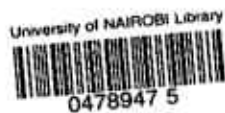


**THE ROLE OF KENYA'S SPECIAL ENVOYS IN THE MANAGEMENT OF  
INTERNAL CONFLICTS: THE CASE OF SUDAN, 2002-2009**

**BY  
CATHERINE KAMALI BUNYASSI KAHURIA**

**A DISSERTATION SUBMITTED IN PARTIAL FULFILLMENT OF THE  
REQUIREMENTS OF THE DEGREE OF MASTER OF ARTS IN  
INTERNATIONAL STUDIES TO THE INSTITUTE OF DIPLOMACY AND  
INTERNATIONAL STUDIES (IDIS), UNIVERSITY OF NAIROBI**



**SEPTEMBER, 2010**

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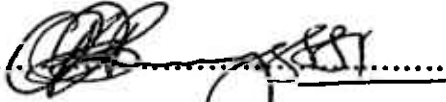
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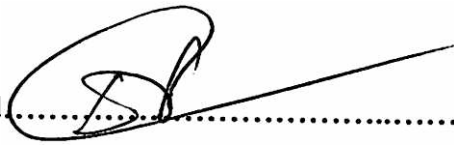
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## DECLARATION

I **Catherine Kamali Bunyassi Kahuria** hereby declare that this research project is my original work and has not been presented for a degree in any other University.

Signed..........Date.....24<sup>th</sup> 11-2010.....  
**Catherine Kamali Bunyassi Kahuria**

This project has been submitted for examination with my approval as University supervisor.

Signed..........Date.....Dec / 4 / 2010.....  
**Dr. Ibrahim Farah**  
Lecturer

## **DEDICATION**

I make a dedication to my late brother, Christopher who died in an accident on 18th August 2009 in the United States of America for his unfailing support and encouragement to me to complete this course; he who was so proud that I was going into international studies and always used to call me a diplomat, an ambassador.

## **ACKNOWLEDGMENT**

I take this opportunity to thank God for good health and for bringing me this far. A big recognition goes to my supervisor, Dr Ibrahim Farah for his immeasurable time and guidance in writing and completing this research project. I particularly thank him for using his time, patience, good heart, understanding and encouragement throughout this research project. I have a big debt, if I do not acknowledge all my friends Mutio, Erastus, Jairus, Simiyu among others for assisting me in the collection of data and Col Nandwa of National Defence College, Karen (NDC) for allowing me to use their library facilities exhaustively; I am forever grateful in this regard.

I wish also to extend my sincere gratitude to all my friends and classmates who played one role or another .In a special way to my project respondents whom I owe the success of this project, M.A in International Studies lecturers who have helped me in one way or the other. Finally my dear husband and children, whose presence encouraged me to soldier on and complete this project.

## **LIST OF ABBREVIATIONS**

<b>IGAD</b>	<b>–Inter Governmental Authority on Development</b>
<b>KCB</b>	<b>- Kenya Commercial Bank</b>
<b>EABL</b>	<b>- East African Breweries Limited</b>
<b>NCRC</b>	<b>- National Constitutional Review Commission</b>
<b>AU</b>	<b>- African Union</b>
<b>SPLM</b>	<b>- Sudan People’s Liberation Movement</b>
<b>CPA</b>	<b>- Comprehensive Peace Agreement</b>
<b>OAU</b>	<b>-Organization of African Unity</b>
<b>NIF</b>	<b>-National Islamic Front</b>
<b>DRC</b>	<b>-Democratic Republic of Congo</b>
<b>UN</b>	<b>-United Nations</b>
<b>GNP</b>	<b>-Gross National Product</b>
<b>HCNM</b>	<b>-Higher Commission on National Minorities</b>
<b>AMREF</b>	<b>-African Medical and Research Foundation</b>
<b>DOP</b>	<b>-Declaration on Principles</b>
<b>GDP</b>	<b>-Gross Domestic Product</b>
<b>SSA</b>	<b>-Sub-Saharan African</b>
<b>SP</b>	<b>-Southern Policy</b>
<b>EU</b>	<b>-European Union</b>
<b>NGO</b>	<b>-Non-Governmental Organization</b>
<b>UNITA</b>	<b>-National Union for the Total Independence of Angola</b>
<b>CIA</b>	<b>-Central Intelligence of America</b>
<b>MPLA</b>	<b>-Popular Movement for the Liberation of Angola</b>
<b>RUF</b>	<b>-Revolutionary United Front</b>
<b>GOS</b>	<b>-Government of Sudan</b>

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## **ABSTRACT**

Special envoys excite unwanted interest because they are able to obtain information but their slender resources, higher priorities and brief visits make it likely that their reports will be impressionistic. The area of resources the special envoy should have at his disposal and within what framework touches on the whole integrity of the institution. The study used both quantitative and qualitative methods to collect relevant information. The population from which the sample was drawn was based on special envoys, government officials, institutions like; IGAD and Sudanese Embassy and Ministry of Foreign Affairs and a sample size of 25 respondents. The primary data collection involved interview guides, group discussions, a questionnaire and published and unpublished documents. The study had focused group discussions with a few selected members of the Sudanese community residing in Kenya. This study concludes the effects of special envoys on foreign policy and the vulnerability of mediation on mediation and on parties involved; contribution to conflict prevention or mitigation by assessing circumstances, offering conciliation efforts, providing early warning for the outside community and involvement in conflict resolution efforts between the parties involved. To reduce the vulnerability and risk of exposure or disintegration of the institution of special envoys a secure political environment should be created, there should be an open economic policy and the demand for foreign capital and investment flows should be enhanced and geo-political factors which include issues such as the presence of overlapping ethnic communities across borders should be suppressed.

# CHAPTER ONE

## THE ROLE OF KENYA'S SPECIAL ENVOYS IN THE MANAGEMENT OF INTERNAL CONFLICTS: INTRODUCTION TO THE STUDY

### 1.0 Introduction

This study looks at the history and background of envoys which began in the middle ages, whereby diplomacy was conducted other than by princes themselves; what might be called part timers(lawyers, merchants, consuls) who had been placed in the hands of nuncio with growing frequency after the late twelfth century, plenipotentiaries, the nuncio being the living letter, and the latter having full powers and also envoys with narrowly focused tasks who were required to return home when those tasks<sup>1</sup> were completed.

This study explores the role of Kenya's special envoys in the management of internal conflict in the Sudan between the period of 2002 and 2009. This paper will analyze the different eras and generations of management of conflict in its near abroad and beyond also give a critical analysis of the role of Kenya's special envoys in internal conflicts with a case study of Sudan.

The study looks extensively at the role of special envoys, challenges faced by them in the execution of their duties and also their impact in solving disputes at the regional and international level. Chapter two and three looks at the role of special envoys in relation to the Sudan conflict. A theoretical discussion on the causes of conflict has also been expounded on in the dichotomy of peace and war.

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<sup>1</sup> D. E. Queller, *The Office of Ambassador in the Middle Ages*, (Princeton: Princeton university Press, 1967), p.35-6.

## **1.1 Historical Background of the Study**

Special envoys excited unwanted interest,<sup>2</sup> because they were able to obtain information; however their slender resources, higher priorities and brief visits made it likely that their reports would be impressionistic. The area of resources the special envoy should have at his disposal and within what framework, touches on the whole integrity of the institution. Resources were required in terms of the experts hired to perform specific tasks and consultation of all actors is important to stop the mediation process from stalling.

A special envoy should be able to talk to enemies,<sup>3</sup> avoid summits for the sake of summits and not to fret obsessively over internal conflicts. Deepening of involvement in a conflict involves naming of a special envoy. Part of the success or failure of any mediation revolves around how diplomacy is employed in the activities surrounding conflict management. The ideal mediator should have influence relative to the parties, possess the ability to devote sustained attention to their dispute and also be perceived as impartial on the specific issues dividing the parties. Economic and military aid has long been used as strategies in cajoling antagonists to a settlement.

Negotiations are sometimes carried out over the head of the resident ambassador though it is also apparent that the resident ambassador continues to play a major role. The disadvantages of having special envoys includes unwanted publicity, insensitivity to nuances of local sentiment, and the disposition either to break off prematurely or make rash concessions in order to return home on schedule. Therefore it was common to see the resident ambassador stepping into the role of the envoy when the latter had departed.

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<sup>2</sup> G.R. Berridge, *Theory and Practice*,(London: Macmillan, 1994),p.87

<sup>3</sup>Ibid, p.89.

The practice and structure of special envoys in Kenya explores the era of special envoys and analyses the period of three generations<sup>4</sup> of Kenya's conflict management. This was mainly by mediation as special envoys provide a framework by which peace processes could go on unhindered and bring out benefits and results. The difficulty has been that the special envoy reports directly to the appointing authority for example the President, the bureaucracy of the ministry of foreign affairs which tries to treat the special envoy as a normal ambassador, the lack of resources at the disposal of the envoy. Kenyan President Mwai Kibaki named his predecessor Daniel Arap Moi as special peace envoy to Sudan, to help facilitate a peace deal in the south that Kenya has a strong economic interest in seeing carried out.

Kibaki made the appointment after consultations with Sudanese President Omar Hassan al-Bashir, and that Moi's focus would not only be on South Sudan but would involve regional diplomacy also. Moi, (despite stepping down in 2002 after a 24-year rule characterized by torture of political opponents and graft that nearly ruined East Africa's largest economy), is considered one of Africa's most adept political survivors. The role of sub regional organizations such as IGAD in promoting forums for peace and security has been very instrumental in mediation efforts. South Sudan, which is currently implementing a peace agreement to end its two-decade civil war with the northern government, is strategically important for Kenya, which borders the Sudanese region. Moi was influential in steering the peace talks and in pressuring Sudan's northern government which produced the deal in Kenya, signed in Nairobi on January 9, 2005. Kenya stands to benefit economically from a stable South Sudan, given that most trade

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<sup>4</sup> M. Mwagiru, '*Kenya's Diplomacy of Conflict Management in Conflict Resolution in Africa*' (Nairobi: Jomo Kenyatta Foundation, 2000), p.1.

will go through its Mombasa port and through its financial hub in the capital Nairobi. Many workers in Southern Sudan are Kenyans and major Kenyan businesses including Kenya Commercial Bank and East African Breweries Limited have set up businesses. There are also moves to build a pipeline to carry South Sudan's oil out via Kenya to the Indian Ocean.

Mediation is necessary in extremely bitter disputes especially those in which the parties have been engaged for long periods and are locked in public postures which appear to make compromise impossible without major loss of face. It is very useful where the parties have profound distrust of each other's intentions and where cultural differences present an additional barrier to communication.<sup>5</sup> These structural changes in ministries whereby the policy maker played the dual role of policy maker and implementer led to the personalization of foreign policy because the administrative and policy functions of the ministry were centred in one person.<sup>6</sup> It suggests a passive, flaccid, *laissez-faire* attitude that could hardly be further from the historical truth and that would have been far preferable to it.

Sudan like many African countries consists of numerous ethnic groups. The North which is largely Arabic and Muslim and the South which consists predominantly of black Nilotic peoples some of whom are members of indigenous faiths and others who are Christians. Ethnic conflicts between settled farmers and Arab nomads moving south in search of water and pastures has been a long standing problem. Over the years, there have been traditional conflicts over resources or livestock. Government weaknesses and manipulation of ethnic fabric of the region gradually produced an alarming shift in the

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<sup>5</sup> E.A. Cohen, *Causes, Conduct and Termination of War*, (Princeton:Princeton University,1991), pp.30-40.

<sup>6</sup>Ibid, p.1.



nature of the conflict with ethnicity becoming a major mobilizing factor .In the case of the mediation of the Sudan conflict by IGAD states - Kenya, Uganda, Ethiopia, Eritrea and Djibouti - are all mediating in the conflict under the flag of IGAD. There are a series of conflicts between Sudan and the mediators individually and between the mediators and this has affected the whole process showing the pitfalls of multiple mediation<sup>7</sup>.The government itself has concentrated on the ongoing civil war in the Southern Sudan and deployed all military and armed resources there.

The suspicion of foreign influence behind Sudan's conflict has long existed. Khartoum has spoken many times about foreign interference and financial and strategic support of the rebels through certain interested countries. The Sudanese government mainly blamed Israel especially after finding Israeli weapons on some captured rebels and evidence that Israeli military experts provided training and strategic planning to the Sudanese Peoples Liberation Army and Sudanese People Liberation Movement with the Sudanese Government asserting that Israel's motivations were to weaken Sudan's economic structure by supporting a lengthy civil war to prevent Sudan from playing a stronger role in the Arab League against Israel. The conflict in Southern Sudan has also hindered completion of the Jonglei Canal project to increase the Egyptian water supply from the Nile River.<sup>8</sup> Kenya admitted to giving its support to Sudanese rebels in response to the Sudanese government's support for Kenyan rebel groups and also Kenya has an economical interest in the oil rich triangle at the Sudanese border. Kenya would benefit from the secession of Southern Sudan which would enable stronger economical relations

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<sup>7</sup> M. Mwangi, '*Conflict in Africa*' Theory, Processes and Institutions of Management, (Nairobi: CCR Publications,2006),p.51

<sup>8</sup> F. M. Hussein, *The Problem of Darfur*,( iUnivers, inc., 2005), pp.90-91.

with independent Southern Sudan and could lead to some type of confederation or unification with Kenya considering the strong tribal relationships between Southern Sudanese and Kenyan tribes in the border area. In Sudan west of Darfur, evidence has been found of weapons being provided by sources within Chad and Libya. Rebels travel virtually unchecked across the borders of countries gathering war machinery and financial support with the tribes of the area financially incapable of building such strong armed groups. Libya is eager to prevent Sudan from beginning oil exploration in this area as Libya would then share these oil resources with Sudan.

## **1.2 Statement of the Problem**

Sudan's conflict is complex because of the actors and processes involved in its management and that is why it is crucial to establish the relationships that exist between the conflict, actors and issues.<sup>9</sup> A mediation paradigm has been suggested in which the environment of mediation does not just include the parties but also the mediator. The paradigm was broadened to include the sources of the benefits to the parties.

Each of the parties involved in the process of mediation also has their own friends and allies which further complicates the mediation and the overshadowing of the institution in the context of the existing diplomatic structure as the special envoy was seen as and treated as a normal ambassador. There is a conflict of interest in many appointments of special envoys because the envoy is appointed by the President or Secretary General and reports to him and the challenge is in keeping his functions and those of the ministry separate to avoid bureaucratic wars that can affect his effective functioning. According to the former Secretary General of the United Nations Boutros

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<sup>9</sup> Ibid, p.80.

Ghali in the context of his observations on UN mediation in *An Agenda for Peace* (1992, Para, 37), the advantages of employing distinguished statesmen are personal prestige, experience and that they are likely to give the negotiation some momentum. It is difficult to disentangle the prestige of statesmen from that of their governments in which they played leading roles.<sup>10</sup>

Sudan's conflict has mainly impacted the region and Sudan's neighbors and the conflict has claimed much international attention in the last couple of years.<sup>11</sup> The United States, United Nations and African Union are deeply involved in the comprehensive peace process to end the humanitarian crisis in Sudan. This has transformed a regional conflict into a pertinent and prominent international issue.<sup>12</sup>

Further this study critically analyzes the role played by special envoys in management of these internal conflicts and discusses issues and priorities for conflict management. It also explores the future of Sudan in the face of internal conflict and gives out resolutions or recommendations for policy decision makers.

### **1.3 Objectives**

The overall objectives of this study are to critically analyze the role of Kenya's special envoys in the management of internal conflict using the Sudan as a case study.

#### **1.3.1 Specific Objectives**

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<sup>10</sup> Ibid, p.109.

<sup>11</sup> Alex de wall, *Counter-Insurgency on the cheap*, (London: London Review Books, 2004), p.15.

<sup>12</sup> Ibid.

1. Provides an overview of the role of special envoys in the management of internal conflicts.
2. Explores the effects of special envoys on foreign policy
3. Analyses the vulnerability and the risk of exposure of the institution of special envoys.

#### **1.4 Justification of the Study**

A special envoy in the proper diplomatic sense is appointed by high authorities to whom she or he reports and answers. Indeed, a special envoy is appointed because the job for which the appointment is made cannot be done properly within the normal administrative and political structures of government department or ministry. Hence, a special envoy is known, not as a ministries envoy, but as the President's or the Secretary General's special envoy to a specific situation.<sup>13</sup>

Ever since the advent of its diplomacy of conflict management in the mid 1980s, Kenya has been involved in the mediation of internal conflicts in its near abroad, and beyond.<sup>14</sup> It has been involved in these mediations either as the sole mediator or as the chair of the frontline states mediations under the flag of the Inter-Governmental Authority on Development (IGAD), like in the Sudan conflict.

Sudan has experienced conflict among its inhabitants for decades; clashes have been between nomadic herdsman, who are primarily of Arab descent, and sedentary farmers, who are primarily indigenous to the region. The adversity of Sudan's conflict is

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<sup>13</sup> Makumi Mwangi, *Kenya's Diplomacy of conflict Management in conflict Resolution in Africa*, (South Africa year book of International Affairs, 2006), p.1.

<sup>14</sup> Ibid, p.2.

the issue that this study examines with focus on the role of Kenya's special envoys in the management of internal conflict in the Sudan. It is desired that this study would provide adequate information to find out the apparent reasonableness of the main hypothesis; that special envoys represent the interests of their mother country in conflict management and also suggest areas for further research in terms of strengthening special envoys institutions.

At academic level the study aims at providing advancement of the existing literature on the role of the special envoys in the management of internal conflict. It also identifies policies and mechanisms that will manage internal conflict in the Sudan. Further, this study explains or provides how the special envoy's role may be very important in bringing peace in conflict areas.

## **1.5 Literature Review**

This literature review looks at five areas which will form the subtitles; the first area gives a general overview of actors in conflict, the second on foreign policy and diplomacy in conflict, third on the dichotomy of peace and war. The fourth area is a theoretical paradigm of conflict in Africa, and fifthly exploring on the Sudan's conflict.

