International Peace Support Training Centre

# ISSUEBRIEFS

*Enhancing Capacity for Regional Peace and Security through Peace Operations Training*

# ISSUEBRIEFS

# Table of **CONTENTS**

# Section  I

## FOREWORD

This first collection of International Peace Support Training Centre (IPSTC) Issue Briefs comes at a critical moment in the development of the (IPSTC) Peace and Security Research Department. The Department's Applied Research Team has made important progress since its establishment in January 2010 and is already doing research in many other areas related to peace and security in the Eastern African Region. This first publication of Issue briefs  marks a major step towards subsequent publications including further issue briefs, occasional papers, country profiles, and situation reports at IPSTC.

The publication offers an important occasion for different institutions (both research and academia), organizations (governmental, non-governmental and sub-regional), and field missions, in peace and security issues to read and be updated on some of the arising and pertinent issues in the Eastern African Region.

This collection, further offers policy recommendations which will give useful insights to the governments and other relevant institutions within the region. It is also a unique opportunity for the Applied Research Team to provide intellectual input into the training programmes within IPSTC for the region. Finally, it offers an important opportunity for the views of the IPSTC Applied Research Team to be heard within the region and in African at large.

The analysts and researchers will continue to work on different issues as they emerge in the Eastern African region.

# Section II

# INTRODUCTION TO THE ISSUE BRIEFS

## The Newly Signed Nile River Treaty: What Are The Real Issues At Stake?

*(Dr. C.A. Mumma Martinon- Conflict Prevention Analyst and Head of Applied Research)*

The issue brief focuses on the ten countries of the Nile: Kenya, Uganda, Tanzania, Rwanda, Burundi, DR Congo, Sudan Ethiopia, Eritrea and Egypt.[1] The main problem has been the utilization and equitable distribution of the Nile waters among these countries, leading to many conflicts and tensions. For the last three decades the various Nile countries have come up with different co-operative ventures to try and find solutions to these conflicts.

It is mainly for this reason that the ten joined into the Nile Basin Initiative (NBI), a cooperative framework, which has provided a forum for dialogue for the ten to come up with a treaty that would be acceptable to all. For the last ten years, the ten countries have been negotiating for a new treaty, but in vain.

In May 2010, five countries (Kenya, Uganda, Tanzania, Rwanda and Ethiopia) went ahead and signed a new Nile treaty which, if ratified would replace the two Nile treaties (1929 and 1959), which gave Egypt and Sudan all the rights to control the Nile waters, not taking into consideration any other riparian state of the Nile, whatsoever. At the signing of the new treaty, Egypt and Sudan protested and out rightly rejected the treaty.

The paper therefore, attempts to examine the reasons why the five countries went ahead to sign the treaty despite the protests from the two. It further attempts to investigate the real issues at stake for the ten countries of the Nile and what implications the new treaty would have for peace and security in the region. The paper finally, gives recommendations and the way forward for the ten countries.

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1    See the "Map of the Nile Basin" within the text

## The Role of Non Formal Justice Institutions in Post Conflict Reconstruction in Eastern Africa

*(Leah Kimathi, Post Conflict Recovery Analyst)*

Non- formal justice mechanisms including, customary law have always been part of Africa's justice institutions since the pre-colonial times. While at independence these institutions were expected to gradually die out as formal justice became more accessible and post colonial societies became increasingly contemporary, this has however,  not happened and today for a number of reasons, non formal justice remains as relevant as ever among many African societies, more so, those emerging from conflict. Within this context, the issue brief  explores the place and role of these institutions in post conflict reconstruction in Eastern Africa.

## African Union's 2010 Year of Peace and Security in Africa: What are the Challenges, Threats, Opportunities and Prospects for African Union Mission in Somalia?

*(Francis Odari Onditi, Post Conflict Recovery Researcher)*

The development of this issue brief is intended to offer insights for policy makers and peacekeepers regarding the changing political landscape and security trends,  not only in the Horn of Africa but also the entire Eastern Africa Region.  The discussion in the issue brief and the subsequent policy recommendations are based on an assessment of the conflict-saturated Somalia and the African Union's interventions through the African Union's Mission in Somalia (AMISOM). The fluidity of security scenarios in Eastern Africa region has received increasing regional and international attention in recent times due to the devastating actions of *Al Shabaab* and other extremists on civilians most recently the bombing in Kampala-Uganda.

Consequently, the Inter-Governmental Authority on Development (IGAD) decision on 5th of July 2010 to expand the operational capacity of AMISOM and the subsequent re-emergence of Ethiopia in the Somalia conflict has been viewed diversely leading to more threats within the Horn of Africa and beyond to the Great Lakes Region particularly to the states that contribute troops to the mission in Somalia. This issue brief  therefore, critically examines the threats, challenges, as well as prospects within the aegis of AMISOM as a capacity building mission to the Transitional Federal Government (TFG) while at the same time introspecting the possibilities that the mission (AMISOM) becomes a strong force combining peace-building, peacekeeping and reconstruction of the conflict-ridden country in the Horn of Africa-Somalia.

# Transboundary Rebel Movements: Exploring the Bilateral Cooperative Security Arrangements within the Eastern Africa Region

*(Julius Kiprono, Conflict Prevention Researcher)*

This brief explores the phenomenon of trans-boundary rebel movements in Eastern Africa Region, with a major focus on the Lord's Resistance Army, the Chad-Darfur rebel movements and the Eastern Democratic Republic of Congo rebel groups. All of these groups have been the main sources of instability and insecurity along the common borders of some of the countries in the region. They have also been the main source of inter-state tensions with neighboring countries trading accusations and counter accusations bordering on the perceived support and sponsorship of these rebel movements.

In the recent past, there has been a proliferation of co-operation in security mainly focusing on joint security to deal with rebel activities along the common borders. These security arrangements have been bilateral in nature such as the current efforts by Sudan and Chad to normalize their relations by agreeing to jointly deal with rebel group such as Justice and Equality Movement from the Darfur region. Other bilateral Initiatives include: the permission granted by Sudan to Uganda to carry out cross-border pursuits and one which Rwanda requested DRC to allow Rwanda to deploy its troops in DRC under the command of DRC commanders.

The bilateral cooperative security arrangements within the region to some extent has succeeded in reducing inter-state tensions and has helped neighboring countries normalize their relations. This paper will also look at the viability of such security arrangement and further examining whether a cooperative security arrangement anchored in a regional framework is the most viable and desirable route to pursue.
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# Section III

# ISSUE BRIEFS

## THE NEWLY SIGNED NILE RIVER TREATY: WHAT ARE THE REAL ISSUES AT STAKE?

*C.A. Mumma Martinon (Ph.D)*

## Introduction

TThe Nile River Basin in totality is a shared water resource by ten riparian states namely: Kenya, Uganda, Tanzania, Burundi, Rwanda, Democratic Republic of Congo (DRCongo), Ethiopia, Eritrea, Sudan, and Egypt. The Nile River Basin has a water resource potential of over ninety (90) billion cubic metres annually of which the rivers flowing from Kenya contributes eleven (11) billion cubic metres annually through Lake Victoria.
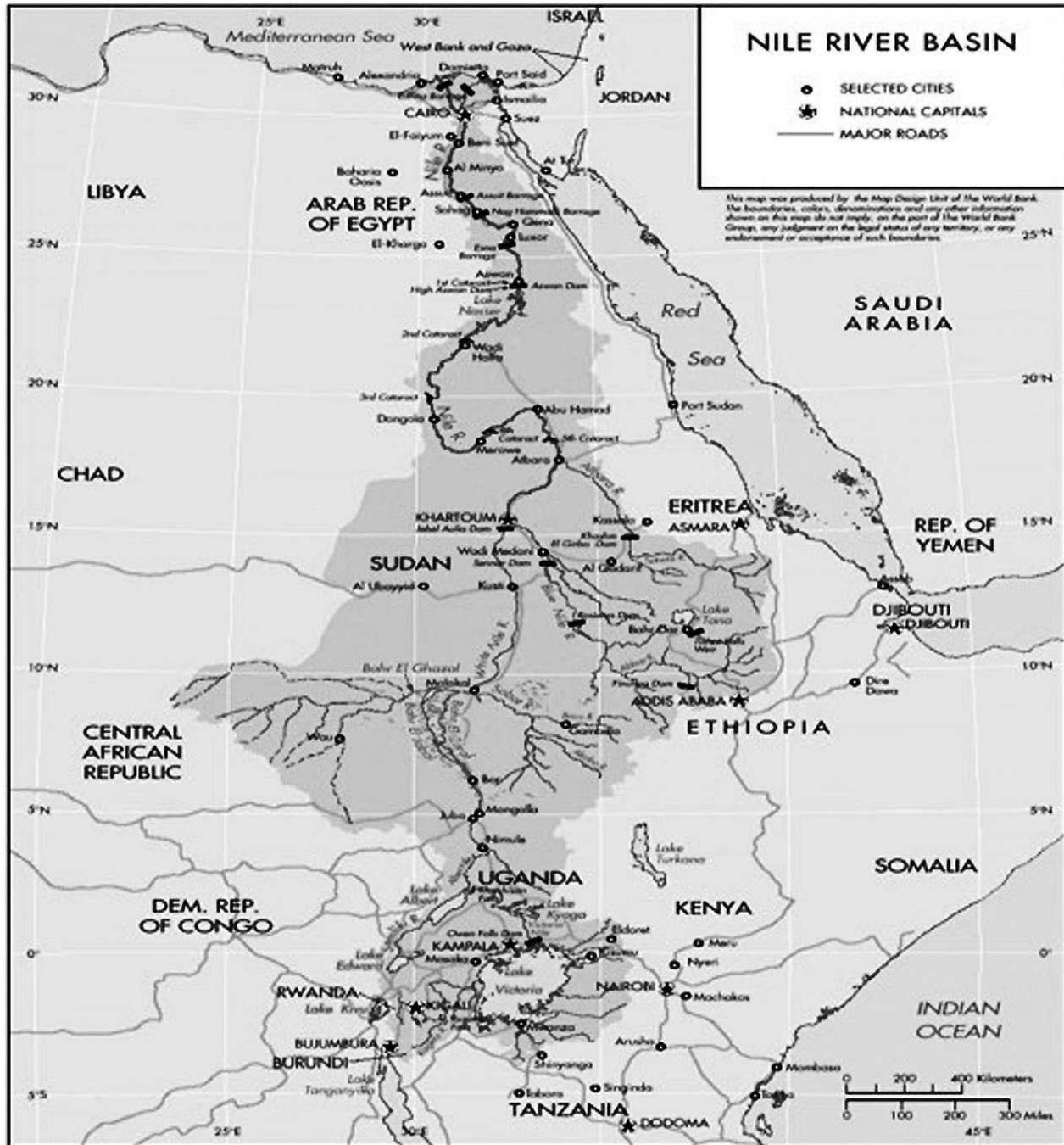
The Lake Victoria Basin alone harbours over 54 percent of the Kenyan surface water resources, and about 50 percent of the country's population entirely rely on the waters of the upper Nile River Basin (Bwathondi, 2001). The basin's three million square kilometers covers about 10 per cent of the African continent. For centuries, the Nile has been considered as a source of life by the Egyptians, who depend on it for livelihood. Severely and categorically, Egyptians have stated that they would die fighting for the Nile if any country interfered with its flow. This way of life is under threat as the majority of the Nile countries are battling for the Nile waters, as well.

On Friday 14th May, 2010, four upper riparian Nile countries, namely: Ethiopia, Uganda, Tanzania and Rwanda moved ahead, after nine years of negotiations from 1999 and signed a new treaty, known as the *(Nile River Basin Co-operative Framework Agreement)[2]* in Entebbe, Uganda. This Treaty ,if ratified will allow them a more liberal management of the Nile waters for irrigation and other developmental projects. The move came as negotiations between these countries, Egypt and Sudan came to a standstill[3]. Kenya later joined the four and signed the treaty

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2   This treaty was given this name because; most of the river basins have river basin agreements. The modern way of managing transboundary basins is through co-operation. The emphasis here is on co-operation. Countries must have a framework for co-operation to take place. A framework gives the co-operation a structure and spells out clearly the principles for cooperation.

3   The negotiations on how to modify the Nile treaties started in 1999 when the Nile Basin Initiative was established.

# MAP OF THE NILE COUNTRIES



on the 19th May 2010. (http://www.capitalfm.co.ke/news/International/Four-African-countries-sign-new-Nile-treaty.html#ixzz0paPAsg1r)

Eritrea, DR Congo and Burundi have not yet signed the treaty. Eritrea has signaled its support for Egypt. Burundi is expected to back the new deal as soon as the current elections are over and DR Congo is expected to ignore lobbying from Egypt and follow suit.[4] The document, will, however, remain open for more signatures until May 13, 2011.

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4    Daniel Owden, Egypt warns that new Nile Agreement could prove a 'death sentence'.

Evidently, a fresh crisis has emerged to threaten Egypt's hegemony, as the new treaty would give the five of the ten Nile basin countries a greater share of the waters, as opposed to before.

The Nile Basin Initiative[5], which had been spearheading the talks, will now become the Nile Basin Commission and will receive, review and approve or reject projects related to the Nile. It will further coordinate the equitable usage of the water and become a forum and a clearing house, where countries will submit their intended projects for endorsement and co-operate for the planned measures that could cause any harm to other riparian states.

