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**" THE ROLE OF SUB-REGIONAL ORGANIZATIONS IN THE
MANAGEMENT OF INTERNAL CONFLICTS: A CASE STUDY OF
IGAD IN THE SOMALI PEACE PROCESS, 1999-2005. "**

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THE AWARD OF A DEGREE IN THE MASTER OF ARTS IN
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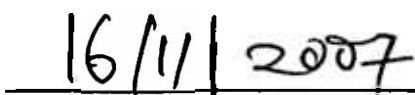
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DECLARATION

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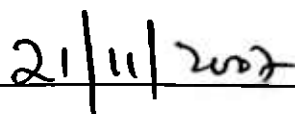


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This Dissertation has been submitted to the Board of Post Graduate Studies at the University of Nairobi for Examination with my approval as University Supervisor.





PROF J.D. OLEWE NYUNYA

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DEDICATION

I dedicate this dissertation to the victims of the Somalia civil strife and all those who seek non-violent means of conflict resolution all over the world.

ACKNOWLEDGEMENTS

A journey of a thousand miles begins with a single step! The sage Chinese observed this phenomenon that entailed any activity begins with a single initiative. The writing of this dissertation was indeed started by scribbling its title. That marked the first step of the long journey of the research. The task of completing the research was made possible through sincere assistance of several individuals whom I feel heavily indebted to. First I wish to express my profound gratitude to Prof. J.D Olewe Nyunya whose supervision and guidance in the research made it possible to fulfil its requirements. His ideas and knowledgeable insights imputed critical remarks into the study. This engendered the quality of arguments contained in this work. His devotion and indeed patience to serve young students while entrenched in tight schedules was a sacrifice I indeed appreciate without reservations. To that end, I feel God's blessings were showered on me to meet a cooperative and understanding supervisor. I wish to thank my dad, for his innocent patience with me and his monetary assistance or rightly put "livestock" sacrifices to educate me. Though he did not understand what it was that engaged me long after I claimed to have finished my "O" level education,

I would like to register my sincere appreciation to all people who agreed to be interviewed by me. These mainly were from the Somali community resident in Kenya. I also recognise the input of the technocrats who served in the IGAD-led Somalia peace process. Finally, I would like to express gratitude to my classmates for their encouragement to soldier with the writing of this thesis when my enthusiasm was not at its best. To all the above-mentioned individuals and others who offered any other form of assistance, I say thank you and may the almighty God bless thee.

LIST OF ACRONYMS

ACCORD	African Centre for the Constructive Resolution of Disputes
ASEAN	Association of South East Asian Nations
AU	African union
COMESA	Common Market for the Eastern and Southern Africa
EC	European Commission
ECOMOG	ECOWAS Monitoring Group
ECOWAS	Economic Community of West African States
GoS	Government of Sudan
IFC	IGAD Facilitation Committee
IGAD	Inter- Governmental Authority on Development
IGADD	Inter-Governmental Authority on Drought and Development
NATO	North Atlantic Treaty Organization
NEPAD	New Partnership for Development
NGOs	Non- Governmental Organizations
NRC	National Reconciliation Congress
NSC	National Salvation Council
OAS	Organisation of American States
OAU	Organization of African Unity
PTA	Preferential Trade Area
SADC	Southern African Development Cooperation
SPLM/A	Sudan People’s Liberation Movement/Army
SRRC	Somali Reconciliation and Restoration Council
TFG	Transitional Federal Government
TNG	Transitional National Government

UEMOA	West African Monetary Union
UN	United Nations
UNGA	United Nations General Assembly
WTO	World Trade Organization

TABLE OF CONTENTS

Declaration.....	i
Dedication.....	ii
Acknowledgement	iii
List of Abbreviations	iv
Table of contents	vi
Abstract.....	viii
Chapter one: background to the study of sub-regional organisations & management of internal conflicts	1
1.0. Introduction.....	1
1.1. Background.....	2
1.2. Problem Statement.....	4
1.3. Objectives.....	5
1.4 Justification of the study.....	5
1.5 Literature Review.....	6
1.5.1 Literature on Sub-Regional Organisations.....	6
1.5.2 Literature on Conflict	12
1.6. Hypotheses.....	19
1.7. Conceptual Framework.....	20
1.8. Definition of Concepts.....	22
1.8.1. Sub-Regional Organisations.....	22
1.8.2. Conflict.....	22
1.8.3. Internal Conflict.....	22
1.8.4. Conflict Management.....	22
1.9. Methodology	23
1.10. Chapter Outline.....	23
Chapter two: overview of sub-regional organisations and management of conflicts....	25
2.1 Introduction.....	25
2.2 Background.....	25

2.3	Approaches to the Study of Sub-Regional Organisation.....	28
2.4	Scope of Sub-Regional Organisation and Management of Conflict.....	30
2.4.1	Organisations with Universal Character.....	31
2.4.2	Regional Organisations.....	33
2.5	Overview of IGAD and Management of Conflicts.....	41
2.6	Conclusion.....	50
Chapter three: the IGAD-led Somalia peace process, 1999-2005.....		53
3.1	Introduction.....	53
3.2	The Somali IGAD-Led Peace Talks.....	52
3.3	Structure of Decision-Making in the IGAD-Led Somali Peace Process	56
3.4	Over-View of the Peace Process.....	55
3.4.1	Fourteenth Somalia Peace Conference.	58
3.4.2	Phase One of the Conference.	59
3.4.3	Phase Two of the Conference.....	61
3.4.4	Phase Three of the Conference.	65
3.5	Conclusions.....	70
Chapter four: critical analysis of sub-regional organisations and management of internal conflicts.....		74
4.1	Introduction.....	74
4.2	Critical analysis.....	74
4.3	The conceptual underpinnings of the IGAD peace process.....	90
Chapter five: summary, conclusions and recommendations.....		92
5.1	Introduction.....	92
5.2	Summary.....	92
5.3	Conclusions.....	95
5.4	Recommendations.....	98
Bibliography.		100

ABSTRACT

This research sets out to investigate the role of sub-regional organisations in the management of internal conflicts. The study proposed to achieve four objectives. First it proposed to find the role of IGAD institution in the management of internal conflicts. Secondly it proposed to investigate the role of regional institutions in promoting peace and security among member states. It also set to inquire into the factors, which constrain regional institutions in fulfilling their mandate of promoting peace and security. And finally it was to make recommendations towards effective institutional conflict management.

The research came up with substantive findings from the case study. First it established that IGAD is able to facilitate peace negotiations as a result of three factors. First it is a neutral entity whose position in the negotiations will be acceptable to the parties to conflict. Secondly the organisation is able to mobilise required resources both locally and internationally to finance a peace process. It was also noted that the sub-regional organisation has sufficient understanding of the conflict and would be able to align the regional actors' interests and get a consensus on the way forward.

The research equally identified barriers to effective institutional conflict management. First the IGAD is not having sufficient resources to spear head peace processes. The dependency on the donors makes it impossible to determine the pace for the peace process. It is also possible for the donors to manipulate the peace process to suit their national interests. In the long run the peace agreement may not be sustainable. This reading is recommended for diplomats, conflict managers, negotiators and students of international studies seeking to widen their scope in the debate of institutional conflict management. The research is in a simplified academic language and has five thematic sections for easy perusal and referencing.

Chapter 1

Background to the study of sub-regional organisations and management of internal conflicts: a case study of IGAD in the Somalia peace process.

1.0 Introduction

The Somalia conflict is a unique conflict when compared to others that have manifested themselves in Africa. While ethnicity is generally one of the root causes of internal conflict on the continent, it is interesting to note that Somalia is not a multi-ethnic state. Rather, it is a nation-state with a homogeneous population. Yet, the country has been in conflict for decades, and, to date, military intervention has failed to resolve the situation. The 1993 UNOSOM mission, for example, failed and plunged the country into more violence. Over the years, efforts have also been made to attempt to come to an agreement through negotiation. The 2002 Somali National Reconciliation Conference was the fourteenth attempt to restore law and order in Somalia, thirteen earlier efforts having failed to bring peace. Under the auspices of IGAD, Kenya was mandated to host this conference, which began on October 15, 2002 at Eldoret, Kenya and was later moved, in February 2003, to Mbagathi, Nairobi.

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, as well as damage to the economy. The lack of peace in Somalia has also disrupted trade and created general insecurity within the region. Secondly, the peace process itself has cost the region, its governments and peoples a lot. The international community has also invested heavily in terms of humanitarian assistance and financial support to the peace process. Lastly, the peace process is generating diplomatic tensions between the frontline states as each of them tries to protect its interests in Somalia.

The IGAD peace-talks and their eventual conclusion took place over a long period of time. IGAD takes credit for resolving many issues that were outstanding among the various clan leaders. In the last

ten years, IGAD has been in the centre stage of peace making in the Horn of Africa; this has been particularly so in the cases of Sudan and Somalia. In carrying out its peace-making role, the organisation has been faced with many challenges, leading to many setbacks in the development of IGAD institutions. As they would like to contribute to sustainable peace in the region, IGAD member states themselves are faced with internal problems. IGAD mediation activities have further pointed to the weaknesses and strengths of institutional conflict management processes.

The formation of regional inter-state organisations dates back to the 18th century¹. At that time, states recognised that the welfare of the state could be better achieved by cooperating with their neighbours. Such an approach by states to organise themselves to solve common issues affecting them is founded in the concept of common security approach. 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 facing as they struggle to accomplish the objectives, as set by member states.

1.1 Background

Conflicts are a common feature in the modern states of Africa, with their intensity varying from one state to another. Many of the factors that cause conflicts are common across the continent. The Somali conflict, however, does not find its roots in these common factors. Rather, it is embedded in clannism.² From 1991 onwards, Somalia has been the focus of numerous peace and reconciliation efforts. Yet, none succeeded in resolving the issue until the year 2005 when the IGAD-mediated negotiations finally led to the signing of an agreement and the creation of the Transitional Federal Government (TFG). Even this latest round of negotiations took over two years due to strong differences that emerged between the fighting factions on issues of wealth and power sharing.

¹ Archer, C., *International Organisations*, London, George Allen & Unwin, 1983, p. 3

² Guido, A., *The Somali Clan System: An Introduction to Somali Society and History*, UNHCR Publication, Jigjiga, 1996, pp. 18-19.

Prior to that, the international community had carried out a number of unsuccessful peace and reconciliation efforts between 1993-1998.³ The most important of these efforts were those carried out by the United Nations (UN), the European Commission (EC), and the government of Djibouti. However, these interventions in Somalia did not bear much in terms of peace. For example, the US-UN armed intervention, which took place from 1992 to 1995, encountered harsh realities on the ground, leading to the eventual withdrawal of all troops. The failed intervention demonstrated a lack of understanding on the part of the intervening parties of the issues underlying the Somali conflict. Among other things, the role of warlords was under-estimated. If any attempt was to be made to form order out of chaos, the local warlords and militias should have been incorporated in the peace-making mission. The lessons to be drawn from this particular experience include the need to assess various stakeholders' interests as well as their ability to sabotage any peace mission.

Furthermore, the Somali conflict escalated into a regional one by 1998.⁴ Different warring factions were by then receiving support from different countries, including Ethiopia, Eritrea, Egypt, Kenya and Djibouti. This support, which came from IGAD member states, posed a threat to regional security. Each state feared that the spill over effects of the conflict would interfere with its national security.

The IGAD member states, then, viewed the internal conflict in Somalia as a threat to their individual national security interests. IGAD's institutional framework, which was originally put in place to oversee drought and development issues in the region, was faced with the mandate of conflict resolution, nevertheless, it encountered numerous challenges, for example, in resolving the Somali conflict, it sought to harmonise individual states' interests. These interests and concerns revolved around the needs of a decentralised Somali

³ Lind, J., S. K., Sturman, *Scarcity & Surfeit*, Pretoria, Institute of Security Studies, p. 322.

⁴ Ibid

state and sustainable peace, and the refugee problem across the border.⁵ These are issues that could not be handled by a single member state but rather through an institutionalised cooperative effort. The IGAD peace process therefore took off with a regional mandate to resolve the Somali conflict. The member states felt they had adequate representation in the institution to push forward their agenda as they sought to engage the fighting clans in fresh negotiations.

1.2 Problem Statement

The Somali peace process has been unique in various ways. First, while Somalia is a country where conflict was unlikely to arise due to the homogeneity of its culture and race, the country has been unable to have a government of national unity since the overthrow of President Siad Barre in 1990. Since then, the country has degenerated into anarchy and at the moment the efforts to install a new government are being threatened. Currently, the Somali government is not fully operational within its territory or does it have effective control of that territory. Furthermore, it is operating in an atmosphere of hostility. There are lessons to be learned from this situation where a legitimate government is operating from outside its territory despite having an institutional mandate to govern. Thought to be inclusive and representative, the current government is made up of appointed clan delegates who represented each clan's ambitions and interests. Yet, recent events have put into question the sustainability of the concluded IGAD-led peace talks.

The following study on the role of IGAD in managing internal conflicts will be informed by one broad question. Are international institutions able to address regional peace and stability concerns that arise from internal conflicts? To answer the question, the research will first investigate the history of international institutions. This will reveal that

⁵ Bradbury, M., *The Somalia Conflict: Prospects for Peace*, Oxford, Oxfam Print Unit, 1994, P. 14.

their theoretical foundation is to promote security and peace among member states. In addition, the agenda of states to improve regional peace and security through establishment of institutions will be reviewed. The IGAD-Somalia peace talks will serve as a basis to question whether the vision of states on peace and security matters is achievable in spite of competing state interests.

The protracted character of the IGAD-Somali peace talks raises a new problem regarding the efficiency of regional institutions in resolving internal conflicts. The ability of regional organisations to make timely interventions and prevent conflict escalation is questionable after observing that, despite the numerous organisations that exist in Africa, there remains a high prevalence of conflict. To this end this research will endeavour to seek tenable recommendations on the emerging role of international organisations in resolving internal conflicts.

1.3 Objectives

This research has been laid down on the basis of the following objectives:

- I. To find out the role of IGAD in the management of internal conflicts;
- II. To investigate the role of regional institutions in promoting peace and security among member states;
- III. To inquire into the factors which constrain regional institutions in fulfilling their mandate of promoting peace and security;
- IV. To make recommendations towards the creation of effective institutional peace and security management.

1.4 Justification of the study

This study is justifiable at academic and policy levels. Academically, this research will contribute towards literature in the field of conflict management. In addition it will put to test the tenets of collective security and eventually validate its viewpoints. At the policy level, the outcome of this research will help conflict managers, diplomats and government agents formulate strategies for intervening in internal conflicts. Currently, states that witness this type of conflict take a long time to recover. There is therefore a need for timely interventions to help resolve grievances, thereby saving both human and capital resources in the region as a whole.

1.5 Literature Review

The literature review for this study is divided into two parts: the first will cover sub-regional organisations and the other will cover conflict management.

1.5.1 Literature on Sub-regional Organisations

While the literature on sub-regional organisations is vast, for the purposes of this study it shall be narrowed to demonstrate the emerging role of international organisations in the contemporary international society. Sub-regional organisations are entities created by sovereign states to serve certain interests among them and operate within the framework of international law.⁶ It is significant to note from this definition that sub-regional 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.

Frankel⁷ observes that international organisations can be differentiated into various categories. The first distinction he makes is between universal and regional organisations. The former refer to those whose membership encompasses the whole international

⁶ Taylor, P. & A. J. R., Groom, (Eds.), *International Institutions at Work*, London, Printer, 1988, pp. 4-5

⁷ Frankel, J., *International Relations in a Changing World*, Oxford, Oxford University Press, 1987, pp. 85

community. The membership of regional organisations, on the other hand, is restricted to part, or the entirety of a continent. He further acknowledges that some regional organisations may be composed of member states that are not contiguous: what matters is that they have a common goal. A second distinction among international organisations can be made between multipurpose or political organisations and functional or specialised ones. Goldstein⁸ observes that the latter organisations, which have specific functions, work better than those with broad purposes. In addition, functional organisations tend to be more cohesive as they promote the national interests of their member states and increase leverage for bargaining in the region where they are founded. Potential goals or functions of such organisations can be political, social or economic in nature.

Klepacki,⁹ for his part, divides international organisations 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, states are able to pursue their interests through these organisations. At another level, Jenks¹⁰ claims that a fundamental distinction between international organisations resides in the type of treaty on which they are founded. This can be either one between states or one between governments. An interstate treaty is reflected across all the institutions of the state: administrative, executive, legislative and judicial. Meanwhile, the administrative branch of the government is solely responsible for establishing an intergovernmental organisation. However, these distinctions do have significant difference in effect. Any interstate

⁸ Goldstein, J. S., *International Relations*, New York, Priscilla McGeehan, 2001, p. 298.