### **1.5.1 Actors in a Conflict**

Berridge elaborated on mediation in his analysis of diplomacy. It must be appreciated that conflict draws actors from individuals, groups, states both locally and internationally.<sup>15</sup> Cohen stated that mediation is necessary where the parties have the

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<sup>15</sup> Ibid, pp.7-8.

most profound distrust of each other's intentions and where at least one of the parties refuses to recognize the other.<sup>16</sup>In some conflicts many people want to be involved for reasons of their own and mediation provides a channel of communication between the parties to a dispute and at the most the active steering of negotiations between them.

Parties must trust the mediator and impartiality of the mediator plays a key role in conflict management. There is therefore a need for the mediator to be trusted by both parties. The mediator must be trusted to convey messages between them without distortion, give well founded reassurances about their mutual sincerity, trusted with their confidences, and trusted to propose and support compromises which are of equal benefit to both. Impartiality is thus an attribute to a special envoy.

### **1.5.2 Foreign policy and diplomacy in conflict**

The foreign policy of a state is the substance of foreign relations whereas diplomacy is the process by which policy is carried out.<sup>17</sup>Strategy and diplomacy is only in the light of fundamental principles of strategy that comprehend the nature of successive wars countries are forced to fight. Harold Nicholson contended that foreign policy is based on the general conception of national requirements and diplomacy seeks by the use of reason to reconcile or conciliation and exchange of interests to prevent major conflicts from arising in sovereign states. It is the agency through which foreign policy seeks to attain its purpose by agreement rather than by war. Thus when agreement

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<sup>16</sup> Ibid.

<sup>17</sup> J. Childs Rives & C., Joseph Grew, *American Foreign service*,( New York: Holt ,1948), pp. 64-82.

becomes impossible, diplomacy which is the instrument of peace becomes inoperative; and foreign policy, the final sanction of which is war, alone becomes operative.<sup>18</sup>

Diplomacy and the role of special envoys does not cease to function as Nicholson suggested, in times of war, although it necessarily plays a different role in wartime, the work of diplomats, as foreign ministers, may even expand to strategy. Clausewitz defined “strategy as the use of engagements for the object of the war, whereas tactics is the use of armed forces in engagements”. According to Karl Von Clausewitz war is a continuation of politics, a form of political intercourse in which we fight battles instead of writing notes. In other words, strategy is the bridge that connects the threat and use of force with policy or politics.

Various structures are responsible for creating sometimes structural and sometimes violent conflict. These include legal, economic, institutional, social and governance structures. Governance structures exist in one party states, economic structures lead to inequalities in society, taxation structures which have caused serious structural violence on those who utilize public services, social structures with gender inequalities whereby women have been disadvantaged in access to education and inheritance of property especially ancestral property.

### **1.5.3 Dichotomy of peace and war**

The whole concept of structure in conflict is derived from conceptualizing the dichotomy between peace and war.<sup>19</sup> Strategy inherently requires understanding the terms

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<sup>18</sup>N. Harold, *The Congress of Vienna: A study in Allied Unity*, 1812-22, (New York: Harcourt Harper Collins Publishers), p.197.

of the two-way relationship between military power and political purpose. In addition, strategy requires understanding of how very different kinds of armed forces can generate the effectiveness that will yield politically useful consequences. It is ultimately the tactical and operational levels of war which implement strategy. The tactical and operational behavior has strategic effect, that is to say that strategic performance can only rest upon tactical performance. In fact, Karl Von Clausewitz a student of war compared war with trade and saw it as a victorious battle as analogous to successful exchange. Hence, the first strategic question which a statesman faces is to determine the nature of war and the form of war which cannot be decided unless one has policy guidance. Thus wars vary according to the nature of the end and the intensity of the desire to attain it. This is the cardinal principles of war.

With respect to diplomacy, propaganda, political warfare and economic instruments we are concerned with the many techniques and devices available to states that care to use them; but the political theory of war provides us with two broad and well-marked classification of war. The first broad classification depends upon whether the political object of war is positive or negative. It is positive if one's aim is to wrest something from the enemy. In such cases wars in general will be offensive. If, on the other hand, one's aim is negative, then one simply seeks to prevent the enemy wresting some advantage to one's detriment. In this case the war in its general direction will be defensive. But nonetheless, defence is not a passive attitude, for that is the negation of war. Defence is a condition of restrained activity - not a mere condition of rest, but if unduly prolonged it tends to deaden the spirit of offense.

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<sup>19</sup> A. Curle, *Making Peace*, (London: Tavistock Publications, 1971), pp. 7-18.



Wars between contiguous continental states, in which the object is the conquest of territory' on either of their frontiers, provide no real generic difference between limited and unlimited war. It becomes a difference of degree rather than of kind. The beauty of limited war is that it can enable a weak military power to attain success against a stronger one by the quirk of fate; one can say that the relationship between the means and the ends is the domain of strategy which operates vertically and horizontally both. Vertically viewed, strategy encompasses all aspects of peace with security, from political vision down to tactical military performance; strategy includes land, sea, air, and space power, together with nuclear forces. Thus strategy is a dual-axes concept.

#### **1.5.4 Theoretical paradigms of conflicts in Africa**

The concept that 'Africa is a land of war' may not be an overstatement, at least, when viewed against the backdrop of recurring and unending conflicts ravaging and plundering the continent. Indeed, the need to stem the disturbing trend of conflict in Africa has been one of the most central challenges of academic discourses in contemporary Africa.<sup>20</sup> This challenge has brought forth a wide range of theoretical postulations and efforts by scholars and students of peace and conflicts studies. There have emerged regional and international organizations, geared towards responding to the new facets of conflict in Africa. Situated within this context is the metamorphosis of the Organization of African Unity (OAU) to African Union, which was poised to respond to emerging issues in global development and minimizes the threat to human development in which conflict and wars are major impediments.

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<sup>20</sup> S. Egwu, *Peace and Conflict Studies: An African Overview of Basic Concepts* in Gaya-Best, S. (ed) *Introduction to Peace and Conflicts Studies in West Africa*, (Abuja, National University Commission and University of Peace Addis Ababa, 2006).

Discourses on conflict in Africa have often been subsumed under the rubric of ethnicity. The ethnic theorists argue repeatedly that the roots of civil wars and armed conflicts are locatable in ethnic contestation, which has been further attached to identity politics.<sup>21</sup> Although this position seems to have been substantiated, to some extent, by recent spates of civil and armed conflicts that continually have ethnic colouration, the ethnicity factor seems not only insufficient but also inadequate in accounting for all conflicts in Africa. At best, the theory of ethnicity as an explanation of conflict is akin to scratching the surface as different from digging or “unearthing the root”. The basic argument here is that; at the base of conflicts in Africa is the resource (control/remittance) package. This paper posits that most conflicts in post-cold war Africa are mostly resource-induced, and there is strong indication that behind the ethnic and nationalistic sloganeering lies the hidden greed for resources “curse” or cause.<sup>22</sup> They all show that the extent of resources-induced conflicts in Africa and other parts of the world points to the fact that resource remittance or control or sharing is central to the hitherto perceived ethnic conflicts that have ravaged Africa in the last five decades.

### **1.5.5 Sudan: Conflict in Darfur Region**

The conflict in Darfur, Sudan has again put the continent on the spot in world conflict. Much has been written on the conflict in Darfur following the eruption of the war in 2003, and various explanations were given on the causes of the conflict. Most of these explanations, however, did not clarify between two types of conflicts, namely,

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<sup>21</sup> O. Nnoli, *Ethnic Conflicts in Africa: A Comparative Analysis* in Nnoli O. (Ed) *Ethnic Conflict in Africa*, (Darkar, Codesria Book Series, 1998).

<sup>22</sup> P. Collier, Hoeffler, A. and M. Soderbom, *On the Duration of Civil War*, (Washington D.C.: World Bank, 2001).

“tribal” or “grassroots” conflicts and the current conflict, which is different in nature as well as in its dynamics. Many researchers have also portrayed the current conflict in Darfur region as an ethnic conflict between Africans and Arabs. However, a number of reasons cast serious doubts on the validity of this view. Firstly, historically different ethnic groups in Darfur used to live peacefully and, ethnicity has only recently become a factor in tribal conflicts in the area.<sup>23</sup>

This ethnicization of tribal conflicts in Darfur region is a recent phenomenon.<sup>24</sup> Eltigani pointed out that ethnicization of the conflict has grown ever more rapidly since the coming to power by military coup in 1989 of the National Islamic Front (NIF) regime which is not only Islamist but also Arab-centric (ibid). While ecological degradation, movements of nomadic groups, overgrazing, competition for natural resources and ethnicity fanned the flames of conflicts and disputes between nomads and farmers in the region, the idea that these factors are the main causes of the present conflict in Darfur is misleading.

Accordingly Eltigani and Ateem, contended that grievances resulting from economic and political marginalization are major causes of the current conflict in Darfur. They argued that explaining the current conflict in Darfur, in terms of competition for natural resources and ethnicity, or in terms of rebel economic opportunity devoid of the grievances resulting from long-term marginalization of the region is flawed and confusing. In doing so, a strictly political and socio-economic problem is downsized and

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<sup>23</sup> Eltigani Seisi and M. Ateem, *The Root Causes of Conflicts in Sudan and the Making of the Darfur Tragedy* (NEPAD & Regional Integration Division United Nations Economic Commission for Africa Conflict Prevention and Development Co-Operation in Africa: A Policy Workshop. Wilton Park, Sussex, 8 – 11 November 2007.

<sup>24</sup> Ibid.

mischaracterized as a local resource-based ethnic conflict. This, without doubt, detracts from the ability to address the root causes of the conflict. In this respect, as part of the government's persistent efforts to thwart political solutions to the conflict, which entails power and wealth sharing, the Government of Sudan has constantly maintained the view that the crisis in Darfur is an accumulation of ethnic disputes between the Arab and indigenous African population of the region over resources, mainly land and water. The regional and the international community have been misguided by such characterization of the conflict and therefore their response to the horrendous humanitarian situation was late. This position may be right but there is also a tactical admission on the issue of resources as fuelling the conflict.

The above submission invalidates the ethnic dimension as the causes of the current conflict in Darfur region; they are rooted in the structural inequality between the center of the country and the 'peripheral' areas, something that has been kept out of the limelight by many researchers who looked into the root causes of the conflict. To be more precise, it is rather the dynamics between the domination of the central elites, political and economic marginalization of the periphery that are the main culprits in the current conflict in Darfur.

### **1.5.6 The nature of Sudan conflict**

The Second Sudanese Civil War started in 1983, though it was largely a continuation of the First Sudanese Civil War of 1955 to 1972. It took place, for the most part, in Southern Sudan and was one of the longest lasting and deadliest wars of the later 20th century. Roughly 1.9 million civilians were killed in southern Sudan, and more than

4 million southerners have been forced to flee their homes at one time or another since the war began. The civilian death toll is one of the highest of any war since World War II.<sup>25</sup>

Verney observed and argued that the Sudan conflict reveals demographic and environmental elements operating underneath the political and social chaos.<sup>26</sup> Decreasing rainfall in pastoral areas, environmental degradation in agricultural lands, and technological economic stagnation, has combined to intensify ethnic conflicts over subsistence resources in both South and the North. The Nile River has funnelled external influence in Sudan for a long time and it serves as a connection to Egypt, which has successfully expanded large-scale agriculture while capturing resources from the South to empower the traditional modern elite in the North.

Goldsmith, Abura and Switzer have shown how oil exploration in Sudan has given an impetus to the government of Sudan's determination to forestall a lasting rapprochement with Southern demands for autonomy.<sup>27</sup> Their case study indicates how oil exploration displaced the Dinka, Nuer and other Southern communities from their homes. At the same time there is pollution on the ecological base upon which their subsistence livelihoods are based. Oil production in Sudan generated revenue that was used to sustain an armed conflict that lasted for about twenty years.

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<sup>25</sup> Sudan: Nearly 2 million dead as a result of the world's longest running civil war, U.S. Committee for Refugees, 2001. Archived 10 December 2004 on the Internet Archive. Accessed 10 April 2007

<sup>26</sup> P.P. Verney, *Sudan: Conflict and Minorities*. Minority Rights Group International, (London, Macmillan, 1995), p.123.

<sup>27</sup> P. Goldsmith, L. A. Abura & Jason Switzer, 'Oil and Water in Sudan,' in J. Lind, & Kathryn Sturman (Eds.), *Op Cit*, pp. 187-241.

The oil finds in the Southern Sudan were a precursor to the numerous government changes that caused dissent in the South. First was the abrogation of the 1972 Addis Ababa Agreement in 1980 through the introduction of the Regional Government Bill that sought to redraw borders of the South.<sup>28</sup> This was followed by the government proposal to export Bentiu crude oil through Port Sudan instead of Mombasa. Another issue that arose was the citing of the oil refinery for Bentiu crude oil in Kosti instead of Bentiu council region. In addition to these, oil contracts were secretly executed and the Southerners were left out. This set precedence for unjustifiable sharing of oil revenues whereby the government took the lion's share.

The government of Sudan treated the dissent in the South with impunity. To counter the boundary dispute over the position of oil wells, it decided to create a region called the Unity Region, which was meant to encompass the oil rich fields and place them under the Northern Provinces. This had various effects on the government structures at regional level. The South was denied the opportunity to guard important economic installations and the military garrisons in the South were put under command of the Northern armed personnel.<sup>29</sup> Government position has remained the same over years regarding the Three Contested Areas. This situation led to a protracted conflict whose settlement was brokered by IGAD in 2004.

A report by Canadian Auto Workers Union, Steel Workers Humanity Fund, The Simons Foundation, The United Church of Canada and the World Vision Canada, documents an intensification of Sudan's contested oil areas in Western Upper Nile during

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<sup>28</sup> Ibid, p.277.

<sup>29</sup> Ibid, p.259.

2000-2001 period.<sup>30</sup> The SPLA and the Government of Sudan fought intermittently for the control of these regions. This conflict exposed the South to extensive displacements and disruption of civilian lives. The report further observes that oil will continue to be a source of conflict in Sudan since oil revenues do not correlate with visible increases in economic benefits to the people. However, there is a correlation between oil revenues and increased military expenditures. This has also invited numerous actors to the conflict. In turn, the Sudan conflict has become more internationalised and it requires closer analysis to arrive at an appropriate methodology for its management.<sup>31</sup>

Mwagiru observed that in practice domestic conflict sometimes escalates to international conflict.<sup>32</sup> The domestic actors develop linkages with external actors while pursuing different goals. This creates interdependence between them and tends to influence the negotiations and the outcome thereof. It is also possible to observe that domestic linkages with the external actors bring up the problem of impartiality in mediation. It is impossible to have a mediator whose interests will not interfere with the outcome of mediation. This is due to the motives of third party involvement.

Sudan's size and diversity both in land and in population provide an extraordinary challenge to any government. When one considers the additional characteristic of the country's strong and genuinely democratic political culture it is easy to understand why political stability has been difficult to come by.<sup>33</sup> A special envoy must learn the art of

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<sup>30</sup> Report by *Canadian Auto workers et al*, *Oil Development in Sudan, 2000-2001*.

<sup>31</sup> *Ibid*, p.70.

<sup>32</sup> M. Mwagiru, *Conflict: Theory Processes and Institutions of Management*, (Nairobi, Watermark, 2000), p.62.

<sup>33</sup> O.Voll John, " *State and Society in Crisis: Sudan*(Washington D.C.,Indiana University Press,1991), pp8-15p

diplomacy, perfect the craftsmanship of negotiation and walk the tightrope of antagonism.<sup>34</sup>

Zartman<sup>35</sup> made an important contribution regarding mediators. He argued that the perceptions of the parties about the conflict and the mediation can have an effect on the outcome.<sup>36</sup> The same problem in Sudan has been experienced in DRC peace initiatives and has become manifest with the exploitation and exportation of various minerals that exist in its subterranean land. The various actors that have an interest in the strategic minerals are competing for the resources and supporting various rebel groups to protect their mining interests.

## 1.6 Conceptual Framework

The theoretical basis of conflict and violence are important in the understanding of conflict dynamics. It explains the relationship to the nature of the underlying structure. The better we understand conflict and how it works, the more likely we will be able to successfully manage and resolve conflict. Conflict theories are perspectives in social science which emphasize the social, political or material inequality of a social group, which critique the broad socio-political system, or which otherwise detract from structural functionalism and ideological conservatism. Conflict theories draw attention to power differentials, such as class conflict, and generally contrast historically dominant ideologies.

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<sup>34</sup>W. Waihenya, *Foreword of "The Mediator"* Daniel Toroitich Arap Moi, CGH, Second President of the Republic of Kenya.

<sup>35</sup> I.W., "Zartman, Conflict and Resolution: Contest, Cost and Change" in I. W. Zartman (Ed), *Resolving Regional Conflict: International Perspectives*, (Newbury Park, Sage Publications, 1991), pp.11-22.

<sup>36</sup> Ibid.



The Republic of Sudan, the largest country in Africa, lies on the western shore of the Red Sea. It is bordered by Eritrea and Ethiopia to the east, Kenya, Uganda and Democratic Republic of Congo to the south, the Central African Republic, Chad and Libya to the west, and Egypt to the north. The population of around 28 million comprises a diverse range of ethnic groupings which speak over 400 languages.

On one level, the civil war that has afflicted the country almost continuously since independence in 1956 can be seen as a conflict between the Arab Muslim north and the black African, and predominantly Christian or animist, south. At a more detailed level, other features of the conflict emerge. Alan Phillips, the Director of Minority Rights Group International, wrote in 1995 that attempts to portray the conflict in North-South or Arab-African terms disguise “the complexities of a war fought by multi-ethnic groups where religious differences color struggles over access to land or political power.”<sup>37</sup>

Sudan is ruled by the National Islamic Front (NIF), an Islamist regime under General Omar Al-Bashir, which has its powerbase in the mainly Arab and Muslim north of the country. The centre and south is inhabited by a mixture of different African linguistic groups, which are mainly Christian or animist. Southern groups, most notably the Dinka dominated Sudanese People’s Liberation Movement/Army (SPLM/A), have repeatedly sought to gain significant autonomy or independence from Khartoum, and some have resorted to armed struggle to achieve this.