## Demand for Modification of The Existing Nile Treaties (1929 and 1959)

The 1929 Agreement between Egypt and Great Britain, gave Egypt "full utilization of the Nile waters" (Dahilon, 2003) and the 1959 Agreement apportioned the total annual discharge of the main Nile, as measured at Aswan, i.e. 74 billion $m^3$, between Egypt and Sudan.[6] No room whatsoever, was given to the other riparian states, including: Ethiopia, which is contributing 85 percent of the total annual flows (Tafesse, 2000). Despite the fact that Ethiopia had got its independence at that time, Ethiopia was not consulted or even invited to the negotiation process that led to the 1959 Agreement.

While Egypt and Sudan contend that the 1959 treaty is valid, the upper countries led by Ethiopia reject it, and maintain they have a right to exploit water resources within their borders. The countries have expressly stated, at different occasions, that they are not bound by the agreement on the basis of the cardinal principle in the law of treaties: *res inter alios acta.*[7] In 1961, Julius Nyerere, the former Tanzanian president, opposed among others both the 1929 and 1959 treaties. In 2004, Tanzania made clear its intention to build a pipeline to extract drinking water from Lake Victoria: *Shinyanga* Project. The Ugandan Parliament has also been asking Egypt to pay for the costs of maintaining the water reservoir, in the Lake Victoria. Uganda wants the freedom to construct large-scale hydroelectric projects to solve its energy shortage. In Kenya, over 75 percent of the country is arid and semi-arid lands and require special programmes to facilitate development. In 2004, an MP, Oburu Oginga, was quoted as saying that the 1929 treaty, on the River Nile should be renegotiated to allow the building of dams on rivers around Lake Victoria which would be a more long term solution to floods as dykes had been ineffective in controlling water (Daily Nation, 20th May, 2003). Water levels on Lake Victoria have fallen alarmingly, resulting in both lower electricity production and power rationing in Uganda (Ford, 2006). For a long time, Ethiopia has wanted to launch large-scale irrigation projects using water from the Blue Nile to counter the effects of drought on its agriculture.

However, Egypt has always maintained that the status quo has to remain the way it is (Xinhua News Agency, 18th March, 2004). Despite the huge potential for Sudan to increase the area of

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5   The NBI has been a transitional framework within which the negotiations towards the new treaty among the nine member states have taken place. These states comprise of: Kenya, Egypt, Sudan, DR Congo, Burundi, Rwanda, Uganda, Tanzania and Ethiopia.

6   One should bear in mind that the technical capabilities of Egypt were over-elevated at the time of the 1959 Agreement so that the annual discharge of the Nile could fully be utilized and allocated. It literally meant that the gross gain in 1929 reached 32 billion $m^3$. (Tafesse, 2001, p.77).

7   Etymology: Late Latin, literally, thing done among others. It is something transacted between other parties, other than the parties concerned. NOTE: This term is used in reference to matters not involving the same parties as those in litigation. Evidence regarding such matters is generally inadmissible (Merriam-Webster's Dictionary of Law, 1996).

irrigation, the Nile treaties do not allow it to involve in major irrigations (Waterbury, 2005). Experts in the recent past have projected that countries in the Great Lakes Region are likely to be drawn into civil conflict over water resources, even if political instability is addressed. Lake Victoria has long been a vital link in East Africa's transport infrastructure, and it has been made the centrepiece of efforts to promote trade and regional integration within the East African Community (EAC). Rail lines connect the Lake ports with the main east coast ports of Dar es Salaam and Mombasa, so rail cargo can easily be transported between Tanzania, Kenya and Uganda once it reaches the lake.

The other riparian countries do not wish to continue seeking permission first from Egypt and Sudan before embarking on any large scale development projects on the river that would affect the level and flow of the waters. The seven riparian states argue that they cannot maintain this status quo saying that they are now independent states and have equal rights as Egypt to use the waters.[8] They want to be able to implement irrigation and hydropower projects in consultation with Egypt and Sudan, but without Egypt being able to exercise the veto power it was given by a 1929 colonial-era treaty with Britain.

## Reasons for Signing The New Nile Treaty

The two Nile agreements of 1929/1959, generally speaking, could be criticized as being too rigid and incomprehensive, in that, they did not take into account the underlining environmental, socio-economic and political changes that the basin countries experienced (Hultin, 1995). They gave no alternative way for further negotiation and meaningful co-operation. This has aggravated the existing conflicts. Besides, all concerned countries did not participate, were not consulted or given the opportunity to ratify in the process, hence it lacked comprehensiveness. According to Nyaoro (2010)[9], the two treaties are not acceptable to the ten Nile Basin States since they were not negotiated by the independent Nile Basin riparian States and give veto powers to some States over the others and therefore do not allow equitable utilization of the Nile River water resources.

Egypt agreed to take part in the Nile Basin Initiative and was part of the negotiations towards a new treaty. Egypt's and Sudan's main objections have been Article 14 (b)[10] which they claim takes away their historical rights on the use of River Nile Waters. The other 38 articles presented in the Draft Nile River Basin Cooperative have been agreed upon by all states. The five countries who have signed the treaty felt that only one clause cannot stop them from going ahead. They stated that, they could not wait any longer for Egypt and Sudan.

According Nyaoro (ibid), the new treaty gives the countries the structure and spells out clearly the principles for co-operation. It provides clear rights and obligations of the riparian states; details the implementation of the principles rights and obligations; establishes a clear mandate for the Nile River Basin Commission and gives a systematic way on how the members will

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8    Personal interview with the Director of Water Services, Ministry of Water, 10th June, 2010.
9    John Nyaoro, Director of Water Resources and Chief Negotiator of the Nile Basin Wide Agreement). , Ministry of Water, Nairobi, Kenya, Personal Interview, May, 2010.
10   Article (14) states that having due regard for the provisions of Articles 4 and 5, Nile Basin States recognize the vital importance of water security to each of them. The States also recognize that cooperative management and development of the waters of the Nile River system will facilitate achievement of water security and benefits. Nile Basin States therefore agree, in a sprit of cooperation; a) to work together to ensure that all States achieve and sustain water security b) not to significantly affect the water security of any other Nile Basin States.

be able to co-operat It provides an overall vision of achieving sustainable socio-economic development through the equitable utilization of, and benefit from, the common Nile Basin water resources. Article 4[11] of the Draft Co-operative Framework gives the States the right to use the Nile River Basin water resources within their territory so long as they do not cause any significant harm to other riparian States. Article 15[12] proposes establishment of the Nile River Basin Commission that shall act as a forum for co-operation and a clearing house for the planned measures, that could cause any significant harm to other riparian states, in addition to providing steps to be followed on giving information on such planned measures. The steps do not, in any way, call for consent that could give veto to some States over the others but a means to avoid causing significant harm to other riparian States.

Article 17[13] proposes the establishment of the organs of the Commission namely: Conference of Heads of State and Government, Council of Ministers, Technical Advisory Committee, Sectoral Advisory Committees and Secretariat.

If ratified, the new agreement will replace both the 1929 and the 1959 treaties. Unlike the 1959 accord which allocated Egypt 55.5 billion cubic metres of the Nile and 18.5 billion to Sudan, the new agreement allows countries to use the waters as dictated by the share and provided they do not harm others. The upstream countries are in dire need of using the water to generate hydropower and irrigation following persistent drought which has hit many of them leaving millions of their citizens on the verge of starvation.

## Benefits for Individual Countries

*Kenya:* Kenya feels that such a treaty will give better guidelines on how to co-operate with other countries while sharing the Nile. It will set a level ground to mobilize more resources, and is an opportunity to develop its share of the Nile through building of dams. This in turn will , improve its hydro electric production at *Masinga, Kamburu, Gitaru* dams, which has suffered a lot due to lack of regular rains. Kenya can also regulate the flow from River *Nzoia* and *Yala* to Lake Victoria that causes perpetual flooding, put the water under a dam to be used for irrigation, domestic water supply and hydropower generation and plan the settlement of people who every year are being threatened by floods. Such developments will also attract investments, as they will be within an agreed framework, thus fewer conflicts.

*Ethiopia:* The development of dams will be the biggest benefit under this arrangement. Ethiopia contributes over 85% of the Nile Waters from the Blue Nile, which is abundant only for three months each year. Within this agreement, such a massive flow can be controlled and used consumptively for hydropower generation for the whole region, including Egypt and Sudan. Ethiopia has a massive plan on how to develop the hydropower which is non consumptive.

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11  Ministry of Water Brief on the outcome of the negotiation on the Nile River Basin Cooperative Framework and the benefits of being members of the Nile Basin Initiative, May, 2010
12  Ibid.
13  Ibid.

***Uganda:*** 990% of the country is within the Nile basin. *Jinja* now has two hydropower stations: *Kira* and *Nalubale*. Uganda is thinking of developing another one at *Bujugali*, 80 kilometers downstream. They have several sites up to Lake Albert where they can develop more hydropower stations using the same water several times. Without the new agreement such development plans are not visible since no donor would like to invest in what they consider risky ventures.

***Tanzania:*** The newly opened goldmines in the lower part of Tanzania are growing very fast. Investment in those areas was not possible before because of lack of money for development. Within the new arrangement, Tanzania will bring the same proposal to the table and might be considered for funding.

***Rwanda and Burundi:*** The *Rusumo* falls on River *Kagera* could have been dammed much earlier, but Rwanda and Burundi could not source funding to build it. With the new framework, this is possible, without affecting Lake Victoria which forms the White Nile.

## Reasons for Rejecting The Treaty by Egypt and Sudan

According to Major- General Said El-Sahel, Professor of politics at the Nasser Military Academy in Cairo, "Egypt must preserve its historical share of the Nile waters. It is a matter of national security and survival" (Ford, 2006, p. 24).

The importance of the Nile in Egyptian politics, economics and culture is underlined by the fact that 98% of the country's population lives on just 4% of the land - almost exclusively in and around the narrow Nile Valley (ibid.). The government estimates that annual water demand will increase from 66.34 billion m³ in 1997 to 86.74bn in 2017" (Daily Nation, 25th February, 2005) Such a scenario might cause serious water scarcity to the growing population of the Nile countries.

Egypt and sudan have expressed fears that their water supply would be severely reduced if the other Nile users divert the river with domestic irrigation and hydropower projects. They felt that the treaty does not guarantee them an exact share of the water. They also felt that other countries are blessed with abundant rains throughout the year due to their natural conditions, whereas Egypt has to construct dams to store water throughout the year. In doing so, they are obliged to use the Nile.

Evidently, by refusing to sign the treaty, Egypt and Sudan want to maintain the status quo of them using the biggest percentage of the water as stipulated in the two colonial agreements they signed with the British in 1929 and 1959 and they insist that according to international law, anyone cannot take from any country the water it is already using. For them, the accord only reflects the views of some countries, not all states that share the resource. Therefore, it is in no way binding on Egypt from a legal perspective and that Egypt will not join or sign any agreement that affects its share. This point was clearly emphasized by the Egyptian Foreign Minister, Ahmed Abul Gheit when he warned that Cairo's water rights were a "red line" and threatened legal action if a partial deal is reached.

## Implications for Peace and Security in The Region

The ten years negotiations within the Nile Basin Initiative should mean that signing the new treaty can bring a future in which shared water resources could bring together former adversaries rather than divide them. However, that might not be the reality especially when we look at the implication of the new treaty on peace and security in the region.

With the signing of the new treaty, Egypt and Sudan still maintain that the status quo has to remain. It is clear though that with the new treaty, Egypt will become less and less dominant as a partner despite its continued dependence as the final downstream user. Ethiopia, Uganda, Tanzania, Rwanda and Kenya will be contributors to the process of riparian co-operation, and if Sudan signs the treaty, it will also play an increasingly pivotal role in the region.

In May, 2010, Ethiopia announced it will build a series of micro-dams on Nile tributaries within its territory. The same month Ethiopia opened the 460MW Tana Beles dam, which would have been considered an act of war in Sadat's time. A string of new dams are further  on the Blue Nile.

Within  East African Community region, one of the major projects is the Bujagali (on the White Nile). This Hydroelectric Power Station is located on the Nile, just 16km north of Jinja, Uganda. The $862 million venture is jointly funded by the Uganda government and the New York-based Global and Industrial Promotion Services. The Aswan is no longer the only mega-dam on the river. Uganda is also in the advanced stages of developing a national 25-year master plan on irrigation to respond to droughts that have regularly impacted on its food security.

If DR Congo and Burundi sign the treaty, the most plausible solution to the current crisis would be political rather than military, since the seven countries coming together definitely would make Egypt a weaker state.

Tanzania hit drastically by drought in recent years, also hopes to change its long-standing acceptance of the status quo, with the help of donors, to alleviate its water needs.[14] President Jakaya Kikwete stressed the need for assistance by asking "high-profile delegates to sit with [them] for deliberations that will focus on the development of the agriculture sector." It appears that the international community is prepared to offer help where it is needed despite previous indicators, which showed global donors and banks side-stepping water development projects for fear of getting involved in an increasingly heated regional firestorm.

