



EDITORIAL

BY VASU GOUNDEN

**E**-mail, SMS, video-conferencing, and other technologies continue to link nations and peoples across the world, placing humanity at the gateway of a networked world, where we are divided by geography and united by technology. These developments in science and technology bear testimony to the greatness of humankind. However, this greatness stands in stark contrast to our ability to understand, respect, tolerate and live with one another. The war on Iraq was witness to our ability to construct the most sophisticated weapons to destroy each other, yet we have failed to develop the ability to resolve conflicts peacefully. Religion, race, ethnicity and other forms of identity continue to divide nations and peoples. Our response to contemporary conflicts is no longer innovative and creative. We are increasingly coming to rely on force as a way in which to resolve conflicts.

The year 2003 will certainly find its way into the history books of humanity as one of those years in which a newly evolving world order started to be shaped. The doctrine of regime change, as a form of conflict management, became a reality in the first half of this year. By the time we exit this year the characteristics of the doctrine of regime change will be severely challenged. Those of us whose job it is to engage in conflict management as a profession, will have new questions to focus on and new answers to seek. Will we rise to the challenge of providing answers and solutions to the new paradigm we confront, or will we be crisis managing another tumultuous year or, worse still, will we be paralysed into inaction?

We cannot afford to slumber into inaction nor can we afford to crisis manage. 2004 will prove to be a

very difficult year for international relations. We can expect that, as power relations begin to evolve and reshape, that new alliances and partnerships will form, which will both unite the world and polarise it. Our challenge, as conflict management practitioners, will be to find ways of strengthening the uniting strands of our relationships and managing to peacefully transform the dividing strands. We have to foster relationships that recognise and respect the differences we have and to find and develop issues that will unite us. We ought not to be idealistic but we must not abandon our idealism of creating a more peaceful world. We must embrace the world of *realpolitik* and use our idealism to continuously shape this world order.

Africa in 2003 is an example of idealism and *realpolitik* at work. Our quest for a more stable and peaceful Africa drove our resolve to forge peace agreements in the Democratic Republic of Congo, Burundi, Liberia, and Sudan. However, all these agreements are based on the realities of what constitutes self and national interest in the context of the complex maze of interests that characterise these conflicts. A key feature of conflict management in Africa has been the growing solutions that have been African driven.

The statement, "African solutions for African Challenges" continues to define conflict management in Africa. There is no doubt that Africa will continue to take responsibility for her challenges in 2004. However, together with this responsibility will come the need to find innovative and creative ways to move beyond peace agreements to peace consolidation. This will require that peace becomes the business of not just the African leadership but of all African people. It will also mean that the African leadership will have to embrace, as partners, other sectors of society, so that we form true partnerships for peace.

As Africans we will also have to embrace people from other continents who have the will and resources to assist us in resolving our challenges. In a spirit of sharing we, as Africans, must also lend our support, expertise and resources to help resolve conflicts in other parts of the world. It is only through taking co-responsibility for the problems of the world, by recognising that we all have a role to play and by respecting that individual role, that we can collectively live out our idealism for a truly peaceful world.

On behalf of the Trustees and staff of ACCORD, I wish you a peaceful 2004.

*Vasu Gounden is Executive Director of ACCORD.*



BY SENZO NGUBANE

PEACEMAKING

# Burundi in 2003:

## highlights of a 'thorny' road to peace?

### Introduction

The year 2003 was somewhat symbolic for Burundi in two different but related ways. From a pessimistic point of view, 2003 marked a decade of war and civil strife in a country that has experienced a vicious circle of violence and instability. From an optimistic point of view, the same period also contains various attempts and many initiatives to find peace in Burundi. Therefore, the year 2003 has symbolised for Burundi one of the key anecdotes and paradoxes of most African states: attempts to bring about peace and stability exist side by side with and are often marred by conditions that still breed conflict and crisis. In such a situation, the focus has tended to be more on the failures to bring about peace than on a genuine appreciation of concerted efforts to end the war.

Indeed, a sneak preview of the year 2003 indicates that it marked the continuation of a political trend that has so characterised the Burundi situation, where prospects for stability and peace are mingled with pessimistic attitudes as a result of the war; where efforts to arrive at a cessation of

hostilities among different actors meet up with the challenges of mediating peace in a protracted social conflict. This short review highlights some of the key attempts undertaken in 2003 to move to a situation in which peace and stability are not only obtained but sustained.

### Slippery Road to a Cease-fire

The year 2002 ended positively with the signing of a cease-fire agreement in December between the Transitional Government of Burundi (TGoB) and the faction of the National Council for the Defence of Democracy-Forces for the Defence of Democracy (CNDD-FDD) armed opposition movement led by Pierre Nkurunziza. Two months earlier, a cease-fire agreement had been reached with the other factions of the CNDD-FDD rebel movements led by Jean Bosco Ndayikengurukiye and the National Forces for Liberation (FNL) led by Alain Mugabarabona. At the time, these positive outcomes mean that the other faction of the FNL faction led by Agathon Rwaswa was the only non-signatory to a cease-fire agreement with the TGoB.



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The cease-fire agreement with the CNDD-FDD of Nkurunziza was meant to come into effect on 30 December 2002. But the agreement contained political and military components, and the latter became the subject of disagreement between the movement and the TGoB. The military chapter sought to address a programme on disarmament, demobilisation and reintegration of combatants.

However, it soon emerged that no consensus could be reached on the implementation of that aspect and this resulted in a failure to adhere to the end of December deadline.

Despite these challenges, the conclusion of the cease-fire agreements with the other movements paved the way for the establishment of an African Mission in Burundi (AMIB). Accordingly, at the beginning of 2003, Ethiopia, Mozambique and South Africa (which had already dispatched 700 soldiers to Burundi to provide protection to returned political leaders) agreed to deploy troops to verify the implementation of the cease-fire agreement. While appreciating the efforts and commitments shown by

the African states to support the cease-fire process in Burundi, it is still necessary to note the challenges that are connected to deploying a mission without a clear consensus on the implementation of the cease-fire agreement.

Given the challenges with concluding the agreements between the TGoB and the CNDD-FDD of Pierre Nkurunziza, the search for peace in 2003, therefore, mainly consisted of efforts to bring this faction into the process.

### An Inclusive Cease-fire Process?

In mid-January, the South Africa Deputy-President, Jacob Zuma, in his capacity as the facilitator of

the cease-fire talks in Burundi, met with Nkurunziza's CNDD-FDD to further discuss the issues around the delayed implementation of the cease-fire agreement. The opportunity was also taken to meet with the other two leaders who had already concluded agreements with the TGoB. These meetings culminated in talks in Pretoria, between Burundian President Buyoya and the three rebel leaders - Ndayikengurukiye, Mugabarabona and Nkurunziza. These talks focused on issues relating to the participation of these movements in the transitional government, the return of former combatants and leadership to Burundi, as well as security sector reform. On the other hand, the FNL faction of Rwaswa remained completely outside the process, claiming that to deal with the real problem, one should talk with the ruling Tutsi minority and not with the transitional government.

The Pretoria talks yielded some positive results, with the signing of a Memorandum of Understanding on 27 January between President Buyoya and the CNDD-FDD of Jean Bosco and the FNL of Mugabarabona respectively. One of the key points covered by the January MoU was a permanent suspension of hostilities and the cessation of all other forms of violence. In addition, it was agreed that a joint cease-fire commission would be established and that the two leaders would return from

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exile on 10 February.<sup>1</sup>

Further attempts to include the other factions in the process produced an MoU between President Buyoya and Nkurunziza, covering the implementation of the cease-fire agreement signed in December 2002. Subsequently, a meeting was held between the Defence and Security Technical Commissions of the TGoB and the CNDD-FDD in Dar es Salaam. However, owing to the parties' inability to reach consensus on the implementation of the cease-fire, talks were officially suspended.

This setback was soon forgotten in March, when a two-day regional summit in Dar es Salaam ended with the issuing of a joint communiqué between the Burundian government and Nkurunziza's CNDD-FDD. The summit was attended by the Presidents of Uganda and Tanzania, the Vice-President of South Africa and the President of Burundi, and was aimed at continuing the cease-fire implementation talks. The key outcome of this summit was an understanding that government positions would be shared, in accordance with the Arusha Agreement, and that all affected political players would be accorded provisional immunity.