The current conflict has its origins in decades of economic and political marginalization, and tension over increasingly scarce farmland and water resources.

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<sup>37</sup> *Sudan: Conflict and minorities*, Minority Rights Group International Report 95/3.

Prolonged drought and desertification in northern Darfur pushed nomadic groups south where they came into conflict over water resources with the farming tribes of the centre. Administrative boundary changes imposed by the predominantly Arab regime in Khartoum served to alienate the farming tribes, as did government backing for the loose collection of 'Janjaweed' (or 'Janjaweit') nomadic militias, which has come to comprise several thousand fighters of mainly Arab extraction. The situation mirrors the dynamics of Sudan's conflict, pitting a periphery that views itself as the victim of discrimination against a centre in Khartoum that is seen as holding all the economic and political cards.<sup>38</sup>

## **1.7 Hypotheses**

This study will test the following three hypotheses;

1. Special envoys represent the interests of their mother country in conflict management
2. Special envoys rely on international goodwill for the success of conflict management
3. Special envoys compliment and contribute to lasting peace.

## **1.8 Research Methodology**

This study is based on both primary and secondary data to collect relevant information. Primary data is that which was collected directly by the researcher by unstructured and structured interviews with the population and sample; the population from which the sample was drawn was based on their information on special envoys, government officials, institutions like IGAD, Sudanese Embassy and Sudanese nationals

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<sup>38</sup> *Sudan: Now or Never in Darfur*, ICG Africa Report No.80, 23 May 2004.

residing in Kenya and Ministry of Foreign Affairs. Secondary data included published and unpublished documents; the study also reviewed published and unpublished documents on special envoys and internal conflicts management and documented literature on conflict resolution, conflict management in other parts of Africa, institution documents such as research reports and scholarly journals.

## **1.9 Chapter Outline**

Chapter one: is an introduction to the study. It contains a historical background of special envoys, the problem statement, objectives of the study, specific objectives of the study, literature review, a justification for the study, a theoretical framework, the hypotheses, research methodology and chapter outline of the study. Chapter two provides a theoretical discussion building on the theoretical framework. It discusses an overview of the role of Kenya's special envoys in management of internal conflict in Sudan, between 2002 and 2009. Chapter three forms the data chapter of the study and analyzes the role of Kenya's special envoys in the management of internal conflicts, it forms the study of the Sudan conflict in the case of Sudan, 2002-2009. Chapter four provides a critical analysis and findings. Chapter five contains recommendations.

## **CHAPTER TWO**

### **AN OVERVIEW OF KENYA'S SPECIAL ENVOYS TO SUDAN**

#### **2.0 Introduction**

The previous chapter; chapter one, presented the background of the study, objectives, specific objectives, justification of the study, literature review which contained actors in a conflict, foreign policy and diplomacy in conflict, dichotomy of peace and war, theoretical paradigms of conflicts in Africa, conflict in Darfur region and the nature of Sudan conflict, conceptual framework, hypotheses, research methodology and the chapter outline.

This chapter presents an overview of Kenyan special envoys to Sudan. It is divided into the following subsections; Kenya foreign affairs policy, institution of special envoys, activities performed by special envoys, past practice within the greater horn, importance of indigenous political support, the honest broker, special envoy Ambassador Bethuel Kiplagat and special envoy Lt. General Lazaro Sumbeiywo.

#### **2.1 Kenya Foreign Affairs Policy**

Kenya's foreign policy has, since independence been designed and guided by some basic and universally recognized norms which involve, respect for sovereignty and territorial integrity of other states and preservation of national security; good neighborliness and peaceful co-existence; peaceful settlement of disputes; non-interference in the internal affairs of other states; non-alignment and national self-interest and also adherence to the Charters of the UN and OAU/AU. However the policy has had

some challenges such as an insecure political environment, the need to pursue an open economic policy and the demand for foreign capital and investment flows; the geopolitical factors which include issues such as the presence of overlapping ethnic communities across borders and the fact that Kenya is a littoral state of the Indian Ocean which influences relations with landlocked neighbors.<sup>39</sup>

## **2.2 Institution of special envoys**

The term special envoy is generally used interchangeably with “diplomat.” The envoy acts as a deputy of a diplomatic mission to maintain cordial and productive relations between two nations. Smith defined an envoy as a visiting representative sent from one nation to another. The duties and responsibilities of an envoy vary, depending on the parent nation, but as a general rule, envoys can expect to work with representatives of the nations they visit to achieve commonly desired goals such as trade treaties or peaceful relations.

The concept of diplomacy is ancient. As long as humans have differentiated between nations, tribes, and other collective groups, specific individuals within one community have approached representatives of another to reach agreements. Historically, diplomats have been offered unique privileges which are not available to other people, such as diplomatic immunity. An envoy is usually regarded as a sacred messenger, and it is highly unusual for a visiting envoy to be killed or imprisoned, as long as he or she obeys international laws and treaties.<sup>40</sup>

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<sup>39</sup>Ministry of Foreign Affairs (MFA), (2007) available at <http://www.mfa.go.ke/mfacms/index.php>.

<sup>40</sup>S.E., Smith Wise Geek: *What is an Envoy?* Conjecture Corporation Sparks, NV 89432 U.S.A. (2009).

Different countries have different systems for choosing their envoys. As a general rule, an envoy is well educated and fluent in at least one additional language. The envoy acts as a representative of her or his nation while abroad and as such the envoy must have a superb character. Once an envoy is hired, he or she is usually sent to a specific country, remaining there for the duration of a posting. Collectively, the group of envoys at a foreign embassy is usually called the “diplomatic mission.” The highest ranking envoy or diplomat is the ambassador, who works with an assortment of lower level envoys. The embassy negotiates issues with its host nation and also hosts events and parties to promote good relations between the two countries. In addition, the embassy assists citizens of its parent nation, should they run into difficulties abroad. A prospective envoy should also study several languages and become well versed in the politics and history of multiple nations. Many countries select their envoys through a civil service exam, which is periodically offered to all eligible citizens.

A special envoy can act as an agent of the government to pinpoint the main factors that could play a key role in the surge of a conflict. Among these factors are the level of wealth and poverty, the level of inequality, the importance of natural resources, the economic policy, the number of ethnic groups and the population size. The combination of these factors increases or decreases the risk of conflict. The smallest probability is associated with countries with a high GNP, a good level of natural resources, a great number of ethnic groups, and a small population. On the other hand, a low level of GNP, insufficient resources, two ethnic groups, and large population,

together increase the risk to 99 per cent.<sup>41</sup> Inequality also plays a role in conflict occurrence, but econometric analyses are not as convincing here as they are with poverty. It seems that inequality between groups has a greater influence than inequality between individuals. However, economic analysis shows that all forms of compromise ensuring the redistribution of goods, assets, information, power, etc. between opposed groups reduce the probability of a conflict occurrence.<sup>42</sup>

Special envoys are widely respected, experienced and impartial diplomats dispatched by the authority of a third party to travel to areas in conflict to help reduce tensions and resolve disputes. Envoys work to keep tensions from escalating among opposing groups by collecting data, assisting in creating opportunities for negotiation, leading negotiations to solutions that emphasize peaceful methods, helping to create peace accords, and possibly bringing conflicting groups together to initiate country-building with aid of third parties or the international community. Special envoys' visits are short, and they rarely keep volatile situations from worsening for very long solely through their own efforts. Rather, they act as facilitators or catalysts for indigenous or international interventions such as observer missions, economic assistance and democracy-building.

Envoys play important diplomatic roles in situations where parties in conflicts have no or very little trust and no way out to drive positive and peaceful efforts for stability. Envoys contribute to conflict prevention or mitigation by assessing

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<sup>41</sup>P. Collier, A. Hoeffler, "On economic causes of civil wars", *Oxford Economic Papers*, World Bank WPS, Washington D.C, Vol. 50, (1998), pp.563-573.

<sup>42</sup>J. P. Azam, "The redistributive state and conflicts in Africa", *Journal of Peace Research*, Vol. 38 No.4 (2001), pp.429-444.

circumstances, offering conciliation efforts, providing early warning for the outside community, and other such responsibilities. Envoys are deployed by international organizations such as UN Secretary-Generals and executives of regional organizations. Envoys also act by invitation of regional governments who are involved in conflicts.

Envoys must be independent and unbiased individuals who have effective working relationships with key officials in the government and with other members of the diplomatic community. During visits, envoys meet with the highest-ranking officials such as the President, Prime Minister, other ministers, parliamentary members, other government officials who are responsible for policy-making, opposition party leaders, various representatives regarding issues, and sometimes with religious leaders or heads of non-governmental organizations.

### **2.3 Activities performed by special envoys**

Envoys generally perform the following activities; collect information on areas of conflicts; promote dialogue concerning situations with the potential to develop into a new or further conflict; make reports of suggestions for preventive activities and recommendations on various aspects of issues.<sup>43</sup> Envoys have tackled a great variety of issues both between states and within states, including boundary issues, minority discrimination and rights, group representation and composition in governments and secession claims. Envoy roles vary in terms of whether they are primarily fact-finders and observers or take a more active role in engaging parties to disputes in communications and negotiations. Envoy roles also vary in terms of the breadth of the functional scope of

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<sup>43</sup>G. Monty Marshall and Ted Gurr, *Peace and Conflict . A Global Survey Of Armed Conflicts, Self Determination Movements and Democracy*, (Mary Land,) CIDCM, University of Maryland, 2003).



their activities: some focus on issues such as human rights, refugees or national minorities, while others encompass all international activities in that area.

Special envoys are a relatively inexpensive method of conflict prevention, requiring only maintenance and a small staff. To these therefore, immediate costs must of course be added the costs of any commitments they may make on behalf of their sponsor in areas such as economic aid. Envoys' effectiveness require first that conflict participants agree to an opportunity for negotiation and second, that envoys gain a certain degree of trust from every side of participants of conflicts. This can take time from the moment international mediators request an envoy to the envoy's actual arrival in the crisis area.

Special envoys may be more effective during the early stages of conflicts rather than at later stages, and their role would be more significant at this stage because of the nature of envoys' objective. This means the envoys must be in place before disputes have escalated into full-scale wars and major armed force has been committed. Because envoys *per se* have limited "clout" to move states to comply, their leverage may be more useful before the stakes of conflicts have risen. Furthermore, maintaining the implicit or explicit permission from sponsoring organizations' and member states to make contact with all relevant parties in a conflict may depend on the fact that at early stages the actions of the special envoy are relatively conciliatory and inoffensive.

Envoys are a short-term intervention that focuses mainly on particular disputants and immediate tensions.<sup>44</sup> Realistically, although envoys may be able to single-handedly

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<sup>44</sup> Ibid.

avert the eruption of a conflict, they cannot ensure that the underlying problems or policies that cause tensions are redressed. The latter may require continuing attention. Envoys must therefore be supplemented by other tools that operate over a longer term, such as democracy-building efforts aimed at creating more representative institutions and correcting discriminatory policies. In this respect, envoys can act as catalysts for initiating such institution-building or other means of addressing more fundamental sources of conflicts.

Envoys bring visibility in that their own personal stature and the influence of the multilateral organizations they represent encourage parties to settle a dispute or eschew forceful means of pursuing it. At the same time, however, they present the prospects of an impartial peace broker who understands the grievances of the parties and may be able to represent their interests where appropriate before the international community. Envoys must therefore be flexible and discreet in exploring and offering possible settlements to the disputants in low-key, discreet settings. Furthermore, an envoy's effectiveness requires that third parties make firm commitments to further development of a troubled area once the envoy's visit is completed.

#### **2.4 Past practice within the Greater Horn**

In an effort to prevent rising ethnic tensions in Burundi following the October 1993 assassination of the country's first Hutu president, Ahmedou Ould Abdullah served as mediator and focal point for UN and other third party efforts in Burundi from 1993 to 1995. The UN Secretary-General appointed this official in November 1993. Ahmedou

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Ould Abdullah's original appointment was for three months, but he stayed for almost two years, leaving his position in November 1995. His staff numbered five, along with a small UN team dispatched to determine the facts and facilitate government and OAU efforts to restore democratic processes and stability. Two further fact-finding teams visited from March to April 1994 and in August 1994.

Abdullah brokered acceptance by Hutu and Tutsi politicians of a Hutu president, Cyprien Ntaryimira, and pressured them and Burundi's mainly Tutsi military leaders to issue calls for calm immediately after Ntaryimira was killed in the April 1994 plane crash that set off the ethnic genocide in Rwanda. Subsequently, he facilitated power-sharing arrangements for Burundi's interim government through which the Parliament appointed another Hutu president but guaranteed the Tutsi 45 percent of key government posts. To keep the situation calm, he reportedly restrained his criticism of the primarily Tutsi army and postponed an investigation of the assassination.<sup>45</sup> While Burundi's relative calm in 1994 may be attributed in some measure to Abdullah's efforts, Hutus soon felt deprived of their overwhelming 1993 election victory and began guerrilla attacks against the Tutsi-dominated army, provoking countermeasures aimed at driving Hutus out of their government positions.

Most special envoys are appointed to deal with a specific locale, and thus work for limited terms, as determined by the needs of each conflict situation. Envoys who are High Commissioners occupy permanent positions which different people fill over time.

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<sup>45</sup>Washington Post, *UN's Man in Burundi : A Rock in a Hard Place*, Monday, April, 1995, page A12. United Nations, Security Council, *Report of the Secretary-General on the Situation in Burundi*, October 11, 1994.

Special envoys may vary in the degree to which they have authority or *de facto* influence to coordinate the activities of other third parties in a conflict area. Acceptance of an intermediary may entail trade-offs by the third party. Therefore, disputants are likely to be concerned about such trade-offs before they accept the intervention. Envoys represent no particular country, do not command armies, bureaucracies, or resources, and bring with them little or no staff. Their strength lies in their stature and experience and even more so their considerable degree of independence. Their success also depends on how much envoys can earn trust from those involved in conflict. This requirement has repercussions in the selection of envoys and how much time they are allowed for mediation. Their stature and flexible authority means they sometimes achieve significant breakthroughs and crack diplomatic log jams at a relatively low expense, without the cumbersome political processes and time that other tools or procedures that involve multiple actors might require.

All UN Secretary-Generals have used special envoys as a diplomatic tool.<sup>46</sup> Since humanitarian organizations and peacekeepers have political drawbacks, Secretary-Generals' use special representatives as their political actors during international crises. Boutros-Ghali made it a normal practice to send special representatives to reside in crisis areas. However, the nature of international crisis has changed, and intrastate conflicts are more prevalent than interstate conflicts. If envoys could offer plans for some economic, political, social development and/or humanitarian assistance in negotiation, all parties in conflict could be willing to work with envoys. However, envoys must be very politically

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<sup>46</sup>J. Konrad Huber, "The CSCE's New Role in the East: Conflict Prevention," *Radio Free Europe/Radio Liberty Research Report*, Vol. 3, No. 31, August, 1994.

conscious about what they provide (e.g. human rights assistance)so as not to offend a particular party.

Envoys effectiveness is heavily dependent on the individual incumbent's stature, personality, and skills. Some observers feel, for example, that the Higher Commission on National Minorities (HCNM) has been successful largely because of the competencies of Ambassador van der Stoel, rather than other features of the position.<sup>47</sup> This does not mean, however, he could guarantee constant diplomatic success as an envoy. It is highly possible that he could fail in a completely different diplomatic setting. Special envoys have no powerful carrot sticks to enforce peaceful agreements. Their ability to prevent or mitigate a conflict is constrained by factors beyond their control. Envoy achievements are limited unless the parties themselves are to some degree willing to consider peaceful settlements and to refrain from provocative actions that inflame the situation.

To be effective, envoys must also enjoy continued backing for their work from the top political authorities of their sponsoring organization along with support from other third parties. Envoys must typically struggle to reconcile the pressures and preferences they receive from their appointing organizations with their own independence and judgments about the leeway and tolerance that can be granted to particular parties with often delicate considerations that must be taken into account. The HCNM has expressed concern over the possibility that governments and groups with whom he has worked out agreements may subsequently be held publicly accountable to a formal review at the

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<sup>47</sup>Max van der Stoel, *Talk on the Work of the High Commissioner on National Minorities*, Face to Face Program, Carnegie Endowment for Peace, Washington D.C., November 20, 1994.

international level for meeting specific goals and timetables. This approach would discourage future parties from working with the HCNM.

Despite their discretion, envoys are still part of international officialdom and are bound by the formality and visibility of high-level officials dealing with intra-national parties and issues. Accordingly, the HCNM has undertaken discussions with NGOs to explore the aspects of its mandate that they can address in a more informal way. Envoys may be able to smooth relations between disputing parties, but be unable by themselves to obtain commitments from their organizations to the follow-up programs and resources that are essential to make these agreements stick and to keep tensions from reigniting conflict.

## **2.5 Importance of indigenous political support**

Envoys are heavily dependent for effectiveness on a general willingness among the parties to show restraint as well as cooperation in addressing their mutual grievances. For example, although the OAU special envoy to the Congo was successful in negotiating an agreement between the government and the opposition, his work took place after the Congo Army itself had restored general order in the country and foreseen any direct role in politics. Similarly, when guerrilla attacks against the Army and wider ethnic killings between Hutus and Tutsi re-emerged in Burundi in 1994, there was little the UN representative could do to stop the fighting.<sup>48</sup>

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<sup>48</sup>Washington Post, *UN's Man in Burundi: A Rock in a Hard Place*, Monday, April, 1995, page A12. United Nations, Security Council, *Report of the Secretary-General on the Situation in Burundi*, October 11, 1994.