Sudan's support could be split along with the country itself if the South votes to break away from Khartoum at a referendum expected early 2011. Many have expressed the view that, the newly established South Sudan would back its upstream neighbors. In the next year's referendum, if the South votes to secede, then it will add a new layer of complexity to the problem of the Nile, as 20 percent of the Nile waters passes through its territory. The future of the Jonglei Canal project, meant to increase the flow of water from the White Nile through the Sudd swamp, would also be in doubt. The White Nile, which rises from its source in Burundi

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14   Nadia Anne Zahra is an intern with the new America foundation's force. "Navigating *the Regional difficulties of the Nile,) 19th May, 2010:  http//www.citizen.tz/component.  The World Economic Forum on Africa, held in Dar es Salaam May 4-7 2010*

and passes through Lake Victoria, flows into Southern Sudan where it is dramatically slowed down by the massive natural swamp system.

With the increasing populations, demand for water increasing and climate change has an impact and there are warnings that wrangling over the world's longest river could be a trigger for conflict. The current tensions and split might further delay the efforts towards the ratification of this treaty.

Some even feel that a separate deal from the 1929 and 1959 would "make the political problems that exist worse." This was evident when a senior European Union envoy Marc Franco[15], urged the seven East African countries not to sign the new deal and to settle differences with Egypt and Sudan first. On 6 May 2010, the International Crisis Group warned that the dispute could polarize the region. It could also harden Egypt's resolve to maintain the status quo by rallying behind Sudan and against the other countries.

From the foregoing, it is evident, that it would be hard for both Egypt and Sudan to fundamentally change their development models based on a reduced share of water. Sudan has already been involved in a major crackdown in Darfur that has left its President indicted for war crimes and crimes against humanity by the International Criminal Court in a political conflict that was at least partly instigated by climate change.

That is why it is important to start by convincing Egypt and Sudan to come on board, join the others and sign the treaty. Meanwhile, the disputes between Egypt and Sudan should be looked into, as well as those of the other riparian countries dependent on the Nile. Now more than ever does this region require prevention towards the escalation of the tensions into violent conflict.

## Main Challenges

First, Egypt and Sudan has vehemently protested against the new Treaty, causing tensions between them and those countries that have signed it. The main challenge for the five countries is how to explain and demonstrate that the new Treaty is the way out; it will not affect the other riparian countries and will be able to maintain sustainable development of the Nile.

Second, presently, no one is quite sure which countries will be aligned politically to Egypt, Sudan and other riparian states. As a result many development partners are sending mixed signals.

Countries that have signed the Treaty must have a clear message to the international community and those countries opposing the framework how they intend to make this treaty workable for all the riparian states. According to John Nyaoro, the Director of Water Resources, Ministry of Water, presently (the date of the interview, June 2010), Kenya, for example is in the process of meeting representatives from the European Union, the Norwegian, the Belgians, the Netherlands to give them clear intentions of this Treaty. The international community support of the treaty will depend on whether they will accept the explanation of the five countries or not. According to John Nyaoro, "The good news is that those people who have been talked to are starting to see the sense."

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15  Heads the European Union delegation in Egypt, May, 2010.

# Conclusions and Way Forward

All the countries concerned should continue with dialogue and critically analyze Article 4, which states that the riparian states have a right to develop their equitable shares of the Nile basin waters within their territories in an equitable and reasonable manner and clearly lists factors that shall be used to determine what is reasonable and equitable; Article 5 which states that, any development should not cause any significant harm to other riparian countries. It is only through dialogue that an equitable use can be negotiated for each country. Through negotiations countries can still negotiate for more shares of the Nile, agree on bilateral sharing, where one country can give some of its water to another as it prepares for a development plan.

Countries should continue educating and sensitizing their population on what equitable utilization really means, and why it is important that the Nile is shared equitably by all concerned.

In order for the new framework to be accepted, the international community and development partners have to be given time to discuss with the five countries and at the same time sort out their interests with Egypt and Sudan.

From a legal perspective, Kidiki[16] "The legality of the Nile treaties should be understood from the viewpoint of the principles of international law on state succession and how that affects treaty obligations." "All these treaties, except the 1959 Agreement, were adopted when all co-riparians of the Nile (except Ethiopia) were ruled by foreign colonial powers." Three approaches therefore, should be looked at in trying to resolve the Nile impasse: the conclusion of the negotiations and adoption of a new treaty binding all riparian states; the promotion of ratification of the 1997 UN Convention on the Law of the Non-Navigational Uses of International Watercourses; and the referral of the issue of the legality of the Nile treaties to a judicial or arbitration forum.

According to me, it would be unfortunate if the countries think that the new treaty would solve their current problems especially, if they do not manage the rivers within their national boundaries properly first.

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16   Dr. Kithure, Kindiki is a lecturer at the Law School, Nairobi University, Kenya.

# References

Bwathondi, P.O.J., Ogutu Ohwayo, R., and Ogari (2001). Lake Victoria Fisheries Management Plan. Prepared for the LCFO. Ed Cowx I.G and Cream. K LVFO Document.

Collins, R. O. (2002). The Nile. Yale University Press/New Haven and London.

_____ (1990). The Waters of the Nile: Hydropolitics of the Jonglei Canal (1900 − 1988). Oxford Studies in African Affairs: Oxford: Clarendon Press.

_____ (1994). History, Hydropolitics and the Nile: Myth or Reality? The Nile Sharing a Scarce Resource, Howell and Allen, (Eds), Cambridge: Cambridge University Press. COMESA Homepage. Online: http://www.comesa.int/about/Overview/view.

Dahilon, Y. M. (2003). Nile Basin Co-operation: A Review of the Literature. Nordic African Institute. Uppsala.

Ford, N. (6 May 2006). Electric Supply Management. African Business

GIRMA, A. (2000). Nile Waters − Hydrological Co-operation vs. Hydropolitics. Paper Presented for the 8th Nile 2002 Conference, Addis Ababa, 26th June 2000.

Hillawi, T. (1998). The Nile River Basin: its Use and Development. Ethiopscope, Addis Ababa.

Quarterly Magazine of Foreign Minister of Ethiopia. Vol. 4, No. 1, pp. 13-23.

Hultin, J. (1995). The Nile: Source of Life, Source of conflict. In Ohlsson, L. (Ed). Hydropolitics:Conflict over Water as a Development Constraint. (Ed): London and New Jersy : ZedBooks; Dhaka University Press Lrd. Dhaka, Bangladesh, pp 29-54.

Kinfe, A. (2000b). Nile Imperatives: Avenue toward a Win-Win Situation. Occasional Paper. Series No. 15, Addis Ababa, EIIPD.

Tafesse, T.(2000, 29 June). The Hydropolitics  Perspectives of the Nile Question. Onlin: Http://chora.virtualave.net/tafesse-nile.html (28th June, 2010).

Waterbury, J. (1990). Legal and institutional Arrangements for Managing Water Resources in the Nile Basin. In Simon R. S. (Ed): The Middle East and North Africa: Essays in honor of J. C.Hurewitz. New York: Middle East Institute, Columbia University. Pp. 276-303.

Whittington, D., McClelland, E. (1992). Opportunities for Regional and International Cooperation in the Nile Basin. Water International. Vol. 17, No. 3pp. 144-155.

## Newspapers

Daily Nation Team. (12 March 2004). Countries engage in dialogue over the Nile River.

Kathuri, B. (22 February 2005). Study declares Nile Treaty obsolete. The East African Standard.

_____Team, (20 May 2003). MP calls for new Nile Treaty: Pact should allow building of dams to control floods. Daily Nation.

Mugonyi, D. 30 November 2004). States want River Nile Treaty debated afresh. Daily Nation.

Opala, K. (8 December 2004). States demand new Nile deal. Daily Nation

Ubwani, Z. (19 December 2003). Rethink 'flawed' Nile water deal, urges daily. Daily Nation.

_____Manyaja, V. (15-21 March 2004). Now Battle for the Nile Moves to Nairobi. The East African.

Ithula, M. (17 January 2005). Where is the Nile pact headed? The East African Standard.

_____Rwambali, F. (9-15 February 2004). Tanzania Ignores Nile Treaty: Starts VictoriaWater Project.The East African.

Wanyonyi, P. (25 February 2005). Is conflict over the Nile waters inevitable? Daily Nation. p. 9

http://www.capitalfm.co.ke/news/International/Four-African-countries-sign-new-Nile-treaty.html#ixzz0paPAsg1r

# THE ROLE OF NON FORMAL JUSTICE INSTITUTIONS IN POST CONFLICT RECONSTRUCTION IN EASTERN AFRICA

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## Introduction

Most states in the Eastern African region, especially since the 1990s are involved variously in post conflict reconstruction after the end of armed conflicts. These include: Sudan, Kenya, Ethiopia, Eritrea, Rwanda, Burundi, and Uganda. As part of the reform processes, these countries have adopted various tools of transitional justice[17] to deal with the history of human rights violations including genocide, war crimes and crimes against humanity in some countries. This undertaking is however, not unique to the region. The last two decades have witnessed a remarkable proliferation of transitional justice processes in post-conflict and post-authoritarian societies. In Africa, they have been popularized in countries like South Africa, Ghana, Ethiopia, Nigeria, Sierra Leone, Uganda, Zambia, Zimbabwe and currently Kenya. While some have been domestically demanded as a way of accounting for the gross human rights abuses of the past, others have been a central ingredient in the menu of reforms recommended by the international organizations, donors and external experts for societies in transition.

The main aim of transitional justice, through its various mechanisms, is to end the culture of impunity and establish the rule of law in a context of democratic governance (Kenya Human Rights Commission (KHRC), 2009). Transitional justice processes should also reconcile people and communities and provide them with a sense that justice is being done and will continue to be done, as well as renew the citizens' trust in the institutions of governance and public service. This way, the institutions of governance are legitimated in the eyes of the citizens.

After a period of conflict, the challenge facing transitional justice is often how to balance the demands of justice against the many political constraints. On the one hand, perpetrators of the violence must be held accountable to avoid impunity and a possible return to war. This accountability is often carried out by way of prosecutions. However, the immediate post war period is always a very fragile time of competing interests. Since most institutions including the economy and even the justice sector itself will have been run down, bringing the perpetrators to justice may not always be the most urgent thing especially in places where these perpetrators may be very many like Rwanda after the 1994 genocide. Moreover, prosecutions have some intrinsic limitations. They are perpetrator oriented and do not give victims the full attention they are entitled to in order to be healed of the injustices they suffered. Desmond Tutu, chair of the South African Truth and Reconciliation Commission, argues that Western-style justice does not fit with traditional African jurisprudence. It is too impersonal. The African view of justice is aimed at 'the healing of breaches, the redressing of imbalances, and the restoration of broken relationships. This kind of justice seeks to rehabilitate both the victim and the perpetrator, who should be given the opportunity to be reintegrated into the community he or she has injured by his or her offence' (Tutu 1999).

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17 Transitional justice is generally used to refer to the measures taken to address a legacy of human rights violations in the transition from violent conflict and/or authoritarian rule to peace-time and/or democracy. Transitional justice mechanisms may take a number of forms. Most prominently, these include the international criminal court, international tribunals, special courts, truth commissions, local courts and traditional methods of justice.

The two perspectives of justice may seem to be parallel. At one end is a strategy that is initiated, organized and controlled by (national or international) state institutions. Its procedures are formal and rational-legalistic. The criminal court is the prototype. At the other end of the continuum are policies that are community-initiated and community-organized. They are predominantly informal and ritualistic-communal. The North Ugandan rite of stepping on the egg, exercised to reintegrate former child soldiers, is a striking demonstration of this type of approach (Huyse, 2008). However, the notion that the two forms of justice are mutually exclusive is largely misleading. Given the wide range of national experiences and cultures, it is only natural that transitional justice mechanisms adopted will be as varied to reflect these cultural particularities.

## Non-Formal Justice

In the Eastern African region as elsewhere on the continent, societies are increasingly relying on non formal justice mechanisms whether from invented traditions or otherwise to respond to the demand of justice. Non formal justice systems are the dispute resolution mechanisms falling outside the scope of the formal justice mechanisms. These mechanisms are usually localized and particular to communities. Traditional justice is a component of the non formal justice systems which is usually culture and community specific. Every society that forms a non formal justice system does so in relation to their individual patterns of social ordering. This justice system relies on the negotiation and the mediation of disputes (and violations), leading to consensus and compromise. When the judicial process involves the people, they perceive it as accessible and legitimate, that their decisions are based on consensus, and seek to heal and restore relations among communities (Nabudere, 2002).

Non formal justice mechanisms have existed and evolved in Africa since the pre-colonial times. Pre-colonial justice in Africa was primarily restorative; aimed at restoration of peace and harmony within a community by reconciling the victims and perpetrators. It looked forward to what a nation or community could become through healing and restoration, rather than backwards on how to punish a perpetrator (Sonkosi, 2004). It was largely hinged on the African philosophy of *ubuntu*; 'a shared humanity where we define ourselves through our relations with other people' (Nabudere, 2004). However, the advent of colonialism led to the abuse and distortion of African traditional justice. Colonialism and its successor, the post colonial state and its elites used African customary law to serve their own interests and in the process preventing what could have been a natural development and refinement of traditional justice to meet the challenges of the modern state in Africa.