⁹ Klepacki, Z. L., *The Organs of International Organisations*, Alphen aan den Rijn, Sijthoff Noordhoff, 1973, p. 5

¹⁰ Jenks, C. W., Some Constitutional Problems of International Organisations; in *British Year Book of International Law*, Vol. 22, 1945, Pp. 11-72

agreement is made by an agent of those states, whether that agent is head of state or government, or both.

Keohane and Nye¹¹ observe that trans-governmental organisations, which result from relations between governmental actors that are not controlled by the central foreign policy organs of their governments, are inclusive of the governmental processes of a country. These include the legislative, judiciary or executive branches at local government level or as part of a regional government. Therefore sub-regional 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 Spiegel¹² consider regions to be areas of the world that contain geographically proximate states forming – in terms of foreign affairs – mutually interrelated units. For every state, the activities of others in the region – whether antagonistic or 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 lie in the region to which they belong. Thus, while states are generally independent and sovereign units, there is a degree of interdependence on trans-boundary issues like that of conflict and refugees.

Kaiser¹³ introduces a similar element when defining regional subsystems. He postulates that a subsystem constitutes a pattern of relations among basic units in world politics, which exhibits a particular degree of regularity and intensity of relations as well as

¹¹ Keohane, R. O. & Nye, J. S., *Trans-national Relations and World Politics*, Cambridge, Harvard University Press, 1971, P. xv

¹² Canton, L. J. & S. L. Spiegel, *The International Politics of Regions: A Comparative Approach*, Englewoods Cliffs, NJ: Prentice Hall, 1970, p. 1

¹³ Kaiser, K., *The Interaction of Regional Subsystems; Some Preliminary Notes on Recurrent Patterns and the Role of Superpowers*, World Politics, Vol. 21, No. 1, 1968, pp. 84-107.

awareness of inter-dependence among the participating units. This implies that a regional subsystem is a partial international system whose members exist in geographical propinquity.

Padelford¹⁴ concurs with the above view and expresses that regional organisations can be defined on the basis of intermix of geographical and political elements. Therefore regions are spatial areas, which come to be spoken of as a result of the practices of groups of states, utterances of statesmen, or the terms of treaties or agreements between groups of states. In definition the emphasis 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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Russett¹⁵ perceives regionalism to encompass five aspects: social and cultural homogeneity; similar attitudes or external behaviour; political interdependence; economic interdependence; and geographic proximity. According to the author, 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 interest of member states. On the other hand, if it scores in all these categories then it is strong and it will exhibit a strong ability to solve problems states within the region would not deal with at national level. Therefore, it produces desirable results in terms of common security and states will not be expected to resort to use of force in their interactions with one another.

¹⁴ Padelford, N., 'Recent Developments in Regional Organisations', *Proceedings of the American Society of International Law*, 1955, p. 25.

¹⁵ Russett, B., *International Regions and the International System; A Study in Political Ecology*, Chicago: Rand McNally, 1967, p. 11

Wallace and Singer¹⁶ distinguish intergovernmental organisations according to 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 national 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 permanent headquarters, which performs ongoing tasks. This definition suitably describes the contemporary regional organisation in Africa. IGAD was created by a formal agreement between national governments and it carries out its role of regional security and development through its secretariat and annual summit meetings. In studying IGAD, its role in conflict management emerges from the foundational framework and the mandate conferred to it by member states.

Sub-regional organisations in Africa have been involved in conflict intervention at various times and in various regions. In West Africa, the Economic Community of West African States (ECOWAS) through its Monitoring Group (ECOMOG) has intervened in the civil wars in Liberia and Sierra Leone in the 1990s.¹⁷ It undertook military peacekeeping efforts to improve the security situations in these states, which have witnessed internal conflicts. Over time, ECOWAS' peace and security framework has developed a Mechanism for Conflict Prevention, Management, Resolution and Security. This mechanism is charged with responding to sub-regional conflicts, its efforts ranging from fact-finding and diplomatic efforts to military intervention. In addition, ECOWAS

¹⁶ Wallace, M. and D. Singer; *Intergovernmental Organisations in the Global System, 1815-1964*, in *International Organisation*, Vol. 24, No. 2, 1970, pp. 239-87.

¹⁷ Saferworld International Alert, *EU Conflict Prevention, Management and Resolution in Africa*, Rome, Saferworld International Alert, 2003, p 44

has been active in other conflicts like that of Ivory Coast and the Mano River Union through mediation efforts, fact-finding missions and some peacekeeping deployments. These observations are an indication that sub regional organisations are capable of responding to conflicts through various methodologies to enhance peace and security.

The above trend is also reflected in the Southern African region by the Southern African Development Cooperation (SADC).¹⁸ Through its Politics, Defence and Security organ, 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. Over time, SADC has been involved in diplomatic and military interventions in DRC and Lesotho, with fair success. Despite the regional dimension of its membership, SADC has been faced with hindrances emerging from unilateralism and the procedures to be used when intervening in times of conflict. This problem, however, has been addressed through institutional revision of the legal framework for intervention. This will prevent future loopholes for unilateral action. This approach is essential to strengthen the institution's ability to promote regional peace and security.

The above problem is not only confined to Africa. We can take the case of North Atlantic Treaty Organization (NATO), for example, an organisation created to oversee European and North American security interests.¹⁹ Initially, when it was founded in 1949, its principal aim was to deter Soviet power in Europe during the Cold War era. In the post-Cold War period, NATO has played a key role in the military interventions that have taken place in Europe. In 1994, for example, NATO took part, through a UN mandate, in the military peacekeeping mission in Bosnia. Its military strategy raised furore from the UN

¹⁸ Ibid

¹⁹ Goldstein, J.S., *International Relations*, Washington DC, Priscilla McGeehan, New York, 2001. p. 99

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 subsequently put into question. On the one hand the Soviet leaders protested over the organisation's intention to dominate in 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.²⁰ Despite these impediments NATO has provided some stability among its member states.

Tunkin²¹ 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, which lead to the conclusion that the organisation possesses a certain degree of international legal personality. IGAD derives its mandate to manage conflicts in the region from the fact that member states recognise ability as a basic factor in social and economic development.

1.5.2 Literature on Conflict

A vast literature on conflict is reviewed, this body of literature looks at conflict systems, conflict dynamics, conflict intervention and peace processes. It is hoped that the views of different authors presented below will provide an insight into conflict management processes, challenges and options available.

²⁰ Yost, D. S., *NATO Transformed: The Alliance's New Roles in International Security*, Washington DC, US Peace Institute of Peace Press, 1999, p.67

²¹ Tunkin, G. I., The Legal Personality of International Organisations in Osakwe, C., (Ed.) *International Law and International Organisations*, Leiden, A. W. Sijthoff, 1972, pp. 24-42.

Coser²² observes that 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. In the case of the Somali conflict, for example, shifting alliances were formed between different clans and sub-clans to gain leverage in the conflict and to stake stronger claims to particular land resources. In particular, the ecological conditions of Jubbaland region in Southern Somalia are superior to those prevailing in the rest of the former democratic republic and they provide a major source of income and sustenance to Somalis. Consequently, control of these resources is a major source of conflict in the region.

Mwagiru²³ observes that conflict may be violent or non-violent. Violent conflict is visible in terms of use of force while non-violent conflict is structural in nature and is not easy to observe. Relations among people in societies characterised by structural violence are organised in such a way that the potential development of a significant segment of the population is impeded by economic, social or psychological factors. 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. The traditional dichotomy between internal and international conflict, is not, therefore, strictly true since the process

²² Coser, L. A., *The Functions of Social Conflict*, New York, Free Press, 1956, p. 3

²³ Mwagiru, M., *Conflict: Theory, Processes & Institution of Management*, Nairobi, Watermark Publications, 2000, p. 26.

of internationalisation of internal conflicts has rendered that classic dichotomy void in this and other conflict areas.²⁴

Markakis²⁵ contends that ethnicity certainly is a factor in conflict since in nearly all cases the opposing parties belong to groups with different ethnic and clan identities. He argues, however, that whether such differences alone are sufficient causes for conflict is questionable. Conflict tends to materialise only when different groups analyse situations and feel that there has been an element of marginalisation by the incumbent government. In this context, Enloe²⁶ highlights two factors considered as catalysts for conflict: competition for resources in conditions of great scarcity and the role the state plays in controlling the allocation of such resources. As the state controls the production and distribution of material and social resources, it has become the focus of many such conflicts. Different groups come to view access to state power as being of vital importance to their welfare and compete with each other to secure that power. In the Horn of Africa, such competition has led the state to become both the object of conflict and the principle means by which it is waged.

Solomon²⁷ observes that emergence of violent conflict is the result of complex processes which often have deep historical roots. The African Centre for the Constructive Resolution of Disputes (ACCORD) Early Warning Systems²⁸ views conflict as the result of five sources of insecurity, which it defines in terms of political, economic, military, environmental, and social cultural variables. Often in our analysis we are prone to

²⁴ M. Mwangi "Conflict and Peace Management in the Horn of Africa" in *IRG Conference Report on Regional Security in the Horn of Africa* (Series 8 Special Reports) Vol. I 1996.

²⁵ J. Makakis in K. Fukui *Ethnicity and Conflict in the Horn of Africa*. Ohio: Ohio University Press 1994, p. 217

²⁶ Enloe, H., *Ethnic Conflict and Political Development*. Boston Little Brown, 1973 pp. 22-23

²⁷ Solomon, H., "Analyzing Conflicts" in Mekenkamp *Search for Peace in Africa* op cit p.35

²⁸ Ibid

emphasize the political and military dimensions of a conflict at the expense of other variables, which are often important and drive conflict more directly. Samarasinghe²⁹ sees a functional correlation existing between poverty and conflict. Most conflicts in the Horn of Africa can actually be analyzed based on insecurities as well as poverty. According to Brown,³⁰ internal conflicts are violent or potentially violent political disputes whose origins are primarily domestic and where armed violence takes place or threatens primarily within the borders of a single state.

In this era of globalisation, the line between internal and external conflict is often rendered very thin. 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. This is espoused by Rupesinghe³¹ in his discussion about disappearing boundaries. Holding a similar view is Koech³² who contends that the notion of internationalisation of conflict raises the issue of the relationship between borders and states. The Somali case is but one example where conflict has extended beyond the traditional boundaries of the state. As a result, neighbouring states are viewing the conflict with a concern over the insecurity it has caused in their common frontiers with Somalia.

²⁹S. Samarasinghe (ed) 'Conflict Management Throughout the Crisis Life Cycle' in H.Solomon, *Analysing Conflicts* op.cit.p. 35

³⁰ M. Brown, *International Dimensions of Internal Conflict*, Centre for Science and International Affairs Harvard University, Mit Press, 1996, p. 3

³¹K. Rupensinghe. "The Disappearing Boundaries Between Internal and External Conflicts" in E. Boulding, *Peace Research, Conflict and Security Re-examined*, Boulder: Lynne Rienner Publishers pp 43-64.

³²Koech, J., "Emerging Challenges of Security in IGAD in M. Mwangi", *African Regional Security in the Age of Globalisation*, Nairobi: Heinrich Boll Foundation 2000, p.128

Various scholars have written literature on security concerns in the Horn of Africa. Hiteng,³³ for example, observes that the proliferation of conflicts in the region has in turn led to the proliferation of light weapons. In addition, he argues that the influx of refugees and the uncontrolled movement of people within the region have made the trafficking of illegal arms much easier, resulting in security vulnerability within and between communities in the Horn. Kiplagat,³⁴ on political and security implications of conflicts in the Horn, argues that these have led to millions of internally displaced persons and refugees, a crumbling infrastructure due to unresolved conflicts spreading like bush fire across the region, as well as a torrent of small arms that may be a source of insecurity for years to come. A number of developments have contributed to the internationalisation of what were initially internal conflicts. These include the problem of ethnicity and borders inherited at independence and which grouped together peoples with different traditions, values and cultures while fragmenting other homogenous groups. Mwangiru³⁵ espouses such a view in his attempt to conceptualise the internationalisation of conflict.

In the past, the former Organization of African Unity (OAU) itself has had problems in its efforts to manage conflicts due to the fact that it has dichotomized these as either internal or international.³⁶ However, as noted by Mwangiru,³⁷ the organisation has now adjusted its thinking to reflect reality, and the strict dichotomy no longer exists. In general, the context in which a conflict exists should determine the type of conflict

³³ C. Hiteng, "Security Concerns in the Horn of Africa in Mwangiru", *African Regional Security in the Age of Globalization* op cit p. 12

³⁴ B.A Kiplagat, "Politics and Security Implications" in IRG Conference Report op cit p. 15

³⁵ M. Mwangiru "Conflict and Peace Management in the Horn of Africa: Theoretical and Practical Perspectives". in *IRG Conference Report*, op. cit p. 30

³⁶ M. Mwangiru, *The Internal Management of Internal Conflict in Africa; The Uganda Mediation 1985* (PhD Dissertation. University of Kent 1994) p. 145

³⁷ M. Mwangiru. "Conflict and Peace management in the Horn of Africa" *African Regional Security in the Age of Globalisation*, op cit p.70

management efforts to be undertaken. As such, the conflict system approach gives useful pointers 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 that operate within the same system should be held in contemplation. In the case of the Ethiopian-Eritrean conflict, for example, what might have been seen as involving only two states eventually evolved into a conflict with regional linkages with Sudan, Somalia and Djibouti. Its resolution therefore meant taking into consideration a variety of actors and interests.

With the end of cold war, the UN and regional organisations were called upon to assume greater responsibility for conflict resolution and prevention. But the changing nature of conflicts – from ones that were mostly between states to ones primarily within states – posed a significant challenge to intergovernmental organisations. As such, these had been designed to manage disputes between states and their charters specifically prohibited them from interfering in the internal affairs of their members.³⁸ In that respect, Peck³⁹ argues that the UN and regional organisations had to reconsider how to meet this new challenge. This led to ongoing debate about which kind of organisation is best suited to carry out conflict prevention and resolution – the UN or regional and sub-regional organisations. Peck carried out a comparative study and concluded that strategic co-operation between the UN, regional and sub-regional organisations and NGOs could also be expected to have a synergetic effect. Further, she argues that increasing resources for conflict prevention and shifting the focus towards a preventive assistance approach could

³⁸ Ibid

³⁹ C. Peck, "A More Strategic Partnership for Preventing and Resolving Conflict" in M. Mekenkamp, *Searching for Peace in Africa* op cit p.39

go a long way towards helping member states of the UN and regional organisations work move effectively to ameliorate the many existing and potential conflicts.

The primary preoccupation of the institutions that engage themselves in peace processes is to settle conflicts peacefully, as espoused in the UN Charter.⁴⁰ Over the years, the various Somali peace processes have tried to limit their scope of conflict management to this specification. As the peaceful settlement of conflict often involves a long process, conflicts often become protracted and change in dimension. This brings about the problem of conflict transformation as new issues arise, the number of actors increases, 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 Djiboutian government. All of these actors have facilitated peace and reconciliation efforts and, although these have failed to take root, some of them have had positive impacts. The UN tried official diplomacy by targeting the direct warring groups, mainly the warlords, while the EC and the Djiboutian government tried unofficial diplomacy by targeting members of civil society. Amidst these actors, IGAD stands out as an effective institution with structures that have engaged an effective peace process where the UN and the US have failed.

UN representatives arrived in Somalia in 1992 to initiate UN operations in the country.⁴¹ The organisation sought to reach a political settlement and national reconciliation through traditional elder-based structures and some progress was achieved after six months as most intractable issues were resolved. The ceasefire was largely

⁴⁰ UN, *UN Charter*, Article 2(4)

⁴¹ Mekenkamp, M., P. Tongeren, & H. Veen, *Searching for Peace in Africa: An overview of Conflict Prevention and Management Activities*, <http://www.euconflict.org>. Accessed 24th January 2006.

respected, ports and airports were reopened and a chain of solidarity had begun to materialise. In December 1992, the first military intervention arrived.⁴² Operation Restore Hope was active for three years until it left in 1995. Within that period, the UN failed to disarm the militias and would not consult local inhabitants about its plans to set up District Councils. The failure of the UN to restore peace in Somalia left a vacuum that would not immediately be filled by any stronger organisation. If regional players were now to be involved, the onus rested upon IGAD to decide on the way forward.

IGAD, which was founded in 1986, expanded its mandate in 1996 to include that of managing conflicts in the region.⁴³ The IGAD membership includes Kenya, Uganda, Sudan, Ethiopia, Eritrea, Djibouti and Somali. In the last ten years, the peacemaking role of IGAD has propelled it to the centre of activity in the Horn of Africa. In Somalia, the organisation became involved in the peace talks in late 1996 after other international interventions had failed. While this literature shows some consistency with respect to the foundation and the role of sub-regional organisations in promoting regional security and peace, there have been observable constraints on the part of IGAD. The constraints arise partly from the various competing interests from within the region. Furthermore, extra-regional interests add an impetus to achieving peace or complications to the same. This 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.