Following the positive outcome of this summit, AMIB received financial support to the tune of US\$ 1.34 million from the European Commission in March and soon thereafter the TGoB signed an agreement with the African Union (AU) regarding the deployment of AMIB.<sup>2</sup> As planned, South African, Ethiopian and Mozambican troops were to be deployed in Burundi with a mandate of supervising, observing, monitoring and verifying the implementation of the cease-fire agreement.

## Changing of the Guard

In May 2003, the world witnessed the passing of the baton of leadership from Former President Pierre Buyoya to Vice-President Domitien Ndayizeye. This was consistent with an understanding reached during the inauguration of the transitional government in November 2001. Despite numerous speculations prior to this change of leadership about whether it would happen or not, the fact that the process that was started in Arusha managed to progress that far sent a signal that Burundi was slowly en route to peace. Immediately after his inauguration, President Ndayizeye visited the

Presidents of Uganda and Tanzania to discuss the political and security situation in Burundi and further initiatives that could be undertaken to support the cease-fire efforts.

The new President also held talks with army chiefs to consolidate views on how to run the country during the last 18 months of the transitional period. The aim was to make sure that, despite the change in leadership and the current situation in the country, all parties would work towards the same goal.

Moreover, for the first time, talks were held between government officials and the Rwasa faction of the FNL movement in June 2003, in Switzerland. The government delegation was led by former Minister for Peace, Ambroise Niyonsaba, while the FNL delegation was represented by its vice president, Jean Bosco Sindayigaya. These talks could be regarded as a confidence-building mechanism as they sought to establish contacts for further and more in-depth talks at a later stage.

Later that month, the CNDD-FDD of Nkurunziza held further talks with the Tanzanian facilitators in Dar es Salaam. These talks were followed by meetings with the TGoB officials in Dar es Salaam, which were inconclusive due to disagreements on issues regarding the disarmament and reintegration of the ex-combatants. In the aftermath of these botched talks, intense clashes were reported in the province of Kayanza, in northern Burundi, which were said to have involved the CNDD-FDD of Nkurunziza.<sup>3</sup>

That all attempts to reach a cease-fire agreement had thus far failed to yield a positive result became obvious when the capital, Bujumbura, was shelled in early July by both Rwasa's FNL and Nkurunziza's CNDD-FDD. The city remained under attack for four days. Almost at once, Deputy-President Zuma indicated his willingness to talk with Rwasa's FNL during a visit to the Great Lakes region. During this visit, Deputy-President Zuma announced that a regional summit was to take place in Dar es Salaam on 21 July to resume cease-fire talks with Nkurunziza's CNDD-FDD. The summit was attended by the Presidents of Uganda, Tanzania and Burundi, and focused on the vexed

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issue of power-sharing in Burundi and the Forces Technical Agreement. At the end of the summit, the CNDD-FDD reiterated its commitment to the peace process in Burundi. The movement further stated that cantonment of their combatants would commence immediately and that its members would participate in the Joint Cease-fire Commission.

Follow-up talks between the TGoB and the CNDD-FDD took place as scheduled in Dar es Salaam on 4 and 5 August. While the meeting could again not come up with a concrete agreement, Deputy-President Zuma as facilitator was nevertheless positive and indicated that he would discuss the proposals of both parties with Ugandan President Museveni. Subsequent to this summit, the CNDD-FDD delegation visited Burundi to discuss security and logistical issues with representatives of AMIB.

To maintain the momentum, further talks were held in August in South Africa between President Ndayizeye and Nkurunziza, facilitated by Deputy-President Zuma. The talks were a continuation of the Tanzania summit, as the parties discussed issues regarding positions in the transitional government and the reform of the Burundian Armed Forces. However, the talks were again

adjourned with the view that issues would be finalised during the regional summit scheduled for September in Tanzania.

This summit included the Presidents of Mozambique, Uganda, Tanzania, South Africa and Burundi. The summit was, however, deadlocked, with the government delegation refusing to give in to the demands of the CNDD-FDD: the latter wanted 40 per cent of the national army comprising its forces and to hold the position of Speaker of the National Assembly. The parties nevertheless agreed to continue talks on 6 October in Pretoria.

Consequently, on 8 October, the parties signed an agreement on the implementation of the cease-fire agreement, known as the Pretoria Protocol on Political, Defense and Security Power Sharing in Burundi. With

regard to the military, the parties agreed that the CNDD-FDD would get 40 per cent of the integrated general staff and the officer corps of the national Burundian army. In addition, 35 per cent of the general staff of the new national police force would be made up of CNDD-FDD members. The political aspect of the protocol stated that the CNDD-FDD would hold four ministerial positions, including that of Minister of State. The final agreement was signed during the regional summit, which was held in Tanzania, almost one year after the first agreement was concluded with the CNDD-FDD of Pierre Nkurunziza in December 2002.

This positive outcome resulted in a nation-wide campaign, organised by the ministry charged with mobilisation for peace and national reconciliation, to inform people at all levels about the latest signed power-sharing agreement. The power-sharing deal became even more official when the Burundian Parliament approved the protocol, which allowed President Ndayizeye to start its implementation.

If the events of 2003 are anything to go by, it would be accurate to state that the road ahead in Burundi will be a difficult ride. It will still be marred by challenges associated with mediating peace in a politically volatile situation. The successes scored thus far, however, should be able to galvanise more support from across the continent and international community for peace in Burundi.

It should be noted, however, that the gains made thus far in Burundi have certainly come at a

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price. Therefore, any attempt to appraise the current situation in the country should note that the facilitation process in Burundi has always been, and perhaps more so in 2003, undertaken under hostile conditions, where the possibilities of a slide back to hostilities and full-scale war far outweighed those of securing peace. These achievements should also lead to a focus on other pressing issues, which go beyond signing of agreements.

The first of these is ensuring that the agreements are indeed observed. This task should involve all key stakeholders, primarily those charged with the responsibility of bringing about peace in Burundi, including the AMIB, the United Nations Office in Burundi (UNOB) and the international and donor community. There is a need to show support to the current progress made in Burundi through clearly defined commitments to the necessary financial support for the country's reconstruction and rehabilitation of its infrastructure.

This support from the international community will also enable the TGoB to meet its commitments, such as the resettlement of internally displaced people, as well as the challenges posed by refugees returning to the country. In other words, the most important commitment that such actors can show towards Burundi is to ensure that the implementation of Chapter IV of the Arusha Agreement is realised. Arguably, more than ever before, the current political conditions in Burundi require concerted efforts, effective co-ordination, and a proper delineation of tasks to prevent duplication of activities in order to ensure that these combined efforts yield the desired results.

Furthermore, there are two relevant issues at the level of the cease-fire. First, it is necessary to ensure that all three factions of the armed opposition that in the recent past have concluded agreements with the TGoB remain within the process. In this regard, it is

imperative that all the factions continue to be consulted on key issues and attempts are made to address any of their concerns to ensure that they do not find illegitimate excuses to frustrate the gains that have been made. There is also a need to ensure that the attempts which have been previously undertaken, and those that are currently underway to bring on board the remaining faction of the FNL, continue and receive the necessary support.

Another task which would positively contribute to maintaining momentum in Burundi is to devise

strategies aimed at creating platforms for all stakeholders in Burundi to air their views and thereby feel part of the process. The rationale is that 'feelings of exclusion' from the process should be dealt with. To be sure, there has hardly been any peace process in history that has managed to include, let alone carry out, all the interests, positions and fears of all the players. Therefore, if there are sectors that feel marginalised, it has to be borne in mind that this is not unique to Burundi. That being said, however, there are possibilities at this stage of the peace process that the fears and interests of most players, especially the local actors, can still be catered for.

In this regard, platforms for dialogue need to be created to ensure that the voices of various formations, such as youth structures, women's organisations and the media, are heard in Burundi. It is important to understand, for instance, the extent to which the media shapes perceptions and the manner in which the people of Burundi respond to and appreciate the progress of the process thus far.