## **2.6 The Honest Broker**

Successful envoys must be seen as impartial and competent by the parties in a conflict. One method used to improve the chances an envoy will be favorably received is to appoint someone from the region where the governments and other parties who may be involved in disputes are members. This may depend, however, on the region's particular sensitivities and perceptions of who is acceptable and desirable.

Regional roots are no guarantee of acceptability, for ultimately, what may count is the personality of the individual and the image of the organization from which they come. Thus, the UN envoy to Somalia and the OAU envoy to Congo were Algerian and the UN envoy to Burundi was the former Foreign Minister of Mauritania, whereas the High Commissioner on National Minorities active in Central Europe and the former Soviet Union is from Western Europe.<sup>49</sup> As shown above, envoys' character and settings are significantly influential to their success. Thus, another important factor for the success is negotiation. Before envoys begin directly negotiating about a specific issue, envoys must ensure that conflicting parties, especially political elites of all sides, perceive that negotiation is the best solution as opposed to taking arms or overrunning opposition parties.

## **2.7 Special envoy Ambassador Bethuel Kiplagat**

In 2003, Kenya named a new special envoy for Somalia, Bethuel Kiplagat, to take over as chief mediator in talks aimed at ending violence and anarchy in the Horn of

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<sup>49</sup>J. Konrad Huber, "The CSCE's New Role in the East: Conflict Prevention," *Radio Free Europe/Radio Liberty Research Report*, Vol. 3, No. 31, August, 1994.

Africa state. Kiplagat, an expert on East African affairs and former ambassador to Britain, replaced Elijah Mwangale, a former cabinet minister who had been chairing the talks since they opened. Mwangale was appointed by Kenya's former president Daniel Arap Moi and was later accused of 'dictatorial tendencies' by some Somali delegates. The reconciliation talks, organised by the Inter-Governmental Authority on Development (IGAD), an East African regional group, brought together most of Somalia's leading warlords, as well as politicians, intellectuals, elders and representatives from the civil society.

Ambassador Kiplagat has been closely involved in the conflict resolution efforts on the continent, particularly in Eastern Africa. He facilitated peace talks in Uganda (1985-86), initiated and facilitated peace talks in Mozambique (1988-1992) and engaged warring parties in Ethiopia in 1988-1992. He has also been a resource person to the IGAD Peace Process for Sudan since 1985 and has been advising Sudanese civil society on conflict resolution. Ambassador Kiplagat has been active in civil society organizations, having served as a Deputy General Secretary with the National Christian Council of Churches of Kenya and Director of Relief, Rehabilitation and Development Programme of the Sudan Council of Churches in Southern Sudan. He has also chaired the African Medical and Research Foundation (AMREF) and served on a panel established by the International Peace Academy and the OAU to examine the institutional relationship between the OAU and civil society.

Kiplagat is currently an independent consultant on peace and conflict resolution, Kenya's Special Envoy in the Somali Peace Process and the Chairman of the IGAD



Technical Committee on Somali National Reconciliation Conference. He chairs several organizations such as Kenya Rural Enterprise Programme and Operation Save Innocent Lives, serves on several Boards including that of the Nairobi Stock Exchange, and he is also the Chancellor of Egerton University based in Kenya. Ambassador Kiplagat is currently the Executive Director of African Peace Forum and a Director of Universal Bank in Kenya. He is also engaged in activities aimed at encouraging community-based peace processes in Eastern Africa.

## **2.8 Special envoy Lt. General Lazaro Sumbeiywo**

Sudan has suffered war for most of its existence as an independent state and many hoped the Comprehensive Peace Agreement (CPA) of January 9, 2005 would not only end the long-running southern civil war, but provide the momentum and model for resolving other conflicts in the country. There is a widespread acceptance that the CPA and the broader peace process it fostered is at best stalling, or at worst is collapsing. Indeed, on April 13, 2007 at a meeting in Nairobi the IGAD Council of Ministers concluded the implementation of the CPA was 'lagging behind schedule' and urged an extraordinary meeting of the IGAD Heads of State be held to consider the problem.

IGAD's engagement in the Sudan peace process began on September 7, 1993 when it established a Standing Committee on Peace to assist negotiations and end Sudan's civil war. A Declaration of Principles (DoP) was proposed and quickly accepted by the SPLM/A as a basis for negotiations, but was not endorsed by the Government of Sudan (GoS) until 1998. By this time the peace process was floundering and in an effort to re-activate it the mandate was renewed by the IGAD Sub-Ministerial Committee on the Conflict in Sudan (IGAD, Nairobi, July 23, 1999). This Committee established a

“Secretariat for the IGAD Peace Process on the Sudan” based in Nairobi with the mandate “to carry out continuous and sustained mediation efforts with a view to arriving at a peaceful resolution of the conflict”. This phase of the peace process led by Special Envoy Ambassador Daniel Mboya also floundered and the next and final phase began under Special Envoy Lt. General Lazaro Sumbeiywo in May 2002. On 20 July 2002 the Government of Sudan (GoS) and the Sudan People’s Liberation Movement/Army (SPLM/A) signed the Machakos Protocol as a framework for the conduct of the negotiations and after two and a half years of negotiations endorsed the CPA.<sup>50</sup>

The Sudan mediation under Special Envoy Sumbeiywo was widely appreciated for its effective management of the process and financial accountability, particularly when measured against earlier weaknesses of the IGAD mediation.<sup>51</sup> The mediation was also applauded for its impartiality, success in maintaining the integrity of the process, the generally positive role of the advisors, resource people and ambassador envoys from the region, achieving good relations with the donors, and the steady production of protocols that culminated in the CPA, and these will be duly noted and commented on as lessons to be learned. The mediation also linked together the parties to the conflict, IGAD as the regional organisation, and elements in the international community in an innovative structure.

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<sup>50</sup> UNMIS, *The CPA Monitor: Monthly Report on the implementation of the CPA*. www.unmis.org. April 2007.

<sup>51</sup> W. Waihenya, *The Mediator :Gen. Lazaro Sumbeiywo and the Southern Sudan Peace Process*,(Nairobi:Kenway Publications,2006),p.67.

## **2.9 Conclusions**

This chapter presented an overview of the Kenya special envoys to Sudan. The chapter was subdivided into 9 sections which included; an introduction, Kenya foreign affairs policy, institution of special envoys, activities performed by special envoys, past practice within the greater horn, importance of indigenous political support, the honest broker, special envoy Ambassador Bethuel Kiplagat and special envoy Lt. General Lazaro Sumbeiywo.

## **CHAPTER THREE:**

### **THE ROLE OF KENYA'S SPECIAL ENVOYS IN THE MANAGEMENT OF INTERNAL CONFLICTS: THE CASE OF SUDAN, 2002-2009**

#### **3.0 Introduction**

The previous chapter; chapter two, made a presentation of Kenya foreign affairs policy, institution of special envoys, activities performed by special envoys, past practice within the greater horn, importance of indigenous political support, the honest broker, special envoy Ambassador Bethuel Kiplagat and special envoy Lt. General Lazaro Sumbeiywo.

This chapter provides an overview of Sudan's conflict, the impact of special envoys on the mediation of internal conflicts, effects of special envoys on foreign policy on parties involved, causes of the conflict in Sudan, challenges of Kenya foreign affairs policy, methods for mitigating Sudan's conflict, special envoys and provisions of international and regional instruments in conflict management will be also discussed extensively in this chapter and making of recommendations that reduces vulnerability and risk of exposure or disintegration of the institution of special envoys and lastly the chapter focuses on data analysis.

#### **3.1 An overview to Sudan's conflict**

The Sudan has suffered two civil wars since independence. The first started in 1955 (but is usually coded in the literature as having started in the 1960s) and was settled in 1972. The peace that followed lasted a little more than a decade. The second war

started in 1983 and is still ongoing (a peace agreement was reached in 2002).<sup>52</sup> The two wars are not unrelated and the peace interlude may have provided grounds for a better articulation of grievances from the first war.

Sudan's civil wars have been long and have caused untold suffering and destruction. Recent estimates suggest that more than "two million people have died as a result of the fighting over the past eighteen years; this includes victims of direct violence or conflict related starvation and disease. Half a million refugees have spilled into neighboring countries, and roughly four million people have been displaced and driven from their homes within Sudan."<sup>53</sup> Moreover, the economic cost of just four years (1986-90) of violence during a period of high-intensity conflict is estimated to have reduced national investment (relative to potential under normal conditions) by two-thirds, and GDP by a cumulative rate of eight percent.<sup>54</sup>

Many historical narratives of the Sudanese wars have demonstrated that the preconditions for war were overly abundant. This chapter focuses on the most devastating characteristics of the Sudanese civil war: its intractability, long duration, and ethno-religious character, "pitting Animist and Christian Southern Sudanese against the Moslem Arab and Arabized North Sudan."<sup>55</sup> The historical background to the conflict and the country's recent colonial history did set the stage for war. The organization and growth of the rebel movement, mainly insurgency started in 1983 and

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<sup>52</sup> M. Mwangi *Conflict in Africa, Theory, Processes and Institution of Management*, (Nairobi: CCR Publications, 2006), p.51.

<sup>53</sup> International Crisis Group, *God, Oil and Country: Changing the Logic of War in Sudan*: (Brussels: ICG Press, 2002), p.34.

<sup>54</sup> I. Elbadawi, *The Tragedy of the Civil War in the Sudan and its Economic Implications*; in K. Whlmuth, A. Gutowski, E. Grawert, and M., Wauschkuhn, (eds.), *African Perspectives Yearbook 1999*, (London: Lit Verlag Munster, 1999).

<sup>55</sup> F. Deng, *War of Visions: Conflict of Identities in the Sudan*, (Washington, D.C.: Brookings Institutions, 1995).

the war took a long duration. The combination of polarization and external intervention explain the higher risk of war in the Sudan, compared to the median Sub-Saharan African (SSA) country.

The civil war in Sudan started prior to the country's independence during the last days of the Anglo-Egyptian colonial administration (1898-1956). Ali and Matthews describes the atmosphere during these tragic days thus: "societal anxieties and tensions, coupled with administrative overreaction and ineptness, created a highly volatile situation in southern Sudan."<sup>56</sup> Violence erupted in 1955, when the southern part of the Torit garrison mutinied and was joined by southern civilians, police and prison guards. For about two weeks, Equatoria Province in southern Sudan became the dying fields for northerners, most of whom were civilians, including women and children. Government punishment was brutal, though many mutineers had fled into the bush or to neighboring countries."<sup>57</sup> This tragic massacre, and what was perceived as a miscarriage of justice by the northern-dominated administration following the event, set the stage for a civil war that has devastated the country for all but eleven years (1972-83) of its independence since January 1956.

Two key questions that emanate are: Why did such massive violence erupt around the period of de-colonization? And why was the war so protracted? The literature of the Sudanese conflict suggests that history matters a great deal, especially the recent colonial history prior to the country's independence in 1956.<sup>58</sup> A review in

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<sup>56</sup> T. M. Ali and O. Mathews, *Civil War and Failed Peace Efforts in Sudan*, in T. M. Ali and Matthews (editors). *Civil Wars in Africa: Roots and Resolution*, (McGill-Queen's: McGill-Queen's University Press, 1999).

<sup>57</sup> B. Malwal, *The Root of Current Contention*, in Francis Deng and Prosser Gifford (editors). *The Search for peace and Unity in the Sudan*. The Woodrow Wilson International Center for Scholars, ( Washington, D.C. UPA, Inc and Lillian Barber Press, inc. 1987), p. 10.

<sup>58</sup> M.O. Beshir, *The Southern Sudan: Background to Conflict*; (Khartoum: Khartoum Books, 1968).

some detail of the Southern Policy (SP) of the colonial administration, indicate how the SP shaped the initial conditions of the conflict. These initial conditions made the Sudan ripe for a civil war, as would be predicted by the recent theoretical and empirical rational choice literature on civil war initiation.<sup>59</sup> An analytical review of the background of the civil war would focus on the implicit and explicit policies that insulated the South from the North. The SP had the fundamental objective of keeping the two entities apart while they were under one colonial administration and, thus, to facilitate the eventual partitioning of the country prior to independence. The South was to be integrated into East Africa when Sudan attained independence.<sup>60</sup>

Just eight years before the country's independence, the SP was reversed in a dramatic decision by the colonial administration in order to pursue the course of a united Sudan. Unfortunately, this reversal came after the SP had been in effect for more than 40 years. When the SP was abandoned the two entities were already drifting apart along lines of "identities" and in terms of socioeconomic development; the South was substantially marginalized relative to the North. In spite of these divergences, the new policy of unity was institutionalized in two major events associated with the Sudanese conflict. The first event was the first formal conference to be held under the auspices of the colonial government in 1947 in the southern capital of Juba, between representatives of North and South to discuss the future of the country. The second event was the "Independence Motion and Resolution" in Sudan's first parliament in 1955.<sup>61</sup>

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<sup>59</sup> P.K. Bechtold, *Politics in the Sudan Since Independence*, (New York; Praeger, 1976 ), p.215.

<sup>60</sup> Ibid.

<sup>61</sup> A. Okoth, *A History of Africa: African Nationalism and Decolonization Process*, (Nairobi; East African Educational Publishers, 2006), pp.196-203.

### **3.2 Effects of special envoys on foreign policy on parties involved**

The respondents indicated that envoys play important diplomatic roles in situations where parties in conflict have no or very little trust and no way out to drive positive and peaceful efforts for stability. Envoys contribute to conflict prevention or mitigation by assessing circumstances, offering conciliation efforts and providing early warning for the outside community. The respondents indicated that the special envoys are involved in conflict resolution efforts between the parties involved. The respondents also indicated that the envoys provide a momentum and serve as a model for resolving conflicts; they create mediation between the parties, ensure success in negotiations between the government and the opposition; ensure that the parties maintain integrity throughout the process and ensure that the parties achieve good relations with the donors.<sup>62</sup>

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<sup>62</sup> Interview with key informant(name with held) on 26<sup>th</sup> May, 2010.



**Activities performed by special envoys**

**Table 1 - Activities performed by special envoys**

	<b>Mean</b>	<b>Std dev.</b>
Assisting in creating opportunities for negotiation	4.102	0.832
Leading negotiations to solutions that emphasize peaceful methods	3.873	0.964
Helping to create peace accords	3.785	0.875
Possibly bringing conflicting groups together to initiate country-building with aid of third parties or the international community	3.856	0.743
Envoys contribute to conflict prevention or mitigation by assessing circumstances	3.975	0.725
Offering conciliation efforts	3.753	0.878
Providing early warning for the outside community Collect information on areas of conflicts	3.625	1.234
Promoting dialogue concerning situations with the potential to develop into a new or further conflict	3.872	0.726
Making reports of suggestions for preventive activities and recommendations on various aspects of issues	3.796	0.889

**Source:** Author, 2010.

The researcher requested the respondents to indicate the extent to which they agreed with the activities performed by special envoys. A five-point Likert scale was used to interpret the respondent's extent. According to the scale those activities which were not considered at all were awarded 1 while those which were considered to as strongly agree were

awarded 5. Within the continuum are 2 for disagree, 3 for neutral and 4 for strongly agree. Mean and standard deviation were used to analyze the data. According to the researcher those activities with a mean close to 3.5 were rated as to a strongly agreed while those with a mean close to 3.0 were rated disagreed or even not considered at all. On the same note the higher the standard deviation the higher the level of variations or dispersion among the respondents.

Assisting in creating opportunities for negotiation was agreed with a mean of 4.102 and a standard deviation of 0.832, leading negotiations to solutions that emphasize peaceful methods was agreed with a mean of 3.873 and a standard deviation of 0.964, helping to create peace accords was agreed with a mean of 3.785 and a standard deviation of 0.875, bringing conflicting groups together to initiate country-building with aid of third parties or the international community was agreed with a mean of 3.856 and a standard deviation of 0.743, contribute to conflict prevention or mitigation by assessing circumstances was agreed with a mean of 3.975 and a standard deviation of 0.725, offering conciliation efforts was agreed with a mean of 3.753 and a standard deviation of 0.878, providing early warning for the outside community collect information on areas of conflicts was agreed with a mean of 3.625 and a standard deviation of 1.234, promoting dialogue concerning situations with the potential to develop into a new or further conflict was agreed with a mean of 3.872 and a standard deviation of 0.726 and making reports of suggestions for preventive activities and recommendations on various aspects of issues was agreed with a mean of 3.796 and a standard deviation of 0.889.<sup>63</sup>

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<sup>63</sup> Interview with Victoria Cherotich on 26<sup>th</sup> June, 2010.

Other activities performed by special envoys were found to be; ensuring that the conflicting parties, especially political elites of all sides, perceive that negotiation is the best solution as opposed to taking arms or overrunning opposition parties.

### **Factors that play a key role in the surge of the Sudan conflict**

**Table 2 - Factors that play a key role in the surge of the Sudan conflict**

	Yes	No
Level of wealth and poverty	78%	22%
The importance of natural resources	81%	19%
The number of ethnic groups	52%	48%
The level of inequality	65%	45%
The economic policy	67%	33%
The population size	71%	29%
Insufficient resources	86%	14%

Source: Author, 2010.