1.6 Hypotheses

The following shall be the assumptions of the study:

⁴² Ibid

⁴³ IGAD Documents, www.igad.org

Hypo

- I. Regional institutions are an effective framework to manage internal conflicts;
- II. Regional institutions adequately help promote peace and security interests of member states;
- III. Member states' interests pose a constraint on regional institutions' ability to carry out their mandate.

1.7 Conceptual Framework

The research on sub-regional organisations and management of conflict is multidimensional in nature, touching upon issues in international relations and conflict management. This research will therefore be guided by multiple concepts borrowed from various paradigms in international relations and conflict management. First, it will be guided by the world society paradigm, which views international relationships as being based on a complex pattern of transactions and interrelationships.⁴⁴ The conflict management arm of the world society paradigm is conflict research, which approaches conflict management by trying to understand the causes of conflict. It encourages the parties involved to understand the sources and agree to resolve the conflicts. The preoccupation of the institutions that engage themselves in peace processes is to settle the conflict peacefully as espoused in the UN Charter.⁴⁵ The Somalia 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 us to the problem of conflict transformation. New issues arise,

⁴⁴ M. Light, "Problem Solving Works: The Role of Scholarship in Conflict Resolution in Banks, M. (Ed) *Conflict in World Society: A New perspective in International Relations*, Boulder Co. Westview Press, 1984, pp. 146-160.

⁴⁵ UN, *UN Charter*, Article 2(4)

actors increase and the management process gets more complex. This significantly has to rely on the problem-solving workshop to gather consensus.

Secondly, the study is guided by conflict research paradigm, which considers conflict resolution to be attainable only where post conflict relationships are legitimised and self-sustaining. Conflict resolution must be achieved without the imposition of certain values on the conflicting parties. Situations must prevail where post conflict behaviour is based on criteria and understanding which are acceptable to the conflicting parties. In searching for a resolution, all interested parties must be involved in the process and all their positions taken into account. Conflict research is relevant here because it helps to expose the circumstances that fuel internal conflicts.⁴⁶ This is quite applicable to the Somali peace talks because the external actors are viewed to be benefiting by supporting one faction or the other. Each faction seeks to protect its group because they consider themselves relegated to the periphery of their country's political power and economy.⁴⁷

Thirdly, the study is guided by mediation theory since issues that can be settled through mediation surround the Somali conflict. Wall⁴⁸ observes that conflict can be effectively resolved when the mediation is done in an environment where all parties to the conflict, the constituents and the mediator are involved. This will also include third parties who affect, or are affected by the process and the outcome of the management process.⁴⁹ This set up reflects the situation that surrounded the Somali conflict and the Horn of Africa region. Therefore, mediation theory will partly inform the study on the IGAD peace talks.

⁴⁶ Groom, A. J., "Paradigms in Conflict; The Strategist, The Conflict Researcher and the Peace Researcher;" In J. Burton & Dukes F. (Eds.) *Conflict: Readings in Management Resolution*, London: Macmillan, 1990, pp. 71 – 198.

⁴⁷ Hollis, M. & S. Smith, *Explaining and Understanding International Relations*, Oxford; Clarendon Press, 1990, pp. 39.

⁴⁸ Wall, J. A., 'Mediation: An Analysis, Review and Proposed Research, *Journal of Conflict Resolution*, Vol. 25 (1981), pp. 157-180.

⁴⁹ Mwagiru, M., *Conflict: Theory, Process and Institutions of Management*, op cit, p. 97

1.8 Definition of Concepts

1.8.1 Sub-Regional Organisations

Sub-regional organisation is defined as 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 common interest by means of co-operation among its members.⁵⁰

1.8.2 Conflict

The term conflict usually refers to a condition in which one identifiable group of human beings – whether tribal, ethnic, linguistic, cultural, religious, socio-economic, and political or other – is engaged in conscious opposition to one or more other identifiable human groups who are pursuing what are, or appear to be, incompatible goals.⁵¹

1.8.3 Internal Conflict

It is a conflict with a domestic source as its origin.⁵² This implies it is a conflict with principal actors emanating from the locality of a defined territory.

1.8.4 Conflict Management

It is defined as the process of introducing external actors or exogenous managers and external factors such as mediation into a conflict. Conflict management can also be carried out by endogenous, exogenous or heterogeneous conflict managers. Endogenous managers are those who emerge from within the conflict, exogenous ones are external to the conflict and heterogeneous managers exhibit both characteristics.⁵³

⁵⁰ Virally, M., 'Definition and Classification: A Legal Approach,' in *International Social Science Journal*, Vol. 29, No. 1, 1977, pp. 58-72

⁵¹ Dougherty, J. E., & R. L., Pfaltzgraff, *Contending Theories of International Relations*, New York, Harper & Row Publishers, 1971, p. 182.

⁵² M. Mwangi, *International Management of International Conflict in Africa; The Uganda Mediation 1985*, PhD Thesis, University of Kent 1994, pp. 7.

⁵³ *Ibid*, pp. 24

1.9 Methodology

The research employed both primary and secondary data. Primary sources of data included documents from various phases of Somali peace process and interviews with the people of authority who have been involved in the Somali peace process. The research topic is limited to only one purposefully selected and unique case study, thus only resource persons acquainted with the research problem have been selected. The interviewees selected interviewees from IGAD Secretariat, Ministry of Foreign Affairs, and the Institutions of Higher learning. The information gathered from primary sources was then to be subjected to qualitative analysis and interpretation. This allowed the researcher to draw inferences that will meaningfully contribute to the body of knowledge in the field of sub-regional organisations and management of conflicts.

Secondary data was obtained from published texts, journals, newspapers, magazines and the Internet. The data was qualitatively analysed and put in academic perspective in tandem with the proposed research topic. The limitation of the data became evident when need arose to probe or inquire more about the postulations already published. The combination of primary and secondary sources therefore forms a compact basis for academic arguments and policy formulation. Finally, the researcher intends to validate the study's objectives not only from the theoretical basis but also from experiences found in society.

1.10 Chapter Outline

Chapter one formed the background to the study on sub-regional organisations and management of internal conflicts: a case study of IGAD in the Somali peace process. Chapter two gave an overview of sub-regional organisations and management of internal

conflicts. Chapter three discussed the Somali conflict and the IGAD-led peace process whereas chapter four is a critical analysis of sub-regional organisations and management of internal conflicts. Chapter five includes: summary, conclusions and recommendations

Chapter 2

Overview of sub-regional organisations and management of internal conflicts

2.1 Introduction

This chapter will present an expose of sub-regional, regional and international organisations with regard to their interrelations and approaches to the management of security within and between states. The survey shall focus on the traditional approaches to security management and the modern viewpoints 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. The chapter will later collate the concepts of international organisation, their development, objectives and their 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

Sub-regional organisations were borne out of the realisation that states cannot achieve their interests through limited membership to international organisations. Indeed, many region-specific issues demand localised approaches. International organisations, for their part, have evolved in the Post-Westphalia Treaty era that saw the creation of independent sovereign territorial units.⁵⁴ The rise of such units created a need for international cooperation and, as the system expanded, states began to seek to fulfil more interests through cooperative approaches. This resulted in the creation of formal treaties, which

⁵⁴Amerasinghe, E. F., *Principles of the Institutional Law of International Organisations*, Cambridge, Cambridge University Press, 1996, P. 59.

aimed at solving international problems.⁵⁵ The first major instance of this occurred with the Peace of Westphalia in 1648, which concluded the thirty-year old religious conflict of Central Europe and formally established the contemporary nation-state arrangement in Europe.⁵⁶

The rules that govern interactions in international relations are rooted in moral norms.⁵⁷ International norms are therefore guided by the expectations held by state leaders about normal international relations. They shape expectations about state behaviour and set standards that make deviations stand out, helping states pursue their interests without hurting others. Hence, sovereign states agree to work together through structures and organisations that respect each member's autonomy and do not create a world government over them.⁵⁸ Therefore, states create practical organisations where they participate to manage specific issues that they would not be able to address and manage on their own.

Until 1914 when the First World War broke out, world affairs were influenced by periodic conferences held in Europe.⁵⁹ These were exemplified in the Paris Conference of 1856 as well as the Berlin gathering of 1879 that dealt with the problems of the Balkans, among others. The 1884-5 Berlin Conferences, for their part, 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 formal procedure to determine who should convene the conference and who should be in attendance. Secondly, the

⁵⁵Shaw, M. N., *International Law*, Cambridge, Cambridge University Press, 1997, P. 887.

⁵⁶Gross, L., *The Peace of Westphalia, 1648-1948*, 42 AJIL, 1948, P. 20.

⁵⁷Falk, R., *Explorations at the Edge of Time: The Prospects for World Order*, Philadelphia; Temple University Press, 1992, Pp. 68-69.

⁵⁸Goldstein, J. S., *International Relations*, New York, Pricilla McGehan, 2002, Pp. 295-296.

⁵⁹ Shaw, M. N., *Op Cit*, P. 888

states invited and in attendance would only make decisions through unanimous agreement, a factor that restricted the utility of a consultative approach in resolving inter-state problems.

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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 1873.⁶⁰ These private international unions demonstrated a wide ranging-community of interests on specific topics and awareness that, to be effective, cooperation should be international in scope. These institutions established machinery for regular meetings and created Secretariats to permanently engage it the core values of the organisation. To this day, the work performed by these organisations remains of considerable value in influencing governmental activities and stimulating world action.

The second half of the 19th Century also witnessed the development of public international unions, which linked together governmental agencies for specific purposes.⁶¹ 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 interdependent world. The first instances of such intergovernmental associations were provided by the international commissions established for the functioning of communication networks in the Rhine and Danube Rivers and later for other rivers in Central and Western Europe.

The first international unions in the 19th century restricted themselves to dealing with specific areas and were therefore not comprehensive. However, their existence did provide a basis for the emergence and development of new ideas that paved way for the

⁶⁰ Bowett, D. W., *The Law of International Institutions*, 4th Ed. London: Cambridge University Press, 1982, pp. 64-65.

⁶¹ Ibid, Pp. 6-9

birth of the international organisations of the 20th century.⁶² These unions provided for the development of permanent Secretariats, periodic conferences, majority voting, weighted voting, and proportionate financial contributions. All these were vital in the inception of contemporary international organisations.

The most significant achievement of the 20th century in terms of international organisations is the foundation of a universal and comprehensive organisation: the UN.⁶³ 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.⁶⁴ Although the UN strengthens world order, international anarchy still abounds due to unwillingness of states to surrender their sovereignty. Within this limit, 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 organizations portray a trend where states seek to pool their efforts to solve common problems. The states find 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 Sub-Regional Organisations

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

⁶² Shaw, M. N., Op Cit, p. 889

⁶³ Goldstein, J. S., *International Relations*, Washington D. C., Priscilla McGeehan, 2001, p. 298.

⁶⁴ 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 links the notion of world order to the order found within states.⁶⁵ This conceptualisation 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 sub-regional organisations in all fields of peace and security. This view presupposes that sub-regional organisations have a substantive and a procedural purpose and are intended to function above simple administrative convenience. According to this perspective, sub-regional institutions have a significant role to play on the world stage rather than being only mechanisms for greater efficiency.⁶⁶

The second approach that helps to evaluate the role of sub-regional organisations in the international system is the revolutionary one.⁶⁷ It regards sub-regional institutions as instruments for specific policy formulation. The primary aim of sub-regional institutions is viewed as a means of attaining a final objective as envisioned by the states that created them. This view does not consider international institutions as primary means of achieving a world community of states based on global association. Instead, this approach sees states as units that will benefit from sub-regional institutional structures.

The third approach is underpinned by realist thoughts. According to the realist perspective, international organisations are viewed as a forum for states seeking dominance,⁶⁸ as states are seen as being in a constant search for power and supremacy. For realists, the eventuality of the First and Second World Wars demonstrated that the foundation of the League of Nations and the UN reinforced the status quo of the new

⁶⁵ Goodwin, G., *World Institutions and World Order*; In C. Cosgrove & K. Twitchett, *The New International Actors*, New York, 1970, Pp. 55-7.

⁶⁶ Bowett, D. W., *Op Cit*, P. 73.

⁶⁷ Goodwin, G., *Op Cit*, Pp. 57-91.

⁶⁸ *Ibid*, P. 62.

balance of power.⁶⁹ Thus, what is described as the World Order is a reflection of the operation of the principle of the balance of power. Realists perceive the role of world organisations as reinforcing that balance and enabling it to be safely and gradually altered in the light of changing patterns of power. This has led to some weaknesses on the part of international organisations in their efforts to effectively tackle issues without causing intrigues among member states.

International institutions can be studied more adequately by combining the above approaches and establishing an inter-linkage between these various world-views. The success of collective security can therefore be seen as depending on two points. First, the members must maintain their commitments to the organisation, especially with regards to alliances. Secondly, a significant number of members must agree on what constitutes aggression. Despite these claims 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.⁷⁰ 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. Examining some of the regional organisations and the UN would demonstrate this reality.

2.4. Scope of Sub-Regional Organisations and Management of Conflicts

This section will look at various sub-regional organisations and at the UN as a supranational organisation. This approach is essential in highlighting the activities of these organisations to find out their capacity to engage parties in a conflict through

⁶⁹ Shaw, M. N., Op Cit, P. 890.

⁷⁰ Goldstein, J., Op Cit, P. 120

peaceful methods or military intervention. The analysis will then be useful to deduce the extent to which sub-regional organisations can be effective when resolving internal conflicts.

2.4.1 Organisations with Universal Character

Organisations of universal character encompass membership from across the globe. This type of organisation seeks to promote international cooperation, peace and security.⁷¹ In order to address a wide range of new and unprecedented threats and challenges that states in the international system face they need cooperative efforts that transcend their regional territories. Indeed, many of these problems cannot be addressed by individual states. They include environmental threats, security, economy and international crime. Developments in international cooperation have engendered supranational organisations like the UN and international regimes that seek to establish norms, rules, processes and organisations that help govern the behaviour of states in an area of international concern.⁷² These regimes, for example, have been noted in the 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 governmental policies has gradually improved the nature of international relations.⁷³ The UN ensures peaceful settlement of disputes among states and also promotes economic and social cooperation in a wide range of issues to achieve collective security. To achieve the objective of promoting peace and security, the UN has created norms against violence. To accomplish this task, the UN has worked in areas like promoting nuclear non-

⁷¹ Rourke, T. J., *International Relations in the World State*, 2002, p. 197.

⁷² Ibid

⁷³ Shaw, M. N., *Op Cit*, p. 892.

proliferation through the International Atomic Energy Agency. This ideally is meant to limit the production and use of chemical and biological weapons, and fostering rules for the restrained conduct of war.⁷⁴ Countries that sign the Charter pledge to accept that armed force shall be not used in international relations, except when it is in the common interest. Today, however, the UN has often been unable to prevail upon powerful countries that invade others in their own interest. A recent example of this occurred when the USA invaded Iraq unilaterally despite the objection by the UN. There was no proof of threat to support the argument that the US and the Great Britain were acting in self-defence. The difficulties faced by the two countries in Iraq demonstrate the need to observe the norm of non-violence in international relations.

Another peace-enhancing role for the UN is to serve as a passive forum in which members publicly air their points of view and privately negotiate their differences.⁷⁵ The UN acts therefore as a safety valve 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.

Diplomatic intervention has been another major role of the UN in promoting peace and security around the globe. As such, the UN encourages states to settle their disputes peacefully,⁷⁶ either before hostilities occur or after the fighting has started. The UN carries out inquiries, provides good offices, mediation, arbitration or adjudication to parties in a dispute. All these measures are meant to bring about a peace settlement to disputes in the international system. Under some circumstances, the UN uses sanctions as

⁷⁴ Goldstein, J. S., *International Relations*, 4th Ed, Priscilla, McGeehan, Washington, 2001, Pp. 319-320.

⁷⁵ Rourke, T. J., *Op Cit*, p. 219

⁷⁶ *Ibid*

a measure to make countries comply with norms of non-violence.⁷⁷ To date, sanctions have not always been entirely successful, although in some cases they have influenced countries to comply with UN demands. For example, in 2003 the sanctions that had been in place against Libya for 15 years finally persuaded the country to pay US \$ 2.7 billion in reparations to the families of the 280 people killed when a bomb planted by Libyan agents destroyed Pan Am flight 103 over Lockerbie, Scotland in 1988. By any standards however, this eventual compliance by Lybia took place after a lengthy interval.

Peacekeeping has been another major activity within the UN, even though the organisation has limited ability to intervene militarily in a dispute.⁷⁸ In 2004, for example, the UN mounted 56 peacekeeping operations that utilised military and police personnel from 130 countries.⁷⁹ These operations ranged from lightly armed observer missions through police forces to fully-fledged military forces. UN peacekeeping missions normally come in between warring parties as a neutral force that creates space and is intended to help defuse an explosive situation. This, for example, has helped the situation in East Timor especially in the transition period during the withdrawal of Indonesia's troops in 2002.