In spite of this distortion, non formal justice did not lose its value or utility in the continent. When most sub Saharan African countries became independent in the early 1960s, the majority of African citizens were resolving their disputes using traditional and non formal justice forums. Despite their popularity, these forums were regarded as obstacles to development. It was thought that as Africa became more contemporary, they would eventually die out. This did not occur. Non formal and traditional modes of settling disputes have remained as widespread as ever (Penal Reform International (PRI), 2000). Today, they have been reinvented and some like Gacaca in Rwanda have moved from the informal and into the formal state realms. In its recognition of the salient role of non formal justice institutions in contemporary Africa, the African Commission on Human and People's Rights (ACHPR) in its Dakar Declaration of September 1999, declared that 'It is recognized that traditional courts are capable of playing a

role in the achievement of peaceful societies and exercise authority over a significant proportion of the population of African countries (ACHPR, 1999).

There are various ways through which non formal justice systems are institutionalized in Eastern Africa. They could be state sponsored, community based or Non governmental Organization (NGO supported alternatives (Kimathi, 2006). At various moments, governments have officially created or appropriated informal dispute resolution forums that draw from local norms, customs, and practices. Some of these forums are *ad hoc*, their operations being limited to a specific sector or circumstance like land in Kenya or the Gacaca in Rwanda. Others have an ongoing role and their jurisdiction is general. Such systems are found among the Ward Tribunals in Tanzania, the Local Council Committee (LCC) courts in Uganda.

Community based arrangements are the most widespread, most practiced but least visible forms of non formal justice systems. They are hinged on a community's traditions and their everyday experiences. These are as varied as there are different communities and even variations within the same community. They have different degrees of visibility and formality. Examples include: intra-family mediation practices, which are known to exist but are not easily observable; clan-based systems, which differ from community to community in the degree to which there is a discernible structure and process of decision-making; neighborhood-based processes that draw in neighbors as mediators; referral, where such mediation efforts fail, to authority figures such as local administrators for adjudication, notwithstanding that officially they are not given any quasi-judicial powers; adjudication arrangements set up by networks such as committees overseeing community development projects, associations of traders and artisans and self-help groups (Musembi, 2003).

The Gacaca courts in Rwanda are arguably the most famous of the non formal justice mechanisms in the region. Inspired by tradition and established in 2001 as a response to a justice institutional crisis in Rwanda in the wake of the 1994 genocide, Gacaca courts were envisaged through a blend of traditions and contemporary law to promote healing and reconciliation in Rwanda (Le Mon, 2007). Overall, the institutionalization of Gacaca has been instrumental in trying thousands of suspected perpetrators whom otherwise the formal court process would have required many years to try. However, fraught with corruption and violence and insulated from much needed change, genuine public participation, the cornerstone of the process is waning and its ability to achieve societal reconciliation in Rwanda increasingly coming into question.

In northern Uganda, various forms of traditional and non formal mechanisms are in use to reconcile communities affected by the war waged by the Lord's Resistance Army (LRA). These include: the reconciliation after killing rite of *mato oput*, the family reunification rite of *nyono tong gweno* (stepping on the egg), *moyo kum* (cleansing of the body), *moyo piny* (cleansing of an area) as well as *gomo tong* (bending the spear).

The principle behind these institutions is to create reconciliation which brings the belligerent sides together through the intercession of elders and the ancestors leading to the acceptance of responsibility and indication of repentance. The precursor of all these processes of societal recovery is acknowledgement. Forgiveness opens the way for individual and collective healing (Latigo, 2008).

In Congo, traditional community courts have been used for generations to compensate criminal actions and restore relations among communities. Congo formed the *'baraza*

*intercommunautaire'*, which was formally recognized in 2003 as a national strategy for reconciliation. The 'baraza' provides a structure and a space for free expression where offended persons or victims go to share their grievances, have crimes adjudicated and violations of their rights redressed. The alleged perpetrators are invited to respond to the allegations so that the truth may be known and the reconciliation hopefully achieved (KHRC, 2010).

In Kenya, the use of elders and traditional norms and processes in resolving disputes and conflicts is common especially in the rural areas. The pastoralist communities have especially advanced their indigenous systems to deal with the myriad conflict challenges that are occasioned by resource scarcity in their areas. Among the Pokot, the institution of *Kokwo* is charged with governance and conflict resolution while among the Marakwet, it is the *tree of men* and *Nabo* among the Samburu. Just like in other parts of the region, traditional institutions have sometimes been reinvented in Kenya to deal with arising challenges. Among a section of the Kikuyu of the Rift Valley soon after the 2008 post election violence, a traditional institution 'rebirth by goat[18]' was reinvented to facilitate reconciliation between them and the Kalenjin neighboring community. Among the Somali community, there is the concept of blood money where the perpetrator's family pays a certain amount of money (or in kind) to the victim's family for compensation. The Bench Court system among the Dinka community in southern Sudan was similarly reinvented in Kakuma refugee camp to deal with the justice vacuum that existed.

In Burundi, the institution of *bashingantahe,[19]* which was invented in the pre-colonial Urundi society has variously survived through Burundi's colonial and turbulent post colonial regimes. Charged with the responsibilities of mediation, reconciliation and arbitration through history, the institution which is today recognized in the Burundian constitution has been since 1999 rehabilitated with the help of United Nations Development Program (UNDP) as a legitimate reconciliation vehicle following the civil wars in Burundi. The Arusha Agreement acknowledges that the *bashingantahe* constitute a unifying factor on the hills and that the institution is part of the judicial system. As a customary jurisdiction, the institution of *bashingantahe* has always had a place in Burundian society, which accords it a certain authority (Kaburahe, 2008).

Traditional and non formal justice mechanisms continue to be useful in the region for a number of reasons; they overcome the principal obstacles which deny access to formal justice systems to many: in practice, traditional justice systems are quick, carried out within walking distance, carried out in the local language with procedures that are understood by all and enforced by people who are socially important to litigants. In addition, they avoid the "prohibitive" costs to individuals and governments where formal state systems are relied upon. The end goal of traditional justice was primarily the restoration of peace and social harmony by reconciling the parties to the disputes and the wider communities involved in the dispute. Therefore, justice was more restorative than retributive. These values even today underlie the practice of non formal justice and are important especially among communities that are largely communal, where formal law apparatus are not always available when needed, where vast areas remain ungoverned in the conventional sense and where the formal government machinery is thin and stretches over vast territories (Musembi, 2003).

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18   This is a Kikuyu traditional rite where a person or family coming into a new community gives a certain number of goats and an acceptance ceremony is performed that signifies the birth of that person/family into the new community.

19   Men of integrity responsible for settling conflict at all levels from the local household to the courts of kings.

From the perspective of indigenous knowledge, the incorporation of traditional and non formal systems not only helps to contextualize conflict resolution but also facilitates the participation of local people who are usually left out of the search for peace in formal peace processes and ensures the sustenance of endangered indigenous formations. Without such contextualization and local participation, interventions in unfamiliar terrain may actually exacerbate rather than reduce conflicts. Allowing for broader community participation also enhances the legitimacy of the process and community ownership of the final outcome.

However, the applicability of traditional and non formal conflict resolution methodologies is greatly challenged and contested especially in the realm of post conflict reconstruction in the region. The reality of gross human rights abuses including genocide, war crimes and crimes against humanity were not part of the world view of traditional societies when these instruments were evolving. Therefore, as much as they are not static, they largely lack the capacity to deal with such scales of human, material and social destruction. Furthermore in the post colonial period, traditional conflict resolution strategies remain localized and culture specific and as a consequence, almost always limited to the ethnic, religious and regional communities in which they are applied. This makes the adoption of one strategy more likely to be seen as a continuation of ethnic hegemony, therefore, exacerbating the conflict (Osaghae, 2000).

The politicization, corruption and marginalization of certain constituents especially women and youth and the abuse of traditional structures of rule have steadily delegitimized conflict resolution built around them in the eyes of many. Further, the disintegration of the social fabric and a sense of community that is critical to the functioning of non formal justice mechanisms by such forces as colonialism, migration, civil wars, oppression and poverty have greatly damaged the biotope of these practices.

In spite of these shortcomings and weaknesses, there is a growing use of these institutions as part of post conflict transitional justice tools. This is perhaps because of the acknowledged potential of these mechanisms to produce a dividend in terms of the much needed post conflict accountability, truth telling and reconciliation. Furthermore, these mechanisms have proved that they are not frozen in time. They represent a synthesis of time honored practices and new techniques, as communities adapt their customs to cope with fundamentally new types of challenges arising from the constantly evolving social, cultural, political and economic circumstances in which they operate; these practices are adaptable and dynamic as opposed to being static and timeless (Menkhaus 2000). The ongoing successful rehabilitation of the *bashingantahe* in Burundi and its support by the international community is a lesson in the legitimatization of these institutions both from a local and an international perspective.

Further, the double dichotomy created around these institutions; local versus international and justice versus peace is largely a mirage. This is because non formal practices are being adapted to the formal justice vision of fair justice and in some instances, cleansing ceremonies and other rituals are already setting the foundation for justice (Huyse, 2008). Therefore, rather than being viewed as adversaries, the main concern should be which system provides the most appropriate solutions in what types of cases and how each system's comparative advantages can be enhanced and disadvantages minimized since the simultaneous use of the two systems of justice is a reality for the majority of Eastern Africans and more so for societies emerging from conflict. According

to Olowu and Wunsch, (2004), the institutional crisis in Africa cannot be resolved by relying exclusively on either enclave transplant institutions or purely traditional institutions. The solution is neither in formalizing (or getting rid of) informal institutions, nor in informalizing of formal institutions, but in reconciling and encouraging convergence between adapted formal institutions and renovated informal, indigenous institutions.

## Conclusion

As countries in the Eastern African region grapple with the challenges of institutional rehabilitation during post conflict reconstruction, the role of non formal institutions along with their inherent weaknesses must be recognized and addressed to make them more contemporary and in sync with people's lives. Successful reform strategies are likely to be those that build on existing strengths and redress obvious weaknesses. These measures should be pursued alongside other security sector reforms aimed at decentralizing and streamlining formal justice structures so that people are able to meaningfully choose remedies from the range of systems available. The fact of high usage of non-formal justice systems especially in rural areas or during reconstruction does not automatically lead to the conclusion that those systems are the best; it could simply mean that they are the only ones available. A well-functioning accessible formal court system, with the necessary support such as affordable legal advice could broaden the range of options for some. Investing in reform of non-formal systems should not be seen simply as a 'low-cost' and 'budget-neutral' substitute for a comprehensive reform policy towards making formal systems accessible, affordable and usable rather, comprehensive support must be given to the survival and adaptability of both forms of institutions to serve the justice needs of post conflict societies in Eastern Africa.

# References

African Commission on Human and Peoples Rights, (1999), *Dakar Declaration and Recommendations*, Dakar, African Commission on Human and Peoples Rights.

Huyse, L., (2008), 'Tradition-Based Approaches in Peacemaking: Transitional Justice and Reconciliation Policies' in Huyse, L. and Salter, M. (eds), *Traditional Justice and Reconciliation after Violent Conflict: Learning from African Experiences,* Stockholm, International Institute for Democracy and Electoral Assistance.

Kaburahe, A., (2008), 'The Institution of Bashingantahe in Burundi' in Huyse, L. and Salter, M. (eds), *Traditional Justice and Reconciliation after Violent Conflict: Learning from African Experiences,* Stockholm, International Institute for Democracy and Electoral Assistance.

Kenya Human Rights Commission, (2009), T*ransitional Justice in Kenya: A Toolkit for Training and Engagement,* Nairobi.

Kimathi, L., (2006), *'Traditional Institutions as a Basis of State Reconstruction: The Case of Justice Systems in Africa' in Courrier de la planète,* Issue 79.

Latigo, J., (2008), 'Northern Uganda: Tradition Based Practices in the Acholi Region' in Huyse, L. and Salter, M. (eds), *Traditional Justice and Reconciliation after Violent Conflict: Learning from African Experiences,* Stockholm, International Institute for Democracy and Electoral Assistance.

Le Mon, C. (2007), *Rwanda's Troubled Gacaca Courts,* http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1080662, Accessed on 1st July 2010

Menkhaus, K., (2000), 'Traditional Conflict Management in Contemporary Somalia' in Zartman, W. (ed) *Traditional Cures for Modern Conflicts,* London, Lynne Rienner.

Musembi, C., (2003), *Review of Experience in Engaging with Non-State Justice Systems in East Africa,* London, Department of Foreign and International Development.

Nabudere, D. (2004), 'Ubuntu' in Doxtader, E. and Vincencio, C., (eds), *Pieces of the Puzzle: Key Words on Reconciliation and Transitional Justice,* Cape Town, Institute for Justice and Reconciliation.

Nabudere, D., (2002), 'Towards the Study of Post Traditional Systems of Justice in the Great Lakes Region of Africa' in *East Africa Journal of Peace and Human Rights, Vol 8 No. 1.*

Olowu, D., Wunsch, J., (2004) *Local Governance in Africa: The Challenge of Democratic Decentralization,* Colorado, Lynne Rienner.