## In Place of a Conclusion

The fact that the year 2003 marked ten long years of protracted conflict in Burundi should serve as a reminder to all that peace is elusive, and that this fact is well understood by the people of Burundi, who have been at the receiving end of this long and nightmarish period. In reminding ourselves of this fact and noting the progress achieved in 2003 in pursuit of peace in Burundi, it is worth stating that "peace remains the eternal ideal, the goal for which even wars are fought. It is better to achieve peace by making and keeping it than by seeking it through war".<sup>4</sup> 🗨️

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## Endnotes

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# The Machakos Protocol and prospects for peace in **Sudan**

## Introduction

The Machakos Protocol, signed under the auspices of the Inter-Governmental Authority on Development (IGAD) in August 2002 remains the most promising peace initiative yet in the Sudan. Earlier peace attempts, including the 1947 Juba Conference, 1956 Roundtable Conference, 1972 Addis Ababa Agreement, and the Abuja I and Abuja II talks (immediately preceding the IGAD peace process in 1993), among several other bilateral and multilateral attempts, have not succeeded in getting the parties to confront the core issues or guaranteeing the fulfilment of agreements.

At the core of the problem is the inherent difficulty in resolving identity-based conflicts, precisely because such conflicts touch not only on tangible and negotiable issues (power-sharing, wealth-sharing, representation modalities and so on) but more importantly, the intangible ones (rooted in more abstract and interpretative dynamics of

history, psychology, culture, values and identity), which are much more difficult to negotiate or compromise.<sup>2</sup> The resolution of such conflicts depends on how the two aspects, the tangible and intangible, are balanced and reconciled. In Sudan, the conflict hinges around two competing cultural outlooks: a dominant Arab-Islamic identity in the north; which offers an Arab Islamic model as a solution to the national question, and a dominant African cultural identity in the south, which offers a secular democratic model, based on a flexible and pluralistic formula of unity in diversity, as a counter-solution. Since independence, the successive ruling elites in the north have fashioned the entire national framework along the Arab-Islamic model, which the south has resisted, on the grounds that it has excluded other national diversities, which make up the multi-racial, multi-cultural, multi-religious mosaic of the Sudan.



The evolution of separate and competing national identities in Sudan has its roots in four reinforcing historical aspects:<sup>3</sup>

- ▲ The cultural Arabisation and Islamisation of the north and resistance to those forces in the south since the advent of Islam in Sudan in the 7th century;
- ▲ Southern resistance to slave raids into the south, from the 7th century to the 1855 Turkish-Egyptian invasion;
- ▲ A colonial policy of investing more in the cultural, economic, infrastructural and social development of the north, along Arab-Islamic lines, and the 'development' of the south along so-called indigenous African lines, and discouraging contact between the north and south;
- ▲ A post-colonial state whose policy framework is fashioned along an Arab-Islamic modality at the political, social and economic levels.

This laid the foundations for the structural marginalisation of national groups that do not identify with the dominant Arab-Islamic model. The disparities based on identity were entrenched in the public policy process, which made the conflict even more

complex, and undermined the quest for building a national commonality with which all Sudanese could identify.

In essence, therefore, what we are dealing with in the Sudan are two entities, one that is economically, politically and socially more empowered, and which professes an Arab Islamic identity, and another which is economically, politically and culturally disempowered and marginalised, and which professes an African cultural identity based on African nationalism and pan-Africanism.<sup>4</sup> The benchmarks for any peace process would therefore have to deal with the challenges of:

- ▲ Revisiting the existing national framework;
- ▲ Re-structuring the public policy process to make it more nationally inclusive;
- ▲ Revisiting the existing political and economic systems;
- ▲ Creating mechanisms for parity redress and equal participation;
- ▲ Committing the parties to a shared settlement.

These benchmarks have eluded all peacemaking efforts since 1947, with the exception of the IGAD peace initiative, which, if successful, could create a

realistic basis for a comprehensive and just settlement.

### The Machakos Peace Protocol and Key Issues in the Negotiations

So far, the comparative success of the IGAD peace process lies in the fact that it has redefined the conflict as one that is rooted in a clash of national identities. It also offers an alternative national framework and promises more profound changes in the structure and character of the Sudanese state.

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From its inception in 1993, the ideological starting point of IGAD’s various principles and protocols, (which are based on the Declaration of Basic Principles, or DOP), has been that the Sudan is a multi-racial, multi-religious, multi-cultural, multi-ethnic society, whose diversities must be reflected in the national framework. The DOP, and other protocols flowing from it (including the current Machakos Protocol), challenge the existing national identification framework by providing that a secular and democratic state must be established in Sudan and that religion and state will be separate. No other prior peace initiative has been this bold and far-reaching, but problems remain.

#### **Separating Religion from State**

In the current negotiations, the issue of separating religion from state has been one of the most difficult hurdles. The government of Sudan has traditionally been ideologically committed to building a society along Islamic tenets. The Sudan People’s Liberation Movement (SPLM), and other liberation movements before it, on the other hand, have rejected this notion in all negotiations. Despite the fact that the government eventually accepted the DOP as a basis for negotiations, two years after the SPLM/SPLA endorsed them, it has been unwilling to compromise on this basic principle.

In the negotiating sessions held in July and August 2002 in Machakos, Kenya, however, the SPLM/SPLA made concessions by accepting a draft framework agreement which did not make any explicit reference to separating state from religion.

The provisions of the Agreed Text on Religion and State provide for:<sup>5</sup>

- ▲ Freedom of worship and belief;
- ▲ No discrimination on the basis of religion;
- ▲ Eligibility for public office based on citizenship and not religion
- ▲ Observance of religious public holidays and days accorded to all religious communities;
- ▲ Observance of religious laws confined to the personal or family realm.

For its part, the government of Sudan accepted these principles, mainly because they are silent on explicitly separating religion from state.

Second, the agreed text on self-determination provides that national legislation with respect to states outside southern Sudan shall have shari’ah (Islamic law) as the source of legislation. Effectively, therefore, northern Sudan will retain its Islamic character, while the south will remain secular. While this might appear to be a realistic compromise given the stated positions of both parties, there are practical issues which could complicate its implementation. First, there is the question of what law will be applied to southerners living in the north, and second, it is not clear whether the creation of parallel legal systems to cater for minorities in the north and south is practically possible. These are issues which, given the sensitivities involved, could create future conflicts during the transition.

In the sessions held in January, July and September 2003, the issue of separating religion and state resurfaced in the discussions on the status of the national capital. The government maintained that Khartoum needed to be retained as the national capital and that it would remain Islamic. The SPLM/SPLA, on the other hand, proposed that the national capital needed to be secular, and accessible to all religions, in the spirit of the peace process. The government refused to compromise on this issue. The SPLM/SPLA then proposed that a secular enclave be created in Khartoum, but the government rejected that too. The issue remains unresolved, and demonstrates just how far apart the parties still remain on the issue of religion and state, despite the fact that the issue appears to have been resolved by the agreed text.

For its part, the SPLM/SPLA’s acceptance of the agreed text marks a significant shift from its

ideological thinking, which argues that simply allowing autonomy for the south and exempting it from the laws of the north will be counter-productive, as long as the broader national identification framework is left intact. This, in their view, is the key factor which led to the collapse of the 1972 Addis Ababa Agreement and which could lead to further conflict in future.

### **Power- and Wealth-Sharing Arrangements**

Comparatively speaking, the IGAD peace process has made far-reaching proposals on how power and wealth will be shared in Sudan. The starting point of the DOP was that Sudan belonged to all who lived in it, and that the sharing of power and wealth therefore needed to be exercised in a manner that was inclusive and reflective of all national groups and diversities that constitute the Sudan. This cardinal principle is reflected in the agreed texts of the Machakos Protocol signed in August 2002.

The protocol provides for the right of the people of southern Sudan to participate fully in the political and economic governance of their region, as well as the national level, as well as offering a solution that enhances social, political and economic justice, which respects the fundamental human and political rights of all the Sudanese people. This rights-based approach to power- and wealth-sharing is informed by the sensitivity of the IGAD DOP to the need for justice, parity and redress in Sudan. It is based on an understanding that it is only through justice and rights that the historical emasculation and marginalisation of the south and other areas can be overcome. Although both parties accept that a new framework for sharing power and wealth will constitute an important part of a future agreement, there are significant differences and difficulties. On the issue of sharing wealth, the position of the government of Sudan is that land belongs to the state, whereas the SPLM/SPLA insists that it belongs to the community and that each community must participate in the processes which will determine how the wealth of their land will be allocated. The government sees this as an attempt by the SPLM to undermine it, since most of the strategic resources are located in the south. This suspicion on the part of the government is further reinforced by the fact that the Machakos Protocol provides for self-determination for the people of southern Sudan. The

government of Sudan has traditionally viewed self-determination as nothing more than an excuse for the south to break away from the rest of the country, thereby denying them control over natural resources, including oil. This is one of the reasons why the government initially favoured an Egyptian-Libyan initiative, which did not make specific reference to self-determination of the south.