Table 3.2 shows the response on the factors that play a key role in the surge of the Sudan conflict, 78% of the respondents selected level of wealth and poverty as one of the factors, importance of natural resources was selected by 81% of the respondents, number of ethnic groups was selected by 52%, level of inequality was selected by 65%, economic policy was selected by 67%, population size by 71% and insufficient resources by 86%. This shows that all the factors analyzed were contributing to Sudan conflict.<sup>64</sup>

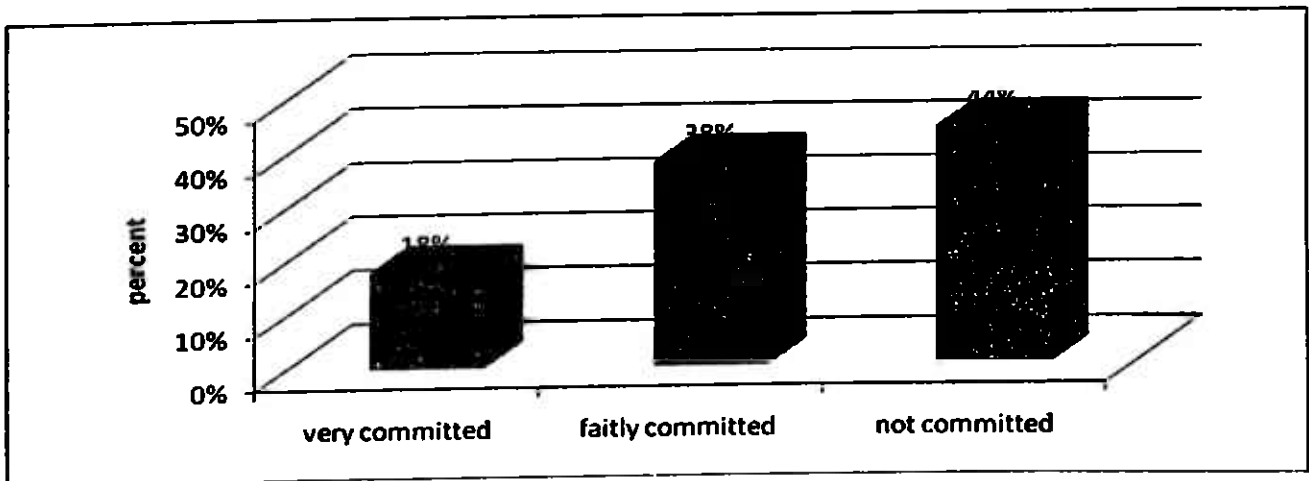
<sup>64</sup> Interview with Gideon Kinuthia on 27<sup>th</sup> June, 2010.

### 3.3. Causes of conflict in Sudan

The respondents indicated that the causes of Sudan conflict are numerous and are rooted in tribal, economic, religious, social and political factors. Divergent political and socio-economic factors are both vital to, and yet have been detrimental for, Sudan's economic development and political emancipation. Successive Sudanese governments have abused and exploited these factors, turning them from a well-spring of strength into a menace and source of diversion and violence. Diverse ethnic makeup, unclear leadership, lack of determined political will, authoritative governance and lack of respect for human rights. Minerals like petroleum, mica, chromites, gypsum, marble, gold and diamonds have also been a source of conflict in Sudan.<sup>65</sup>

#### Government commitment in handling the conflict

Figure 1 - Government commitment in handling the conflict

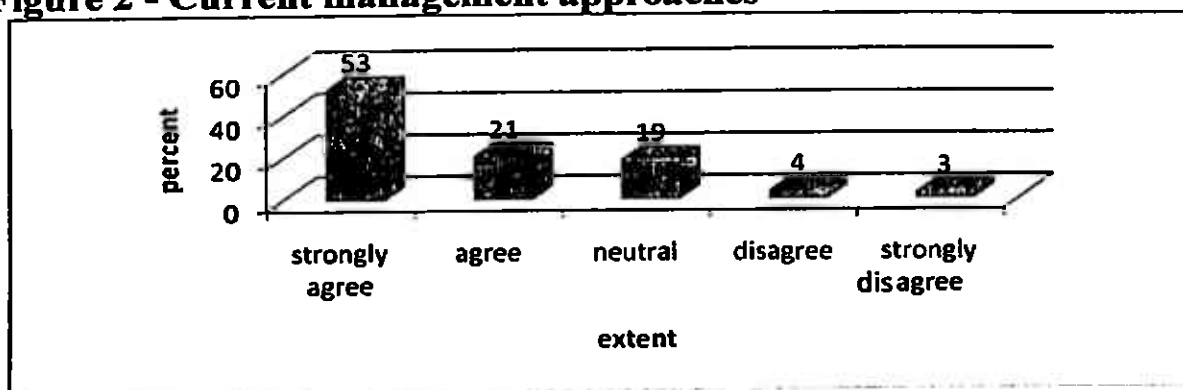


Source: Author, 2010

<sup>65</sup> Focused group discussion on 28<sup>th</sup> June, 2010.

Figure 3.3 above shows the level of government commitment in resolving the conflict. 18% of the respondents indicated that the government was very committed, 38% of the respondents indicated that the government was fairly committed and 44% of the respondents indicated that the government was not committed.

**Figure 2 - Current management approaches**



**Source:** Author, 2010

The researcher requested the respondents to indicate the extent they agreed with the statement current management approaches are not sufficient to stop the conflict. 53% of the respondents strongly agreed, 21% agreed, 19% were neutral, 4% disagreed and 3% strongly disagreed.<sup>66</sup> These results indicate that current management approaches are not sufficient to stop the conflict.

<sup>66</sup> Interview with respondents on 29<sup>th</sup> June, 2010.

### Challenges of Kenya foreign affair policy

**Table 3 - Challenges of Kenya's foreign affairs policy**

	Mean	Std dev
Problem of an insecure political environment	3.561	0.952
The need to pursue an open economic policy and the demand for foreign capital and investment flows	3.892	1.023
Geo-Political factors which include issues such as the presence of overlapping ethnic community across borders	3.726	0.738
The fact that Kenya is a littoral state of the Indian Ocean and which influences relations with landlocked neighbors	4.142	0.825

Source: Author, 2010.

In an effort to investigate the challenges of Kenya foreign affairs policy, the researcher requested the respondents to indicate the extent to which they agreed with the stated challenges; the problem of an insecure political environment was agreed with a mean of 3.561 and a standard deviation of 0.952, the need to pursue an open economic policy and the demand for foreign capital and investment flows was agreed with a mean of 3.892 and a standard deviation of 1.023, geo-political factors which include issues such as the presence of overlapping ethnic communities across borders was agreed with a mean of 3.726 and a standard deviation of 0.738 and the fact that Kenya is a littoral state of the Indian Ocean and which influences relations with landlocked neighbors was agreed with a mean of 4.142 and a standard deviation of 0.825.<sup>67</sup>

The study realized that in order to be effective, envoys must also enjoy continued backing for their work from the top political authorities of their sponsoring organization along with support from other third parties and the parties themselves are to some degree

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<sup>67</sup> Interview with respondents on 30<sup>th</sup> June, 2010.

willing to consider peaceful settlements and to refrain from provocative actions that inflame the situation. They must also typically struggle to reconcile the pressures and preferences they receive from their appointing organizations with their own independence and judgments about the leeway and tolerance that can be granted to particular parties with often delicate considerations that must be taken into account.

### **Agreements**

Despite the challenges in Sudan peace process, under the mediation of the Intergovernmental Authority on Development (IGAD), the Government of the Sudan and the SPLM/A signed a series of six agreements. These are: the Protocol of Machakos, the Protocol on Security Arrangements, the Protocol on Wealth Sharing, the Protocol on power Sharing, the Protocol on the Resolution of Conflict in Southern Kordofan/Nuba Mountains and the Blue Nile States and the Protocol on the Resolution of Conflict in Abyie.

**Table 4 - Methods for mitigating Sudan conflict**

	Yes	No
Sensible external support is needed	65%	35%
A strengthening of grassroots peace building measures	67%	33%
Prudent measures on the management of natural and mineral resources are needed	72%	28%
A stronger peace keeping force is required	87%	67%
New dialogue with all the actors and their constituent is required	57%	43%
All negative forces be side lined from the peace processes	88%	12%
All external armies operating on Sudan soil should go back to their mother countries	79%	21%

Source: Author, 2010

Table 3.5 above shows the methods for mitigating the Sudan conflict. Sensible external support is needed was selected by 65% of the respondents. A strengthening of grassroots peace building measures was selected by 67%. Prudent measures on the management of natural and mineral resources are needed was selected by 72%. A stronger peace keeping force is required was selected by 87% of the respondents, New dialogue with all the actors and their constituent is required was selected by 57% of the respondents. All negative forces should be side lined from the peace processes were selected by 88%. All external armies operating on Sudan soil should go back to their mother countries was



selected by 79%. From these findings we can conclude that all the methods analyzed appropriate in mitigating conflict in Sudan.<sup>68</sup>

The respondents indicated that the UN, together with regional and sub regional organizations and arrangements, maintain a partnership, and act decisively and expeditiously in framing new approaches to crisis prevention, management and resolution in the Sudan conflict. International or regional peace and security are framed in a manner that transcends the traditional politico-military approaches and embrace economic, environmental, humanitarian and human rights issues, as these tend to impact heavily on conflict situations on the continent. Regional and sub regional organizations and the UN system endeavor to share proportionally the burden relating to the maintenance of worldwide peace, security and stability. Regional organizations, such as the AU, develop and maintain formal and explicit capacities with which they ensure that the UN Security Council remains focused on matters of concern to these regional organizations, such as democratization or the management of transition, socio-economic transformation, and regional integration. Regional organizations realize the need for it to take primary ownership of its own problems, especially those relating to issues of peace, security and stability.<sup>69</sup>

### **3.4. Special envoys and provisions of international and regional instruments**

The respondents indicated that the AU mediation on the Darfur conflict is still ongoing and raises questions regarding the AU mediation team approach. They also

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<sup>68</sup> Interview with respondents on 30<sup>th</sup> June, 2010.

<sup>69</sup> Ibid.

indicated that IGAD had shown its limited capacity to broker an agreement between the Government of Sudan and the southern rebellion. If a peace settlement was achieved in 2004, it came as a result of constant pressures by some western countries. They also indicated that special envoys in Darfur, the AU have been implementing this first large-scale operation with a Protection Force and a Civilian Police branch.

African organizations vary significantly in terms of capabilities and efficiency. Among the regional organizations, IGAD appears as a weak structure. Political mediations by the AU have so far obtained limited results. Learning-by doing process is still ongoing and is likely to require lasting and targeted support. This cannot be a rapid process, as the AU faces significant problems of absorption capacities. Moreover, regional organizations should not overshadow other potential players, such as civil society or African entrepreneurs.

### **3.5. Conclusions**

The chapter discusses the role of Kenya's special envoys in the management of the internal conflict. The subsections comprise of; conflict management, mediations, interpretation of the findings which incorporated, general information, effects of special envoys on foreign policy on parties involved causes of conflict in Sudan, methods of mitigating Sudan conflict and special envoys and provisions of international and regional instruments in conflict.

## **CHAPTER FOUR**

# **THE ROLE OF KENYA'S SPECIAL ENVOYS IN THE MANAGEMENT OF INTERNAL CONFLICTS: A CRITICAL ANALYSIS**

### **4.0 Introduction**

The previous chapter provided an overview of the Sudan's conflict, the impact of special envoys on the mediation of internal conflicts, effects of special envoys on foreign policy on parties involved, causes of the conflict in Sudan, challenges of Kenya foreign affairs policy, methods for mitigating Sudan's conflict, special envoys and provisions of international and regional instruments in conflict management, interpretation and presentation.

Chapter four provides a critical case analysis of the role of Kenya's special envoys in the management of internal conflict. The subsections consists of; conflict management, mediation, interpretation of the findings which incorporated general information, effects of special envoys on foreign policy on parties involved, causes of conflict in Sudan, methods of mitigating Sudan conflict and provisions of international and regional instruments in conflict. However, much of this chapter critically analyses three emerging issues namely; mediation, Southern Policy (SP) and its Reversal and leadership of the SPLA/M as a fighting force.

## 4.1 Key Emerging Issues

To critically analyse the emerging issues that have surfaced, there is need to examine briefly the background of the conflict in Sudan. Sudan is the largest country in Africa, with borders that touch Egypt, Eritrea, Ethiopia, Kenya, Uganda, Congo, Central African Republic and Libya. Its size, along with its strategic location straddling the Nile River and abutting the Red Sea, made it a prominent target of revolving-door superpower intervention and massive arms transfers throughout the Cold War. As unstable civilian governments alternated with governments installed by military coups after independence in 1956, the country slid deeper into an economic malaise and social crisis, which has been accentuated by lengthy outbreaks of civil war.

The US alone provided successive Khartoum governments with close to US\$1 billion in arms in the late 1970s and 1980s. For its part, the Soviet Union provided arms to Sudan in the early 1970s. As the Horn of Africa lost significance to the departing superpowers in the early 1990s, Sudan was allowed to wither in arms-bloated poverty.<sup>70</sup>

Sudan is one of the most ethnically diverse countries in Africa, with a population estimated at close to 28 million, 19 major linguistic groups and nearly six hundred subgroups. Those who identify themselves as Arabs make up the largest group (40%), followed by the southern Dinka (12%), the Bejas of the north-east (7%), and West African immigrants (6%). Like most of the former European colonies along the Sahara's southern rim - the Sahel . Sudan comprises an Arabic-speaking Muslim north and an

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<sup>70</sup> A.G. Ali, I. Elbadawi and A. El-Batahani , *On the Causes, Consequences and Resolution of the Civil War in Sudan*, unpublished mimeo, 2002).

African south which is inhabited by ethnically-diverse Christians and practitioners of traditional religions.

Since the north attained a higher level of economic development in colonial times and is home to about three-quarters of the country's population, the south feels itself to be marginalized and the victim of discrimination. Successive governments have done extremely little to ease the grievances of the south. Turning the entire country into an Islamic republic was probably the surest way to perpetuate the civil war.<sup>71</sup>

There is still no end in sight to Sudan's conflict after more than thirty years of fighting. As the war and the humanitarian crisis continue, there is little momentum for serious negotiations. Both the government and the SPLA seem to have settled into a brutal routine of accepting limited cease-fires which 'buy time' for both sides. They do not necessarily represent a commitment to peace by any party. The war rages on, perpetuating the conditions for famine. In May 1998 the Sudanese government agreed with the SPLA on a referendum that could, in theory, lead to independence. However, no attempt has been made to allow the electorate to vote on the issue. In February 1999, President Bashir once again offered independence to the south but most of those closest to the situation remain skeptical. Their skepticism was fed by the continuing delays in setting dates for a fresh round of peace negotiations in Nairobi under the auspices of the regional Inter-Governmental Authority on Development (IGAD).<sup>72</sup>

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<sup>71</sup> Ibid.

<sup>72</sup> I. Elbadawi, and N. Sambanis, *External Interventions and the Duration of Civil Wars*; (Washington, D.C: World Bank, 2000).

Most African diplomats emphasize the importance of an African solution for the problems in Sudan. From non-African countries they expect pressure on the Sudanese government to return to the negotiating table and keep its promises. The IGAD mediation efforts, involving neighboring countries Eritrea, Ethiopia, Kenya and Uganda, as well as the support from the (western) IGAD Partners Forum, are in line with this. In September 1993, the regional Inter-Governmental Authority on Drought and Development (IGADD) launched a first peace initiative and an agreement was reached between the Sudanese government and the two SPLA factions for talks later that year. Renewed talks between the government and the rebels began in May 1994 but ended in a deadlock in September that year when the Sudanese government rejected a Declaration of Principles out of hand. There were two breaking points: the principle of separation between state and religion and the rights of self-determination of southern Sudan and other marginalized areas.<sup>73</sup>

In July 1997, the government stated that the 1994 Declaration of Principles could be taken as 'a starting point for further discussions'. At the end of the year the government and the SPLA returned to the IGAD negotiating table, but shortly afterwards the talks were postponed. Following a proposal by the US government, a Western support group for IGAD was initiated in 1995: the Friends of IGAD. Members included the US, Sweden, Italy and the Netherlands. The group has been involved in discreet diplomatic peacemaking efforts and foresees an important role for itself when peace is agreed upon and reconciliation and reconstruction become the priority. At the beginning of 1997 the Friends of IGAD was transformed into the IGAD Partners Forum, part of the overall IGAD Partners Committee (principally formed by the northern donors of the countries in

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<sup>73</sup> F. Deng, *War of Visions: Conflict of Identities in the Sudan*. (Washington, D.C.: Brookings Institutions, 1995).

the region). The EU and France are new members of the Partners Forum Committee, which is presently co-chaired by Italy and Norway.<sup>74</sup>

International pressure on the warring parties has increased in recent years. Practically all donors have frozen their aid to Sudan, except for emergency relief. The European Parliament dispatched a fact-finding mission in 1995. In the same year both the UN and the Commission on Human and People's Rights of the Organization of African Unity (OAU) called for improved human rights monitoring. The UN is anxious to stay on good terms with both sides and is unwilling to criticize when aid is blocked. February and March 1998 were critical months for the hungry people in Bahr el Ghazal but the government refused the UN access to the area; UN officials complained, but not too loudly. In April, when television began to show the horror of human atrocities did the government allow the delivery of food to resume. Donor countries face another request from the World Food Program for 1999. Many are exasperated, believing they are financing an endless war in the name of feeding the hungry. Consequently, western countries are once again searching for a political way out.

Since the American search for a 'peaceful solution' collapsed together with the outbreak of the Ethiopian-Eritrean war, the IGAD Partners Forum is once more at the forefront. Their representatives recently visited Khartoum as well as Nairobi, where the SPLA has its office. It is hoped that the present cease-fire in the south-west can be prolonged and extended towards other southern areas. The European members of the IGAD Partners Forum are hoping that a referendum on South-Sudan's future could break

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<sup>74</sup> A.G. Ali, I. Elbadawi and A. El-Batahani, *On the Causes, Consequences and Resolution of the Civil War in Sudan*, (unpublished mimeo, 2002).

the present stalemate. At a meeting in Oslo in March 1999, the IGAD Partners Forum discussed the provision of financial support to a new Kenyan special envoy to 'mount a concentrated and continuous mediation effort.'<sup>75</sup>

A recent review of the Kenya-led IGAD Sudan peace process, sponsored by the US Institute for Peace, suggested however that the four main IGAD-countries (Kenya, Eritrea, Ethiopia, and Uganda) disagree about the best overall solution. The Ethiopia-Eritrea conflict and shifting regional and international alliances may have paralyzed the IGAD secretariat. Privately, representatives of the IGAD Partners Forum expressed frustration about what they saw as a lack of genuine commitment from the IGAD-members.