2.4.2 Regional Organisations

Regional organisations became prominent after the end of the Second World War. These are organisations that link together geographically and ideologically related states.⁸⁰ In Europe, NATO emerged to counter possible threats from the Soviet Union.⁸¹ NATO member states included the US and Canada plus fourteen members from Europe.

⁷⁷ Ibid

⁷⁸ Ibid. p. 220

⁷⁹ <http://www.un.org/peacekeeping.2html/>

⁸⁰ Shaw, M. N., Op Cit, p. 893.

⁸¹ Rourke, T. J., Op Cit, p. 200.

They sought to consult with each other whenever the territorial integrity, political independence or security of any of the members had been threatened.⁸² These states agreed that an armed attack on any one of them should be considered as an attack against all. This approach was aimed at enhancing the security of the member states and to deter any external security threats. NATO has in some instances managed to fulfil its mandate of promoting peace and security among its member states and, in cooperation with the Western European countries, managed to help implement UN sanctions in trouble areas like the former Yugoslavia and Bosnia.⁸³ This shows that security is more guaranteed at regional level through inter-state cooperation and by collaboration with the UN.

The European Union (EU), for its part, was founded to further economic integration and, in the longer run, lead to the creation of a political federation.⁸⁴ The EU has endeavoured to protect European economies from any external unfair trade practices. In addition, it has established organs of governance like the European Parliament to develop common external policies (political and economic) that promote the welfare of member states. Conflicts perpetuate poverty and in turn poverty and social exclusion increases the risk of violent conflict. As a result, the EU, having recognised the need to address conflict prevention and management in order to achieve development in Africa has undertaken efforts to ensure that specific conflict prevention activities are supported.⁸⁵ For this reason, it has allocated resources to non-state actors 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

⁸² Myers, K., *NATO, The Next Thirty Years*, London, Boulder, 1980, p. 14.

⁸³ Shaw, M. N., p. 895

⁸⁴ Ibid, p. 898.

⁸⁵ *Cotonou Agreement*, Article 72

benefited from the EU's assistance. Peace that is realised through non-state engagement is a pointer towards the role international organisations can play in promoting peace and security.

In the Southern American region, the Organisation of American States (OAS) also emerged after the Second World War.⁸⁶ It is based on the Rio Treaty of 1947, which 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.⁸⁷ It consists of structures such as the General Assembly and Permanent Council whose responsibilities are to facilitate decision-making on social and political affairs. In addition, the OAS has adopted a Human Rights Convention that spells out what the respective member-states should adopt in their territories regarding human rights issues. The OAS has also concerned itself with issues of state security.⁸⁸ It is important for states to understand that not only is external aggression a threat to state security, but domestic high handedness is also a threat to people's security. Emphasis should be placed on human security, from which states will build national security.

In the Arab World, the Arab League was founded in 1944 and it spelt out broad objectives.⁸⁹ It draws its membership from Arabic Countries and North Africa and is a forum for the formulation of Arab politics and encourages regional cooperation. The Council of the League is the supreme organ and performs a useful conciliatory role in times of conflict. Other subsidiary organs of the league deal with economic, cultural and social issues. The Council of the Arab League has been pivotal in peacekeeping

⁸⁶ Shaw, M. N., *Op Cit*, p. 905.

⁸⁷ Wood, M., *The Organisation of American States, 33 Year Book of World Affairs*, 1979, p. 148.

⁸⁸ *Ibid*

⁸⁹ MacDonald, R. W., *The League of Arab States*, Princeton; Princeton University Press, 1965, p. 23.

operations. Notable among these are the intervention in Kuwait in 1961 when an Inter-Arab Force was established to deter Iraqi threats and in Lebanon in 1976 when it served as an umbrella for the operations of the Syrian troops.⁹⁰ From the viewpoint of the Arab League's involvement in Middle East Affairs, sub-regional organisations are indeed a forum for states to promote regional peace, cooperation and security.⁹¹ It is a fact that states are pre-occupied with security issues that may generate regional insecurity and they are also interested in promoting 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 it were not member of a regional organisation that can protect it when under siege. It is therefore valid to assert that regional organisations can be effective instruments not only for promoting national interests, but also for resolving disputes and enforcing peace.

In Asia, the conspicuous regional grouping is the Association of South East Asian Nations (ASEAN). The organisation was founded in 1967 and it projects both economic and political aims.⁹² It operates on the basis of annual ministerial meetings and a series of permanent committees covering areas of trade, commerce and research. ASEAN has undergone changes since its inception. In 1976, member states signed an agreement on amity and cooperation⁹³ in which they reaffirmed the parties' commitment to peace and to the peaceful settlement of disputes. In addition, the members signed the Declaration of Asia Concord that called for expanded political and economic co-ordination and cooperation. The Permanent Secretariat that coordinates the national Secretariats was

⁹⁰ Bowett, Op Cit, p. 230.

⁹¹ Ibid

⁹² Shaw, M. N., *International Law*, Op Cit, P. 907.

⁹³ Ibid

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 to promote these ideals. To effectively tackle these problems, it is evident that the member states should be bound by certain rules and they must have an established coordinating organ. The organisations are also required to be dynamic. They should change their goals and operating mechanisms to reflect the changes in the contemporary world.

In Africa, there exist numerous regional groupings. However, at the continental level there has been only one organisation, operating formerly under the banner of the OAU and now known as the AU. The objectives of the AU are social, economic, educational, security and scientific in nature.⁹⁴ 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 times of conflict. 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 1983.⁹⁵ In 1993, the OAU established its mechanisms on conflict prevention, management and resolution. At that time, there was a stated recognition of the conflict management potential of civil society.⁹⁶ This was new ground for this intergovernmental organisation and, in 1996, consultations with civil society helped define an agenda for possibilities of

⁹⁴ *AU Charter*.

⁹⁵ Shaw, M. N., 'Dispute Settlement in Africa' in *37 Year Book of World Affairs*, 1983, pp. 158-60.

⁹⁶ Muyangwa M. and Vogt M.; *An Assessment of the OAU Mechanism for Conflict Prevention, Management and Resolution; 1993 – 2000*, New York, International Peace Academy, Nov. 2000.

collaboration in the management of internal conflicts. Recommendations included, *inter alia*, the elaboration of a specific programme for collaboration with, and promotion of, civil society initiatives in conflict management.⁹⁷ This resulted in the establishment of partnerships with civil society organisations and the creation of the African committee on peace and development.

Besides the continental body, there exists a number of regional economic associations. These include: ECOWAS in West Africa, SADC in the Southern African region and the Common Market for the Eastern and Southern Africa (COMESA) in Eastern and Southern Africa. These sub-regional groupings have similar aims; they all seek to promote trade and the economic security of member 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.⁹⁸ Since its inception, ECOWAS has encountered many problems in the process of achieving such integration. 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. Beyond its economic mandate, ECOWAS also seeks to strengthen its military arm, the ECOMOG.⁹⁹ Currently, the organisation is seeking international support to enable it to train and equip 15 battalions of troops as standby units for its peacekeeping force. The training of the composite units will facilitate their effectiveness in

⁹⁷ *Report of the IPA/OAU Consultation on Civil Society and Conflict Management in Africa*, Cape Town South Africa, New York: International Peace Academy, 1996.

⁹⁸ www.ecowas.org Accessed on 15th February 2006.

⁹⁹ *Ibid*

peacekeeping, humanitarian assistance and other missions for which they could be deployed.

To date, ECOMOG forces have been deployed 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 – contributed 1,264 troops for the first phase of the mission. The force took over from French troops who were 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 by providing medical and signal teams. The involvement of ECOMOG in mitigating internal conflicts is an example 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.

COMESA is a regional body with member states drawn from the Eastern and Southern Africa regions. It was established in 1994 as a successor to the Preferential Trade Area (PTA) to create an internationally competitive economic community that would foster high standards of living for its people.¹⁰⁰ 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 of COMESA is to establish

¹⁰⁰ www.comesa.org. Accessed on May 18th 2006

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 also founded on the goal of promoting peace and security as pre-requisites to development.¹⁰¹ Enhanced peace and security benefits business among member states, in addition, it places the region in a better position to combat some of the basic causes of conflict such as resources, poverty and marginalisation. COMESA is prided as being one of the building blocks for African Unity and also has led to the establishment of a free trade area. The organisation does not intend to play a direct role in conflict resolution, but rather complements the work of other regional bodies such as the AU, IGAD, and the EAC.

Another example, of a regional grouping is the ACP countries as highlighted by the Cotonou Agreement. It is basically 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, with a prominent focus on peace and security – which are seen as prerequisites for development to take place. Article 4 of the Cotonou Agreement provides for the involvement of non-state actors in designing policies and strategies in areas that directly affect them.¹⁰²

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 inter-state like that of Uganda-Sudan, Ethiopia-Eritrea and Sudan-Ethiopia.

¹⁰¹ www.comesa.org. Accessed on May 18th 2006

¹⁰² *The Cotonou Agreement, ACP-EU Agreement, 2000*

Conflicts in these areas are caused by poor democratisation, human rights abuses, economic and social injustices. It can be posited that these problems cannot be resolved by the state as an entity. Consequently, the gap between the government's performance and its expected goals can be bridged through non-state actor involvement. These non-state organs can be reflected in inter-state organisations or peace initiatives like the NEPAD.

The strategic objectives of NEPAD include: promotion of accelerated growth and sustainable development; eradication of widespread and severe poverty; the halting of Africa's marginalisation and the increase of its competitiveness/bargaining power in the process of globalisation; and the restoration of peace, security and stability.¹⁰³ NEPAD's vision recognises states' limited ability to protect themselves from both internal and external threats. This limitation is in part due to states' failure to uphold those principles that are basic in ensuring state and human security. Ensuing from this presentation, it is obvious that regional organisations are out to pursue common security strategy for member countries in the economic and socio-political fronts.

2.5 An Overview of IGAD and Management of Conflicts

The peacemaking role of IGAD has propelled it to the centre of activity in the Horn of Africa since its foundation in 1993. This role is particularly relevant to explore because it marks a significant departure from its original mandate of addressing the perennial issues of drought and desertification in the Horn of Africa. IGAD is also an interesting case study as it has just concluded two important peace initiatives for Sudan and Somalia using two completely different approaches. The peace process for Sudan was exclusive and involved only the Government of Sudan (GoS) and the Sudanese People's Liberation

¹⁰³NEPAD www.nepad.org/en.html. pg. 1

Movement/Army (SPLM/A).¹⁰⁴ By contrast, in the more recent IGAD process for Somalia, a variety of actors including factional leaders, civil society organisations and observers were included from the very beginning. The genesis of both processes and the nature of the two conflicts are perhaps the most significant explanatory factors for the difference in approach. When examining the approaches, it is manifestly clear that IGAD as an organisation did not select them, but instead it was upon the principal parties to do so. IGAD simply confirmed the preferred approach; through a consultative process, in the case of Sudan and through continuing and expanding upon the Arta process in the case of Somalia.

Initially, IGAD was known as the Inter-Governmental Authority on Drought and Development (IGADD), which was established in 1986 following a UN resolution sponsored by countries of the region at the 1983 summer meeting of the Economic and Social Council.¹⁰⁵ This resolution, which was subsequently endorsed by the UN General Assembly in the same year, conceived IGADD as a vehicle for redressing drought related economic and social crises 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.

An additional prompting for examining IGAD's peacemaking role is the fact that many African intergovernmental bodies, including organisations like IGAD itself, comprise weak states that face problems similar to ones they are trying to resolve. This is further compounded by serious limitations in good governance both in practice and spirit. Conflict management by such organisations or states is thus internally challenged, resting

¹⁰⁴ Nyariki, D.M., *Strategic Resources and Management of Internal Conflicts: Case Study of Sudan*, M.A. Dissertation presented at University of Nairobi, Institute of Diplomacy and International Studies, 2005, p.

143

¹⁰⁵ Ibid

their moral legitimacy for intervention on rather soft ground. The IGAD peace process for Sudan, for example, was completed a decade after its inception. This shows that the challenges are enormous for the organisation in resolving conflicts.

IGAD took up the peace processes in Sudan and Somalia on the presumption that regional mediation would translate into overbearing force on the parties. In this task, IGAD worked on getting and keeping parties at the negotiating table and that has remained an important aspect of its mediation strategy. Deng observes that IGAD possesses two elements of leverage in conflict management. First, it has the potential to deliver one side's possible agreement and secondly, the threat to end the mediation through withdrawal or by taking sides.¹⁰⁶ The potential for coalition with the opposition can confer a certain degree of leverage, but the changing intra-regional relations in IGAD essentially reduce this to an extremely unreliable and short-term source of leverage. This is one of the challenges to the ability of regional organisations to meet their objectives. In spite of this, through the proximity factor, the element of coalition gained some strength and despite frustrations or lack of progress, parties kept returning to the negotiating table.

The use of threats has, on the whole, had minimal effect on the dispositions of parties to a conflict. For example, in the case of the Abuja Sudan Peace talks, the threat to withdraw from the mediation table was rebuffed because at the point at which it was invoked, the military fortunes of the Government of Sudan had improved and had resulted in a dampening interest in mediation.¹⁰⁷ In the IGAD mediation, the threat by Kenya's then President Moi to call off the mediation at the outset did result in some shift

¹⁰⁶ Deng, F. *Negotiating a Hidden Agenda: Sudan's Conflict of Identities*, op cit.

¹⁰⁷ 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.

in Sudan's position; allowing the mediation to commence. However, a similar attempt to use threats to withdraw later on had no effect and the process went into a stalemate. These experiences, especially when contrasted against the impact of 'threats' in the Sudan Peace Act and the combined pressure by the International Partners Forum (IPF) in the process, suggest that threats from powerless mediators are unlikely to be effective in substantively influencing or changing the positions of parties. It can therefore be argued that IGAD, in its mediation efforts, should be wary of using threats to withdraw from the process. Sometimes, that is the excuse that parties need to avoid commitment or concessions that seem relevant to mediators like IGAD.¹⁰⁸ African Rights is correct in observing: "providing an opportunity for negotiating peace is not enough. Instead, a mediator must be in the position of being able to offer genuine inducements to peace and genuine sanctions for not achieving it."¹⁰⁹ IGAD stands in this position in dealing with the Somali peace process.

Moreover, the dynamism of various conflicts means that IGAD's mediation cannot be strictly tied to a timetable.¹¹⁰ In Abuja, for example, the mediators felt compelled to reach an agreement before the expiry of Babangida's term as president. They argued that the parties to the Sudanese conflict owed it to themselves to arrive at an agreement within that period; otherwise they would lose the support of Nigeria. In the Abuja case however, the mediators failed to consider that a number of factors had changed and perhaps the aim was no longer to reach a negotiated settlement because the side effects in Ikle's terminology had already been attained.¹¹¹

¹⁰⁸ Stein, K. W. and L. Samuel, W. *Mediation in the Middle East* in Crocker et al (1996) op. cit. pp 463-473

¹⁰⁹ African Rights (1997): *Food and power in Sudan: A critique of Humanitarianism*, London p. 285

¹¹⁰ Odera, J., Op Cit, p 74

¹¹¹ Ikle, F. C. *How Nations Negotiate*, op. cit.

While IGAD's original mandate did not include conflict management, the organisation was interested in mediation as a way to strengthen its position as a sub-regional actor.¹¹² At the time when it became involved in the Sudanese and Somali conflicts, the organisation did not yet have a mandate for conflict management. IGAD could have therefore declined the request to mediate in these conflicts on the basis that its mandate did not stretch that far. The fact that it did not do so, however, suggests that the mediation was seen as having the potential to serve certain organisational needs or objectives. The fact that IGAD was not the initiator of the mediation process, but simply responded to the request does not alter the possibility of calculated interests. IGAD's regional profile at the time was rather low and mediation of the Sudanese conflict has raised it tremendously. Added to this was a certain feeling of obligation and duty: a member state made the request and the organisation felt inclined to respond positively.¹¹³ The subsequent endorsement of the OAU and even the UN helped the organisation feel that it was properly situated to pursue its mediation role in the Sudanese conflict.