This basic ideological difference has been reflected in the discussions on specific percentages and modalities for sharing national wealth as well. In the session held in January 2003, for instance, the SPLM/SPLA proposed that 60 per cent of the oil revenues should be reserved for the south. The government rejected this and counter-proposed that the south should take only 10 per cent. The mediators attempted to narrow their differences by proposing a system of resource allocation based on:

- ▲ Developmental needs,
- ▲ Rehabilitation priorities;
- ▲ Joint decision-making through an inter-party and inter-regional financial mechanism and regulatory body.

Another source of disagreement was the banking system. Towards the end of 2002, the SPLM/SPLA introduced an alternative currency in the areas under its control, insisting that the national banking system was based on Islamic laws, which are inconsistent with the cultural attributes of the south. The parties remain divided on these issues.

In the area of power-sharing, significant differences also remain. In the January 2003 session, the SPLM/SPLA initially proposed to have a rotating presidency during the transitional period, along the lines of the Burundi peace process. The government rejected this proposal, insisting that it could interrupt the functional coherence of the state during the transition. The SPLM/SPLA then proposed the creation of the post of an executive vice president with real decision-making powers. The government initially accepted the proposal, but then rejected it on the grounds that the SPLM/SPLA could take over the national government in the event that the

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state president died or became incapacitated. The mediators then offered a compromise solution, with several vice presidents, but reserving the position of first vice president with genuine powers for the SPLM/SPLA. The parties are still negotiating this specific proposal.

The next significant disagreement was on the percentage of representation in the organs of state. In the July 2003 session, the SPLM/SPLA proposed that the south should have 40 per cent representation in the Lower Chamber and 50 per cent in the Upper House. The government rejected this proposal on the grounds that the southerners were a minority in the Sudan and could not therefore be entitled to 50 per cent representation in the Upper House. The SPLM/SPLA, however, insisted that it was not true that the southerners were a minority in the country, and pointed out that it was the ruling class in the north that constituted the minority in Sudan. The south's minority status, they argued, came about due to their historical marginalisation in matters of public life. The next disagreement was on the percentage of representation in the executive

and judicial arms of the national government. The SPLM/SPLA team again proposed 40 per cent representation for the south, while the government offered a counter-proposal of 10 per cent. The issue remains unresolved, although the mediators have now offered a compromise solution of 33 per cent for the SPLM/SPLA.

In the final analysis, no specific agreements have been reached on these matters but what is important to note is that on all these issues,

the parties are being guided by fundamentally opposed ideological and philosophical outlooks about how society in Sudan should be managed. This qualification is important because it is always the case that disagreements over power- and wealth-sharing are dismissively attributed to the personal ambitions and self-serving interests of conflicting parties. Fundamentally, however, one of the distinguishing characteristics of the Sudan case is that the parties are deeply divided on core ideological, cultural and philosophical issues, which go beyond personal ambitions. Unlike negotiations in other conflicts, therefore, power- and wealth-sharing are necessary but not sufficient conditions that will lead to the resolution of the conflict in Sudan.

### ***The Three Marginalised Areas of Abyei, Nuba Mountains and Southern Blue Nile***

The question of Abyei, Nuba Mountains and Southern Blue Nile has been one of the most difficult issues since the start of the IGAD peace process in 1993. The three areas, although part of the north since independence, are ethnically and linguistically part of the south and have participated in successive southern-based liberation movements, including the SPLM/SPLA. In the talks in Karen, Kenya, held in July 2003, the position of the SPLM/SPLA was that the people in the Nuba Mountains, and Southern Blue Nile were part and parcel of

“One of the distinguishing characteristics of the Sudan case is that the parties are deeply divided on core ideological, cultural and philosophical issues, which go beyond personal ambitions”

Southern Sudan, and therefore had a right to participate in the referendum that will be held at the end of the six-year transitional period. Their position on Abyei was that it should be returned to the southern province of Bahr el Ghazal.

The referendum will give the southerners a right to vote either for the unity of the country, or for separation. Owing to the strategic significance of the three areas in relation to natural resources (including oil in Abyei), the government is not prepared to risk losing them in a referendum. It therefore maintains that the three regions are part of the northern administration according to the 1956 colonial boundaries and must remain so.

In the October 2003 session of the negotiations, representatives from the government of Sudan and the three areas presented position papers. The SPLM/SPLA proposed that, during the interim period, the Nuba Mountains and Southern Blue Nile would be governed under SPLM/SPLA control, and accorded autonomy within a decentralised government of southern Sudan. Both regions would draft their own constitutions and be allowed their own security organs, police, civil service, judiciary and legislature. The SPLM/SPLA team also proposed that a land commission be set up to oversee land disputes, restitution and compensation. The regions would also have to be awarded resources for reconstruction and rehabilitation to ensure that they were on the same footing as other regions owing to their historical marginalisation.

On the question of Abyei, the SPLM/SPLA proposed that the government restore the area to Bahr el Ghazal by presidential decree, failing which, it should also be granted the right to participate in the referendum. For its part, the government insisted on keeping the areas as part of northern Sudan, while accommodating the concerns of the SPLM/SPLA by providing the regions with special resources to overcome their underdevelopment and neglect. The SPLM/SPLA has rejected this, and maintained its earlier positions. The parties therefore remain divided on the issue.

Whatever the outcome of the ongoing negotiations, these areas are bound to play a critical role in future North-South relations. Their geographical position along the North-South borderline makes each of the three areas a microcosm of the wider conflict of nationalist visions in Sudan. If the feelings of nationalism, self-identification and

cultural preservation among the northerners and southerners are strong in the rest of the country, they are even stronger in Abyei, Nuba Mountains and Southern Blue Nile.<sup>6</sup> The civil war, which has largely, but not exclusively, been waged along a north-south dichotomy, has turned these areas (which at one time achieved reconciliation and peaceful cultural co-existence) into flash-points of violent confrontation. The constant raids conducted by local Arab militia groups in Abyei, for instance, have been well documented by international humanitarian agencies.

The three regions can therefore either serve as cultural melting pots, where the distinct identities can interact and mutually reinforce each other, or as loci of violent conflict, in which those identities continue to compete for self preservation. Whatever the case, the challenge for mutual co-existence cannot be avoided.

## Conclusion

As has been shown, the parties remain divided on three main issues: power- and wealth-sharing, status of the national capital, and the future status of the marginalised areas of Abyei, Nuba Mountains and Southern Blue Nile. Both parties have made concessions, key to which has been the sensitive issue of separating religion from the state. However, the compromises reflected in the agreed texts of the Machakos Protocol are ambiguous and create room for misinterpretation and problems of practical implementation. This could ignite future conflicts, particularly since the issue of religion and state is fundamentally linked to the national identification framework over which both parties have contrasting visions. Indeed, as the article has shown, the issue resurfaced in the discussions on the status of the national capital, which once again showed just how far apart the parties remain on this particular point.

Having pointed this out, it is also important to note that the devil of all peace agreements is to be found in the detail. This might be one of the reasons why the mediators have changed their

“If the feelings of nationalism, self-identification and cultural preservation among the northerners and southerners are strong in the rest of the country, they are even stronger in Abyei, Nuba Mountains and Southern Blue Nile”



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strategy from securing specific agreements on key dividing issues, to getting the parties to focus on themes and principles. Given the complexities involved in the Sudan case, this strategy might be the most pragmatic, if not realistic. To be sure, the parties in the Sudan conflict are fundamentally divided on their visions on how the Sudanese state and society should be conceived and managed. These differences are embedded in the dynamics of culture, race and identity, which are rooted in that country's historical and contemporary experiences. The IGAD peace process has succeeded in recognising these inherent complexities despite the sensitivities involved. It has also been more courageous and far-reaching than previous initiatives by insisting that the national framework needs to be revisited. The mediators and their advisors should also be credited for at least having gotten the parties to confront each other in a more structured and sustained process that has been modelled along a framework of mutual dialogue and interest based negotiations, as opposed to positional negotiations, which characterised the initial stages of the IGAD peace process.