Osaghae, E., (2000), 'Applying Traditional Methods to Modern Conflict: Possibilities and Limits' in Zartman, W. (ed) *Traditional Cures for Modern Conflicts,* London, Lynne Rienner

Penal Reform International (PRI), (2000), *Access to Justice in Sub-Sahara Africa: The Role of Traditional and Informal Justice Systems,* London

Sonkosi, Z., (2004), 'Traditional and Customary Law' in Doxtader, E. and Vincencio, C., (eds), *Pieces of the Puzzle: Key Words on Reconciliation and Transitional Justice,* Cape Town, Institute for Justice and Reconciliation.

Tutu, D., (1999), *No Future Without Forgiveness,* London, Ride.

# AFRICAN UNION'S 2010 YEAR OF PEACE AND SECURITY IN AFRICA: WHAT ARE THE CHALLENGES, THREATS, OPPORTUNITIES AND PROSPECTS FOR AFRICAN UNION MISSION IN SOMALIA?

*Francis Odari Onditi*

## Introduction

African Union Mission in Somalia (AMISOM) was established as a peacekeeping mission under the auspice of the African Union (AU) and authorized by the United Nations Security Council (UNSC) under chapter VIII, UN charter. It stemmed from the Intergovernmental Authority on Development (IGAD) Peace Support Mission to Somalia (IGASOM). Currently the Force mainly drawn from Burundi and Uganda stands at 6120 soldiers representing approximately 24 percent drop from the initial 8000(UNSC, 2007) that was authorized at the time of its inception.

The Peace Support Operation (PSO) environment under AMISOM is a mixture of both uniformed and civilian component. The civilian component supports peacebuilding, peacemaking and post conflict reconstruction basically engaged in mission management. The AMISOM'smilitary component offers logistical coordination on the ground including guarding the six strategic places (Mogadishu seaport, Mogadishu airport, Somalia University, Villa Somalia, Siad Barre Military Academy and the Kilometer 4) while the police assists in enforcing the principles of good governance and rule of law in addition to providing the necessary support to the contingents in all areas of operation.

Since its establishment in 2007 the AU's fourth peace keeping operation, AMISOM has been operational in Somalia with remarkable success, challenges as well as glaring threats (Peace and Security Communiqué of the 69th Meeting, 2007). The two and a half year old missionin the horn of African country was deployed in Mogadishu as a peacekeeping organ that would employ both military and humanitarian strategies in response to the 20 years old civil war in Somalia. Ideally AMISOM has been operating in the central and southern part of Somalia with allies being the Transitional Federal Government (TFG) all against the insurgents and extremist groups with support from mainly, United Nations, the United States and the Intergovernmental Authority on Development (IGAD). This foundation assumes the strengths of a strong institution based on values, principles and procedures as well as rules of engagement (ROE) as far as peace and security is concerned. However, with all these establishments, fluidity of the situation and the changing nature of conflict in the Horn of Africa remains a thorny issue to this mission that bears history in the United Nations Operations in Somalia (UNOSOM) way back in 1992(Gadin J, 2010).

Despite this state of affairs the African Unions' hope for Africa was felt during the Assembly for the Heads of State and Governments held in Addis Ababa in February 2010, when Mr. Lamamra Ramtane (AU Commissioner for Peace and Security) declared 2010 as the Year for Peace and Security in his articulate speech during the 14th Ordinary Session of the AU

Assembly. The objective and goals cementing this declaration may have been informed by the Tripoli Declaration on the Elimination of Conflicts in Africa and the Promotion of Sustainable Peace that was adopted by African leaders in August 2009 (AMISOM Newsletter, 2009). The gist of the declaration emphasized that the Year of Peace and Security is an opportunity for African peoples, leaders and institutions in partnership with the international community, to review current efforts and where appropriate launch new initiatives for the promotion of peace and security with the view to encouraging them to take ownership of this initiatives and commit to actions that will make possible the achievement of peace and stability (AMISOM Bulletin, 2010; Irin, 2010).

By such declaration AMISOMs' mandate seem to have acquired new status with the journey getting expanded, widened, roughened and even made more steep for the mission that was established to build and forester capacity for the Somalia TFG. Subjecting this statement to microscopic analysis reveals that AMISOM has become subject of discussion in the region and beyond. This papertherefore situates the discussion on at least three beacons namely capacity, mandate and the emerging political landscape. While at the same time maintaining the flow of ideas by so limiting it to cause-effect relationship that exists at the trajectory of AMISOM.

Several peace keeping missions in Africa face myriads of challenges. They range from insurgencies to humanitarian crisis (The East African, June 2010). It may be appropriate in time and space to popularize the saying that '*.....inadequate capacity or knowhow weakens an institutional ability to effectively deliver its mandate...*'[20] For AMISOM the situation is even complicated because the dream to operationalize the expansionist policy narrows as the dynamics assumes different angles. Yet, the expectations from the local and international actors are overwhelmingly of high magnitude. Specifically, AMISOM is expected to provide support to government structures, National Security Plan (NSP), carry out training of security forces not to overemphasize their fundamental role in creating suitable working environment for humanitarian activities. The question is what are the possibilities and impossibilities of AMISOM fulfilling these plans particularly with reported cases of Al Shabaab's increasingly militant stance?

In spite of the evidenced efforts made by AMISOM in Somalia, armed conflict still kills thousands of people every year, creates humanitarian disasters, wipes out livelihood of the innocent population and makes it impossible to promote values and principles of sustainable development. More nagging is the fact that AMISOM peacekeepers have repeatedly come under attack from the extremists and the troops retaliate sometimes causing civilian casualties, particularly in areas such as Bakara market, and Kilometer 4 (The East African, June 2010).

Evidently, the confusion that surrounds killings in Mogadishu is beyond the understanding of common man on the street. In fact Bakara market bears the blood of innocent civilians just because the AMISOM cannot differentiate between Al-Shabab and the rest of the population. The fear of the local population is that AMISOM lacks the necessary machinery to put the

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20  This is a common saying in the field of development management implying that institutions are the back bone of any establishment without which less effect can be felt. Mandate in this case refers to the legally defined functions and tasks assigned to a mission out of which conflict can be studied, understood and tackled using available soft and physical machinery.

extremists at bay. A Bakara-based community worker recently complained of the situation by saying "the Al-Shabab are killing innocent girls and boys and therefore they are not true Muslims, the AU should allow AMISOM more responsibilities so as to sweep the group that has left people living in fear of attack, Allah says that Islam is partial and not extreme like the Al-Shabab is portraying, Muslims can eat with Christians, the AMISOM should investigate the source of funding for Al-Shabab because they are able to pay their soldiers more than the Transitional Federal Government (TFG) can pay its forces......"

The feeling of the local community attributes the inadequacy of AMISOM to limited scope in terms of operation and the extent to which they can deal with insurgency in Somalia. In deed some analysts have observed that the shortcoming currently experienced by the AU mechanism is due to inadequate mandate of the mission that is in place merely to create a conducive environment for dialogue among Somalis. While in an interview with *The East African* media group[21], the AMISOM force commander, Maj-General Nathan Mugisha[22], made it clear that AMISOM's presence in Somalia was not to fight but to support all peace-loving Somalis to reconcile and forge away forward. Against this claim is an argument by the local anti-foreign policy agitators[23] that AMISOM is a strategy by the West and the United Nations to reduce the influence of Islamic extremist so as to gain control over some of the resource-rich areas. Anyhow, ignorance over the local culture goes against some of the internationally accepted standards of *cultural competency* stipulated by the UN in regard to peace keeping *modus operandi* which demands that any peacekeeper must acknowledge, respect and if possible appreciate the culture of the hosting community. According to this doctrine therefore, failure to uphold this principle by any mission without exception of AMISOM may accelerate conflict instead of stabilizing the security situation. Ability to understand the local geography and history is a mandatory mission strategy particularly in a country whose infrastructure is ravaged.

Among the many suggestions that are being proposed by the local Somalia leaders and citizens as part of AMISOM's review for the next term and further development is the need to incorporate local civilian (Civilian-Military Cooperation, CIMIC) component in the operation so as to offer technical direction and also create cooperating mood and rapport with the local community. In an interview with one of the local NGO workers in Kilometer 4, it was evident that the AMISOM group is incapacitated and is unable to understand the movement of armed groups hence resulting into killings of innocent people. One of the interviewee reiterated by saying "AMISOM are visitors in Mogadishu and they don't even understand local language and therefore it is difficult for them to deal with the Al-Shabab, it would be good to include local civilians in their work so that they can be informed on how the armed groups operate, we the local people know who the Al-Shabab are because they are recruited from our neighborhoods, we know what they need and what they don't like, more than strangers like AMISOM group, the AMISOM people should recruit civilian people to be part of the mission..."

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21  The East African news paper is a publication of Nation Media Group, Nation Centre Nairobi and circulated within the East African Countries. The said story was covered by Nick Wachira of the Group while in an interview with General Mugisha of the AMISOM. The story appears in the June 14-20 edition of the News paper.
22  Major General Nathan Mugisha is Force Commander for AMISOM.
23  This includes group of people opposed to the AU mission led by Islamic extremists..

## AMISOMS' Mandate Revisited

In 2007 during the 69th Meeting of the AU Peace and Security Council, the African Union made a decision by isolating specific functions of the AMISOM as follows; supporting dialogue and reconciliation involving all stakeholders, providing appropriate protection to the humanitarian workers, building infrastructure, as well as providing technical input for Demobilization, Disarmament and Re-integration (DDR) efforts (United Nations Security Council Resolution, 2007). AMISOM was also expected to provide technical assistance in implementation of the National Security and Stabilization Plan (NSSP) for the war torn Horn of Africa country-Somalia. As a build up to this mandate the mission was to oversee re-establishment of an effective training programme of all-inclusive Somalia security forces as reinforcement to the already existing bilateral and multilateral training programmes. At the same time monitoring of security situation in deployment areas was also an assignment attached to AU initiative in the region.

Initially, AMISOM comprised of 9 infantry battalions of 850 personnel each supported by maritime coastal and air components together with civilian component including police training team[24]. With initial mandate of six months, the mission was to evolve to a UN operation that would support the long term stabilization and post-conflict reconstruction of Somalia. Of course the logistical support plan was based on troop contributing countries particularly the model of the African Union Mission in Burundi (AMIB) with a reimbursement approach to programme costing in the course of their deployment based on AU practice (Somalia Security Council Report, 2006). The IGAD Meeting that was concluded on 5th of July 2010 proposed increment in the number of soldiers needed to handle the mission.

## Political Landscapes and External Actors

In the recent past a number of global developments have re-ignited the debate over the ability, stability and the future of AMISOM in the Horn of Africa. Some of these occurrences are informed by the historical nature of conflict in Somalia while others are unique to the situation. It is also important to note that changes in both local and global political content may have significant impact on the legitimacy and relevance of AMISOM as an institution whose main goal is to restore peace and stability in Somalia.

Notably, the withdrawal of Ethiopian forces in January 2009 may have boosted the morale of AMISOM based on the fact that majority of actors lost trust in the Ethiopian peacekeeping approach. In particular the intense military standoff involving the TFG and the Union of Islamic Courts (UIC) (James Gadin, 2010). The second phenomenon is the election of Somalia's new Transitional Government led by President Sheikh Sharif Sheik Ahmed. This has at least two unfoldings when viewed from a political perspective; the slight stability and the confident of the local population in the current leadership may mount into a demand that the AMISOM re-justifies their continued existence and legitimacy in the land. Meanwhile this observation may be arm twisted because of the rapidly changing political landscape in the horn of Africa. In fact more recently political analysts have viewed the renewal of Ethiopian focus on Somalia through IGAD as skeptical. According to Clottey (2010) Ethiopia is in the process of re-emerging and reinforcing her regional supremacy by using support for IGAD as a tool to tackle the situation in Somalia.[25]

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24  DFID publication on country profile; Africa; Somalia. Information on this website cites recent development in Somalia including the transformation of IGASOM to AMISOM.
25  The IGAD's high powered meeting of leaders in the region recommended that the AMISOM rises to the occasion

The arrival of Barrack Obama's Administration in the US also gives new shape and direction to the politics of AMISOM specifically in respect to the US's foreign policy that is pro internalization of challenges by the local people. If the US policy demands that local community be empowered to solve their own problems then AMISOM's capacity building work plan may be relevant and possible expansion of their mandate guaranteed. But again this depends on policy prioritization in the White House. On the other hand the notion of *Africanization* of institutions could react against AMISOM. In deed the lone-ranging approach when dealing with fluid[26] situations such as security has never been successful. Therefore some level of cooperation among different world allies may be necessary. Contrary to this argument, the White House Director of Counter-terrorism, John Brennan recently highlighted the new US security policy in East Africa by emphasizing that 'the US will not merely respond after the act ' of a terrorist attack but will take the fight to Al Qaeda and its extremist affiliates whether they plot and train in Afghanistan, Pakistan, Yemen, Somalia or beyond.