#### **4.1.1 Mediation**

Since 1983, there have been attempts to address this problem through the mediations of Uganda, Kenya, Libya, and the United States of America. Unfortunately a lasting solution has proved elusive. Interstate organizations like the Inter Governmental Authority on Development (IGAD), composed of East African states and the Jimmy Carter Foundation have also mediated between the warring parties (the northern Khartoum government and the southern people led by the Sudan Peoples Liberation Movement/Army). The warring parties attempts to construct peace show an optimistic regard for the long suffering Sudanese people and an awareness of their international obligations under article 33 of the UN Charter. This demands that parties to a dispute likely to endanger peace shall, first of all, seek a solution by negotiation,

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<sup>75</sup>I. Elbadawi, and N. Sambanis, *External Interventions and the Duration of Civil Wars*, (Washington, D.C World Bank, 2000).



enquiry, mediation, conciliation, arbitration, judicial settlement or resort to regional settlements or any other peaceful means of their choice. Therefore, the Governments' and the SPLM/A resorted to peaceful settlement as the only credible course of action.<sup>76</sup>

In July –August 2003, the Sudan Government officials and Sudan Peoples Liberation Movement held meetings under the mediation auspices of the Kenyan government on power sharing, resource distribution and restructuring the army. But, progress was frustratingly sporadic, Khartoum seemed to hold on to power and the Southern rebels seemed to be holding onto their wealth, and the war raged on despite the ceasefire agreement. But what does this mean? Why should mediations and peace talks fail between the two parties- Khartoum and SPLA? It indicates a lack of good faith in their negotiations. International law and common sense dictate that for successful mediation to occur there is a need for genuine good faith, trust and consent between warring factions. The principle of good faith should be invoked for the conflicting parties to reach an amicable settlement. Trust and confidence should be built between the two parties to settle their differences. But, in the case of Khartoum-SPLA peace talks, there seemed to be no good faith and trust, and that is why peace settlement of the problem was eluding them.

Another aspect that one has to look at is how credible are the mediators? First of all, international law requires that the conflicting parties have to agree on the mediators and they should have trust in them. But if there is no trust, then the negotiations and mediations are bound to fail. In case of the Sudanese conflict, the Inter Government Authority of East Africa has been mediating between the conflicting

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<sup>76</sup> Ibid.

parties. Unfortunately, the Khartoum regime particularly distrusts two of the states – Uganda and Ethiopia, which it alleges to be supporting the SPLM/A. Given this clear lack of trust, and that most of the East African members have been accused in one way or another to be supporting SPLM/A, some commentators have suggested that mediators outside the region may be best qualified to facilitate a settlement. However, though regional mediation efforts have not yielded tangible results, they have at least achieved numerous cease-fires, which usually give breathing space for the southern Sudanese. It is noted that during these ceasefires, crops can be cultivated, NGOs can operate and even some degree of normalcy can prevail; but these are only small spells of sanity, which cannot sustain lasting economic development for the south.

Despite the challenges in Sudan peace process, under the mediation of the Intergovernmental Authority on Development (IGAD), the Government of the Sudan and the SPLM/A signed a series of six agreements which were as follows; the Protocol of Machakos: Signed in Machakos, Kenya, on 20 July 2002, in which the parties agreed on a broad framework, setting forth the principles of governance, the transitional process and the structures of government as well as on the right to self-determination for the people of South Sudan, and on state and religion.

The Protocol on Security Arrangements: Signed in Naivasha, Kenya, on 25 September 2003. The Protocol on Wealth-Sharing: signed in Naivasha, Kenya, on 7 January 2004. The Protocol on Power-sharing: signed in Naivasha, Kenya, on 26 May 2004. The Protocol on the Resolution of Conflict in Southern Kordofan/Nuba Mountains and the Blue Nile States: signed in Naivasha, Kenya, on 26 May 2004 and the Protocol on the Resolution of Conflict in Abyie: signed in Naivasha, Kenya, on 26 May 2004.

#### 4.1.2 Southern policy

Most writers on the civil war in Sudan agree that the origin of the war is linked to the ill-fated Southern Policy of the colonial administration of Sudan over the period 1920-1947. The implications of SP can be examined from three aspects; the insulation of the South and the “closed districts” ordinance; educational policy; and development policy. According to Beshir, following the re-conquest of Sudan in 1898 the British administration faced two urgent tasks in the South of the country: the establishment of an administrative system and the pacification of hostile tribes.<sup>77</sup> As in many other African colonies, the philosophy adopted for administering the country was that of “indirect rule,” interpreted by Beshir as “implying the protection of people against change,” where the administration was left to the native authorities under the supervision of the government.<sup>78</sup> This applied equally to the North and the South. There is evidence that prior to 1920 there was no deliberate policy to separate the South from the North, although a number of steps were taken which had this effect: reducing the demonstration effect of Northern Muslim traders in various southern communities with the aim of curtailing the spread of Arabic as lingua franca; the establishment of the Equatoria Corps as a southern military force composed of Southern soldiers in 1917 as a counterweight to potential Arab rebellion in Sudan; the recognition of Sunday as the official day of rest throughout the South in 1918; and, the adoption of English as the official language of the South in 1918.

Statements about a deliberate policy to separate the South from the North, on ethnic grounds, can be traced to a number of memoranda on the subject written in

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<sup>77</sup>Ibid.

<sup>78</sup> M. O. Beshir, *Educational Development in the Sudan*; (Oxford: Clarendon Press, 1969).

1921.<sup>79</sup> Thus, for example, in one of these the Sudanese government noted that “the possibility of the southern (black) portion of the Sudan being eventually cut off from the northern (Arab) area and linked up with some central African system should be borne in mind.” In another memorandum the Government of Sudan suggested that the South “would have, eventually, to be assimilated to the government of other African possessions, such as Uganda and East Africa” contingent on the development of a Central African Federation.

Another important aspect of the SP was educational policy, which was designed to augment other measures of the colonial rule aimed at strengthening the divide between North and South. According to a 1921 report of the Governor-General, the government’s education policy in the South was “not to substitute a government system of education for the missionary schools, but rather to attempt the regulation of the Missionary Societies along lines to be of more immediate benefit to government.” A system of grants-in-aid was devised. As a result missionary elementary schools for boys increased from four, with 630 boys, in 1926 to 33, with 3,103 boys, in 1932.<sup>80</sup> In 1928 a new language policy was adopted according to which six language groups (Dinka, Bari, Nuer, Latuka, Shilluk and Zande) were considered as media of instruction at the lower stages of education.

The dependence on missionary education in the South has not only meant a radically different educational system from that in the North, but also more limited access to education for those living in the South. Apart from the restrictions on trade and labor mobility embodied in the various orders noted above, the Southern Policy did not have any declared economic development objectives. In the meantime, the two

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<sup>79</sup> Ibid.

<sup>80</sup> Ibid.

parts of the country were drifting further apart in terms of economic development in view of the huge investment in irrigated agriculture and the relatively large investment in transportation in the North. The motivation for investment in irrigated agriculture was not, however, a deliberate policy to develop the North in preference to the South, but rather to make the colony pay for itself. In the meantime, economic development projects in the South were limited to small rubber, cotton, and coffee growing plantations; these plantations were established in the 1920s. The authorities in the South, similarly to their counterparts in other African colonies, had perverse ideas about economic and social development. The Governor of the Upper Nile province in his 1925 report noted that to “provide means for the present generation to acquire sufficient wealth to enable them to obtain all the various luxuries civilization brings and to make it possible for such comparative wealth to be easily gained, would in my opinion, be disastrous. For this reason I am anxious that the price given for cotton should not be too high”.<sup>81</sup>

### **Reversal of the southern policy**

During the early 1940s, the Southern Policy attracted a lot of criticism as the North was moving towards self-government and people were being trained for government. In 1946, the old policy, aiming at separating the South from the North, was reversed.<sup>82</sup> The official statement of the new Southern Policy reads as follows: “[W]e should now work on the assumption that the Sudan, as at present constituted, with possibly minor boundary adjustment, remains one: and we should therefore

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<sup>81</sup> See more on this at the website of the Sudanese Embassy in Washington, D.C. June 2005 [www.sudanembassy.org](http://www.sudanembassy.org).

<sup>82</sup> A. Alier, *Southern Sudan: Too Many Agreements Dishonored*; (London: Clarendon press, 1990).

restate our Southern Policy and do so publicly, as follows: 'the policy of the Sudan government regarding the Southern Sudan is to act upon the fact that the peoples of the Southern Sudan are distinctively African and Negroid, but that geography and economics combine (so far as can be foreseen at the present time) to render them inextricably bound for future development to the middle-eastern and arabicised Northern Sudan: and therefore to ensure that they shall, by educational and economic development, be equipped to stand up for themselves in the future as socially and economically the equals of their partners of the Northern Sudan in the Sudan of the future'.<sup>83</sup>

The reaction to the new Southern Policy by British administrators working in the South was varied.<sup>84</sup> However, almost all of the reactions expressed the need for safeguards for the South until it was able to stand on its feet to deal with the relatively more sophisticated North. Ideas of regional autonomy or federation were circulated.

#### **4.1.3 Leadership of the SPLA/M.**

##### **Origin of the SPLA/M**

The development of SLAM was due to the lack of Sudan's conflict resolution. Following the end of the first civil war in 1972 and the signing of the peace treaty between the Nimeri regime and the Anyanya movement, the Sudan entered into a peaceful period. However, perceived inequalities economic and political marginalization have created resentments among the people of Sudan towards central

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<sup>83</sup> Ibid.

<sup>84</sup> M. Mamdani, *Citizen and Subject: Contemporary Africa and Late Colonialism*; (Princeton: Princeton University Press, 1996).

government authorities. These goes in line with Yongo-Bure's arguments that political miscalculations by the Nimeri regime and the gross economic mismanagement of the peace dividend<sup>85</sup> generated many grievances among southern Sudanese civil servants, students, as well as the military in the barracks, including former rebels subsequently absorbed into the army.

By the early 1980s, some rebels of the old Anyanya movement formed the "Anyanya 2" movement as an articulation of the wide-spread southern disenchantment with the peace process. However, armed insurrections remained isolated incidents that did not threaten the political grip of the Southern Regional Government in Juba (the capital of the South). It took a mutiny by two battalions in three Sudanese Army garrisons in southern Sudan (Bor, Ayod and Pibor) in mid-1983 to provide the trigger event that heralded the outbreak of the present war, and the formation of SPLA/M. Unlike Anyanya, the SPLA/M became a melting point for all southern tribal differences and tensions. For the first time, many different groups were able to coalesce around a national objective. Whether this objective was expressed in the form of one united Sudan or "New Sudan" did not matter much to them. In terms of political and military organization and articulation of the political question, the SPLA/M was a better organized political and military instrument compared to Anyanya 2. It was the first armed group to be established by the people against the regime which also maintained deep tribal and sectional cleavages within its ranks.<sup>86</sup>

The Southern Sudan Liberation Front, a small group of leftist intellectuals,

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<sup>85</sup> B. Yongo-Bure, (1987) *Prospects for Socioeconomic Development of the South*, in Francis Deng and Prosser Gifford (eds.).

<sup>86</sup> Ibid.

mostly students, who left their universities to start a guerrilla movement in the early eighties, voluntarily dissolved their leadership structures and joined the SPLA/M. This group, although armed with quasi-revolutionary and Marxist ideology, was poorly organized and had no practical experience.<sup>87</sup> They did not differ much from the Anyanya 2 in terms of their objective. What they espoused was an ideology that envisaged a separate and sovereign South Sudan. However, when the SPLA/M emerged with high-sounding Marxist phraseology, this group acquiesced and joined its ranks.

In Equatoria, there was initially marked hostility towards the SPLA/M, especially at the level of the political leadership of the region. The SPLA/M was perceived as a Nilotic or Dinka movement whose objective was to reverse the division of the southern region, and to destroy the Equatoria Region and impose Dinka hegemony.<sup>88</sup> However, the organization received some support, especially among the people of the eastern banks of the White Nile. This was in spite of the fact that the Equatoria regional government's propaganda was directed against the SPLA/M. Nevertheless, Equatorians joined the SPLA/M in the tens of thousands. There was no way a government in Juba could have stopped these patriots from leaving their homes to join the national liberation movement. Thus, by the time Nimeri decreed the division of the southern region, and imposed the so-called "Sharia" laws, he had offended nearly all the sections of South Sudanese society and prepared fertile ground for the war of national liberation.<sup>89</sup> Many South Sudanese joined the SPLA/M to complete what the South Sudan Liberation Movement and the Anyanya had left unfinished in the

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<sup>87</sup> See more at [http://www.creativeworldwide.com/CAII staff/dashboard](http://www.creativeworldwide.com/CAII_staff/dashboard).

<sup>88</sup> Ibid.

<sup>89</sup> There were reports that the government and government supported militia tortured and beat persons suspected of supporting the rebellion in dar fur.(US Department of State, 'Country report on human Rights Practices in 2003,' February 25, 2004).



seventeen-year war: the independence of South Sudan. By the beginning of 1983, the die was already cast in that southern Sudanese of different walks of life had already made their decision to join the liberation struggle.

In addition to attempting to minimize the tribal cleavages that beset the Anyanya movement, the SPLA/M leadership has also internalized other lessons from the old insurgency. This leadership, which was mainly made up of army officers, moved on quickly to establish a strong military structure and to arrange robust external support, most notably from the Derg regime in Ethiopia. Avoiding the secessionist agenda of the Anyanya and instead espousing the ideal of a “new” united Sudan facilitated this support. This seemed to be a departure from the southern Sudanese elites’ preferred solution to the so-called problem of southern Sudan. From the start, the SPLA/M had declared that its overarching goal was the national “liberation” of the Sudan and the establishment of a secular, socialist, and united Sudan. Despite the fact that the objectives of the rebel movements kept changing, one objective remained constant which defined rebel political discourse: restructuring the power structure at the center. Moreover, to strengthen its appeal to the Mengistu Derg regime, the SPLA/M ascribed to socialist ideology. The movement quickly escalated violence to generate significant political and military impact and increase its external support.<sup>90</sup>

### **Making of a rebel movement: SPLA/M**

Based on the study there are many factors that have been funding conflict in Sudan region, but the emerging of political and military organization have been

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<sup>90</sup> P. Regan, *Civil Wars and Foreign Powers: Interventions and Intrastate Conflict*. (Ann Arbor MI; University of Michigan Press, 2000).

obstacle in achieving peace in the Sudan's region. However, in broad terms, the reasons underlying the emergence of the Sudan People's Liberation Army/Movement (SPLA/M) since 1983 was as a result of "failed peace" process which was led by a "dysfunctional" regime. However, awareness of the lessons from the experience of the earlier insurgency (Anyanya Movement: 1960-72) on the part of the SPLA/M leadership (many of them fought in the Anyanya war) has very much shaped the structure and dynamics of SPLA/M.

The Anyanya movement emerged in the early 1960s as a loose alliance between army mutineers and politically-conscious southern Sudanese. They were all united in resenting what they perceived as the hegemony of the northern elites in the newly independent Sudan. These groups, though united in their objective of fighting for a separate state in southern Sudan, nevertheless, operated under dispersed and informal authority, at least throughout the 1960s. Therefore, factional fighting and lack of strong military command beset this movement. More importantly, due to its overt secessionist agenda, it failed to cultivate robust and steady external alliances, especially from neighboring African countries; some of which, like Ethiopia, were trying to deal with their own secessionist problems. Despite intense grievances, factional cleavages and limited external support prevented the Anyanya movement from mobilizing a sufficiently large force to mount high-intensity warfare throughout the 1960s.

In the 1970s, however, the emergence of Israel as a military supplier and the ability of the military wing of the movement to consolidate power under one military leader, Joseph Lagu, allowed for the projection of a coordinated military campaign in the field for the first time since the launching of the insurgency. This enhanced

military capability of the Anyanya movement partly contributed to the conditions leading to the peace agreement in 1972.

The leadership of the SPLAM was not so that strong. Flight and Waal observes that, there was the split that occurred in August 1991 within the SPLAM between Garang's Tort faction (mainly Dinka from Southern Al Istiwaia) and the Nasir group (mainly Nuer and other non Dinka from Northern Al Istiwaia). The two groups launched military attacks against each other thereby not only destroying their common front against the government but killing numerous civilians.<sup>91</sup>

Although it was senior and junior army officers who initiated the rebellion, the rebel leadership also later attracted many politicians, intellectuals, university lecturers, and students. While the members of the Political-Military High Command, the highest institution of the SPLA/M, were mainly former military officers of the Sudanese army, it was presumed to represent a combination of political and military groups. However, subsequent developments in the movement and interventions by the main foreign sponsor, the Ethiopian regime, in the 1980s, tilted the balance of forces and eventually enabled the military officers to gain absolute dominance in the leadership.

Therefore, the militarization of the movement, whether deliberate or accidental, resulted in the emergence of an elitist vanguard whose members monopolized decision-making and concentrated all powers in the hands of the person at the helm. In the absence of collective leadership and accountability, the SPLA/M was slowly transformed into an autocracy. The ascension of Dr. John Garang de

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<sup>91</sup> Julie Flint Alex De Waal, *Darfur: A short History of a Long War*, (London & New York: Zed Books, 2005), p.119.

Mabior to the leadership of the SPLA/M was representative of this trend.<sup>92</sup>

The rebel movement was mainly drawn from the Dinka, the major ethnic-tribal group in the South. The leadership also accommodated representatives from other tribal and ethnic groups in the South and other marginalized areas in Sudan (the Nuba Mountains, the Ingessana, the Fung, the Beja and Darfur). Its attempt to reach out to marginalized groups in the Muslim North and its professed commitment to the unity of Sudan set SPLA/M apart from its predecessor the Anyanya, which was an openly secessionist insurgency. However, like its predecessor, the SPLA/M remains an overwhelmingly southern movement fighting an essentially “ethnic” civil war aimed at reshaping the Sudan in its own image.