We can therefore safely argue that, in all probability, a final agreement is likely to be signed in the short term, but the daunting challenge of confronting the deeper issues, and reformulating a new and flexible formula for nation-building and national cultural accommodation, will remain. 🗳️

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## Endnotes

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BY CHRIS BAKWESEGHA

PEACEMAKING

## the emerging role of **sub-regional organisations**

**A**t a workshop on 'Conflicts and Peace-Building in Africa: The Role of the African Union and Civil Society', that was held in Tripoli, Libya, from 19 to 20 August 2003, the immense potential wealth of Africa was acknowledged. The question, however, arose: "Why has this incredibly rich continent remained a home for so many poor people?"

The question was posed against the sad reality that in Africa, 340 million people, or half the population, live on less than US\$ 1 per day; and that the mortality rate of children under five years of age is 140 per 1 000, while average life expectancy at birth is only 54 years. The rate of illiteracy for people under 15 years of age is over 40 per cent; and there are only 18 fixed-line telephones per 1 000, people compared with 146 for the world as a whole, and 567 for the high-income countries.<sup>1</sup>

It is also to be noted that, as at the end of 2002, Africa alone accounted for 70 per cent of adults (aged 15–49) estimated to be living with HIV/AIDS, with Botswana (38.8%), Zimbabwe (33.7%), Swaziland (33.4%), Lesotho (31.0%) and Namibia (22.5%) at the top of the list of these countries.<sup>2</sup> It is to be noted that the disease of HIV/AIDS not only consumes a country's labour force but also greatly enhances poverty and creates fertile ground for conflict formation.

At the outset, there are three perceptions about Africa's poverty and under-development, together with their concomitant aspect of conflict, that need to be grasped. First, that Africa's potential wealth contrasts so sharply with the continent's appalling levels of poverty appears to mean that for Africa, poverty is wealth turned upside down. What is more, just as poverty can breed conflict, so too can

conflict cause poverty and thus more conflicts. Second, the resource base of the poor in Africa is their labour, which we have failed to mobilise and utilise to create more wealth and avoid conflict. Third, Africa's resource base is believed to be potentially more than it would take to eradicate poverty and reduce the tempo of conflict, but much of this resource base is being wasted away in endless wars, and their attendant aspects of forced migration or human displacement, including the brain drain, all of which have made Africa a donor to both the developed and the relatively rich developing countries in terms of a brain gain.<sup>3</sup>

“The value of Africa's potential wealth must be assessed against the conflagration of violent conflicts and wars that have been ravaging the continent from Algiers to Cape Town”

Thus, to all intents and purposes, the value of Africa's potential wealth must be assessed against the conflagration of violent conflicts and wars that have been ravaging the continent from Algiers to Cape Town, and from Mogadishu to Bissau, while preying on the continent's wealth and plunging Africa into an abyss of poverty and pestilence. But what role have sub-regional organisations such as ECOWAS, SADC and IGAD been playing, or should they play, in Africa's quest for peace during 2003? And what are the issues that need to be addressed in this area in the course of 2004?

First of all, in this globalised world, peace is indivisible, and the process of ensuring comprehensive, sustainable and lasting peace calls for collective responsibility among all peoples, nations and institutions. The present article focuses on the activities of Africa's sub-regional organisations in the promotion of peace and security. But this should not be interpreted to mean that these sub-regional arrangements are the only entities that can foster peace. Furthermore, by Chapter I, Article 1, of the United Nations Charter, the burden of maintaining peace world-wide rests with the UN.<sup>4</sup> But there are so many conflicts in the world today that, notwithstanding its resources and cumulative experience, to leave this responsibility solely to the UN would be unrealistic.

At any rate, being visionary, the drafters of the UN Charter offered a proviso in Chapter VIII that allows for the engagement of regional arrangements

as well as other agencies in the world's quest for peace, as long as “such arrangements and their activities are consistent with the Purposes and Principles of the United Nations”.<sup>5</sup> Thus for the maintenance of peace and security in Africa, the ideal situation would be that of performing this duty through partnership between a well co-ordinated civil society and sub-regional organisations – all playing centre stage, under the political leadership and guidance of the African Union, with the active logistical and financial support of the UN, in league with the wider international community. Graphically, this arrangement would be akin to a pyramid, with its apex representing the UN, a body rather remotely connected with the grass-roots people, followed by the African Union, a regional body not so distant from the ordinary African citizen, positioning itself in the middle of the pyramid, and with the bottom of the pyramid representing both governments of member states of sub-regional organisations and ordinary people.

African leaders have realised before that, following Africa's political liberation through the Organisation of African Unity (OAU), the continent's second mission would be that of economic liberation. They had, in fact, begun to set up sub-regional organisations such as the Economic Community of West African States (ECOWAS), the Southern African development Community (SADC) and the Inter-Governmental Authority on Development (IGAD), to act as engines for the promotion of economic integration. However, as the Cold War began to collapse towards the end of the 1980s, African leaders became more visionary and began to realise that the pursuit of “bread and butter issues” that they were going to launch could not take place in an ocean of political turmoil, conflict and wars. They thus resolved to set up a Mechanism for Conflict Prevention, Management and Resolution within the OAU, and gave it as its primary role the task of monitoring and preventing incipient conflict situations.

The OAU was tasked to redouble its efforts in the area of peace and security in Africa, as a prelude to economic integration, for several reasons. First, as a regional body, it was relatively closer to the peoples of Africa than the UN. Second, as a political organisation, the OAU had the political muscle to guide the operations of other international organisations anywhere on the continent. Third, as

a regional body, it had a greater interest in the affairs of its 'neighbourhood' than any other organisation. It was, however, observed that, like the UN, the OAU could not be everywhere on the continent to promote peace and security on its own. Currently, because there are so many conflicts on the continent, the AU has no direct presence in such hot spots as Liberia, the eastern DRC, Somalia, the Sudan or Uganda.

Given this state of affairs, it became necessary that sub-regional organisations such as ECOWAS, SADC and IGAD, originally set up to promote economic integration, should also embrace issues of peace and security and, together with civil society, act as the first port of call on peace and security matters. The reasons for this were as follows:

- ▲ First, unlike the UN and AU, sub-regional organisations and civil society were the closest entities to the theatres of conflict in Africa. This would enable them to have a deeper understanding and more intimate knowledge of the issues behind the conflict, including the history and culture of the populations concerned, their socio-economic conditions, and the actors involved. However, their proximity to theatres of conflict could make some of them part of the problem, rather than part of the solution.
- ▲ Second, it was observed that Africa's external friends were increasingly becoming less charitable, particularly after the Somali debacle of the early 1990s.
- ▲ Third, grass-roots people and their governments had to own the process of peace-building in Africa. Without such ownership, they could not defend the process.
- ▲ Fourth, member states of the sub-regional organisations together with civil society are more interested in localising their own conflicts since usually they are the first victims of the consequences of those conflicts.

For all these reasons, ECOWAS, under the vanguard of Nigeria, has remained the backbone of restoring and building peace in the West African sub-region, especially in countries like Liberia, Côte d'Ivoire and Guinea-Bissau, which have witnessed an upsurge of conflicts in the course of 2002–2003, together with Sierra Leone, which has been carrying out the uphill task of reconstruction and



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rehabilitation. Perhaps the greatest achievement in the area of peace in the West African sub-region has been the championing of the stepping down by Charles Taylor of Liberia, and Nigeria's granting him asylum as a humanitarian gesture. Ghana, in its capacity as the current Chair of ECOWAS, and under the current indefatigable Secretary General, has done a commendable job of trying to mediate conflicts and restoring peace and constitutional order in the wake of coups in Côte d'Ivoire, Liberia and Guinea-Bissau.