Even though parties to a conflict do not enter negotiations for the same reasons, both the Government of Sudan and the SPLM/A had some common reasons for submitting to mediation under IGAD. When the mediation was launched, both parties were more disposed to an escalation of the conflict.¹¹⁴ The position of the SPLM/A had continued to weaken since the 1991 split in the movement and SPLM/A officials confirm that the period from the end of 1991 to early 1995 was one of their weakest periods in the

112 Amoo, S. and Zartman, W. I.: *Mediation by Regional Organisations: The Organisation of African Unity(OAU) in Chad* in Bercovitch, Jacob and Rubin, Jeffrey, Z. eds (1992) *Mediation in International Relations: Multiple Approaches to Conflict Management*, Macmillan Press, London pp. 131-148

¹¹³ Deng, F., Op cit p. 78

¹¹⁴ Odera, J. Op Cit p. 76

war.¹¹⁵ For the Government of Sudan, the request to IGAD coincided with an improving military position and the conviction that it was poised for the final offensive against the SPLA.¹¹⁶ Their victory, however, needed to be capped by a regional body, thus dealing a double blow to the SPLM/A. For the SPLM/A in particular, being present at the negotiating table also gave it a psychological advantage over its splinter group and conferred upon it the status of being the recognised opposition force.¹¹⁷ This was particularly significant in light of the SPLM/A's own sense of military weakness and vulnerability at that particular point in time. The regional peace initiative was particularly attractive on all these counts, but their constituencies did not uniformly receive it. Within Sudan, opinion on a negotiated settlement was divided. While the Cabinet felt it necessary to pursue a peace process, members of the Islamic council felt that the battle could still be won militarily.¹¹⁸

The choice of IGAD as a sub-regional mediator in conflicts demonstrates a general pattern in the selection of mediators in African conflicts. The selection pattern can easily be observed and it ranges from a summit decision of either the premier regional organisation (AU) or a sub-regional organisation to a proactive decision of a concerned sub-regional organisation like ECOWAS in the case of Liberia.¹¹⁹ The technical expertise of the mediator appears secondary to his political suitability. Therefore, the successful conduct of African mediation is highly dependent on the support structures that are available to the said mediator. The dynamic nature of internal

¹¹⁵ Ibid p 124

¹¹⁶ *The Sudan Democratic Gazette* no. 25 June 1992:5

¹¹⁷ Deng, F.M. *Negotiating a Hidden Agenda, Sudan's Conflict of Identities* op.cit. p. 34

¹¹⁸ SPLM/A *Update No. 10 Vol. III* 1994

¹¹⁹ Odera, J., *Op cit* p.133

conflict may also mean that a mediator who may be suitable at one point or phase of the conflict may not be suitable for another phase.

In the IGAD-led Sudan peace process, the calculations of the Government of Sudan on the suitability of the mediator were altered, even before substantive negotiations began, thus raising the issue of mediator acceptability.¹²⁰ Changes for the worse in intra-regional relations between Sudan and in particular Eritrea and Uganda and the subsequent feeling that the Declaration of Principles was in favour of the SPLM/A made the Government of Sudan uncomfortable with the IGAD peace process yet uncertain of wanting to disengage with it. Additionally, Ethiopia's interest in the mediation, for its part, was driven by its desire to assume a peacemaking role.¹²¹ Under Haile Selassie, Ethiopia had played a key role in the 1972 Addis Ababa Agreement for Sudan, while under Mengistu Ethiopia had supported the war. Relations between the new leader in Ethiopia and the Government of Sudan were on the mend. Although the SPLM/A had been asked to leave Ethiopian territory, relations were not completely severed and Ethiopia therefore saw itself well suited to play a mediating role. It can then be asserted that regional politics affect the operations of an organisation intended to bring conflict to an end.

The IGAD mediation has raised another significant point with regards to the acceptability and suitability of mediators.¹²² The issue of a mediator should be evaluated on two fronts: how to resolve unacceptable issues; and if raising such unacceptable issues are sufficient enough for the mediator to withdraw. The evaluation of the IGAD mediation in Sudan suggests that an abandonment of the process, when parties do not

¹²⁰Ibid p. 145

¹²¹ Odera, J., Op cit p 223

¹²² Zartman, I., op cit p 76

want to discuss certain key issues would not enhance the goal of peacemaking. Indeed, parties would then just keep moving from one mediator to another, seeking a situation where only their preferred issues would be addressed.¹²³ As suggested above, this problem can best be addressed by developing capacities for conflict management to enhance the skills for mediation so that its conduct is not held captive by the whims of the parties to a conflict.

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Regional stability and relations between countries of the region have suffered as a result of intrastate wars in Somalia and Sudan.¹²⁴ It is observed that, at a time when, on the one hand, Africa is being further marginalised and falling deeper into economic crisis and on the other, regions in Africa having emerged from wars and secured peace are laying the groundwork for comprehensive co-operation that would free them from poverty and dependency, the conflict in south Sudan remains an obstruction for regional development as a whole. Under such circumstances, the region and international community have a responsibility to ensure that fundamental human rights are enforced. Southerners must be assured and enjoy the rights that have been denied them for centuries; northerners must get peace and security. As an international community, it is important to actively participate in the peace making efforts by supporting regional initiatives.¹²⁵ This can be achieved through regional institutions like IGAD.

As the IGAD mediation proceeded, issues of partiality and neutrality were raised with the feeling that most mediators were biased against the Government of

¹²³ Nyariki, D.M., Op cit pp. 188-9

¹²⁴ Clapham C, *Conflict and Peace in the Horn of Africa*. London: Vermont Company, 1994, p 114

¹²⁵ President Isaias Aferwoki: The Conflict in Sudan. Paper presented to the 7th Pan-African Congress, 4 April 1994, Kampala Uganda.

Sudan.¹²⁶ Interestingly, however, the Government of Sudan has been cautious in highlighting this bias and has preferred instead to search for alternatives. Sudan views Uganda as biased in favour of the SPLM/A yet the approach to Uganda by the Government of Sudan in 1993 was intended precisely to get Uganda to bring the SPLM/A to the mediation table. The failure to achieve that goal has led the government on occasion to call for the withdrawal of Uganda and Eritrea, but at the same time their proximity and perceived association with the SPLM/A causes the Government of Sudan to want to keep them closer and integral to the negotiations. This sequence of events suggests that partiality is not necessarily undesirable, but in the event that it fails to be useful, partiality can then infringe on the suitability or credibility of the mediator. Consequently, in the IGAD process, the perceived bias makes the Government of Sudan wary of the mediation and explains why it has on occasion tried to disengage from the IGAD-led process and to seek alternative mediators. These factors have created a dilemma for the Government of Sudan. It does not wholly trust the IGAD mediation yet it is unable to disengage from the initiative of the neighbouring countries.

Internationally, three critical issues informed international interest in the Somali and Sudan conflicts, these were: human rights abuses, humanitarian concerns and accusations of support for terrorism. At the launch of the IGAD initiative, the heightened intensity of the war in the South had led to a high incidence of human rights abuses and humanitarian crises, thus attracting increasing international attention.¹²⁷ The failure of the Abuja talks coincided with the decision by the United States (in August 1993) to place

¹²⁶ Nyariki, D.M. op cit p 141

¹²⁷ African Rights: *Food and Power in the Sudan: A Critique of Humanitarianism*, London: Prentice Hall, 1997, p.87

Sudan on its list of countries sponsoring terrorism.¹²⁸ Aerial bombardments of civilian targets even prompted the EU to impose a total embargo on the sale of arms to Sudan.¹²⁹ This approach indicates how regional initiatives can enhance peaceful approaches to the management of conflicts.

2.6 Conclusion

From the preceding overview of sub-regional organisations, it emerges that sub-regional organisations serve different purposes in the international system. What also becomes evident is that sub-regional organisations serve three major roles. First, they serve as instruments for meeting the goals of their respective member states.¹³⁰ Because independent states are sovereign and limited in their ability to act across their territories, it is vital for them to realise some of their desired goals through intergovernmental cooperative arrangements. Intergovernmental organisations can therefore be expected to reflect the values of member states' aspirations. Secondly, sub-regional organisations serve as forums within which interstate actions take place.¹³¹ They 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 diplomatically reinforcing values and policies.¹³² Member states can therefore call upon other states to consider certain approaches in trying to solve problems that affect them or their. Although disagreements may arise, states will, through negotiation, gradually formulate strategies for addressing any problems or disagreements.

¹²⁸ Wondu, S. and Lesch, A., 2000 *Op Cit* pp 36-37

¹²⁹ Human Rights Watch, *Sudan: Global Trade, Local Impact: op. cit* p 234

¹³⁰ Archer, C., *International Organisations*, London: George Allen & Irwin, 1983, P. 130.

¹³¹ *Ibid*, P. 136.

¹³² Hoffmann, S., *International Organisations and the International System in International Organisation, Vol. 24*, 1970, Pp. 389-413.

Thirdly, sub-regional organisations play the role of independent actors in the international system. As such, they can act on the World scene without being significantly affected by external forces.¹³³ In this view, an organisation's responses are not predicated even from the most thorough knowledge of the environment and it possesses 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, being creation of states they are able to identify with the interests of member states as they champion their cause. Sub-regional 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 do so.

The observations above provide a basis for analysing the effectiveness of sub-regional organisations in managing conflicts and entrenching peace and security. These organisations have the institutional legal framework from which to launch their 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 the treaty that gave rise to a particular sub-regional organisation binds the states that signed it, they will support it and if there are any biting problems, the disagreements can be negotiated and a peaceful resolution can be reached. To this end, states will achieve stability through cooperation at sub-regional level.

This chapter has managed to lay the foundation for analysing the role of IGAD in the management of internal conflict in Somalia. The next section will endeavour to

¹³³ Deustch, K., *External Influences in the Internal Behaviour of States*; in Farrell R. B. (Ed.), *Approaches to Comparative International Politics*, New York: Free Press, 1966, p. 7.

investigate IGAD's activities based on the conceptualisations established in this chapter on the role of sub-regional organisations in managing internal conflict.

Chapter three

The IGAD-led Somalia peace process, 1999-2005

3.1 Introduction

This Chapter will assess the role of IGAD in the Somali peace talks. This represents an important part of the research, which will inform the study's objectives. It will first seek to link IGAD's activities in the Horn of Africa to that of peace making. In addition, it seeks to establish the institutional structures necessary for the successful conclusion of peace making. The Chapter will again investigate the underlying reasons for the dragged conclusion of the Somali peace talks. In this perspective, the researcher will seek to establish the constraining factors that impair sub-regional organisations' ability to conclude peaceful negotiations of internal conflicts on schedule.

3.2 The Somali IGAD-Led Peace Talks

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 the organisation to have influence among member states. The decision making organs of IGAD will tell if the organisation is in a position to compel member states into taking common position in matters of peace and security in the region. IGAD's mediation is structured along the lines of the intergovernmental body itself.¹³⁴ 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 of the foreign affairs ministers of each member state. 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.

¹³⁴IGAD, Frequently Asked Questions, www.igd.org. Accessed on 23rd June 2008.

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.¹³⁵

The mediation itself operates almost independently from the intergovernmental body and its activities are not part of the core budget of the organisation.¹³⁶ This explains why setting up the mediation almost as a distinct entity was acceptable, it eliminates 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 operation has implications for the institutional character of the mediation. Individual member states can indeed define its pace and progress, which translates into a weak institutional framework for the mediation. Although the mediation is located within IGAD, the organisation only provides a flag and confirms the view expressed by certain analysts and scholars that sub-regional organisations can only play a limited role in mediation.¹³⁷ 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 its course.

The Somali National Reconciliation Conference, which concluded in Kenya in 2005, was the fourteenth attempt to restore law and order in Somalia. The previous thirteen peace talks failed to bring peace into a country at war with itself. These failures

¹³⁵ Ministry of Foreign Affairs Bulletin, June 2001.

¹³⁶ Amani Forum, *Peace Making in Somalia*, Nairobi, 2004

¹³⁷ Amoo, S. G. and Zartman, W.I *Mediation by Regional Organisations* op.cit p. 167

are largely attributed to the existence of a complex web of interest groups both internal and external to Somalia. Similarly, actors within the sub-region initiated previous peace processes without adequately covering the interests of the frontline states. Consultations with neighbouring states remain critical to the outcome and implementation of any peace agreement reached for Somalia. The Arta Conference was a clear indication of the existence of a missing link. The result, which favoured Djibouti, could not be implemented due to the fact that it ignored stakeholders like Ethiopia and Kenya. As a result, Ethiopia gave full support to the Somali Reconciliation and Restoration Council (SRRC),¹³⁸ directly undermining the Transitional National Government's (TNG) ability to exercise control in Mogadishu, let alone the country as a whole. Under the auspices of IGAD, Kenya was mandated to host the fourteenth attempt and the conference began on October 15, 2002, in Eldoret. In February 2003, the conference moved to Mbagathi, Nairobi from where it concluded the peace process in 2005 with the formation of the Somali interim government, the Transitional Federal Government (TFG).

The Somali peace process can be justified on a number of grounds. First, the conflict has been very costly in terms of human life, the destruction of property and infrastructure. Second, the peace process has cost the region, its governments and peoples a lot. 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 in other processes like generating diplomatic tensions between the frontline states as each of them tries to protect its interests in Somalia.

¹³⁸Somali Reconciliation and Restoration Council, Created March 2001 in Awassa, Ethiopia to counter the newly formed TNG.

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

The Somali National Reconciliation Process was structured around four levels of decision-making.¹³⁹ The first level was that of IGAD heads of states and governments, or the Summit. Below that came the IGAD Council of Ministers. This involved all the foreign ministers of the IGAD region and acted as an advisory organ to the Summit. The Facilitation Committee comprising the special envoys for Kenya, Djibouti, Eritrea and Uganda did the day to day running of the conference on behalf of IGAD governments. To assist the facilitation committee was a Secretariat. The facilitation committee also worked closely with the IGAD Partners Forum, which was composed of the conference's key donors. The Conference itself had three levels of decision-making.¹⁴⁰ The first was the Leader's Committee, composed of Somali leaders. Unfortunately, there was no consensus on who the Somali leaders were, and this often led to a lot of debate. There are those who believed that the genuine Somali leaders were those who signed the Declaration on Cessation of Hostilities on October 27, 2002. That position restricted the leadership to a group of 24 faction leaders. Others preferred a broader definition of leaders that included a larger number of actors.

The second level consisted of officially invited delegates who belonged to different factions.¹⁴¹ The number of official delegates was also a contentious issue right from the beginning of the conference. While there were 361 officially invited delegates, an additional 5 were selected from civil society. In practice, however, there were between 800-1000 delegates present at the conference at all times. The question of which of them were genuine remained elusive. The last level of decision-making was the plenary, which

¹³⁹The IGAD Structures, www.igad.org. Accessed on July 23, 2006

¹⁴⁰ IRIN NEWS, IGAD Somali Peace Talks, October 23rd, 2005

¹⁴¹ Ibid

included delegates, the Leaders' Committee, the IGAD Facilitation Committee and observers who included the IGAD Partners Forum. The plenary was the highest decision-making organ of the conference; it ratified all decisions taken by the other organs. The rationale behind this was to allow the widest participation in decision-making for purposes of ownership and consensus building.

Beyond this overview of the decision making structure of the IGAD-led Somali peace process, it is also necessary to present an overview of the negotiations themselves. The next section therefore examines the process behind the SNRC. With IGAD as the lead actor, it identifies other actors and interests and analyses how these impacted on the peace process itself.

3.4 Overview of the Peace Process

The overview examines certain landmarks of the fourteenth conference that have determined the direction and outcomes of the current peace initiative. The analysis begins by discussing the collapse of the Somali state as an entry point to the peace process. Siad Barre's government – which was in place from 1969 to 1991 – remained unresponsive to the wishes of the people of Somalia and turned itself into an autocratic and authoritarian regime.¹⁴² The poor management of public affairs affected not only the allocation of political power, but also of resources. It is this situation that degenerated into conflict between the government and its citizenry. The collapse of the Somali state came in 1991 after the deposition of Siad Barre by a combination of rebel forces.¹⁴³ However, once the common enemy was ousted, the rebel forces led by Gen. Mohamed Aideed, Ali Mahdi and others fragmented into clan-based groups that disagreed on everything except the

¹⁴² <http://countrystudies.us/somalia/78.htm>. Accessed on 11/7/2003

¹⁴³ Ibid

deposition of the previous Somali dictatorship. The declaration of Ali Mahdi as president did not sit well with other groups who began war afresh.¹⁴⁴ The ensuing violence unleashed clan animosities and competition over scarce resources resulting in massive destruction of property as well as internal and external displacements.

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.¹⁴⁵ Those who were aggrieved like the Hawiye, Dir, Digil, Mirifle sought more say in the new decision making structures. The wrangles surrounding the concluded peace talks revolved, among other things, around who should become the next president.¹⁴⁶ Groups such as the Hawiye vowed never to let another Darood take over power after the reconciliation process. The latter for their part insisted that the Arta process had rewarded the Hawiye and that it was therefore their turn to lead. The continued military action has not brought a solution to the problem since no single group has managed to have a clear-cut military advantage over the others.

3.4.1 Fourteenth Somalia Peace Conference

The fourteenth peace initiative carried out under the auspices of IGAD mandated the three frontline states of Kenya, Djibouti and Ethiopia as the Technical Committee to run the conference.¹⁴⁷ The pre-negotiation phase of this conference involved the identification of the actors involved in the conflict and IGAD sent a team to Somalia for

¹⁴⁴ Mohammed O. Omar, *The Road to Zero: Somalia's Self Destruction* (New Delhi: Everest Press, 1992), p. 218

¹⁴⁵ Aves O. Hagi and Abdiwahid O. Hagi, *Clan, Sub-Clan and Regional Representation in the Somali Government Organisation 1960-1990: Statistical Data and Findings*.