#### *SPLA as a fighting force*

After the resolution of the leadership contest in the SPLA/M, the movement's first task was the reorganization and arming of the remnants of Battalions 104 and 105 (the two battalions that deserted from the Sudanese Army), and elements of Anyanya, which now formed the nucleus of the SPLA. The first wave of recruits, mostly secondary and university students, and office workers, were given intensive training to form the Buffalo Battalion (1983). As time went by and the insurrection gained momentum, the Jarad Division graduated (1984), followed by the Mour Mour (1985), Kazuk (1986), Zaizal (1987) Intifadha (1988) and Intisar divisions (1989). These were major divisions of the SPLA, composed of more than fifteen thousands of officers and

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<sup>92</sup> D.H. Johnson, *The Sudan Peaople's Liberation Army & the Problem of Factionalism*, in Christopher Clapham (editor), *African Guerrillas*. James Curie, (Oxford ; Oxford University Press, 1998), pp.53-72.

men.<sup>93</sup> These divisions had graduated from the SPLA training camp in Ethiopia. There were auxiliary training camps in several locations, as well as mobile camps.

The SPLA, by its definition, is a peasant army made up of volunteers. Apart from the initial tribal and other tensions, the members of the SPLA were propelled into action by nationalist and patriotic sentiments nurtured by deep-seated grievances. Its training was rigorous and the conditions in the training camps were severe and harsh, to say the least. Nevertheless, the morale of the SPLA men and officers was very high, and this grew with every operational victory and its coverage by the international media. The frequency and pace of its military victories against the Nimeri regime, whose image and credibility were on the decline internationally as a result of the imposition of the “Sharia” and other oppressive laws, boosted the image and credibility of the SPLA.

Therefore, the SPLA grew rapidly in numerical and military strength. By 1991, and despite the breaking away of a splinter group from the main movement, the SPLA forces were between 100,000 and 120,000 strong. The SPLA engaged the Sudanese army and its militia and scored remarkable victories. By 1990, the stretch of territory east of the River Nile, from the international borders with Kenya and Uganda up to the mouth of Sobat River, was under the control of SPLA. The whole of western Equatoria, with the exception of Yei, Rokon, Terrikeka and Juba towns, was administered by the SPLA. In rural Bahr el Ghazal, the SPLA controlled all the land routes.

However, the SPLA experienced a series of military defeats in the early 1990s,

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<sup>93</sup> D.H. Johnson, and G. Prunier, *The Formation and Expansion of the Sudan People's Liberation Army*; in Daly and Sikainga, (1993).

following the collapse of the Mengistu regime in Ethiopia, which had been the main foreign sponsor of the SPLA. There was also the split of a major faction from the movement, and the aggressive military campaign of the new “Islamist” military regime which was determined to put an end to the conflict by imposing a crushing military defeat on the SPLA. However, the movement was able quickly to restructure the SPLA and re- establish external alliances with other neighboring countries, most notably Uganda, as well as northern Sudanese opposition parties. In a few years, the SPLA was able to regain virtually all of its lost territory. Moreover, through alliances with other marginalized minorities in the North, the SPLA managed, for the first time, to establish a presence in areas outside the historical region of southern Sudan. The leadership was thus able to restructure the SPLA into a “mobile” force of national character, and to mount a creative and flexible approach for cultivating local grievances.<sup>94</sup>

#### **4.1.4 CONCLUSIONS**

Despite the key issues that have emerged during this study, there is also a need to consider other issues such as Predation, criminality and problems of civil administration. The positive image of the SPLA projected by its military victories and its politico-ideological agenda did not last long before it was tarnished by the behavior and conduct of some of its officers and men. At the early stages of the movement, reckless behavior had complicated the movement’s goal of winning over the local population and establishing efficient civil administration in the areas under its control.

Again, according to an insider account, “the SPLA/M, instead of being a genuine national liberation movement, degenerated into an agent of plunder, pillage

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<sup>94</sup> Ibid.

and destructive conquest.”<sup>95</sup> Also, according to Nyaba, these counterproductive acts could be explained by the goal of massive recruitment set by SPLA/M in its early stages: “... accordingly, people of all walks of life flocked into the SPLA/M. Thieves, murderers, rapists and fugitives from the Sudanese justice system found a safe haven in the SPLA, and when an opportunity arose, they easily relapsed into their old practices. Many of the horrendous crimes committed against the civilian population were attributed to some of these social misfits masquerading as ‘revolutionaries’”.<sup>96</sup>

Moreover, the absence of a program for reconstruction and rehabilitation and the failure to convert military victories into a political program for social and economic transformation, were reflected by the continued dependence on external resources provided by relief agencies. This humanitarian aid relationship between the providers of relief aid and the receivers induced and reproduced the dependency syndrome in many communities in South Sudan

The complete neglect of social and economic functions by the liberation movement meant that the SPLA could not rely on provisions from the people. Resources had to be imported. They could only be acquired from international humanitarian agencies, but since humanitarian assistance is only provided for the needy civil population, the task of distribution of this assistance fell on specially selected SPLA officers and men who saw to it that the bulk of the supplies went to the army. Even in cases where the expatriate relief monitors were strict and only distributed relief supplies to the civilians by day, the SPLA would retrieve that food by night. The result of this practice led to the absolute marginalization and

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<sup>95</sup> Ibid.

<sup>96</sup> Ibid.

brutalization of the civilian population. Over time, the movement made considerable progress in addressing its failures in the area of civil administration, leading to the emergence of a functioning civil authority in SPLA-held territory and a steady decline in the earlier egregious looting and human rights violations by the rebel army. The success of the SPLA in controlling large sections of the rural population is largely due to its success in civil administration.<sup>97</sup>

Having made the decision to cast the future lot of the South with the North, the central government went ahead with preparations for a Legislative Assembly for the country. In 1947 a Sudan Administrative Conference was held to deal with the issue of associating the South with the central and local government and its representation in the proposed Legislative Assembly. Despite the concerns raised above, the Juba Conference endorsed the new Southern Policy of forging a united Sudan. Naturally, neither the new Southern Policy nor the outcome of the Juba Conference was acceptable to a number of groups, including the missionaries.

According to the southern Sudanese account of the events, the agreement on a united Sudan was conditional on explicit safeguards,<sup>98</sup> including: demand by southerners for the respect, preservation, and promotion of southern cultures (languages, traditions, and heritage); reconciliation over a blotted history of relations between the two regions and commitment to equality of citizen in future Sudan; racial equality; promotion of accelerated educational and economic development in the South; involvement of southerners in the administration of the country at the national level coupled with self-rule in the southern Sudan.

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<sup>97</sup>Ibid.

<sup>98</sup> Ibid, p.10.



The critical issue here is not whether these concerns were formally enshrined in the Juba agreement, but whether they reflected the southern perspective of the events leading to independence. Again, Malwal argued that this was a “call by southerners for safeguards, in essence to preserve diversity and accelerated socioeconomic development in the southern Sudan”. He emphasized the point that these safeguards were “endorsed by northern representatives at the conference,” and characterized them as having, “set the tone, the parameters, and the content of Sudanese national unity.”

Between the Juba Conference and the declaration of independence by the Sudanese Parliament in January 1956, the Torit massacre and the subsequent reprisal had substantially damaged the relationship between North and South. In addition, the limited progress in the safeguards of 1947 did not inspire confidence. For example, only one government intermediate school and one secondary (high) school were opened in the South between the Juba Conference and the declaration of independence. Perhaps the most frequently cited example of the marginalization of the South in the administration of the country on the eve of independence was the outcome of the “Sudanization” policy.

Out of 800 expatriate civil service jobs Sudanized in 1954, only six junior positions were given to southerners. Against this background, southern representatives in the parliament demanded that a pledge be made to establish a federal system of government in the future in return for their agreement to the declaration of independence. They received the consent of their northern colleagues to this proposal.

The account of the subsequent developments leading to the launch of the civil war from a southern Sudanese perspective is succinctly argued by Malwal. He notes

that the federal pledge was never considered by the northern-dominated governments during the period 1956-1972, prior to the Addis Ababa agreement of 1972. Instead, he contends that the call for federation by southern Sudanese was construed by post-independence governments as a pretext for separation and penal sanctions were imposed on those who stood for the federal principle. This led several political leaders and intellectuals to take refuge in neighboring countries and many of them joined the military personnel who fled the country after Torit to launch the insurgency. Moreover, according to Malwal, the attempt by the northern governments to promote the dominant religion and language in a “vain and costly effort to establish a nation state of cultural and religious homogeneity in the place of one of diversity” only exacerbated the grievances of the southern Sudanese. In the meantime, the already large gap of economic and social disparity between the two regions was allowed to increase even further.

There is little doubt that the Sudanese conflict was, and still is, about fundamental differences on culture, religion and identity. No doubt there has been a deep-seated resentment by southern Sudanese about what they perceive as a cultural, religious and political hegemony by the northern political establishment. Moreover, the substantial economic marginalization of the South in an already poor country lends credence to the view that rebellion has little or no opportunity cost for southerners.<sup>99</sup> However, it is also true that external support has been critical for both the onset and the duration of the war. Support offered to the rebels by some of Sudan’s neighbors has been partly motivated by sympathy with the rebel cause, but

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<sup>99</sup> P. A. Nyaba, *The Politics of Liberation in Sudan: An Insider’s View*; second edition, ( Kampala Fountain Publishers, 2000).

also because these countries were, by and large, undemocratic and have fewer constraints in meddling in each others' civil wars. The rebels have also received support from Christian missionaries and non-neighboring countries motivated by strategic concerns or religious ties. A few Arab countries have also provided support to various Sudanese governments.

To conclude, this chapter presented the critical analysis role of special envoys in the management of internal conflict. It consisted of the following key issues that emerged: a background to the conflict, mediation efforts, southern policy and its reversal leadership of the SPLA/M and as a fighting force and other emerging issues.

## **CHAPTER FIVE**

### **CONCLUSIONS**

#### **5.0 Summary**

Chapter One presented the background of the study, objectives, specific objectives, justification of the study, literature review which contained actors in a conflict, foreign policy and diplomacy in conflict, dichotomy of peace and war, theoretical paradigms of conflicts in Africa, conflict in Darfur region and the nature of Sudan conflict, conceptual framework, hypotheses, research methodology and the chapter outline.

Chapter Two made a presentation of Kenya foreign affairs policy, institution of special envoys, activities performed by special envoys, past practice within the greater horn, importance of indigenous political support, the honest broker, special envoy Ambassador Bethuel Kiplagat and special envoy Lt. General Lazaro Sumbeiywo.

Chapter Three provided an overview of the Sudan's conflict, the impact of special envoys on the mediation of internal conflicts, effects of special envoys on foreign policy on parties involved, causes of the conflict in Sudan, challenges of Kenya foreign affairs policy, methods for mitigating Sudan's conflict, special envoys and provisions of international and regional instruments in conflict management, interpretation and presentation.

Chapter four looked at the role of Kenya's special envoys in the management of internal conflict. The subsections consists of conflict management, mediation, interpretation of the findings which incorporated general information, effects of special

envoys on foreign policy on parties involved, causes of conflict in Sudan, methods of mitigating Sudan conflict and provisions of international and regional instruments in conflict. However, much of this chapter will critically analyzed three emerging issues that have surfaced, namely; mediation, Southern Policy and its Reversal, leadership of the SPLA/M, and as a fighting force.

## **5.1 Key Findings**

This study found out that envoys play important diplomatic roles in situations where parties in conflict have no or very little trust and no way out to drive positive and peaceful efforts for stability. Envoys also contribute to conflict prevention or mitigation by assessing circumstances, offering conciliation efforts, providing early warning for the outside community.<sup>100</sup> The study has also shown that special envoys are involved in conflict resolution efforts between the parties involved. They also create mediation between the parties, ensure success in negotiations between the government and the opposition, they ensure that the parties maintain integrity throughout the process and ensure that the parties achieve good relations with the donors. This is further supported by the arguments of Mwagiru that special envoys have an important role to play in the diplomacy of conflict Management, as they provide a framework and an avenue through which peace process can proceed unhindered by internal local and bureauetric politics.<sup>101</sup>

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<sup>100</sup> M. Mwagiru, 'Kenya's Diplomacy of conflict Management in Conflict Resolution in Africa', (South African Yearbook of International Affairs, 2006), p.17.

<sup>101</sup> Mwagiru, 'The Elusire Quest; Conflict Diplomacy and Foreign Policy in Kenya ' in P.A. Okoth & Bethwell Ogot (eds) *Conflict in Contemporary Africa*, (Nairobi: Jomo Kenyatta Foundation, 2000), pp.177-189.

The study revealed that the activities the envoys were performing included; assisting in creating opportunities for negotiation, leading negotiations to solutions that emphasize peaceful methods, helping to create peace accords, bringing conflicting groups together to initiate country-building with aid of third parties or the international community, contribute to conflict prevention or mitigation by assessing circumstances, offering conciliation efforts, providing early warning for the outside community collect information on areas of conflicts, promoting dialogue concerning situations with the potential to develop into a new or further conflict and making reports of suggestions for preventive activities and recommendations on various aspects of issues. Other activities performed by special envoys were found to be; ensuring that the conflicting parties, especially political elites of all sides, perceive that negotiation is the best solution as opposed to taking arms or overrunning opposition parties.<sup>102</sup>

The study found out the challenges of Kenya foreign affair policy which are; insecure political environment, the need to pursue an open economic policy and the demand for foreign capital and investment flows, geo-political factors which include issues such as the presence of overlapping ethnic communities across borders and the fact that Kenya is a littoral state of the Indian Ocean and which influences relations with landlocked neighbors.<sup>103</sup>

The study realized that in order to be effective, envoys must also enjoy continued backing for their work from the top political authorities of their sponsoring organization; along with support from other third parties and the parties themselves are to some degree

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<sup>102</sup> M. Mwangiru, *Diplomacy*, (Nairobi: IDIS Publications, 2004), pp.67-73.

<sup>103</sup> Ibid.

willing to consider peaceful settlements and to refrain from provocative actions that fuel the situation. They must also typically struggle to reconcile the pressures and preferences they receive from their appointing organizations with their own independence and judgments about the leeway and tolerance that can be granted to particular parties with often delicate considerations that must be taken into account.<sup>104</sup>

Despite the challenges in the Sudan peace process, under the mediation of the Intergovernmental Authority on Development (IGAD), the Government of the Sudan and the SPLM/A signed a series of six agreements. The study realised that most of the protocols had been implemented to a low extent. the Machakos Protocol had been implemented to a moderate extent, the Protocol on Security Arrangements had been implemented to a low extent, the Protocol on Wealth Sharing had been implemented to a low extent, the Protocol on Power Sharing had been implemented to a low extent, the Protocol on the Resolution of Conflict in southern Kordofan/Nuba Mountains and the Blue Nile States had been implemented to a low extent and the Protocol on the resolution of conflict in Abyie had been implemented to a moderate extent.<sup>105</sup>

The most appropriate methods of mitigating the Sudan conflict according to this study were; a strengthening of grassroots peace building measures, prudent measures on the management of natural and mineral resources are needed, a stronger peace keeping force is required, new dialogue with all the actors and their constituent is required. All negative forces should be side lined from the peace processes and all external armies

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<sup>104</sup> Ibid

<sup>105</sup> Samson Kwaje, 'The Sudan Peace Process; from Machakos to Naivasha' in M. Mwangi (ed) *African Regional Security in the Age of Globalisation*, (Nairobi: Heinrich Boll Foundation, 2004), p.95-105

operating on Sudan soil should go back to their mother countries. This was further supported Waihenya's views on Sudan's' peace process.<sup>106</sup>

The study realized that the UN, together with regional and sub regional organizations and arrangements, maintain a partnership, and act decisively and expeditiously in framing new approaches to crisis prevention, management and resolution in the Sudan conflict. International or regional peace and security are framed in a manner that transcends the traditional politico-military approaches, and embrace economic, environmental, humanitarian and human rights issues, as these tend to impact heavily on conflict situations on the continent, regional and sub regional organizations and the UN system endeavor to share proportionately the burden relating to the maintenance of worldwide peace, security and stability. Regional organizations, such as the OAU, develop and maintain formal and explicit capacities with which they ensure that the UN Security Council remains focused on matters of concern to these regional organizations, such as democratization or the management of transition, socio-economic transformation, and regional integration. Regional organizations realize the need for it to take primary ownership of its own problems, especially those relating to issues of peace, security and stability.<sup>107</sup>

From the findings of the study, the AU mediation on the Darfur conflict is still ongoing and raises questions regarding the AU mediation team approach. The mediation team also indicated that IGAD had shown its limited capacity to broker an agreement between the Government of Sudan and the southern rebellion. If a peace settlement was

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<sup>106</sup> W. Waihenya, *The Mediator: Gen Lazaro Sumbeiywo and the Southern Sudan peace Process*, (Nairobi: Kenway Publications, 2006), p. 151

<sup>107</sup> M. Mwangi, *African Regional Security in the Age of Globalization*, (Nairobi: Heinrich Boll Foundation, 2004) p. 95-105



achieved in 2004, it came as a result of constant pressures by some western countries. It also indicates that special envoys in Darfur and the AU have been implementing this first large-scale operation with a Protection Force and a Civilian Police branch.

African organizations vary significantly in terms of capabilities and efficiency. Among the regional organizations, IGAD appears as a weak structure. Political mediations by the AU have so far obtained limited results. Learning-by doing process is still ongoing and is likely to require lasting and targeted support. This cannot be a rapid process, as the AU faces significant problems of absorption capacities. Moreover, regional organizations should not overshadow other potential players, such as civil society or African entrepreneurs.

## **5.2 Recommendations**

### **5.2.1 A country like Sudan, with its endowments of natural resources needs a clear policy to manage its resources; otherwise those resources become a source of conflict and menace.**

Having looked at the intricacies and repercussions of this conflict, there are some possible solutions to this conflict. A country whose leadership still carries out policies designed to suppress an entire region, leading to its impoverishment and marginalization will always face problems of backwardness and continued conflict.