But despite all those commendable efforts, ECOWAS is still overwhelmed by the political stalemate in Côte d'Ivoire, where the rebel groups have decided to suspend their participation in the power-sharing government in Abidjan, and by the divisions within the country along ethnic, regional and religious lines. Xenophobia has also remained a bone of contention in Ivorian political life. ECOWAS also currently faces a political quagmire in Liberia even after the departure of Charles Taylor, in addition to the problem of succession in Guinea, as the life of the current president appears to be failing, the problem of the spread of small arms and light weapons throughout the sub-region, the growing number of child soldiers especially in Liberia, where a total of 15 000 have been

"The OAU was tasked to redouble its efforts in the area of peace and security in Africa, as a prelude to economic integration"

marginalisation in southern Sudan, for these two conflict situations reinforce and feed each other. Another part of the Ugandan public feels that the time has come for Uganda to demonstrate that it no longer provides support to the Southern Sudanese Liberation Army (SPLA). Yet another part of the Ugandan public is of the view that Uganda should be seen to support the current Naivasha talks concerning the war in Southern Sudan, for, once the Sudanese war ends, the Khartoum government will have no more excuses for supporting the LRA.

Finally, the Somali crisis continues without an end in sight, and the resolution must include talking to Ethiopia, which, according to certain circles, has been a major player in the conflict. Moreover, member states of IGAD need to co-operate and co-ordinate their activities in the fight against terrorism, especially following the 11 September events in the USA, and which has been undermining both the tourism industry and investor confidence.

In conclusion, our eyes are fixed in the direction of realising the noble objectives of NEPAD. However, let the various sub-regions of Africa rise to the challenges of our time, especially in the field of peace and security. After all, NEPAD represents a bargaining chip: African governments are required to scrutinise each other in terms of performance, while expecting Africa's external friends to support Africa in terms of foreign investment.

But in scrutinising each other's performance in the field of peace and security, the African leadership should endeavour to do away with some of the double standards that characterise African society and clearly map out the continent's priorities. First of all, hardly any meeting of our Heads of State and Government ever ends without accolades for African unity, African solidarity and the need to remain each other's brother's keeper or to remain tolerant of each other. But we cannot continue cherishing these ideals that call for respect for diversity, while at the same time embracing xenophobia.

Second, there is a tendency on the side of some Africans to expect too much from our external friends in terms of dealing with our challenges. There are those who in fact think that all our current problems are a result of colonialism. Indeed, colonialism did a lot of harm to Africa. But we cannot go on blaming colonialism endlessly. Furthermore, the West should not abandon Africa,

for the price of neglecting the poor is not only high but is usually paid in anguish. Yet, however willing and well intentioned our external friends might be in salvaging Africa, few of them have better knowledge of our local conditions and problems than us Africans. Let us Africans occupy the driver's seat, sort out those things that we can do for ourselves and do them, before soliciting external help.

Third, there are those who might think that all human problems must perforce be solved militarily. There are times when war becomes the best of the not so good options. But overall, peace achieved on a negotiating table is more durable than peace achieved on the battlefield.

Fourth, there are conflicts that can be contained within national borders. But there are also those that spread beyond national borders and which can only be resolved meaningfully through holistic approaches involving the neighbouring states affected. Co-operation and co-ordination of activities relating to peace building in Africa have, therefore, never been more pressing than now.

Finally, a state that chooses to sponsor rebel activities against a neighbouring state ought to remember the adage that those who live in glass houses should not throw stones. Thus, two neighbouring states that choose to mutually sponsor rebel activities against each other, based on the logic that my enemy's enemy is my friend, should never share their grief with anybody at the end of the day. 🗿

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“Perhaps the greatest achievement in the area of peace in the West African sub-region has been the championing of the stepping down by Charles Taylor of Liberia”

## Endnotes

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PEACEMAKING

BY GEORGE LWANDA

# conflict diamonds

## and the African 'resource curse'

### Introduction

*"What prevents us from fighting while we possess the oil that supports us in a battle, even if it lasts for a century?"*  
**Sudanese cabinet minister**

Civil wars have provided many opportunities for political leaders in Africa to take advantage of the prevailing instability and plunder valuable natural resources all over the continent. Resultantly, resource-endowed nations of Africa have found themselves regressing politically, economically, and socially as they have been plunged into never-ending civil strife which has led to the loss of millions of innocent lives. Individual political

leaders, on the other hand, have in the process profited enormously from revenues from the exploitation of natural resources, often at the cost of their constituents.

By briefly outlining four 'diamond-fuelled' wars in Africa, this paper tries to bring to light Africa's 'resource curse' and ponder on whether Africa really needs its nature.

Whereas other parts of the world have benefited from the abundance of natural resources translating them into economic prosperity, the African story (with the exception of South Africa, Botswana and to a lesser extent Ghana) has been entirely different. Africa has found itself in an entirely differently situation; as the "interplay among a

seemingly endless supply of mineral resources, the greed of multinational corporations desperate to cash in on that wealth, and the provision of arms and military training to political tyrants has helped to produce the spiral of conflicts that have engulfed the continent".<sup>1</sup>

Mineral resources in Africa, unlike elsewhere world-wide, have led to massive looting, indiscriminate rape, the conscription of thousands of child soldiers across the continent, and the subjection of millions of innocent civilians to misery and hopelessness. The continent's vast mineral wealth, especially diamonds and oil, has hence been its curse – prolonging, amongst others, the continent's most vicious wars, in Angola, the Democratic Republic of the Congo (DRC) and Sudan. Table 1 lists ten conflicts in Africa that have been fuelled by natural resources.

### Profiting From War

The last two decades of the twentieth century witnessed the emergence of at least twenty major conflicts in Africa. Although a variety of reasons, ranging from philosophical differences to ethnic cleansing, have been advanced as the reasons for these conflicts, one common feature stands out in most of these wars, especially after the end of the Cold War: economic factors. Economic factors have had a great influence on “determining the actions of actual and potential belligerents”.<sup>2</sup>

The end of the Cold War translated into the end of unconditional military support, from both the East and the West, to warring belligerents on the African continent. Warring parties inevitably witnessed a decline in revenue to fund their war campaigns. In the case of Southern Africa, the emergence of a peaceful post-apartheid South Africa, at peace with its neighbours, also saw the further decline in parties willing to fund war and destabilisation on the continent. Faced with no revenue to fund their activities, warring parties in some cases resorted to a negotiated peace, as in Mozambique. In natural-resource-abundant Africa, however, this only saw the escalation of war, as the warring parties now fought for the control of natural resources to fund their activities. More implicit has been the massive profits that the patrons of these warring parties have amassed in the process.

Most of the leaders of these warring parties have

**Table 1: African Conflicts Fuelled by Natural Resources**

Country	Date	Estimated Deaths	Resource
Algeria	1992–date	71 000	gas, oil
Angola	1975–2002	>800 000	diamonds, oil
Chad	1980–1994	300 000	oil, uranium
Congo-Brazzaville	1993–date	9 000	oil
DRC	1993–date	200 000	copper, cobalt, diamonds, gold, uranium
Liberia	1989–1996	250 000	diamonds, iron, rubber
Sierra Leone	1991–1999	85 000	bauxite, diamonds, rutile
Sudan	1983–date	>1 500 000	oil

amassed enormous wealth at the cost of thousands of innocent lives. As noted earlier, diamonds and oil, in particular, have prolonged vicious wars in Africa. This paper concentrates on ‘diamond-fuelled’ wars in Africa.

### Diamonds are Forever?

Without doubt, diamonds have been the major natural resource ‘responsible’ for fuelling civil strife in Africa. Warring parties in Africa have engaged in vicious cycles of war fighting to control the lucrative illicit trade in ‘blood diamonds’ – a term used to describe diamonds originating from war-torn areas that are used to fund military action by their traders.

Control of these diamonds has enabled warring parties to exchange diamonds for weapons to furnish their war campaigns. Middlemen, arms dealers, and corrupt politicians have ultimately ended up as the winners, reaping massive profits from the unfortunate state of affairs. The dreadful abuses of human rights in diamond-rich African countries by both sides of the warring parties have thus been, and continue to be, closely linked to the fight to control the trade in these precious minerals. Such has been the extent to which these minerals have been responsible for prolonging conflicts in Africa that, on 1 December 2000, the United Nations General Assembly unanimously adopted a resolution to try to arrest the trade in ‘blood diamonds’. This fight is far from succeeding, and as a result ‘blood diamonds’ continue to fund wars in

“The continent’s vast mineral wealth, especially diamonds and oil, has been its curse”



Africa. Table 2 summarises the ‘diamond-fuelled’ wars in Africa.