¹⁴⁶ Discussion With former Somali Delegate to the 14th Somalia Peace Conference in Nairobi, June 26, 2006

¹⁴⁷ Interview With Darood Clan Head Delegate to the 14th Somalia Peace Conference, Nairobi, June 25, 2006

this purpose.¹⁴⁸ However, the letters of invitation sent out did not reach all the identified leaders of the parties as arranged, and this posed a challenge to the commencement of the peace talks.¹⁴⁹ The conference can be distinguished in three phases: Phase I for the pre-negotiations; Phase II for the actual negotiations; and Phase III for a discussion of power sharing.¹⁵⁰ In the first phase, the actors were identified, all the parties agreed on the venue and invitations were sent out. The Conference then progressed to Phase II, which was declared officially closed in 2004 by the IGAD Council of Ministers. At that time, the ministers also officially launched the preliminary part of Phase III.¹⁵¹

3.4.2 Phase One

The pre-negotiation phase managed to identify a venue to conduct the negotiations; a town in the western part of Kenya called Eldoret was agreed upon. This phase ended with the signing of the Declaration of Cessation of Hostilities on October 27, 2002 in Eldoret.¹⁵² This document became the reference point to determine who would be considered a leader and who would not. In the view of the SRRC, the G8 Alliance and the TNG,¹⁵³ only those who signed the Declaration 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 (NSC) contested this view, leading to a stalemate between the two groups. During discussions, the two sides took to opposing any suggestion made by their opponents. The issue of numbers again featured

¹⁴⁸ IGAD Working Document, A Report on the Visit to Somalia, (Djibouti) 1999.

¹⁴⁹ Discussion with Clan Delegate to the 14th IGAD Somalia Peace Talks.

¹⁵⁰ Simon Fischer and D. I. Abdi et al., *Working with Conflict: Skills and Strategies for Action* (London: Zed Books, 2000) pp. 115-117.

¹⁵¹ IGAD Council of Ministers Meeting., Joint Communique, Issued Nairobi on 12th March, 2004.

¹⁵² Document on Agreement on Cessation of Hostilities, Eldoret, 27th October, 2002

¹⁵³ There were two TNGs. One led by Hassan Abshir and another led by President Abdikassim Salaad. The group referred to here is the former.

strongly as each group endeavoured to set the pace of the reconciliation process.¹⁵⁴ 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 were meant to guide the conference.¹⁵⁵ These Rules remained the backbone of contentions throughout the peace process. During the endorsement of the Transitional Charter on September 15, 2003, the groups that were unhappy with the results complained that the rules of procedure were flawed.¹⁵⁶ Again, after the plenary session of February 23, 2004, those who had lost in the game of numbers earlier made the same complaint. There emerged dissatisfied groups that used the rules of procedure as the basis for dismissing serious issues. An excess number of delegates who had come uninvited also confronted the Eldoret conference.¹⁵⁷ While the number of delegates officially invited stood, at the highest, at 366, between 800-1000 were present at the venue. 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 even more.

3.4.3 Phase Two of the Conference

This phase was characterised by very contentious issues that threatened to derail it. It began with six committees dealing with different issues.¹⁵⁸ Committee one examined

¹⁵⁴ Discussion with a Former Delegate to IGAD Somalia Peace Talks , Nairobi, June 16th 2006.

¹⁵⁵ Somali National Reconciliation Conference, *The Rules of Procedure*, Adopted by the plenary (Eldoret) on 26th October, 2002.

¹⁵⁶ "Somali Crucial Charter Adopted" *IGAD News*, No. 8 (July-September, 2003): 8.

¹⁵⁷ Interview in Nairobi with a Somali Warlord in Nairobi, June, 21st 2006.

¹⁵⁸ IGAD, Working Documents for Somali Peace Talks, Nairobi, March 2003

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 in charge of economic recovery and reconstruction and Committees 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. 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 continually changed on the ground.

The onset of 2003 brought in many changes for the conference that created disequilibria among Somalis and affected progress.¹⁵⁹ The factors that led to this situation were a result of political changes in Kenya where 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 by President Moi. He was the architect of the conference, knew every faction leader and maintained close links with them. This made it possible to delicately balance positions and maintain the balance of power. The departure of Moi followed the inauguration of the NARC government in early 2003. The NARC government, through lack of interest and factual information, failed to maintain the progress achieved so far in the peace process.¹⁶⁰ 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 and began to plot on how to undo it. In the first scheme, the TNG tried to scuttle the process by withdrawing its delegation.

¹⁵⁹ Mwangi, M, (Ed), *African Regional Security in the Age of Globalisation*, Nairobi, Heinrich Boll Foundation, 2004, p111

¹⁶⁰ Discussion with the IGAD Peace Technocrat in Nairobi, July 3rd 2006.

When this failed, it tried to sabotage the conference by organising a parallel one, which did not work either.

The committee work was also affected by other changes that happened in the same year.¹⁶¹ The committees were almost through with their work by the end of January 2003 when two significant events occurred. First, 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 approaches to the process. Mwangale was a politician, and had direct access to State House, which was an important factor to the Somalis. Kiplagat, on the other hand, was a career diplomat who 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.¹⁶² 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 a proper handing over of power. Some people took advantage of this situation to confuse the process. 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.¹⁶³ At that time, a decision to move the conference to Nairobi was also taken.

¹⁶¹ Ibid

¹⁶² *The Daily Nation*, 24th January 2003.

¹⁶³ Mr. Kiplagat entrusted Andre Lasage with the list of delegates. Andre made a list that favoured Ethiopia's SRRC.

This not only affected the momentum of the conference but also created other logistical problems. As the delegates arrived in Nairobi many Somalis from Eastleigh¹⁶⁴ invaded the conference venue.

After a month, the committees were eventually able to carry on with their work and by April 2003, all committee reports were ready for the plenary sessions.¹⁶⁵ 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 and moved to the most controversial. By May, the plenary was able to adopt all the reports except for the two submitted by Committee One. One part of the committee led by 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 allied 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 who supported a centralist system of government. The TNG of President 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.¹⁶⁶ This committee led by Prof. Samatar drew a lot of animosity from the faction leaders, who on their side also set up their own team to do the same. This resulted in 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

¹⁶⁴ Eastleigh is an estate/commercial hub of Nairobi where people of Somali origin stay and do business in large numbers.

¹⁶⁵ Mwangiru, M. (Ed), *African Regional Security in the Age of Globalisation*, Nairobi, Heinrich Boll Foundation, 2004, p114

¹⁶⁶ Ibid

along the lines of the document they favoured. After long periods of negotiations and lobbying by women at the conference, the leaders finally came up with an agreed document on July 5, 2003. A stalemate on Article 11 ensued from 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.¹⁶⁷ The remaining groups of delegates from the TNG led by the Prime Minister Hassan Abshir and the speaker of parliament Mr. Abdallah Derrow, the SRRC, and a section of civil society struggled to write the Transitional Charter. The final version was finally adopted by the plenary on September 15, 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 which were signatories to the Declaration on Cessation of Hostilities, Musa Sudi, Bare Aden Shire, Osman Ali "Atto" and Abdirizak Bihi also left.¹⁶⁸ 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 put into effect. 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. The withdrawal of Djibouti raised concerns for all including the Somali leaders who wrote several appeals to President Ishmael Guele. 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

¹⁶⁷ The IRIN News, March, 2003

¹⁶⁸ Report from the IGAD Somali Peace Talks, 17th September, 2003

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.

3.4.4 Phase Three of the Conference

The third phase concerned itself with power sharing among the various contending groups. This phase was occasioned by the 10th IGAD summit of Heads of State and Government held in Kampala on October 20-25, 2003.¹⁶⁹ The summit, while reviewing the progress of the SNRC and the challenges faced to date, also made certain decisions. First, it expanded the Technical Committee to include all IGAD member states, meaning that Uganda, Eritrea and Sudan joined the team. In response to concerns over ownership of the process, the summit emphasised Somali ownership by renaming the Technical Committee the Facilitation Committee. Thirdly, the summit instructed the Facilitation Committee to 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 October 28, 2003.¹⁷⁰ 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 IGAD Facilitation Committee (IFC) agreed that no party could be allowed to give preconditions for

¹⁶⁹ The 10th IGAD Summit Report, www.igad.org. Accessed on 22nd July 2006.

¹⁷⁰ Ibid

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 in the consultative talks risked being named as an anti-peace crusader in Somalia.

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 20.¹⁷¹ 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. In this case, the numbers favoured Mr. Abdullah 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 Darrow who were originally official delegates of the TNG but were now considered rebels supported this course.

On several occasions, the consultative meeting could not take off for various reasons, including differences of opinion over who would be allowed to attend.¹⁷² 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 meeting except Abdikassim Salaad and the other four signatories to the Declaration on Cessation of. The leaders who had left for Somalia, for their part, formed

¹⁷¹ Interview with a Somali Delegate to the 14th Somali Peace Conference, Nairobi, May 24th 2006.

¹⁷² IRIN News, July 2004

the Ballad group, which later called itself the National Salvation Council (NSC). 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. After visits to Mogadishu by members of the Facilitation Committee¹⁷³ and the International Partners Forum, the latter position was adopted on the grounds of inclusivity. After this visit, the Mogadishu group was willing to come to the consultations but the group of 20 was still unwilling to meet some of the individuals from Mogadishu, accusing them of being fake or recently created leaders.¹⁷⁴ Combined pressure from the International community and the IFC made the group of 20 relent and the consultations began on January 8, 2004.

President Yoweri Museveni, Chairman of the IGAD Summit of Heads of State and Governments met with all the groups: the TNG led by President Abdikassim Salaad, the group of 20, the NSC and representatives of civil society. On January 9, 2004, President Mwai Kibaki of Kenya and Chairman of the IGAD Facilitation Committee on Somalia joined President Museveni for the launch of the consultative talks.¹⁷⁵ Museveni achieved a breakthrough when he succeeded in bringing together Abdikassim Salaad and Abdullahi Yusuf to a round table discussion. This dialogue opened a window for discussion on power sharing that gave hope to these two opponents. Driven by their individual considerations, they hoped they could share the cake without have to resolve the jigsaw puzzle of numbers they had created alliances over. Progress was made through

¹⁷³ The Troika for IFC, AU and the IPF made one of the visits. Amb Mohamed Ali Fom 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.

¹⁷⁴ The fear is based on the fact that the Mogadishu groups are direct opponents of the group of 20.

¹⁷⁵ IGAD Briefs, www.igad.org Accessed on 12th July 2006

shuttle diplomacy¹⁷⁶ where the positions of these parties that could not meet were identified. It quickly became evident that the TNG and a certain section of civil society, the group of 20 and another section of the civil society, and the NSC all held divergent views. The sticky issues revolved around the titles 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, and the composition of the delegates and the plenary that adopted the Charter.¹⁷⁷

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, and the delegates and the plenary be reconstituted.¹⁷⁸ On the other hand, the Group of 20 held the view that the Charter earlier adopted at Mbagathi remain, the size of Parliament be 351, politicians in consultation with the traditional leaders do the selection of MPs, and that the consultations 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.¹⁷⁹ It proposed that the titles of both the Charter and the government be left unchanged. The most significant change it proposed concerned Article 30 of the adopted Charter. It called for the selection of MPs to be done by sub-clan politicians recognised by the TNG, existing regional administrations, and faction leaders recognised by the conference and endorsed by

¹⁷⁶ Ibid

¹⁷⁷ See for example the Articles Contained in the TNG Charter.

¹⁷⁸ Abdikassim Salaad who had fallen off with his TNG delegation led by Hassan Abshir and Abdalla Derraw the Prime Minister and Speaker of Parliament respectively questioned the authenticity of delegates.

¹⁷⁹ Harmonised Position Paper Somali National Reconciliation Conference 29th January, 2004.

genuine sub-clan traditional leaders.¹⁸⁰ Secondly, changes to Article 32 of the Charter proposed that the transitional period should be five years.¹⁸¹ Finally, it was proposed that these amendments be adopted by an extraordinary plenary session.

The harmonised document did not sit well with the NSC 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 under unclear circumstances, another version of the harmonised document that explicitly mentioned their name and that of the other groups emerged. A ceremony was arranged at State House, Nairobi, where president Kibaki witnessed a symbolic signing ceremony on January 29, 2004.

In the post-signing period, some key faction leaders denied having ever signed the document.¹⁸² The complaints surrounded the text that had been signed at State House. First, those who signed the document were not chosen according to the 4.5 clan formula that had earlier been agreed upon. Secondly, the version of 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 the term “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.

¹⁸⁰ “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.

¹⁸¹ TNG Proposal in the letter to Kenya’s Minister for Foreign Affairs, Hon. Kalonzo Musyoka, dated 19th January, 2004.

¹⁸² Discussion with an MP in the constituted Somalia Government, Nairobi 20th June 2006

The Somali Peace Talks were concluded in November 2004 and IGAD issued a memo to all parties signatory to the Peace Agreement to be ready for the election of MPs. The delegates converged in Kenya's Kasarani Stadium, Nairobi to conduct elections, which were concluded under the supervision of IGAD. The elections, in turn, gave rise to the congregation of MPs who chose the president, Hassan Abdikassim. Abdikassim then appointed his Cabinet, which forms the current Somali government. Although the peace was concluded under IGAD's supervision, the post-conflict challenges demand further institutional intervention.

3.5 Conclusions

The Somali peace process has been unique in various ways. In the first place, Somalia is a country where conflict should have been 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. It has degenerated into anarchy and at the moment efforts to install a new government are threatened after a struggle over the peace process. The Somali government, which initially operated from Kenya, was relocated to Somalia in 2006 where there have been incidents of violence.

There are lessons that can be learnt out of this case study 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. Perhaps local conflict management mechanisms used at clan level can help to solve a problem of national magnitude.

Institutional conflict management has propelled the 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 Somali case proved an enormous task to overcome, as there are no formal structures that could 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. This support has come in the form of funds and humanitarian aid, but it has not successfully addressed the core objective of stabilising the country. Instead, this aid has at times fuelled more instability. In this regard, a critical evaluation should be carried out to determine whether aid is necessary in a conflict area. If it is indeed necessary, it should be well managed to avoid the wrong people from accessing it and 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, Somalis in the diaspora have a significant 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 helping in its reconstruction. Another challenging issue to learn from is the presence of small arms and its threat to the sustenance of peace. Small arms present in Somalia are a challenge to any future peace. In that respect, the disarmament of militiamen is an aspect that IGAD and

the international community must address as the new government intends to be installed. Mechanisms should be designed to disarm the locals in order to facilitate effective governance.

Civil wars in Africa have been a common feature due to lack of democracy in many countries. In Somalia, for example, democracy has never been embraced due to dominance of clan issues and leadership. There are lessons to be learnt from this country. For example, the leadership and needs of the clan system should be evaluated to understand the reasons for frequent violence in the country. This will inform proper policy intervention and conflict management. IGAD as an organisation has used various approaches to conduct its mediation efforts between the parties to the conflict, both in Somalia and Sudan. These approaches were determined by the nature of each conflict. While in Sudan it accepted only two principal actors, in Somalia it accepted the 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 eventually determine the sustainability of peace. 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 sufficient human and resource personnel. The dependence on governments to support the organisation financially and logistically has led to political interference in the running of its secretariats. To draw a lesson from here requires evaluating the methods that will free the secretariat from state dependence.

The overall analysis of IGAD's mediation will engender lessons that are vital for both government and institutions of conflict management in Africa. The analysis is necessary at a time when both Sudan and Somalia are about to launch a final step towards their peace. The Somalia government is due to relocate and start performing its functions from Mogadishu. What comes out clearly is that there are no substantive issues in the Somali conflict. Instead, the contentious issues remain at the level of individual and clan interests regarding economics, property and 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 unity and democracy. What emerged instead were gangsters randomly plundering and sabotaging all peace efforts. The way forward requires tying together both interests; that of replacing the old regime and that of unifying the fragmenting groups.

Chapter 4

Critical analysis of sub-regional organisations and management of internal conflicts

4.1 Introduction

As laid out in the introduction, this study seeks to address one broad question: are international institutions able to address regional peace and stability concerns that arise from internal conflicts? In this case, the question revolves around IGAD and its role in the Somali peace process. The thesis investigated into the background of sub-regional institutions, particularly IGAD. It revealed their theoretical foundation, which is in most cases to promote regional peace and security among member states. The agenda of states to improve regional peace and security through establishment of institutions was also reviewed. The Kenya-led Somali peace process—under the auspices of IGAD—served as a basis to question whether the vision of states on peace and security matters is achievable in spite of competing state interests. This chapter provides a critical analysis of the other Chapters and offers a synthesis of the role of sub-regional organisations in the management of intrastate conflicts and the challenges arising thereof. To attain this goal, the synthesis in the Chapter consists of a cross reference of the issues raised and themes discussed in the previous Chapters. These will be tied together with a view to consolidating the proposed objectives of the study and the research findings.