The US Vice President Joe Biden's visit to Kenya (June 2010) was also an important build up to the future of AMISOM. The Obama's administration seems to focus more on Kenya's strategic sub-regional role in envisaging regional peace and security strategies. This confidence by the Americans is motivated by Kenya's long term stability and development records strongly tied to the regional security and development (The East Africa, 2010). At least, at this stage both the White House and the Kenyan State House are reading from the same script and this tallies with the pronouncements by President Kibaki that US should take lead in stabilizing Somalia particularly from the southern part that borders northern Kenya. The move to upgrade the AU's mission to the UN standard[27] is debated with mixed viewpoints considering the fact that decision by various countries to release soldiers is political and most likely to frustrate the ambition of the African Union in the horn of Africa.

Other new important political emergencies and developments that may influence the status of AMISOM include signing of Agreement by the Transitional Federal Government with Ahlu Sunna Waljamaa (ASWJ) group[28]. The agreement that was negotiated and signed in Addis Ababa on the 15 March 2010 provides a Framework for Cooperation between both parties in the quest for a peaceful resolution of Somalia conflict (AMISOM News Letter, 2010). This new development that has been described by the AU as a reconciliation platform among Somalia interlocutors can be an opportunity for AMISOM to promote human security through enhancement of the peoples' access to social services and economic opportunities. Further, this could be a window of opportunity for the mission to invite the armed opposition groups like Hizbul-Islam and A Shabab to down their tools of war and make commitment to the peace process under the arrangement of Djibouti Peace Process for Somali (DPPS). The ASWJ group has obviously added strength to the TFG and AMISOM due to their anti-Al-Shabab campaigns.

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by mobilizing military resources as a quick measure to the escalating level of conflict in Somalia.

26 The conflict situation is considered in this report to be fluid because of its multiplier effects in terms of how it manifests itself, spreading damages and the overall impacts on regional and world's social, economic, political, environmental and cultural systems.

27 The UN standards demands that for a full mission 20,000 troops must be in place with adequate machinery and some level of independence from local politics. The benchmark for AMISOM is 8000 troops with current figure standing at approximately 6000.

28 ASWJ is a group of moderate Islam in Somalia that has been cooperative to the TFG government against the extremists. Analysts project that the signing of agreement between the two parties may strengthen force against the insurgencies.

On the other hand the resignation of TFGs' several key and state Ministers such as Sheikh Yussuf Indhacade complicates this debate further. In his tenure as the Minister for State in Defense Yussuf has been strong supporter of AMISOMs' political and humanitarian activities. Of course the other side of the coin reads Yussuf as stiff enemy to the *Al-Shaababs'* who are opposed to the Transition Federal Government in which he was part. Could this decision by the State Minister be the case of individual survival verses societal heavy burden? It is possible that Yussuf and the other Ministers that form the TFG are a threat to the extremists and therefore one cannot rule out the hypothesis that they resigned on account of existing threats against their ideologies by said groups. The question that lingers in minds of peace keepers, and probably observers is how AMISOM will continue gaining legitimacy and the muscle to stifle these criminally organized groups? The battalion may be well vast in military operations and skilled in interoperability, control, logistics, communication and the intelligence, but what about the psychological niche of an operation? What of the cultural mix of the new environment? What about dealing with other external actors such as the media whose influence can be both obstructive and destructive to the efforts of peacekeepers in a PSO?

## Threats and Challenges

**The Legitimacy and effective planning in an already war saturated environment.** The establishment of AMISOM was at a time when Ethiopian attempted to install and legitimize Transition Federal Government in the eyes of diverse actors. Indeed it was initiated in a war zone (Williams P.D, 2010). In the presence of Islamic institutions such as the Union of Islamic Courts (UIC), AMISOM as a mission merely has the capacity to effectively govern and reconcile all the parties to the conflict. Furthermore the insurgents and extremists who use terror tactics such as suicide bombing and media propaganda raise the temperatures of mission stability. The ability to plan within the PSO environment is already tortured by the hostility leaving the planners with weird option of planning outside Somalia in the neighboring countries?

**Inadequate mission personnel.** The soaring inadequacy of personnel originates from the skepticism born by many African countries that AMISOM operates in highly volatile environment with no apparent peace strategy. This challenge has been accelerated by the fact that Ethiopians' representative in the Peace and Security Councils' (PSC) had ignored the internal procedures when AMISOM was established, specifically Article 8.8 of the PSC Protocol (2002) states that a PSC Member 'which is party to a conflict under consideration shall not participate either in the discussion or the decision making process relating to that conflict or situation.' Currently AMISOM is operating with approximately 6000 troops working with TFG's 2000 soldiers.

**Ideology verses Reality.** Both academics and practitioners have diverse views over the establishment and the subsequent operation of AMISOM. Some have actually argued that AMISOM was a tool introduced in Somalia as a platform for advancing western interests. This argument has cascaded into two schools of thought, at least for this discussion. First because of Washington's support for Ethiopia's campaign and secondly because of a strong diplomatic push by the Bush administration to get African states to contribute troops to the mission. On the other hand the indigenous people had their own interpretation of the AMISOM. For instance large portion of Somalis have outraged that the United States had openly dismissed the UIC's achievements during 2006 and acted as if the courts were dominated by terrorists, without considering the abuses committed by Ethiopian troops against Somali civilians, provided intelligence support to Ethiopia during its operations, and

engaged in airstrikes on Somali soil. As already mentioned in this report AMISOM works in highly politicized environment with far reaching expectations and therefore challenging to make political judgment based on facts while maintaining objectivity.

**Ability and Capability within the AU.** The level of experience by the AU is highly contentious. Logistically such arguments holds considering the fact that AU is a youthful institution and therefore inability to source, deploy and manage the authorized 8000 troops and beyond. In deed reports indicate that only 60 percent of this figure has been secured and that on the ground 1600 Ugandan troops were sum total of AMISOM until 2009 when this was topped to 4,300 troops including Burundian soldiers. The issue of dependency has also been too common. It is true that US, UN and the European Union are the main sponsors of AMISOM mission activities. The hard component of the mission is also critical to the success of AMISOM. The fact that UN Mission in Ethiopia and Eritrea (UNMEE) saved the battalion of the equipment in 2008 is a clear indication that AMISOM's ability to fully operate is at stake. Indeed AMISOM officials have admitted that absence of air and marine capabilities is a strong inhibition to the functioning of the mission.

**Weak institutions and structures of Governance.** As already mentioned in this paper, originally, AMISOMs' mandate was to build capacity for the survival of the TFG against the threatening Al-Shaabab insurgency's destructive mission. However, coordination of activities for achievement of this goal is affected by numerous factors. It is recognized that well coordinated activities is a product of functional institutions. This was echoed by the African Union Commissioner for Somali, Amb. Boubacar G. Diarra who emphasized the need for efficiently coordinated capacity building for the TFG. Justification of this is projected towards peace, stability and utilization of national resources which culminates into socio-economic development[29]. To say the least, the TFG has very limited control of the country in terms of logistical input as well as institutional solidity.

**Armed attacks against AMISOM, TFG, and humanitarian workers.** Armed attacks against the AMISOM force is another deadly threat in the journey of AMISOMs' peace and security agenda. The frequent attacks not only undermine peace and reconciliation process but also erase the long development efforts by the mission and other humanitarian organizations. As a result the needy population is denied access to humanitarian services and aid. This creates a wider vicious cycle of security poverty in the country that is claimed to have heritage and civilization for 12 centuries.

**Lack of clarity whether AMISOM keeps peace or peace building or supports the implementation of DPA or peace enforcement.** While the AU mission in Somalia resembles more of peace enforcement (Chapter 7 of the UN), in practice AMISOM goes beyond this functions as the situation demands and yet their mandate limits them from executing peace keeping appropriately and effectively.

**Building mutually benefiting partnerships both internally and externally.** The mission environment is surrounded with scrutiny of work and this makes it difficult to promote professionalism and quality of output particularly in mission sections that are required for intellectual resources such as Political Affairs, Policy Planning, Monitoring and Evaluation. In terms of negotiations, AMISOM is highly indebted to having an appropriate mechanism for selecting, and engaging parties for building capacity required of a mission.[30]

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29   www.AMISOM.Newsletter, June 2010.
30   Several partnerships have been negotiated and celebrated under the auspice of AMISOM. The recent one having been ties between the missions' women wing and the Somalia league of women such as the Coalition of Grassroots Women Organizations (COGWO) - which comprises of Somali women activists and elders in Mogadishu.

## Windows of Opportunities for Somalia

Despite the hostile environment within which AMISOM operates, opportunities exist for furthering and expanding its mandate beyond the defined operational boundaries.The good will by the AU Peace and Security Council and the United Nations counterpart is just but one of the strengths and opportunities that are available for the continuity of the mission . Following the sequencing of events within the AMISOM, it is clear that both AU and UN are committed to its success. For instance the renewal of the AMISONs' tenure by the AU Peace and Security Council and the UN counterpart in 2008 sounds logical decision.

This event occurred at the right time when the insurgents and extremists are advancing their activities along the Indian coastal region of which Mogadishu falls victim by its geographical location (UNSC, 2010).The multilateral arrangements in support of AMISOM include the United Nations Support Office for AMISOM (UNSOA), the US Government, and the European Union. Furthermore, the permanent members of the Security Council (France, US, China, Russia and Britain) are being challenged to give teeth to Resolution 1863 so as to rise to the standard of a UN mission. Support to training programmes has been extended by various partners to strengthen the police force. In expanding this opportunities the police component of the AMISOM conducted Selection Assistant Test (SAT) in order to ascertain the best fit force for the mission area.

According to the AMISOM Chief of Staff Mr. Isaac Samson this arrangement is part of the wider capacity building mandate of the mission.31 More importantly is the need to strengthen regional oasis of peace and good governance as asserted by Prof. Ken Menkhaus, a leading US scholar on Somali conflict (The East African, 2010).

## What can be Considered by The Mission for Posterity?

The AU commissioned experts to review the AMISOM strategic plan based on its mandate. The review focused on the related units; functioning, operations, capacity, contribution of peace and stability, peace, and security as well as the adequacy of their mandate to the current realities with the view of improving their effectiveness in addressing the challenges facing the mission. The AU 2010 News letter reports that the exercise is being implemented by a team of experts led by Amb. Shola J. Omeregie. In the light of this review the team has an opportunity to reflect and examine issues that forms the internal and external working environment of a mission. Assessment of the operational situation shows that;

Institutional capacity building increases the chances of promoting proper coordination hence upholding values and principles required for peace and stability. For instance coordination unites all the units for reports to the Headquarters in order to reduce incidences of conflicting information in the mission. Coordination unit also provides guidance and advice to other components on potential implication of any activity be it humanitarian or military.

**Cultural considerations**. Depending on media reports, hostilities between the local community and the AMISOM may arise. By adhering to the principle of cultural competency the desire to promote collective responsibility among the different institutions of a mission can be

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31  www.africa-union.org

achieved. The new communication arrangement between the UN capacity support and strategic communications advice and services to the AMISOM reduces the possibilities of cultural conflict that potentially leads to the malfunctioning of the AU mission.

**Collaborations**. Both bilateral and multilateral arrangements could be an opportunity for the mission to increase capacity and capability to tackle the situation. Commitment by the United Kingdom, United States, United Nations and the IGAD is incredible pointer to the success of AMISOM. Collaboration initiatives among the local leaders can be harnessed but at the same time the AMISOM-TFG should put in place plans and strategies that will manage expectations and interests from different quarters within the conflict situation in Somalia. Harmonization of the benefits accrued to both AMISOM's and TFG's soldiers is critical in managing the interests and needs of the servicemen who are required to keep peace and may be ceasefire.

**Political leadership**. AMISOM could utilize the opportunity brought forth by the signing of Agreement between the TFG and the ASWJ. The worrying groups can be mobilized through local capacities to promote ownership of leadership. More focus should be towards building a sustainable and loyal TFG troop of soldiers who are willing and motivated to work with the government.

**Infrastructural development.** Creating enabling environment for the operation of AMISOM particularly the humanitarian wing is an opportunity to be identified by the mission so as to promote the coordination of activities and processes within mission environment. An integrated socio-economic re-integration operation requires well coordinated transport and communication networks that can respond to the needs of the ordinary population undergoing humanitarian crisis around the refugee camps in Mogadishu (particular one being the Afgoye corridor[32]).

**Policy framework first then security reforms.** In order to avoid double standards in the functioning of Security Sector Reform (SSR) elsewhere in Africa, the need to establish values, principles, procedures and methods is necessary. Training and empowerment of both military and police force by AMISOM should answer questions such as *what? why? who?* and *how?* in order to reduce cases of counter-productiveness of the process.

**Civilian-Military Cooperation**. CIMIC is a well known and sought after concept in the military space. It is founded and cemented on the basis of mutuality, Do No Harm, interdependence, respect for roles, humanity as well as impartiality. If we agree with these seemingly academically packaged principles then CIMIC could as well be one of the first steps on the list of any PSO planning process. Well, this sounds obvious to a veteran mission soldier or military officer, but how do we develop a criteria that ensures adequate representation of the local community? Based on the current confusion, in Somalia, the success of TGF requires well thought and coordinated civilian besides the *straight jacket* approach. By so doing the mission (AMISOM) will have answered questions such as who are the insurgents. How best can we collaborate with other actors? Whose information can we believe? How best can we discharge our mandate with impartiality? The recent (July 2010) demonstration by the local population in Mogadishu over the plans by IGAD to mobilize troops for the mission attests to this issue.