### **5.2.2 The principle of good faith should be adhered to so that amicable settlement can be reached by the warring parties.**

In the Sudan conflict, both sides mistrust each other. In August 1991, a Sudanese Cultural Attaché at the Sudan Embassy while addressing the Uppsala Forum said:

*"The trade Unions, sectarian lords, big merchants, and tribal leaders have all grown very powerful in the absence of effective state power..... The winner in the long struggle for supremacy is as often as not determined by single-minded ruthlessness and efficacy rather than by other qualities. The primary obstacle to establishment of a proper state in the Sudan had been the refusal of the south to cooperate.....their resistance has weakened the state and deprived it of its legitimacy".<sup>108</sup>*

The civil war in the Sudan was inevitable. War started even before the country's independence. The evidence in the literature suggests that, in addition to the standard economic determinants, which we do find to be relevant here, the long prevalence of the Sudanese civil war is due to social polarization between North and South Sudan and also to extensive external interventions by third parties. These interventions have themselves been causally linked to the Sudan's social polarization. This understanding of the war also suggests strategies for conflict resolution. Interventions should attempt to transform the conflict away from a "war of visions" as no solution can be reached if the parties' interests are perceived as fundamentally irreconcilable.<sup>109</sup>

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<sup>108</sup> H. Amir Idris, *Conflicts and Politics of Identity in Sudan*, (New York: Palgrave Macmillan, 2005), p.78.

<sup>109</sup> Ibid, p.139.

### **5.2.3 Any viable solution must recognize and work around Sudan's social diversity.**

Democratic transitions in both North and South could afford representation and redistribution that might be able to sustain a peace among Sudan's troubled ethnic groups.

### **5.2.4 Contribution to conflict prevention or mitigation by assessing circumstances and offering conciliation efforts.**

This study concludes that the effects of special envoys on foreign policy and the vulnerability of mediation on mediation on parties involved include; providing early warning for the outside community, involvement in conflict resolution efforts between the parties involved. The respondents also indicated that envoys also provide a momentum and serve as a model for resolving conflicts.<sup>110</sup> They also create mediation between the parties, ensure success in negotiations between the government and the opposition, they ensure that the parties maintain integrity throughout the process and ensure that the parties achieve good relations with the donors.

### **5.2.5 Regional organizations should not overshadow other potential players, such as civil society or African entrepreneurs.**

AU mediation on the Darfur conflict is still ongoing and raises questions regarding the AU mediation team approach. This study concludes that the mediation team also indicated that IGAD had shown its limited capacity to broker an agreement between

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<sup>110</sup> Interview with key informant on 27<sup>th</sup> July, 2010.

the Government of Sudan and the southern rebellion.<sup>111</sup> If a peace settlement was achieved in 2004, it came as a result of constant pressures by some western countries. They also indicated that special envoys in Darfur and the AU have been implementing this first large-scale operation with a Protection Force and a Civilian Police branch. African organizations vary significantly in terms of capabilities and efficiency. Among the regional organizations, IGAD appears as a weak structure. Political mediations by the AU have so far obtained limited results. Learning-by doing process is still ongoing and is likely to require lasting and targeted support. This cannot be a rapid process, as the AU faces significant problems of absorption capacities.<sup>112</sup>

*5.2.6 To reduce the vulnerability and risk of exposure or disintegration of the institution of special envoys, a secure political environment should be created, open economic policy and the demand for foreign capital and investment flows should be enhanced, geo-political factors which include issues such as the presence of overlapping ethnic community across borders should be suppressed.*

This chapter presented the discussion of key data findings, conclusions drawn from the findings highlighted and recommendations made. The conclusions and recommendations drawn were focused on addressing the aim of this research, which was to look at the impact of special envoys on the mediation of internal conflicts, explore the relationship between mediators, look at the contributions of regional and international diplomacy and the role of sub regional organizations. The objectives of this study were to effectively analyze the effect special envoys on foreign policy and the vulnerability of mediation on

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<sup>111</sup> G. Korwa Adar, 'Conflict Resolution in a Turbulent Region; The case of the Inter-Governmental Authority (IGAD) in Sudan,' *African Journal of Conflict Resolution*, Vol. 1, No. 2 (2000), pp.39-66.

<sup>112</sup> Ibid.

parties involved, establish how special envoys employ provisions of international and regional instruments in conflict management and to make recommendations that reduces vulnerability and risk of exposure or disintegration of the institution of special envoys. Finally from the study and related conclusions, further research is needed in the areas of effectiveness of the conflict management approaches used in Sudan and determining of strategies and operational challenges faced in the implementation of the approaches used in conflict management.

## BIBLIOGRAPHY

- Alex de Wall, *Counter-Insurgency on the Cheap*, (London: London Review Books, 2004).
- Curle A., *Making Peace*, (London: Tavistock Publications, 1971).
- Ali A.G., I. Elbadawi and A. El-Batahani , *On the Causes, Consequences and Resolution of the Civil War in Sudan*, unpublished mimeo, 2002).
- Azam J-P., The Redistributive State and Conflicts in Africa, *Journal of Peace Research*, Vol. 38 No.4 (2001), pp.429-44.
- Ali, T. M. and O. Matthews, *Civil War and Failed Peace Efforts in Sudan*, in T. M. Ali and Matthews (editors). *Civil Wars in Africa: Roots and Resolution*, (McGill-Queen's: McGill-Queen's University Press, 1999).
- Ali A.G., I. Elbadawi and A. El-Batahani, *On the Causes, Consequences and Resolution of the Civil War in Sudan*, ( unpublished mimeo, 2002).
- Alier A., *Southern Sudan: Too Many Agreements Dishonored*; (London: Clarendon press , 1990).
- Alier A., *Southern Sudan: Too Many Agreements Dishonored*; (London: Clarendon press ,1990).
- Beshir M. O., *Educational Development in the Sudan*; (Oxford: Clarendon Press, 1969).
- Beshir M.O., *The Southern Sudan: Background to Conflict*;(Khartoum: Khartoum Books,1968).
- Berridge G.R., *Theory and Practice*;(London: Macmillan, 1994).
- Collier P. & A. Hoeffler, "On Economic Causes of Civil Wars", *Oxford Economic Papers*, World Bank WPS, Washington D.C, Vol. 50, (1998) ,opp.563-73
- Cohen E.A., *Causes, Conduct and Termination of War*, (Princeton:Princeton University,1991).
- Collier P., Hoeffler A. and M. Soderbom, *On the Duration of Civil War*, (Washington D.C.: World Bank, 2001).
- Childs Rives J. & C. Joseph Grew, *American Foreign service*,( New York: Holt ,1948).
- Deng F., *War of Visions: Conflict of Identities in the Sudan*, (Washington, D.C.: Brookings Institutions, 1995).
- Elbadawi I. and N. Sambanis, *External Interventions and the Duration of Civil Wars*, (Washington, D.C World Bank, 2000).
- Egwu S., *Peace and Conflict Studies: An African Overview of Basic Concepts* in Gaya-Best, S. (ed) *Introduction to Peace and Conflicts Studies in West Africa*, (Abuja, National University Commission and University of Peace Addis Ababa,2006)
- Eltigani Seisi and M. Ateem, *The Root Causes of Conflicts in Sudan and the Making of the Darfur Tragedy* (NEPAD & Regional Integration Division United Nations Economic Commission for Africa Conflict Prevention and Development Co-Operation in Africa: A Policy Workshop. Wilton Park, Sussex, 8 – 11 November 2007.
- Elhadawi I., *The Tragedy of the Civil War in the Sudan and its Economic Implications*; in K. Whlmuth, A.Gutowski, E.Grawert, and M., Wauschkuhn, (eds.), *African Perspectives Yearbook 1999*, (London: Lit Verlag Munster, 1999).
- Elbadawi I., and N. Sambanis, *External Interventions and the Duration of Civil Wars*; (Washington, D.C: World Bank, 2000).

- Hussein F.M., *The Problem of Darfur*, (iUnivers,.inc, 2005).
- Goldsmith P., Abura L. A. & Jason Switzer, *Oil and Water in Sudan*, in J. Lind, & Kathryn Sturman (Eds.), Op Cit, Pp. 187 —241.
- International Crisis Group, *God, Oil and Country: Changing the Logic of War in Sudan*: (Brussels: ICG Press, 2002).
- Johnson D.H., *The Sudan Peaople's Liberation Army & the Problem of Factionalism*, in Christopher Clapham (editor). *African Guerrillas*. James Curie, (Oxford ; Oxford University Press, 1998).
- Johnson D.H., and G. Prunier, *The Formation and Expansion of the Sudan People's Liberation Army*; in Daly and Sikainga, (1993).
- Julie Flint A.W., *Darfur: A Short History of a Long War*, (London & New York; zed Books, 2005).
- Konrad Huber J., *The CSCE's New Role in the East: Conflict Prevention, Radio Free Europe/Radio Liberty Research Report*, Vol. 3, No. 31, August, 1994.
- Konrad Huber J., *The CSCE's New Role in the East: Conflict Prevention, Radio Free Europe/Radio Liberty Research Report*, Vol. 3, No. 31, August, 1994.
- Mwagiru M., *Kenya's Diplomacy of Conflict Management in Conflict Resolution in Africa* (Nairobi: Jomo Kenyatta Foundation,2000).
- Mwagiru M., *Conflict in Africa, Theory, Processes and Institutions of Management*, (Nairobi: CCR Publications, 2006).
- Mwagiru M., *Kenya's Diplomacy of conflict Management in conflict Resolution in Africa*, (South Africa year book of International Affairs, 2006)
- Mwagiru M., *Conflict: Theory Processes and Institutions of Management*, (Nairobi, Watermark, 2000).
- Monty Marshall G. and Ted Gurr, *Peace and Conflict . A Global Survey Of Armed Conflicts, Self Determination Movements and Democracy*, (Mary Land,) CIDCM, University of Maryland, 2003)
- Ministry of Foreign Affairs (MFA), (2007) available at <http://www.mfa.go.ke/mfacms/index.php>
- Malwal B., *The Roots of Current Contention*," in Francis Deng and Prosser Gifford (editors). *The Search for Peace and Unity in the Sudan*. The Woodrow Wilson International Center for Scholars, (Washington D.C, UPA, Inc and Lillian Barber Press, Inc. 1987).
- Mamdani M., *Citizen and Subject: Contemporary Africa and Late Colonialism*; (Princeton: Princeton University Press, 1996).
- Max van der Stoel, *Talk on the Work of the High Commissioner on National Minorities*, Face to Face Program, Carnegie Endowment for Peace, Washington D.C., November 20, 1994.
- Nyaba P.A., *The Politics of Liberation in Sudan: An Insider's View*; second edition, (Kampala Fountain Publishers, 2000).
- Nicholson H., *The Congress of Vienna: A study in Allied Unity, 1812-22*, (New York: Harcourt Harper Collins Publishers).
- Nnoli O., *Ethnic Conflicts in Africa: A Comparative Analysis* in Nnoli O. (Ed) *Ethnic Conflict in Africa*, (Darkar, Codesria Book Series, 1998)
- Queller D. E., *The Office of Ambassador in the Middle Ages*, (Princeton: Princeton university Press, 1967)

- Report by *Canadian Auto workers et al*, *Oil Development in Sudan, 2000-2001*.
- Regan P., *Civil Wars and Foreign Powers: Interventions and Intrastate Conflict*. (Ann Arbor MI; University of Michigan Press, 2000).
- Sudan: Nearly 2 million dead as a result of the world's longest running civil war, U.S. Committee for Refugees, 2001. Archived 10 December 2004 on the Internet Archive. Accessed 10 April 2007).
- Sudan: Conflict and minorities*, Minority Rights Group International Report 95/3
- Sudan: Now or Never in Darfur*, ICG Africa Report No.80, 23 May 2004, [http://www.crisisweb.org/library/documents/africa/horn\\_of\\_africa/080\\_sudan\\_now\\_or\\_never\\_in\\_darfur.pdf](http://www.crisisweb.org/library/documents/africa/horn_of_africa/080_sudan_now_or_never_in_darfur.pdf)
- S.E., Smith Wise Geek: *What is an Envoy?* Conjecture Corporation Sparks, NV 89432 U.S.A.(2009)
- Sambanis N., *Ethnic War: A Theoretical and Empirical Inquiry into its Causes;* (Washington D.C: World Bank, 2000).
- UNMIS, *The CPA Monitor: Monthly Report on the implementation of the CPA*. [www.unmis.org](http://www.unmis.org). April 2007.
- Verney P.P., *Sudan: Conflict and Minorities*. Minority Rights Group International, (London, Macmillan, 1995).
- Voll John O., *State and Society in Crisis: Sudan* (Washington D.C.,Indiana University Press,1991).
- Waihenya W., *Foreword of, The Mediator*, Daniel Toroitich Arap Moi,CGH, Second President of the Republic of Kenya
- Waithaka W., *The Mediator: Gen. Lazaro Sumbeiywo and the Southern Sudan Peace Process*, (Nairobi. Kenway Publications, 2006).
- Yongo-Bure B., *Prospects for Socioeconomic Development of the South*, in Francis Deng and Prosser Gifford (editors), (1987).
- Zartman I W., *Conflict and Resolution: Contest, Cost and Change*' in I. W. Zartman (Ed), *Resolving Regional Conflict: International Perspectives*, (Newbury Park, Sage Publications, 1991), pp.11-22.



**Appendix I:**  
**QUESTIONNAIRE**

Dear Sir/Madam,

I am **Catherine Kamali**, a student pursuing a Masters Degree in International Studies at the University of Nairobi. As part of my course requirements, I am undertaking a survey research on the role of Kenya's special envoys in the management of internal conflict by studying Sudan, 2002-2009

Please do assist me by filling this questionnaire. Your participation will be treated anonymously and your information will be treated with utmost confidentiality.

Thanks in advance for your cooperation.

**SECTION A**

Please fill in the blank spaces or tick as appropriate.

**1. Age**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Below 20 years | <input type="checkbox"/> 30 to 40 years | <input type="checkbox"/> 50 to 60 years |
| <input type="checkbox"/> 20 to 30 years | <input type="checkbox"/> 40 to 50 years | <input type="checkbox"/> above 60 years |

**2. Sex**

- |        |                          |
|--------|--------------------------|
| Female | <input type="checkbox"/> |
| Male   | <input type="checkbox"/> |

**3. How long have you been residing in the country?**

- |               |                          |
|---------------|--------------------------|
| 0-5 Years     | <input type="checkbox"/> |
| 6-10 years    | <input type="checkbox"/> |
| 11-15 years   | <input type="checkbox"/> |
| Over 15 years | <input type="checkbox"/> |

**SECTION B.**

4. To what extent do you agree with the following activities performed by special envoys in resolving conflict in Sudan?

	Strongly agree	agree	neutral	disagree	Strongly disagree
assisting in creating opportunities for negotiation					
leading negotiations to solutions that emphasize peaceful methods					
helping to create peace accords					
possibly bringing conflicting groups together to initiate country-building with aid of third parties or the international community					
Envoys contribute to conflict prevention or mitigation by assessing circumstances					
offering conciliation efforts					
providing early warning for the outside community Collect information on areas of conflicts					
Promote dialogue concerning situations with the potential to develop into a new or further conflict					
Make reports of suggestions for preventive activities and recommendations on various aspects of issues					

5. Please select the factors that play a key role in the surge of the Sudan conflict

- |  |  |
|--|--|
| <input type="checkbox"/> Level of wealth and poverty         | <input type="checkbox"/> The level of inequality |
| <input type="checkbox"/> The importance of natural resources | <input type="checkbox"/> The economic policy     |
| <input type="checkbox"/> The number of ethnic groups         | <input type="checkbox"/> Inequality              |
| <input type="checkbox"/> Insufficient resources              | <input type="checkbox"/> Large population        |

6. To what extent do you agree with the challenges of the Kenya foreign affair policy?

	Strongly agree	agree	neutral	disagree	Strongly disagree
Problem of an insecure political environment					
The need to pursue an open economic policy and the demand for foreign capital and investment flows					
Geo-Political factors which include issues such as the presence of overlapping ethnic community across borders					
The fact that Kenya is a littoral state of the Indian Ocean and which influences relations with landlocked neighbors					

7. Which are the factors that facilitate the effectiveness of special envoy?

8. Despite the challenges in Sudan peace process, under the mediation of the Intergovernmental Authority on Development (IGAD), the Government of the Sudan and the SPLM/A signed a series of six agreements. To what extent have the following six agreements been implemented?

	Very great extent	Great extent	Moderate extent	Low extent	No extent at all
The Protocol of Machakos					
The Protocol on security arrangements					
The Protocol on wealth-sharing					
The Protocol on Power-sharing					
The Protocol on the resolution of conflict in southern Kordofan/Nuba Mountains and the Blue Nile States					
The Protocol on the resolution of conflict in Abyie					

9. How would you rate the current government commitment to handling the conflict?

Very committed

Fairly committed

Not committed

10. To what extent do you agree with this statement current management approaches are not sufficient to stop the conflict?

Strongly agree

Agree

Neutral

Disagree

Strongly disagree

**11. To root out the conflict in Sudan which of the following methods do you consider the best approach**

- Sensible external support is needed
- A strengthening of grassroots peace building measures
- Prudent measures on the management of natural and mineral resources are needed
- A stronger peace keeping force is required
- New dialogue with all the actors and their constituent is required
- All negative forces be side lined from the peace processes
- All external armies operating on Sudan soil should go back to their mother countries

**12. What are the causes of conflict in Sudan (2002 - 2009)?**

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**13. Which are the contributions of regional and international diplomacy in Sudan conflict management?**

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**14. What is the role of sub regional organizations?**

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**15. What are the effects of special envoys on foreign policy on parties involved?**

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**16. How do special envoys employ provisions of international and regional instruments in conflict management?**

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