4.2 Critical analysis

This research set out in Chapter One to investigate the role of sub-regional organisations in internal conflicts. It set the basis for the subsequent investigations by defining the concepts of conflict and conflict management. These concepts were reviewed against the background of intrastate and interstate relations. The existence of conflict in one state showed a pattern in the way states relate with each other within the affected region. The

state of insecurity triggered by conflicts in a sub-region requires cooperation among contiguous states in resolving these conflicts. The involvement of exogenous conflict managers in internal conflict, for its part, is a characteristic of modern conflict intervention. The IGAD sub-region has witnessed numerous conflicts that have generated hostile intra-regional relations. To date, IGAD member states either view each other as allies or as allies to their enemies. IGAD is therefore compelled to find a way to bring an end to the emerging conflicts that brood inter-state hostilities.

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The choice of IGAD as a mediator in the Somali conflict, as reflected in Chapter One and Two, was made on the basis of its proximity to the conflict. In addition, because its member states are contiguous to the Somali territory, they possess an in-depth understanding of the causes of the conflict, its dynamics and the issues that require attention in order to bring it to an end. The conflict has persisted for a long time and previous interventions did not yield sustainable peace. By building on the weaknesses of previous Somali peace initiatives, IGAD was well placed to appropriately design a durable peace strategy.

Chapter Three pointed out that the IGAD peace process emerged out of intergovernmental consultations between and among member states. The Council of Ministers was responsible for the overall mediation process while the IGAD Secretariat was charged with the responsibility of handling the mediation itself. In practice, this responsibility was shifted to the Kenya's Ministry of Foreign Affairs due to lack of adequate personnel and facilities within the IGAD secretariat. The host was responsible for meeting the requirements of the mediation and ensuring its continuity. This provision meant that individual member states defined the pace and process of the mediation, thus

weakening IGAD's institutional framework. The correlation between IGAD's objectives and individual interests could, as a result, lead to a compromise in the peace process and its outcome.

Chapter Three also indicated that the IGAD-led Somali peace process in Kenya was a culmination of the previous thirteen attempts. The SNRC provided a few milestones for IGAD as an institution. First, it was able to use its legal status to network with 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 regional actors. This was important if meaningful support was to be gathered for decisions agreed upon during the peace talks. This support would ensure resolutions would not be interfered with or sabotaged by the states supporting certain clans in Somalia. This approach also reduced diplomatic tensions among states that supported opposing interests in the territory.

Chapter Three ultimately demonstrated that the IGAD peace talks for Somalia realised the objective of involving all stakeholders in the process. The conference recognised all those delegates representing their clans and as well as those from civil society. The inclusion of civil society allowed for representation of interests that were not necessarily espoused by the factional leaders. The sustainability of the peace deal, in turn, will depend 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 in the process of rebuilding the country.

In Chapter One, the study set out to achieve four objectives, which were well demonstrated across the chapters. The first objective was to find out the role of IGAD in the management of internal conflicts and it was accomplished in Chapters Two and Three. In the former, the overview of sub-regional organisations and management of conflicts showed that IGAD has acted as a mediator in the Sudanese and Somali conflicts. The mediation of IGAD in these conflicts is based on its acceptability to the parties to the conflicts. As such, IGAD can be seen as being trusted as a neutral institution in handling conflicts and addressing the opposing parties' interests. Even when the parties are raising issues that appear incompatible, IGAD is expected to harmonise these views to a level where both sides accept the outcome. Such a situation was achieved in the case of the Somali peace talks, as was discussed in Chapter Three when the 14th Somali IGAD Peace Conference was reviewed. The delegates from the various Somali clans and civil society were coalesced at the conclusion of the peace talks to come up with a peace agreement that has been used to form the TFG.

The other role played by IGAD in the management of internal conflicts is that of facilitating the peace talks. This is achieved through Summit 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 Somali peace talks were engendered. The member states consulted on how to reverse the degeneration of the Somali state through peaceful negotiations.

In Chapter Three, it was revealed that member states in the IGAD region share a common understanding of the role of the IGAD secretariat in the process of mediating

conflicts. It further demonstrated that the Secretariat could be hosted in a country of choice and run independently from the IGAD institution to effectively manage conflicts. This means that while IGAD can use its flag to inaugurate peace talks, the member states can take the lead in determining how the mediation should be conducted to achieve a comprehensive peace agreement. This is an added advantage because the state units constitute IGAD and they utilise 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. The states are thus in a position to align their interests and the negotiation's outcome would shelter internal divisions among factions due to external interests.

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 sub-regional organisations are established to help states attain peace in an already waning security environment. In Chapter Two, it was established that sub-regional organisations are founded by states as a response to a security dilemma. This security dilemma compels them to adopt a cooperative approach to resolve issues that threaten state or regional stability. This is exemplified in IGAD whose mandate is to engage member states in environmental and food security, and in the management of trans-border disputes. All these considerations point to the fact that, states are vulnerable to threats that are beyond their territorial control. States within a region hence develop a need for cooperation to pursue their common security. Therefore, IGAD endeavours to engage member states in cooperative efforts for the purpose of fostering peace and security.

The third objective of the study was to investigate into the issues and factors that constrain regional institutions from promoting peace and security. This objective was achieved in the analysis of the Somali peace talks, which demonstrated how IGAD, as a regional institution aiming to promote peace and security, has faced various impediments in trying to achieve such a goal. The first constraint arises from the competing national interests of states. IGAD faced this obstacle at every level of the peace talks. For example, even the choice of the Chair to head the Somali Peace Process was contested. Ethiopia, Djibouti, Eritrea and Sudan were all refused as official Chairs of the Somali Peace talks due to their historical inter-linkages with the Somali conflict. As Ethiopia and Djibouti harbour boundary disputes with Somalia, they were not considered able to act as neutral Chairs.

In addition, these countries are known to support certain clan factions within Somalia. Sudan and Eritrea, for their part, have been known to support some clan factions militarily to help destabilise Ethiopia who has been seen to support insurgencies in these two states. These competing interests led to a situation of institutional indecisiveness with regards to how to deal with conflict situations where the other member states are directly involved. This led to long time lapses before the regional organisation was able to make meaningful progress in the design of an effective peace process. Under such circumstances, the organisation found it difficult to engage member states in diplomatic discourse and expect them to be transparent and trustworthy with each other. Shashna¹⁸³ observes that no regional leaders, Somali group or factional leader knows what constituents they represent, what they will do, or what they will add to the negotiations.

¹⁸³Shasna Media Watch, Eldoret Peace Near Collapse, available at <http://www.somalia.wathc.org/archive.doc02/02/21200.htm>

Rather, the factions are proxies of regional and foreign powers. So understanding the regional dimension of the Somali conflict and of the attempts to settle it is crucial. Identifying the intentions and motives of regional actors will allow IGAD to make informed decisions on proposals brought to the peace process.

IGAD also found it difficult to mobilise resources from member states to facilitate the negotiations of the protracted peace process for Somalia. In general, member states in the region are underdeveloped and many of them are emerging from conflicts. Their state of economic growth, however, is varied, and some states are perceived as more developed than others. Those that are more developed end up displaying hegemonic behaviour to the relatively less developed thereby eclipsing the sub-regional organisation's ability to deliver upon its goals. As countries in the IGAD sub-region are economically hampered by underdevelopment and conflicts, they rely heavily on foreign aid to run their domestic budgets. This has led IGAD to establish a network with the donor community to support peace initiatives in the region. In most cases, however, donors will only support an initiative if it fits with their interests and if funds are available.

The dependence of IGAD on donor funding is a hindrance towards any peace process. Donors may set a limit on funding and the institution is expected to work within the set budget. This limits the number of participants in the peace talks, the duration within which to conclude the peace talks and the type of personnel and resources available. This pre-determined funding impedes an institution from independently running a peace process to its meaningful conclusion. As such, the IGAD-led peace process for Somalia witnessed postponements and venue relocations as a result of

inadequate funding, thereby delaying the conclusion of peace talks and effective negotiations.

IGAD further encountered a constraint emerging from the sabotage of its initiatives, which mainly arose from parties or stakeholders whose interests were not adequately catered for in the peace process. Positions arrived at by some delegates would be repudiated by others not on the basis of merit but rather on the ostensible wishes of some patrons. Issues concluded in plenary sessions would resurface again in committee sessions when other substantive agendas were to be debated. This led the peace talks to stall or negotiate on non-issues for a long period of time. Time wastages such as these lead to resource under utilisation and poor document for peace agreement may be realised.

The other challenge witnessed by IGAD emerged from the effort of reconciling clan interests in what seems to be the only nation-state in the IGAD region. The Somali state with a homogeneous community should indeed be characterised by peaceful coexistence. Yet, the various clan factions' search for power led to a long process of reconciling the delegates' position regarding the structure of their future government. These clan issues, which are not national in nature, dominated the discussions and the final document encouraged the delegates to elect their leaders before leaving the country. This approach by IGAD was necessary considering that Somalia did not already have a government in place that could serve as the basis for implementing the peace accord. The absence of a Somali government was a challenge considering that in ordinary negotiations, a government in power and a rebel group are involved. The end result was that the warring factions that controlled different regions had to make reasonable and

constructive decisions about government structures and power sharing. The warlords and factional leaders were meant to take part in the leadership of the transitional government and ensure that the TFG would have, and be able to maintain, effective control in Somalia. IGAD paved the way for the formation of an effective transitional government whose role is to give Somalis a functional government after fifteen-year of lawlessness and conflict.

The other challenge emanates from appropriate mandate to deal with conflicts. The UN Charter recognises the role of sub-regional organisations in managing conflicts in accordance to UN principles and purposes. As such, sub-regional organisations can undertake peace and security initiatives as long as they are in a position to substantiate their actions. Such capacity, however, renders regional conflict management susceptible to the subservient interests of regional actors. Article 53 of the UN Charter does not solve the problem, but instead shifts it to another level, that is the Security Council. In general therefore the structure of the IGAD mediation, which was similar to the structure of the intergovernmental body itself, had numerous implications for the Somali peace process. Member states' self interests, internal divisions and divergent views with regards to the conduct of the peace talks led to constraints and challenges to the conclusion of peace agreement.

Finally, by analysing institutional constraints in the mediation structure, it becomes evident that IGAD has not lived to realise its objectives due to lack of independent secretariats with sufficient human resources. The dependence on governments to support the organization financially and logistically has further led to

political interference in the running of its secretariats. To move forward on this requires an evaluation of methods that will free the secretariat from state dependence.

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 discussion and the case study of IGAD, this hypothesis has been confirmed. Prior to IGAD's involvement, various rounds of Somali peace talks had been unable to reach a conclusive peace agreement. Previous mediators lacked neutrality in the negotiations and were therefore unable to come up with an acceptable agreement. IGAD, for its part, exhibited neutrality and was acceptable to the parties to the conflict. It was hence able to bring the opposing parties to the negotiating table with the intent of coming up with a peace agreement that would be favourable to all factions.

The second hypothesis postulated that sub-regional institutions promote peace and the security interests of member states. The assumption here is that member states entrust an organisation with an obligation to harmonise all of their interests for the benefit of the region as a whole. In the case of IGAD, the organisation identified the need for peace in the region in order to reassure states about their own security. The presence of conflicts in one state indeed poses a threat to the security of others in the region. Stable states must therefore seek to intervene to end conflict among or within neighbouring states. Such state intervention, however, cannot work if it is unilaterally imposed. An institutional mandate to intervene is more justifiable and acceptable since it is cooperative and will be viewed as having a legal standing. IGAD, in order to protect states from the spill over effects of conflicts from other states, is mandated, through its constitutive act, to intervene in internal conflicts.

The last hypothesis postulated that the interests of member states are a constraint to regional institutions' ability to carry out their mandate. In Chapter Three, this hypothesis was demonstrated through the analysis of decision-making structures within IGAD. The IGAD Summit, which is the organisation's top decision-making organ, is composed of head of states and governments. Due to their nature, these executives have a mandate to protect and represent national interests in the region. In some instances, the leaders of governments and states in the IGAD region contravene decisions that were taken at the Summit. States like Ethiopia and Djibouti, for example, have continued to offer support to factions in Somalia, leading to continued fighting after a cessation of hostilities had been agreed. This leads to a blurred process of peace seeking at regional level. The institutions seeking to end war, on the one hand, and member states renegeing on their good will on the other, do not play complementally roles in the negotiations. In that respect, the International Crisis Group¹⁸⁴ observed that deep and persistent rivalries among regional states have undone peace-making efforts and helped to sustain and aggravate the Somali crisis. It noted that IGAD should address and resolve internal divisions for peace to be attained in Somalia.

The study on the role of IGAD in managing internal conflicts is informed by one broad question: are international institutions able to address regional peace and stability concerns that arise from internal conflicts? In this case, the question revolved around IGAD and its role in the Somali peace process. The thesis investigated into the background of international institutions, particularly IGAD. It revealed the theoretical foundation of international institutions, which is to promote regional peace and security

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

first and foremost among member states. The agenda of states to improve regional peace and security through establishment of institutions was also reviewed. The Kenya-led Somali peace process – under the auspices of IGAD – therefore served as a basis to question whether the vision of states on peace and security matters is achievable in spite of competing state interests.

One will notice that the protractedness of the Somali peace process raised a new problem about the efficiency of sub-regional institutions – and IGAD in particular – in resolving internal conflicts like the one in Somalia. It is a fact that the ability of sub-regional organisations to make timely interventions and prevent conflicts is questionable. This emerges from an observation of the various regional peace and security organizations in Africa, notably IGAD with regards to the current developments in Sudan and more so in Somalia.

The study found out that IGAD's peace-making role has propelled it to the centre of activity in the Horn of Africa since its foundation in 1993. This role is particularly relevant to explore because it marks a significant departure from IGAD's original mandate of addressing the perennial issues of drought and development in the Horn of Africa.¹⁸⁵ One other important issue is the approaches to conflict resolution used by IGAD. Indeed, IGAD has just concluded two important peace initiatives – one for Sudan and the other for Somalia – by using two completely different approaches. The Sudanese peace process, on one hand, was exclusive in that it invited only the Government of

¹⁸⁵ This is clearly shown in the change of name and mandate from IGADD into IGAD which included conflict resolution mandates including an early warning system.

Sudan (GoS) and the Sudan People's Liberation Movement/Army (SPLM/A).¹⁸⁶ By contrast, in the more recent IGAD-led Somali peace process, a variety of actors, including both military and civilian actors and international observers, have been present right from the very beginning. The genesis of both processes – and the nature of the two conflicts – is perhaps the most significant explanatory factors for the difference in approach. By examining the approaches used in the two peace processes, it is manifestly clear that IGAD as an organisation did not purposefully select each approach; instead, it was upon the principal parties to the conflict to do so. IGAD simply confirmed the preferred approach through a consultative process in the Sudan case while in the Somali one, the organisation engaged in some form of continuity and expansion building on progress made so far through the Arta process which was held in Djibouti in 2000.

From the above, the study argues that while international organisations serve different purposes in the international system, sub-regional organizations like IGAD serve regional interests, mainly peace and security. It is also evident that sub-regional organisations serve three major roles: First, sub-regional organisations serve as instruments for meeting the goals of their member states.¹⁸⁷ This is so because independent states are sovereign and limited in their ability to act across their territories. It is vital for these independent units to realise some of their desired goals through inter-governmental cooperative arrangements. Therefore, intergovernmental organisations will reflect the values and aspirations of member states.

¹⁸⁶ See Nyariki, D.M., *Strategic Resources and Management of Internal Conflicts: Case Study of Sudan*, M.A. Dissertation presented at University of Nairobi, Institute of Diplomacy and International Studies, 2005, p. 143

¹⁸⁷ See Archer, C., *International Organisations*, London: George Allen & Irwin, 1983, P. 130.

Second, sub-regional organisations serve as forums within which states can discuss peace.¹⁸⁸ Sub-regional 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 diplomatically reinforcing values and policies.¹⁸⁹ In practice, member states can call upon other states to consider certain approaches in trying to solve problems that affect them or their citizens. Finally, sub-regional organisations play the role of independent actors in the international system. As such, they can act on the World scene without being significantly affected by external forces.¹⁹⁰ In this view the organisations' responses are not predicated even from the most thorough knowledge of the environment and it possesses 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. Sub-regional 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 study gave the right picture with regard to IGAD and its role and work in the Somali peace process.

The above observations provide a basis for analysing the effectiveness of sub-regional organisations in managing conflicts and entrenching peace and security since these organisations have the institutional and legal frameworks needed in order to launch

¹⁸⁸ Ibid, p. 136.

