflict is the form of government that should be adopted. As evidenced in the stalemate in adopting two reports presented by committee one whether it should be centralised or a federal government. The confusion and animosity that was created by this development meant that IGAD did not draw experience from past initiatives it is therefore necessary to consider the possibility of establishing a confederation or cantonisation rather than a unitary state.

The IGAD led Somali peace process is a fundamental lesson to the protracted internal conflicts. Internal conflicts should not be left to institutions of universal characters to deal with when there is an existing sub-regional mechanism. IGAD was able to negotiate from the Somali peace by aligning intra-regional competing interests. IGAD won the trust from the parties to conflict and the support of the regional actors. The trust and support from within the region would ensure that the peace agreement is tenable. The IGAD member states should therefore continue to support the peace in Somalia especially in the post-conflict phase when Somali government seeks to establish its national structures.

IGAD peace process concluded without any planning on the relocation and resettlement of the Somali Transitional government. The Somali peace process should have made a proposal on the member states to offer support to the TNG to relocate to Somalia. The Somali TNG required necessary security, financial resources and effective control of the territory for military intervention would not lead to a restoration of peace and order in a state in conflict. The current level of insecurity would be contained if there was a plan to relocate the government with enough peace keeping forces. The IGAD should also plan to establish its own peace keeping contingent for the region to mobilise when the situation demands like the case in Somalia.

The IGAD Somali peace process brought about some lessons in institutional conflict management. The wider and more inclusive a peace process is, the more the issues to reconcile from the parties to conflict. This means that a peace process whose issues are not clear-cut and there is no government in place to negotiate with, it would be required to draw as many representatives as possible into the peace process. The representation of each section of the society would engage those engaged in conflict to reduce their hostilities. The Somali clans, business interest groups, warlords and religious groups should have made the reference print for the selection of the delegates. This would have avoided the eruption of war with Islamic Court Unions who did not recognise the authority of the new government. This would mean that a comprehensive and sustainable agreement would have been drawn and implemented with ease. The TNG would have served in home country with a higher degree of acceptability. This would also help come up with a government that exercise effective control in the territory. This would have created some orderly Somalia state.

IGAD faces constraints emanating from within its constitution and structures. IGAD was initially established to address matters related to drought and desertification. With the emergence of conflicts in the region, conflict management component has come to the force in IGAD but with insufficient structures and resources to deal with the problem. IGAD provides a flag in mediation but lets the member states to decide the peace and the logistics required for the peace process to run. This is a limiting feature of IGAD in its role in conflict management. IGAD should resolve some of these limitations developing strong institutional structures for conflict management.

IGAD was also observed to lack institutional framework and personnel to carry out its work in conflict management. Conflict management in the IGAD peace processes is done in an ad hoc manner.

It is mainly the governments of member states that provide the expertise and logistics as opposed to permanent staff of IGAD. The institution should in future seek to establish permanent staff who would be committed in the duty of serving IGAD and not the interests of the member states. The dominant states are taking advantage of the IGAD institutional weakness to advance their interests at the expense of other member states interests.

The future of sub-regional organisations IGAD included heavily depend on how much power they will get from the member states. The states are conscious of their sovereignty, the national interests and how to achieve them locally, regionally and internationally. It is important that the states make deliberations on how far institutions should move to interfere with intra-state or interstate affairs. The mandate of international organisations should be thus fortified to manage crises, inter-state or intrastate whose magnitude is a threat to regional peace and security.

On Somalia reconstruction, the IGAD member states should lobby for a military stabilisation phase in Somalia before elections are held. This would allow for the reconstruction process to begin before the elections. The government institutions could only establish their authority in secure environment to foresee reconstruction process. The Somalia reconstruction should be basis for guaranteeing security and peace. Peace keeping forces under the banner of the UN should be introduced to replace the military personnel from individual states like Uganda and Ethiopia who are not under institutional mandate

and are arousing dissent from the sections of the society leading to new rebellion. The TNG should also initiate talks with the sections of the society that require a representation in the government. The negotiations would reduce emerging hostilities in Somalia. The government then would get an opportunity to concentrate in reconstruction of the state.

The Somali conflict in the post-negotiation phase is faced with instability, the Somali government is not exercising effective control in the territory. The infrastructure is poor and there are various insurgent groups that threaten the young government in stamping its authority in the country. Somalia needs the institutional support from UN in liaison with IGAD to plan on post-Somalia reconstruction capacity building and eventually the elections after the expiry of the interim period of the TNG.

The Somali conflict has witnessed previous thirteen peace conferences, however each could not realise concrete and desirable peace in Somalia. The international community is under fatigue over the Somalia issues and conflict. The Somalia community would be seeking to enter into new peace talks without any commitment to implementing the agreements. The international community would not be ready to take further intervention and help Somalia if the community itself is not ready to accept peace agreements that were concluded. The Somali community should note that shopping forums do not guarantee a better resolution for their conflict but should rather be committed to implementing the current IGAD peace deal. Any new peace process would only serve as a platform for the Somalis to talk and come out with resolutions that they would not readily implement.

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