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32  This is a famous refugee camp for Internally Displaced Persons (IDP) in Somalia. The long corridor is highly congested with human traffic lacking basic human wants and undergoing extreme levels of food poverty and impoverished human life style. The continuing conflict situation in Somalia worsens the conditions that require urgent humanitarian interventions and yet the civil workers are threatened by the extremists and suicide bombers common in the area.

**Freedom from hunger for TFG soldiers, critical for mission success**. Human security ethos and practices endorse the need to erase cases of hunger among citizens of a nation. In cases where government soldiers looks emaciated and unhealthy enough to lift a gun then manning an insurgency group is a toll order. Arrangements to address human development issues should also encompass those taking care of the state troops. Otherwise the would be government soldiers could easily join the militia groups anticipating better life styles. Empowering the force in all aspects of life is a desirable capacity building task ahead of the mission's challenge of operationalizing the 2010 year of peace and security for Africa**.**

# References

African Union Mission for Somalia (2009) Communication Key to restoring Peace and Somalia's Islamic Cultural Values. AMISOM Newsletter Vol 1, Issue 15.

Bourbacar, G.D (2010) Restoring Peace in Somalia; Failure is not an option. AMISOM Bulletin. Issue 1, Feb. 2010

Clottey P (2010) IGAD In capable of Resolving Somalia Crisis. Extraordinary  Session of the IGAD Council of Ministers , Report of the IGAD Millitary Experts Mission to Somalia and Consideration of the draft communiqué of the 15th Extraordinary Summit of IGAD Heads of State and Government.

Gadin James(2010) Paper presented at the  EASBRIG Training; Political Affairs in Peace Support Operations; African Union Mission in Somalia, International Peace Support Training Centre, Karen Kenya. June 2010.

Peace and Security Council (2007)Communiqué of the 69th Meeting of the Peace and Security Council, 19th Jan 2007, AU Addis Ababa- Ethiopia.

Irin (2010) Somalia; African Union to Deploy Peacekeepers.
United Nations Security Council Resolution 1772S RES 1772 (2007).www.unsc.org .6/6/2010 Somalia Security Council Report. December 2006;  http;//www.ht.com/articles/reuters/2008/09/14/Africa/ou-uk-somalia-conflict.php. 6/6/2010

*'Year of Peace and Security in Africa' AMISOM BULLETIN-Issue 1, 2010*. www.africa-union.org

United Nations Security Council (2010) Department of Public Information Security Council extends authorization for African Union Mission in Somalia.

United Nations Security Council Resolution 1772 RES 1772(2007). www.unsc.org.6/6/2010.

The East African (14-20, 2010) Diplomacy; Kenya positions Somali Conflict and its threat to national security as the defining question of its relations with US.

The East African, (July 5-11 2010), Peaceful Poll in Somaliland points a way out of conflict, Correspondent by Kevin Kelley. PP. 1, col, 1.

Williams, D.P (2010) AMISOMS Five Challenges. Center for Strategic and International Studies. 1800 K Street, NW. Washington DC. www. africa-union.org/AU/Departments/psc/AMISOM/misom.htl.  8/6/2010.
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# TRANSBOUNDARY REBEL MOVEMENTS: EXPLORING THE BILATERAL COOPERATIVE SECURITY ARRANGEMENTS WITHIN THE EASTERN AFRICA REGION

*Julius Kiprono*

## The Nature of Rebellion in Eastern Africa

For a long period of time now the Eastern Africa and the Great Lakes Regions have witnessed a proliferation of rebel groups some of whom have been involved in rebel activities for over two decades. Their methods of operation are varied as do their structures. In most cases these groups are lose outfits with no ideological or political agenda while others can be classified as fighting for a cause, mainly grievance based.

The Lord's Resistance Army (LRA), a rebel movement from northern Uganda, has been waging a 20-year long guerrilla war against the Government of Uganda. The war, which is one of the world's longest-running conflicts, has uprooted more than 2 million people, led to the abduction of tens of thousands of children and left hundreds of thousands maimed. The LRA's claims of fighting for a righteous cause is undermined by the group's vicious attacks on civilians, the abduction of children, the use of child soldiers and the maiming of their victims. Their activities have become a way of life and by attacking communities and raiding food aid and distribution camps, these rebels can sustain themselves. The LRA is categorized as one of the most brutal rebel movements in the world and is listed on the United States' list of terrorist organizations. The group is a classic example of a rebel outfit whose activities transcends common boundaries and which has drawn common security operations from the neighboring states aimed at destroying the outfit.

Since 2005, the LRA has split into small groups of fighters and its operations have spread to Uganda's neighboring countries, which include the Democratic Republic of Congo (DRC), the Central African Republic (CAR) and Southern Sudan. In the past the LRA has been forced to move its operations to neighboring countries after being weakened by the Ugandan military forces (UPDF). Uganda has had to deal with cross border security challenges posed by another rebel outfit emerging from Congo, the Allied Democratic Forces (ADF) whose attacks on villages in western Uganda intensified in 1997.

**Rebellion in Eastern DRC.** One of the most defining features of conflict in the region has been the complex conflict which has been the source of insecurity in eastern Democratic Republic of Congo. Central to the conflict has been the destabilizing and threatening presence of over a dozen militia groups, both foreign and Congolese, and the failure to fully implement peace agreements signed by the parties. Over 15 years, the former Rwandese armed forces and the Interehamwe have been operating in Eastern DRC and where they have continued to carry out many attacks inside Rwanda and against Congolese civilians. These groups, namely the Forces Democratiques de Liberation du Rwanda, or FDLR[33], and its many offshoots including the ex-

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[33]  The term FDLR is used here to denote an umbrella term for the Rwanda armed groups in DRC including the former Rwanda Armed forces (FAR), Interehamwe and other groups which fled to DRC after the genocid.

Rwanda Armed Forces (FAR) and Hutu extremists militias known as Interehamwe among other groups have been responsible for terrible atrocities in eastern DRC, including widespread and systematic sexual violence and rape. When the Tutsi-led Rwandan Patriotic Front or RPF took control of Rwanda and ended the genocide in July 1994, the forces largely responsible for the orchestration and execution of the Rwandan genocide escaped to eastern DRC. The arrival of these perpetrators of genocide set into motion a regional war in which ethnicity, citizenship, control of land and lucrative natural resources pitted communities against one another (Rebecca Feeley et al, 2009). In October 2008, the National Congress for the Defence of the People (CNDP), under the command of General Nkunda launched a major offensive against the Democratic Republic of Congo Armed Forces (FARDC) in Eastern DRC where he captured a number of small towns forcing the Congolese forces and the UN Mission in Congo (MONUC) to withdraw from some areas. Gen Nkunda and his forces continued to wage war against Congolese forces and civilians in the region until his arrest in January 2009. Since then he is under arrest in Rwanda as part of the deal between the DRC and Rwanda that included permitting Rwanda forces into Congo to help disarm FLDR (World Bank, 2009).

## The '*Darfurization*'[34] of Conflict

The conflict in Darfur extended well beyond the borders of Sudan, particularly into Chad. The movement of some 200,000 Sudanese across the border and the establishment of rear bases in eastern Chad by Dafurian rebel groups in 2003-2004 escalated the conflict particularly on the border between Chad and Sudan (Tubiana, 2006). The cross border security challenges at the border areas have been strengthened by the cross-border ethnic groups such as *Beri* (of *Zaghawa* and *Bideyat* region) who reside on both sides of the border. For instance there have been Darfur-type attacks on Eastern Chad villages, mainly non-Arab ones, by militias known as the *Janjaweed* who recruit largely from nomadic Arab groups. Some of the perpetrators of this violence have links with Darfur: some of the *Janjaweed* active in Chad appear to be the same as those on the western border of Darfur who recruit from both Sudanese and Chadian Arab groups. But more than the *Janjaweed* in Darfur, those in Chad also recruit from non- Arab communities, whose motivation comes mostly from local conflict for land and with the other non-Arabs, which are similar but not related to the land conflicts in Darfur (Tubiana 2007).

The Janjaweed and Chadian rebels do not necessarily employ the same methods, nor have the same motivations, but their attacks often coincide. For example at the beginning of November 2006, the first attack of the *Union des forces pour la democratie et le developpement* (UFDD) were followed by violent *Janjaweed* attacks in the two regions. Occasionally, Janjaweed rebels and the Chadian rebels have fought together. Another rebel group which operates across the common border of Chad and Sudan is the Justice and Equality Movement (JEM). These rebel movements represent the presence of multiple rebel and militia groups which have continued to stoke and heightened tensions besides posing serious security challenges along the common border of the two countries and between the governments.

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34  Darfurization is used here to explain the phenomenon of the conflict in eastern Chad where the conflict follows a similar pattern like one in Darfur region of Sudan.

## Cross Border Rebellion Versus Interstate Relations in The Sub Region

Cross-border rebel groups could either unite states or cause further divisions between nations as evidenced by tensions bordering on perceived support to rebel activities by different countries in the region. The LRA activities have been the main sources of tensions between states in the region. It has caused friction between Uganda and Sudan and between North and South Sudan. For example, at one stage South Sudan's People's Liberation Army (SPLA) accused Khartoum of supporting the LRA's presence in Sudan's Darfur region. Chad and Sudan have also undergone varied degrees of tension, hostility and even open confrontation against one another as result of what some view as proxy wars being fought by these states using different rebel groups operating across the border of the two countries.

The wars in Chad and Sudan are deeply intertwined. Chadian rebels almost took N'Djamena in February 2008 before they were repulsed by forces loyal to the government of Chad. Chad then accused Sudan of being behind the attack (BBC, June 2008). A few months after the February raid on N'Djamena, a near-mirror image event took place[35]. Sudanese rebels reached the edge of Khartoum, almost crossing a bridge from the twin city of Omdurman which leads into the city centre itself. Government security forces countered the attacks and Khartoum reacted by displaying military items it said had been captured from the rebels. The captured military vehicles and uniforms, the government said, proved Chadian involvement in the attack.

Before the beginning of normalization of relations between DRC and Rwanda, Rwanda used to voice claims that Kinshasa continues to support FDLR which has been responsible for insecurity between the border regions of the two countries. Rwanda's claims and Uganda's fear of increased conflict on its border area led to a fear of a repeat of the 1998 internationalized conflict when the two countries invaded eastern DRC in a conflict that drew eight countries to the DRC conflict. Similarly, the LRA activities remained the main source of tensions between states in the region. It has caused friction between Uganda and the Sudan and between North and South Sudan. For example at one stage South Sudan's People's Liberation Army (SPLA) accused Khartoum of supporting the LRA's presence in Sudan's Darfur region.

In the recent times however, there has been significant shift towards normalization of relations particularly between Rwanda and DRC, Uganda and Sudan, Sudan and Chad which has resulted in a number of joint operations against rebels operating in the territories pointing to growing trend towards bilateral cooperative security arrangements as opposed to a regional framework. In may this year, Justice and Equality Movement (JEM) leader Khalil Ibrahim was denied permission to transit N'Djamena Airport en-route to Sudan from Libya and was told to return to Libya which made a top JEM official to issue a statement to the effect that Chad is trying to "pressure" JEM into resuming peace talks with Sudan (BBC, 22 May 2010). The Chairman of JEM's Legislative Council Eltahir Adam Elfaki told the BBC's Focus on Africa programme that Chad's actions were not a surprise... "We always suspect that sometimes, deals that may be done behind the corridors would affect the relation between JEM and Chad" he said (BBC Focus on Africa).

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35  In May 2008, Rebels from the Darfur Justice and Equality Movement (JEM) fought Sudanese troops in a suburb of the city in a bid to oust the Arab-dominated regime according to a report by Independent Television News Channel.

It should be remembered that JEM has always had strong ties with Chad, but this has changed in recent months as relations between Chad and Sudan have improved. In the past, JEM has regularly used Chad as a base for its troops and a transit point for its officials. But in February 2010, Chad's President Idriss Deby agreed with Sudan's President Omar al-Bashir to stop supporting rebels in each other's country.  Sudan had long accused Chad of backing rebels in Darfur, while in 2008 Chad accused the Sudanese of helping a rebel group which almost reached N'Djamena, before being beaten back.

JEM had been told after the signing of the February agreement that it was no longer welcome in Chad and Chad's refusal to admit Mr Ibrahim is a sign that President Deby intends to respect his agreement with Sudan. JEM signed a ceasefire with the Sudanese government in February but earlier this month the group walked out of the peace talks being held in Qatar, claiming the government had launched new raids. Another Darfur rebel group, the Liberation and Justice Movement (LJM), also signed a ceasefire with the government before Sudan elections in April 2010.

## Beyond Bilateral Security Arrangements

Border zones continue to constitute security threats to states and communities within the Eastern Africa region. Cross border rebel attacks for example have been the defining feature of inter-state tensions in the region for a long period of time. It is widely believed that cross border attacks are facilitated by border spaces which are ideal for these kinds of attacks due to obstacles to accessibility in terms of rough and harsh terrains, dense forests, deserts as well as the absence of penetrative transport and communications infrastructure. This is compounded by the inability of majority of states to control and monitor their porous borders.