This paper briefly touches on the wars in Angola, the Democratic Republic of the Congo, Liberia and Sierra Leone, which have been, to one extent or another, prolonged by illicit diamond trade. These four wars have seen the senseless loss of a total of more than 1.1 million lives since 1975 as well as countless others displaced, raped, maimed, and tortured. Angola has been left with millions of unexploded landmines planted all over the country, thousands have had their limbs hacked off in Sierra Leone and Liberia, while a very fragile peace is taking shape in the Democratic Republic of the Congo.

**Table 2: Diamond-Fuelled Wars in Africa**

Country	Date	Estimated Deaths
Angola	1975–2002	>500 000
DRC	1993–date	200 000
Liberia	1989–1996	250 000
Sierra Leone	1991–1999	85 000

**Angola**

The existence of an anxious peace accord signed after the death of rebel leader Jonas Savimbi in Angola notwithstanding, the country, prior to the death of Savimbi in 2001, had experienced over a quarter of a century of civil strife. Although Angola has the potential of being a wealthy African state due to its vast oil and diamond reserves, the country is today a run-down state recovering from 27 years of civil strife, which has torn the country apart and left the country covered with millions of landmines.

Angola is new to peace. The last peace accord in Angola lasted only about one and a half years before the resumption of the armed struggle, so it is yet to be seen how long the current state of peace will last. Strategic analysts nonetheless believe that the death of Jonas Savimbi, former leader of the rebel National Union for the Total Liberation of Angola (UNITA), will bring lasting peace to Angola.

UNITA, in particular, is known to have used diamonds as its chief source of finance during the war.

**Liberia and Sierra Leone**

In the case of Liberia and Sierra Leone, ‘conflict diamonds’ have provided a source of funding for

the purchase of weapons and other military resources. Charles Taylor, who until very recently was the president of Liberia, has been blamed as the main culprit in the instability of the two countries. Not only did he extract natural resources from Liberia, but Taylor supported the rebel Revolutionary United Front (RUF) in neighbouring Sierra Leone, providing them with weapons, training, logistical support, a staging ground for attacks as well as a retreating safe haven – all in exchange for diamonds.

Over 250 000 people died in the civil strife in Liberia and Sierra Leone between 1989 and 1996. Over a million innocent citizens were displaced over the same period in Liberia alone, and half the national population has been driven out of their homes in Sierra Leone. The RUF became known for its use of drugged child soldiers, who were notoriously brutal. In fact, the RUF had the reputation of carrying out deliberate and systematic amputations of the limbs of tens of thousands of innocent civilians.

### **Democratic Republic of the Congo**

*“This is all money,” says a Western mining executive, his hand sweeping over a geological map toward the eastern Democratic Republic of Congo (DRC). He is explaining why, in 1997, he and planeloads of other businessmen were flocking to the impoverished country and vying for the attention of then-rebel leader Laurent Kabila. The executive could just as accurately have said, “This is all war.”*<sup>3</sup>

The abundance of mineral wealth residing beneath its soil has been and continues to be the great curse of the people of the DRC. The country is endowed with many valuable natural resources, including diamonds. So rich is the DRC in natural resources that it is said that the first explorer declared the country a ‘geographical scandal’. Yet the DRC has not known peace since the Banyamulenge-led revolt against the dictatorial and unstable Mobutu regime began in October 1996.

“The DRC, according to some sources, is the world’s fourth largest diamond producer, others place it as second in the world.”<sup>4</sup> It is these diamonds that have fuelled the war, with both the government and rebels fighting for control of the diamond-rich regions of the country. The situation was further complicated by the presence of foreign troops aiding both the rebels and the government. A recent United Nations report singled out the

foreign troops, in particular, as being responsible for the wholesale plunder of DRC resources.<sup>5</sup>

## **The Way Forward**

Evident from the four cases touched on above is the fact that in most cases the warring parties relied heavily on revenues from natural resource exploitation to not only fund their wars but also to build up massive personal fortunes, to the extent that economic motives have crowded out any initial political motives. Most of these civil wars have hence been equally driven by their leaders’ hunger to cling to the resources that they control as well as the motivation of the prospects of amassing personal wealth.

A crucial fact about these wars is that political and military leaders of the governments and the rebels, traders and businessmen have derived considerable wealth and status from war as opposed to peace. Thus, war has accorded them economic and political opportunities unachievable in times of peace. To make maximum gains from this, governments and rebels alike have skilfully but selfishly manipulated political motives, interspersed with promises of large booty, to fuel conflicts, consequently making it very difficult for any peripheral party to mediate a peaceful settlement.

### **Does Botswana Hold the Key?**

*Indeed, while it is recognised that Botswana’s development record reflects ‘good luck’ to a substantial degree, we are also proud of the reputation that has been established for ‘good management’ on the part of the government ... Although the national endowment has for the past 15 years or so been the main element in the ‘good luck’ factor, it is nevertheless recognised by those who are well acquainted with our country that we have striven with good effect to minimise adverse consequences of the ‘mineral led economy’ syndrome.*

**Then Vice-President of Botswana,**

**Festus Mogae.**<sup>6</sup>

Many debates have come up as to what needs to be done to curb the fuelling of war by diamonds in Africa. It has generally been agreed that “governments, inter-governmental and non-governmental organizations, diamond traders, financial institutions, arms manufacturers, social and educational institutions, and other civil society players need to combine their efforts, demand the strict enforcement of sanctions



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and encourage real peace”.<sup>7</sup> The United Nations, for its part, has passed several resolutions that have tried to curb the trade in conflict diamonds in each of the nations looked at in this paper. These have not really stopped the trade for a number of reasons, which are out of the context of this paper. It is the opinion of the author that, Africa needs to look at Botswana and learn from this country how to best utilise diamonds for continued development.

Botswana is arguably the only country in Africa with abundant reserves of diamonds that has experienced eternal peace matched by economic prosperity.

“Botswana is arguably the only country in Africa with abundant reserves of diamonds that has experienced eternal peace matched by economic prosperity”

It has had the highest per capita growth rate of any country in the world in 35 years and has moved from a low-income country to a middle-income African success story. Resource-endowed African nations hence have a lot to learn from Botswana. Although an examination of how Botswana has managed to make it, amidst a jungle in which good economics is bad politics, is a very lengthy exercise requiring a whole academic paper in itself, it can

be summarised that Botswana managed to achieve rapid development by “choosing orthodox textbook policies; prudent macroeconomic and exchange rate policies, trading on the basis of comparative advantage, investing in education, health, and infrastructure, nurturing a meritocratic bureaucracy, and enforcing hard budget constraints”.<sup>8</sup>

Botswana managed to avert the root cause of African problems – i.e. poor policies benefiting only the ruling elites – despite the uncertain situation in

which it found itself after the discovery of diamonds. It managed to do what very few, if any, African countries managed to do. This it did by adopting good institutions and policies and by investing heavily in infrastructure and the educational and health systems, quite clearly elements that the governments of the four countries looked at above have overlooked. Instead, they adopted political strategies that were optimal only for the ruling elite and economic failure was the consequence. Economic failure led to the general disillusionment of the masses, who felt cheated by their leaders, and war resulted as different groups fought for control of resources. Most African political leaders have over the years overlooked the importance of sound, selfless economic policies in the quest for economic prosperity and development. Zimbabwe, for instance, presents a good example of what selfish policies can lead to.

Clearly, from the Botswana example, African leaders need to come to terms with the importance of democratic, selfless, unifying and development-oriented policies that remove the political stakes and vested interests of the ruling elite whilst increasing their legitimacy. The New Partnership for Africa’s Development (NEPAD) seems to hold the only route through which African leaders can change their old retrogressive tendencies. 🗑️

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BY AMBASSADOR W.L. SWING

PEACEKEEPING

# The role of MONUC in the **DRC's** peace process

I would like to discuss the role of the United Nations in support of the peace process in the Democratic Republic of the Congo by addressing four broad questions. First, why is the Democratic Republic of the Congo (DRC) important? Second, will the Transition succeed? Third, what is the role of the UN Mission in the DRC (MONUC)? And, fourth, what is MONUC's concept of operations?