¹⁸⁹ See Hoffmann, S., International Organisations and the International System in *International Organisation*, Vol. 24, 1970, Pp. 389-413.

¹⁹⁰ See Deustch, K., External Influences in the Internal Behaviour of States; in Farrell R. B. (Ed.), *Approaches to Comparative International Politics*, New York: Free Press, 1966, p. 7.

conflict resolution and other regional peace and security activities within and between member states. In addition, these institutions have the mandate of states to carry forward the values upon which they were founded. Since the treaty that gave rise to the specific sub-regional organisation binds member states, they will support it and if there are any biting problems, the disagreements can be negotiated and arrived at a peaceful resolution. To this end, states will achieve stability through cooperation at sub-regional level. Although the study fully agrees with this conclusion, IGAD could have done much better in terms of the role it played in the Somali peace process. This is for the most part because of competing and contradicting national interests among member states and other interested parties outside the IGAD region.

This study found out that IGAD member states' interest in this peace process is justified on a number of grounds: not only has the Somali conflict been very costly in terms of human life, the destruction of property and infrastructure, but it has also cost the region, its governments and peoples a lot. The international community has also invested heavily in terms of humanitarian assistance and financial support for the peace process. In addition, the lack of peace in Somalia has also led to disruption of trade and general insecurity in the region as a whole. Finally, the Somali peace process is generating diplomatic tensions between the frontline states as each of them tries to protect its interests in Somalia. This highlights the continuing importance of sovereignty and self-preservation in international relations because states are that most important actors in the international arena and thus have not fully ceded their central place to international organizations.

Looking at the challenges faced by IGAD it is not surprising to note that the Somali peace process and its eventual conclusion took a very long time. While IGAD takes credit for resolving many issues that were outstanding among the various clan leaders, in the last decade or so. IGAD has been in the centre stage of peace making in the Horn of Africa. This has been particularly so in the case of Sudan and Somalia. As the study demonstrated, IGAD has, in carrying out its new peace-making role, been faced with many challenges. The challenges led to many setbacks for IGAD as an institution as it endeavored to make peace in the Horn of Africa. As much as they would like to help ensure sustainable peace in the region, IGAD member states face many problems that impede their efforts. IGAD's mediation activities have pointed to the weaknesses and strengths of institutional conflict management processes.

Despite the fact that the formation of regional inter-state organisations dates back to the 18th century,¹⁹¹ it is only recently that member states established that the welfare of the state would be better achieved if they cooperated with their neighbours. This approach by states to organise themselves and solve a common issue affecting them is founded on the concept of a common security approach. A good example of this is provided in the work of sub-regional organisations such as ECOWAS and SADC in West and Southern Africa respectively. On this basis, studying IGAD revealed that the sub-regional body both as an institution and as a group of states was incapable of resolving matters of concern in the Horn of Africa region. For example, in the period beginning in 1991, Somalia has had numerous peace and reconciliation efforts but none resolved the issue until the Eldoret/Mbagathi peace talks. Similarly, the conflict in Sudan was not resolved until the Naivasha talks. In both cases, IGAD helped with the peace processes.

¹⁹¹ See Archer, C., *International Organisations*, London, George Allen & Unwin, 1983, p. 3

The overall analysis of IGAD's mediation, it can be argued, engendered 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 final efforts towards peace. The Somalia government is due to implement the recommendations of a locally organised group and the Sudan actors are about to review the comprehensive peace agreement (CPA). From the above, it becomes evident that this study managed to demonstrate its principal objectives and hypotheses. As far as the fourth objective is concerned, it will be dealt with in the next chapter. The research hence completed its ultimate objective of demonstrating the role of regional institutions in conflict management as well as the challenges that they faced and ways to overcome them.

UNIVERSITY OF NAIROBI
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The conceptual underpinnings of the IGAD peace process

This research was guided by multiple concepts borrowed from various paradigms in international relations and conflict management. First, it was guided by conflict research paradigm, which approaches conflict management by trying to understand the causes of conflict. It encourages the parties involved to understand the sources and agree to resolve the conflicts. The preoccupation of the institutions that engage themselves in peace processes is to settle the conflict peacefully as espoused in the UN Charter.¹⁹² The significance of this approach in the IGAD led peace process is that it highlights the need to look both at the internal and regional causes of the conflict; this includes structural causes such as the marginalisation of some clans under Barre's rule and the historical legacies of colonialism and the Cold War. It further points to the significance of ascertaining the strategic location of Somalia both internationally and regionally as

¹⁹² UN, *UN Charter*, Article 2(4)

contributory factor in the conflict and as an obstacle to peace. This leads to the conclusion that if the root causes of the conflict are not addressed, regardless of the power sharing and outcome of peace processes peace will be fragile and conflict will continue to flare up. In addition there is need for post conflict relationships to be legitimised and self-sustaining.

The study was also guided by mediation theory to deal with issues that can be settled through mediation Somali conflict. Wall¹⁹³ observes that conflict can be effectively resolved when the mediation is done in an environment where all parties' to the conflict, the constituents and the mediator are involved. This will also include third parties who affect, or are affected by the process and the outcome of the management process.¹⁹⁴ This set up reflects the situation that surrounded the Somali conflict and the Horn of Africa region. This is quite applicable to the Somali peace talks because the external actors are viewed to be benefiting by supporting one faction or the other. Each faction seeks to protect its group because they consider themselves relegated to the periphery of their country's political power and economy.¹⁹⁵ Any management without the involvement of all actors lead to precarious peace as they can be easily sabotaged and herald the return of anarchy, thus it explains why there was need to involve a multiple number of actors in the Somali peace process compared to the Sudan peace process.

¹⁹³ Wall, J. A., 'Mediation: An Analysis, Review and Proposed Research, *Journal of Conflict Resolution*, Vol. 25 (1981), pp. 157-180.

¹⁹⁴ Mwangi, M., *Conflict: Theory, Process and Institutions of Management*, op cit, p. 97

¹⁹⁵ Hollis, M. & S. Smith, *Explaining and Understanding International Relations*, Oxford; Clarendon Press, 1990, pp. 39.

Chapter 5

Summary, Conclusions and Recommendations

5.1 Introduction

This section shall make concluding remarks on the research, which will inform the formulation of recommendations towards the creation of effective institutional peace and security management. It will also suggest a strategy for intervening institutionally in internal conflicts.

5.2 Summary

This study has identified the role sub-regional institutions can play to successfully bring an end to internal conflicts. IGAD's intervention in Somalia is an illustration of how effective these institutions can be if they carefully engage in dialogue. Peace initiated by a sub-regional organisation can facilitate the process of reconciling competing interests from various actors. Institutions that are founded on the premise of peace and security are more ostensibly tasked with the responsibility of seeking mechanisms to harmonise the interests of member states and of fighting groups in order to draw up a comprehensive peace agreement. The research highlighted in Chapter Two that sub-regional organisations have developed conflict management procedures. These measures are important within Africa and especially at the level of the AU. The AU notes that it has to have a tenuous relationship and works closely with such sub regional organisations as well as cooperates appropriately with neighbouring states within various sub-regions. Such collaboration in the area of peace and security is likely to lead to a more dynamic conflict management mechanism.

Chapter Two further observed that sub-regional organisations possess comparative advantages in dealing with conflicts in their own sub-regions. Such advantages include their proximity to conflict situations and hence an ability to respond quickly to any emerging breach of peace and security. They also have personal relationships with some key players in peace processes and can therefore embark on diplomatic efforts much more quickly than outsiders. They also have shared cultures and historical experiences with countries in the sub-region, thus placing them in a credible situation to intervene in a peace process.¹⁹⁶ Their knowledge of local conflict situations gives them an advantage in prescribing workable solutions; this is in addition to the fact that the contesting parties can easily accept them. In practical terms, they have an edge in preventing or ending hurting stalemates and bringing parties to the negotiating table.

Chapter Three observed that sub-regional organisations could carry out conflict management initiatives at a lower cost than can non-regional initiatives.¹⁹⁷ For example, in the assessment of the operations of IGAD, it emerged that the organisation initially utilized the foreign affairs staff of Kenya to lay the foundation for the negotiations. Extra-regional initiatives, for their part, are expensive to arrange for in terms of personnel and logistics. In addition, sub-regional states' political will to act is often stronger since these countries understand how a conflict in a neighbouring country can have negative consequences. This includes the potential for a conflict to jeopardize their own security and stretch their already limited resources.

¹⁹⁶M. M. Monde & Margaret A Vogt, *An Assessment of the OAU Mechanism for Conflict Prevention Management and Resolution*, (International Peace Academy 2000), p 14

¹⁹⁷ Howe, H., "Lessons of Liberia: ECOMOG and Regional Peacekeeping." In: *Nationalism and Ethnic Conflict*, Brown, Michael E., Coté Owen R. Jr., Lynn-Jones, Sean M. and Miller Steven (eds.) (Massachusetts Institute of Technology, 2001), p. 267.

Chapter Three also demonstrated that IGAD's intervention in Somalia was motivated by the internal consequences of a failed state as well as its cumulative consequences on the neighbouring states.¹⁹⁸ The issues that raised concern in neighbouring states include insecurity and influx of refugees. Conflict in one country often spills over into neighbouring states and it therefore becomes imperative to take collective actions to seek a comprehensive resolution to that conflict. IGAD therefore adopted the collective security perspective in pursuing peace in Somalia and in stabilising the sub-region.

The fourth Chapter synthesised the views of the research findings. It made an observation that commitments by sub-regional organisations are likely to starve off conflict resources, for example illicit networks of looting that require regional cooperation to succeed and can reduce the available incentives to the parties through sanctions. IGAD provided a forum to the Somali factions to effectively articulate their issues without fear. This forum sensitised the factions on basic issues that needed to be addressed if a peaceful Somalia was to become a reality. It acted as a communication channel for those perceived as enemies within the wider Somali territory. They learnt to talk as friends and eventually signed a common document for the peace accord. This is a significant role to be played by a regional institution that is trusted.

The observations made in Chapter Three also point out that IGAD was resourceful in providing logistics and resources for carrying out the peace process. The peace talks would not have taken off without personnel acquainted with the peace management process, the secretariat to run the peace talks and provisions for the accommodation and upkeep of delegates. This was a resource that was valued by the

¹⁹⁸ *Foreign policy*, July August 2005, published by Carnegie Endowment for International Peace

Somali delegates and readily cooperated to make their presentation and keenly follow the proceedings. This role of the mediator was significant since Somalia had collapsed and required intervention to solve its own conflict.

5.3 Conclusions

IGAD has managed to draw together member states to discuss and come up with durable solutions to frequent and recurring conflicts in the Horn of Africa. IGAD should continue engaging member states in dialogue to effectively define the way forward for managing conflicts emanating from within the region. It should also move away from its dependence on the donor community to fund its peace initiatives. The peace processes should be planned and budgeted for through available resources. IGAD should also become more financially independent by initiating projects that can generate income. In addition, the organisation should require that member states 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 organisation is to fulfil its obligations in providing peace and security in the region.

As pointed out in the critical evaluation, IGAD's mandate is to promote regional peace and security. Therefore, countries that have ratified its constitution must be persistently reminded of their role towards achieving that end. This can be done through pressurising or sanctioning members that do not comply with resolutions put in place to enable a meaningful peace process to be achieved. This can be done in collaboration with other international organisations or the donor community.

This study also observed that IGAD's peace initiative attracted goodwill from across the continent, which gave the organisation the opportunity to bring peace and

reconstruction in Somalia. Efforts were made to bring about deeper reconciliation amongst the political leaders, with the objective of establishing Transitional Federal Government. In spite of the IGAD mediation, however, various issues still impede the successful conclusion of the Somali peace process. First is the issue of Somaliland, which seeks to integrate all the regions, inhabited by the Somali population. Secondly is the mapping of the stateless Somalia into three regions that claim for autonomy. Similarly, military intervention will not lead to a restoration of peace and order in a state. These divisions draw raise a contestation for a united Somalia.

Another issue that presented a roadblock to the Somali peace talks has to do with the form of government that should be adopted. The contentious nature of this issue was evidenced in the stalemate that occurred when committee one presented two reports; one favouring centralisation and the other arguing for federalism. The confusion and animosity that was created by this development meant that IGAD did not draw experience from past initiatives, especially the London School of Economics' study of decentralised political structures for Somalia.¹⁹⁹ Mukhtar observes that centralisation in government is a root cause of the Somali conflict where much effort and time are expended trying to forge unity for a people who do not want it.²⁰⁰ It is necessary therefore to reconsider the possibility of establishing a confederation or a cantonisation rather than a unitary state.

The IGAD Somali peace talks offer fundamental lessons to other protracted internal conflicts. First and foremost, the resolution of internal conflicts should not be left

¹⁹⁹London School of Economics and Political Science, *A study of Decentralised Political Structures for Somalia: A menu of Options*, Sponsored by the European Union, 1995.

²⁰⁰M. H. Mukhtar, *Somalia: Between Self Determination and Chaos in Mending Rips in the Sky*, Red Sea Press, 19997, P. 57

to organisations of universal character, but instead regional organisations should take the lead, as they are best suited to do so. Among other things, regional organisations enjoy the trust of the parties to a conflict and the support of regional actors. This trust and support from within the region is fundamental in ensuring that the eventual peace agreement is tenable. In the case of Somalia, such a conclusion is demonstrated by the previous failed peace initiatives that came into place through extra-regional efforts.

Another lesson learned for the Somali peace process is that military intervention will not lead to a restoration of peace and order in a state in conflict. The military intervention enforced by the UN-US joint mission in Somalia indeed offered another lesson for conflict management. The operation – UNOSOM – failed as a result of lack of consultation with the parties to conflict. The warring parties in Somalia did not require a peace enforcement operation, but were in need of consultation to reconcile their conflicting interests and determine how the international community would address them. The international community did not have a clear understanding of the issues, dynamics and actors involved in the conflict. In turn, this gap was well addressed by IGAD, which was capable of bringing the parties to conflict to talk and agree on how to coexist. This approach has led to the creation of post-conference relationships that will engender peace.

The IGAD-led Somali peace process brought about another lesson in institutional conflict management. The wider and more inclusive a peace process is, the more the issues to reconcile from the parties to conflict. When the issues discussed in a peace process are not clear-cut and where there is no government in place to exert control over the territory under conflict, as many representatives as possible should be included in the

mediation. The representation of each section of society will satisfy those engaged in conflict and encourage them to reduce their hostile behaviour. This means also that when a ceasefire is agreed and a comprehensive peace agreement is drawn, the implementation is likely to succeed. The existence of many Somali clans indicated that there should be a corresponding number of delegates to represent those diversified interests. This approach formed the basis for choosing delegates that took part in electing a TFG that would serve in the home country with a higher degree of acceptability. It was hope that this would allow for the formation of a government that would exercise effective control over the Somali territory and obtain the loyalty of its citizens.

UNIVERSITY OF NAIROBI
EAST AFRICANA COLLECTION

5.4 Recommendations

IGAD faces various constraints emanating from within its constitution and structures. Initially established to address matters related to drought and development, it is only recently that the conflict management component has come to the fore within IGAD. As a result the organisation provides a flag in mediation. Some of the problems brought about by this and limiting its role in conflict management include weak and undeveloped institutional structures for conflict management. The institution should therefore continue to revise its charter to provide for a wider mandate and power in conflict intervention.

Secondly, the organisation lacks the institutional framework and personnel to carry out its work in conflict management. Currently, IGAD peace processes and conflict management are carried out in an ad hoc manner. The member states are the ones who provide the expertise and logistics, as opposed to permanent staff of IGAD. The institution should in the future move towards the recruitment of permanent staff that would be committed to serving IGAD and not the interests of member states.

Thirdly, there is lack of competence within IGAD in other core conflict management areas such as peacekeeping and enforcement. All these weaknesses hamper conflict resolution efforts and presentations of gains. If IGAD is to bear fruit in its endeavours, it must seek to convince member states that a standby military force is necessary to realise comprehensive peace and stability in the region. The military personnel should be drawn from the various member states who should operate under the banner of IGAD, thus making their interventions neutral and acceptable.

The research reached the conclusion that regional institutional conflict management is ideal for cases of protracted internal conflicts. Various points were captured from the IGAD-led Somali peace talks. First is the issue of proximity. In the case of Somalia, IGAD shares a close relationship with the country and therefore it was able to articulate issues concerning the conflict more precisely than extra-regional actors would have. The second reason for identifying institutional conflict management for internal conflicts is the facilitation that it provides for effective mediation.

The future of sub-regional organisations—IGAD included—heavily depends on how much power they will get from their member states. States are conscious of their sovereignty, their national interests as well as ways to achieve them locally, regionally and internationally. It is important that states deliberate on how far organisations should move to interfere with intra-state or interstate affairs. The mandate of international organisations (or regional) should be thus fortified to manage crises – interstate or intrastate – whose magnitude is a threat to regional peace and security.

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