Responses to these threats have been basically state-based and have tended to generate security dilemmas and complexities. In the case of security dilemmas, every state action such as accumulation of arms and positioning of troops along or near the common borders is always viewed with suspicion and immediate counter-reaction by the neighboring state. As more and more states focus on transnational threats such as terrorism, there is a discernable pattern of an increase in bilateral security arrangements focusing on common threats in Africa particularly those bordering on negative forces operating in and across the borders of different neighboring countries in the region.  What this implies is that cooperative security would become a common practice in the region.

Historically a sense of common threat initially spurred efforts that led to cooperative security. For example the coalition that United States build against terrorism in the wake of September 11 points to this fact which illustrates some of the principles of cooperative security and which also highlights some of its problems. A number of factors have tended to promote cooperative security and perhaps the common factor is that of a common future. Without such a sense, countries may act against their own common long term interests and one way that we can have such a sense of common future is to have a common threat (Emmanuel Alder et al 1998).

Within the region of Eastern Africa there seems to be a new trend to resolve common security threats which  involve states in the region agreeing on a bilateral basis to tackle serious security challenges. This compliments with the traditional cooperative security arrangement where the security arrangement of a region is based  on the consensus of the states to cooperate on common

security threats. These include the reduction of violence and enhancement of stability and peace in the region by making use of various agreements and mechanisms (formal security treaties, international organizations, joint action agreements, bi/multilateral dialogues, stability pacts, preventive diplomacy and confidence-building measures'. This has led to a number of bilateral security arrangements geared towards addressing the challenge of insecurity along the common borders in the region. Initiatives such as permission granted by Sudan to Uganda to carry out cross-border pursuits and one which Rwanda requested DRC to allow Rwanda to deploy its troops in DRC under the command of DRC commanders are examples of this type of security arrangements. The challenge is the operationalisation of such arrangements hinges above all on the willingness of states to co-operate.

There have been other joint efforts aimed at policing the border areas which have had fair success. A December 4, 2007 "Tripartite Plus Joint Commission Member States Meeting in Addis Ababa attended by Burundi, DRC, Rwanda and Uganda reiterated strategies for lasting peace and security in the Great Lakes region. Rwanda and DRC delegations also signed the Nairobi Communiqué on November 9, 2007 that laid out a common approach to ending the threat posed to both Rwanda and the DRC by the Ex-FAR/Interehamwe and other armed groups in the Eastern DRC through political, diplomatic and military operations. However its implementation that should have begun in March 2008 never happened. In particular, the DRC and Rwanda were to strengthen joint border patrols to ensure that forces of General Laurent Nkunda, the Mai-Mai, and Partners for Regional Cooperation (PARECO) do not illegally cross the border, recruit across borders and are not aided. Earlier, on September 8 2007, Uganda and DRC signed the *Ngurdoto* Agreement in Tanzania that sought to establish a Joint Permanent Commission but whose implementation was "lost in translation" according to media interpretation of its failure to take off (The Independent, 2008). Later in a new drive, Uganda State Minister of International Affairs, Okello Oryem, said Uganda will agitate for more UN forces in its new position as a non-permanent member of the UN Security the following year. "We shall also give more powers to these forces so that they can arrest the warlords and present them for prosecution in the International Criminal Court," he said.[36]

The fact that this bilateral or tripartite type of security arrangements has so far failed to adequately addressed the challenge posed by trans-boundary rebel movements calls for a wider and binding regional framework as nothing stops a signatory to a bilateral security arrangement from refusing to implement and cooperate. The challenge inherent in bilateral arrangement kind of cooperative security to adequately address the challenge posed by trans-boundary rebel activities should foster regional cooperation in the management of security. The memorandum of understanding seeking the establishment of an intelligence analysis cell to help DRC, Rwanda and Uganda to analyze intelligence signed on 23 February 2005 and the East Africa Community mechanism for cooperation under Article 123 on the evolution of common security and foreign policy are examples. While they can be applauded for going beyond bilateralism, they cannot be relied upon to deal with regional border security management. Issues to be handled are not only limited but are also confined to the level of cooperation. A combination of both bilateral and regional framework to address border security challenges could be seen as a credible and viable option to pursue.

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36 Remarks by the Ugandan minister for International Relations during his meeting with ICC Prosecutor Luis Ocampo Moreno in Kampala in July 2009.

The Nanyuki Memorandum of Understanding (MOU) on the Regional Counter Terrorism Strategy goes far to affirm regional collaboration by calling for the setting up of relevant structures of cooperation on a regional strategy for fighting international terrorism; it brings together the countries of Rwanda, Ethiopia, Uganda, Sudan, Burundi, DRC, Tanzania, Egypt, Somaliland, Zambia, Botswana and Kenya. The MOU commits these countries to reinforce border security, sensitize the public on terrorism, exchange information, enhance capacity to fight terrorism and the creation of regional body for coordinating anti-terrorism activities (MOU on Regional Counter Terrorism, Kenya, 2004).

## The Dar Declaration

In recognition of the existing security challenges the Heads of States from the Great Lakes Region met in Dar-e Salaam in November 2002 and signed Dar-es Salaam Declaration, committing them to the principles of peace, security, democracy and development in the region (Dar-es Salaam Declaration on Peace, Security, Democracy and Development, 2004).

In the declaration document, paragraphs: 19, 21, 23 and 24 clearly set out the security architecture that the states seek to put in place in the region. For instance in paragraph 19 of the document, states leaders commit themselves to setting up of regional security framework for prevention, management and peaceful settlement of conflicts. In paragraph 21, mention is made to the enhancement of cooperation in defence and security in a bid to promote confidence building. Reference is equally made to the need of establishing policies, measures and mechanism aimed at enhancing good neighbourliness and multi-sectoral cooperation. In paragraph 22, there is commitment on the need to set up a framework for containing flow of arms.

Of specific interest to this report is paragraph 23 which specifically addresses the issue of security on common borders. It calls for the setting up of management strategies and paragraph 24 commits states to prevent any direct or indirect support or delivery of armed to armed groups operating in the region. The Dar declaration notably outlines a vision for border security management for sustainable peace and development in the region. This consists of several assets that constitute border security infrastructures. The declaration equally sets out framework within which rules, norms and values that support the principle of non-aggression and mutual defence are to be built. It seeks to build confidence and mutual trust among states.

In conclusion, both bilateral and regional security frameworks have their own comparative advantages and should be seen to complement each other The inclination however should be towards the formation of border security structures anchored under a regional mechanism borne out of the benefits expected to emerge from such kind of arrangement in comparison to state-centric or bilateral type security management which may not be sustainable and is non-binding and therefore relies on the goodwill and cooperation of the concered parties to implement.

# References

Alex de Waaj and Juliet Flint: Darfur, *A New History of a Long War* (Revised and Updated), Zed Books, 2008.

BBC News, *Brothers in War in Chad and Sudan,* June 2008
Dar-es Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes, November, 2004.

Emmanuel Alder and Michael Barnet, Security Communities, Cambridge University Press, New York, 1998.

First Regional Counter Terrorism Conference at Nanyuki, Kenya, August 2004
ICGLR, *Regional Program of Action for Peace and Security,* Final Version, September 2006.

ICGLR, *Sub Program on Joint Security Management of Common Borders* General Project Concept, September 2006.

ICGLR, Sub Program on Promotion of Inter-State Cooperation on Peace and Security Issues, 2006 .

Rebecca Feeley and Colin Thomas-Jensen: Strategy Paper, *past Due, Remove the FDLR from Eastern Congo,* Enough, A project of center for America Progress, June 2009
The Tripartite Agreement on Regional Security in the Great Lakes among DRC, Rwanda and Uganda, Kigali, October 2004.

The Independent, Uganda News Daily, November 2008.

Tubiana Jerome, Darfur: a Conflict for Land" in Alex de Waal (ed.), *War in Darfur and the Search for Peace,* Global Equity Initiative, Harvard University, November 2006
World Bank, *DDR in the Democratic Republic of Congo,* A program Update, September 2009.

# Section IV

# CONCLUSION

This collection therefore, is an in-depth examination and to an extent an analysis by individual authors on diverse issues of peace and security in the Eastern African region including:  The Newly Signed Nile River Treaty; The Role of Non Formal Justice Institutions in Post Conflict Reconstruction; African Union Mission in Somalia: the challenges, opportunities and prospects and Transboundary Rebel Movements. All these will form part of capacity building exercise which will inform training and education programmes within IPSTC and give updates on the current issues in the region as they emerge. Publication of issue reports is one way in which the analysts and researchers at IPSTC conduct research and studies in the areas of conflict prevention, conflict management, as well as post-conflict recovery.

# Section V

# ABOUT THE AUTHORS

## Dr. C.A. Mumma-Martinon

Joined the International Peace Support Training Centre as a Conflict Prevention Analyst in January 2010. She is the Subject Matter Expert in Conflict Analysis and Prevention, Preventive Diplomacy, Negotiation, Mediation and Dialogue. Currently, she heads the Applied Research Team at the Centre.

She has also been a Lecturer at the Institute of Peace Studies and International Relations-Hekima College; the Institute of Diplomacy and International Studies- Nairobi University; a visiting Lecturer at the Defense Staff College and National Defense College. She taught in several high schools in Kenya, as well.

In 2007, she graduated with a Ph.D in International Conflict Management, (Department of Political Science), University of Leipzig, Germany. In 1999 and 1996 respectively, with an MA and PGD at the Institute of Diplomacy and International Studies, and in 1990, with a BEd – (Hons) - English/ Literature at Moi University. In 1987. She successfully undertook training at the Kenya National Youth Service in Naivasha and Gilgil.

She specializes in hydropolitics and management of transnational water conflicts in Africa.  Her other areas of interest are: International relations, IR of African states; theory of conflict; conflict management, regional integration, globalization and peace and natural resource based conflict. Over the years, she has developed keen interest in the emerging Peace and Security Architecture and trends in issues of peace and security in the Eastern African region.

Dr. Mumma's publications include:  Kenyan Post Election Tragedy: The necessary steps towards Genuine Reconciliation"(2008);  Kenya Post Election Crisis: What are the real issues at stake (2008); The Role of Women as agents and promoters of Unity, peace and reconciliation in Kenya (2009); Women in Conflict Management: How traditional roles and perceptions have been a hindrance.(2009); Managing Perennial Water Problems in Kenya (2009); Political Violence in Kenya and Local Churches' Responses: The Case of the 2007 Post Election Crisis (co-authored,  2009); Beauty within - The magic of believing in yourself: Discover the success in you! (2009); The Nile Basin Initiative: A possibility of turning conflicts into opportunities (2010).

She is undertaking research on the 'collaborative efforts of sub regional organizations,' 'the viability of preventive diplomacy' and water related conflicts in the Eastern African region."

Apart from mother tongue; she speaks Kiswahili, English, French and German. Dr. Mumma is married and has one child.

### Leah Kimathi

Leah Kimathi holds a Masters (Arts) in History specializing in International Relations from Kenyatta University. She also holds a fellowship in International Philanthropy from Johns Hopkins University, USA. A recipient of the Claude Ake Memorial Award, she has been involved in several research works in the area of the African state and also published in the same. She is currently the Post Conflict Recovery Analyst at the International Peace Support Training Center in Nairobi and also the the Subject Matter Expert in Regional Security Studies, Security Sector Reforms and Disarmament, Demobilization and Reintegration.

### Francis Onditi

Francis is a researcher at the International Peace Support Training Centre Karen, Kenya. He holds Master of Arts Degree in Development Policy Analysis from the University of Nairobi, Kenya. Previously he lectured Development Economics at various academic institutions at the same time consulting as a research specialist in peace building, conflict management, and development. He is interested in Post-conflict recovery, regional development, comparative development policies and resource-based conflicts in Africa. He distinguishes himself by providing intellectual explanations for the link between conflict, poverty and regional development complexities in the context of developing nations. Currently he is researching on the concepts of sequencing, approaches and the role of Border Management Services (BMS) in conflict prevention and response in the perspective of EAC integration process. Onditi has authored a book and several journal articles in local and international professional and academic publications. Recently he has received invitation to the membership of the Research and Development Network based in Oyo State University, Kwa Ibom, Nigeria.

### Julius Kiprono

Worked for the Kenya Navy before proceeding to United Kingdom for further studies where he enrolled at the University of Bradford graduating with an MA with Merit in Conflict Resolution in 2004. At Bradford he also did some internship and research work at Bradford African Centre for Peace and Conflict Studies and  at the Center for International Cooperation and Security focusing mainly on  African regional security issues and on Post Conflict Reconstruction themes. Prior to assuming his current position at the International Peace Support Training Centre, he worked for the Oxfam Regional Office as Security Advisor providing security advice for the regional office and international staff members visiting the region as well as partners and organizations of Oxfam in Somalia, South Sudan and Kenya besides carrying out regular analysis in relation to regional and conflict terrain.

He has deep interest in global and regional security issues particularly African and South Asian regional security. He is deeply  involved in peace and security research. Currently, he is a researcher at the Peace and Security Department of the International Peace Support Training Centre focusing mainly on conflict prevention issues. Julius loves sports particularly volleyball, athletics, and football. Julius is married and the couple is blessed with one daughter.

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