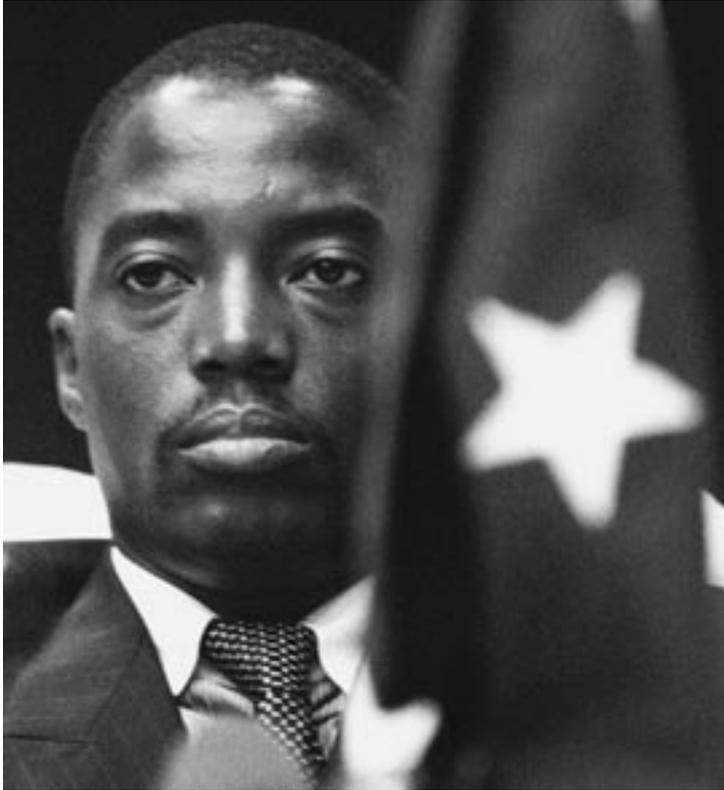
## The Importance of the DRC

To begin, I am deeply conscious of the responsibilities and challenges that the United Nations has taken on in assisting the Congolese people begin their transition from a state of war to a state of law. At this time of multiple calls for international intervention and assistance, it compels us to recall what is at stake in the DRC.

The DRC is Africa's third largest country – five times larger than Cote d'Ivoire, Liberia and Sierra

Leone combined, with more than twice their population – around 53 million. It has massive mineral resources, 50 per cent of Africa's hardwoods and some 10 per cent of the world's hydroelectric power potential. Moreover, the DRC is a natural political centre of gravity for the Central African region. In many senses, peace and stability in the DRC and in the Great Lakes region must go hand in hand.

But as recently as last year, multiple armies fighting on Congolese soil led commentators to refer to the situation in the DRC as "Africa's First World War". The International Rescue Committee estimates that up to 3.5 million people have perished in the past four and a half years. The UN Office for the Coordination of Humanitarian Assistance (OCHA) estimates that there are currently 3.4 million internally displaced persons in the DRC, and around 17 million people are food insecure. Forty-one per cent of all children are undernourished. At least 1.3 million people are infected with the HIV virus whose prevalence



among soldiers and irregular combatants is around 60 per cent. And sexual violence, particularly rape, is at horrendous levels.

Comparisons of human tragedy are always invidious. But by any objective standard, the situation in the DRC over recent years can truly be described as one of the world's greatest living tragedies.

### A Historic African Process

The difference today, however, is that there is at last a credible path to peace, the restoration of sovereignty and national reconciliation. The first steps have been taken in what can only be described as an historic transition. As Nelson Mandela once said, "at such times, one has a sense that one is in physical contact with history".

And we should recognize clearly that the transition process in the DRC is quintessentially an African process. The milestones of peace – the Lusaka Agreement, the Luanda Agreement, the Pretoria Accords, and the Sun City Resolutions – are African milestones. At every step of the way, it was African statesmen, such as President Mbeki and Sir Ketumile Masire, and African institutions,

such as SADC and the African Union who brokered and facilitated the key agreements.

Indeed, when I characterize what has happened in the DRC over the past four years, I do so in terms of three phases:

- ▲ The 'Lusaka Phase' that saw the withdrawal of foreign forces and the end of large-scale conflict;
- ▲ The 'Pretoria Phase' that drafted the architectural design for sustainable peace; and,
- ▲ The 'Kinshasa Phase' where agreements reached must be implemented on the ground.

### The Prospects for Peace

This brings me to my second question: will the Transition succeed? I must say that I am optimistic. The first months since the signing of the Final Act of the Inter-Congolese Dialogue on 2 April, have seen far more progress than most would have predicted or that one might reasonably have expected. The fundamental reality is that every Congolese has something to gain from this transition – and they know it.

It is truly remarkable by any peacekeeping standard, that in the first four months with only a few slippages in timetable, all of the major benchmarks of the transition have been met. The integrated institutions of Government have all been established – the Transitional Constitution, the Presidency, the Parliament and the Council of Ministers are in place and functioning.

The 'Five Institutions in Support of Democracy' (the Independent Electoral Commission, the National Human Rights Observatory, the High Media Authority, the Truth and Reconciliation Commission and the Ethics and Anti-Corruption Commission) are being established.

The integrated military command of the new Armed Forces of the DRC has been agreed and is now working with the World Bank to to establish a massive national Disarmament, Demobilization and Reintegration (DDR) programme, for which donor funding is available. And MONUC is meeting regularly with the Minister of Interior and chairing weekly meetings of the Police Chiefs to design and implement the first integrated police unit.

Throughout the DRC the national flag is flying, the national currency is in free circulation,

commercial airlinks have been reestablished, the Congo river is open for commercial traffic, and the entire country now has a single communications space.

We should have no illusions about the magnitude of the challenges ahead. Inevitably, there will be difficulties and crises. But there are at least four sound reasons why I believe the Transition can succeed.

One: *national identity*. Unlike so many other areas of conflict within states where the protagonists basically want to secede, in the DRC there is an almost universal sense of Congolese identity that is a powerful force for nation building. Congolese by and large, want to be Congolese.

Two is *war fatigue*. After more than four-years of bloody internecine fighting, the vast majority of Congolese want an end to the nightmare of war and deprivation.

Three: the real *interests of the Congolese leaders*. All political leaders, and their respective military forces, have something to gain from a successful transition, and much to fear from an unsuccessful one. Their choice is simple: they can be left isolated and marginalized, in bare control of decreasing pieces of territory, or become part of legitimate Government structures. And in this context, we should take full account of civil society and public opinion, which is overwhelmingly for peace

Point Four is the *strength of international commitment*. This has been demonstrated in many ways including: the deployment of the first European Union military peace operation under the EU Common Foreign and Security Policy; the decision of the Chief Prosecutor of the International Criminal Court to examine human rights abuses in Ituri as the Court's first case; and the willingness of international financial institutions and governments to wipe DRC's foreign debt virtually clean.

Indeed, I would like to express particular gratitude to the European Union and to France for the timely deployment of Operation Artemis in Bunia. As you might recall, faced with the near certainty of gross human rights violations following the withdrawal of Ugandan forces, MONUC deployed to Bunia its only reserve battalion of lightly armed Uruguayan troops under a Chapter VI mandate. They performed heroically – some 20,000 civilians might not be alive today were it not for their actions.

But this was a situation that could not be

sustained indefinitely. Operation Artemis, in which a robust and capable force 'held the fort' while the UN received a new mandate and marshaled a strong Ituri Brigade to take over in a seamless transition, is a testament to international cooperation in the cause of peace. I would venture to suggest that, in many ways, this might be a model for other similar peacekeeping situations.

Perhaps we are finally learning that the most expensive peace is a better bargain than the cheapest war.

### The Role of MONUC?

The complex and at times difficult history of MONUC is well known. It should be recalled that MONUC was originally deployed, four years ago, in very difficult circumstances. It grew incrementally, constrained by doubts about the prospects of success and fear of a never-ending commitment of international resources.

Not for the first time in the history of this part of the world, MONUC was severely challenged by the operational and logistics difficulties of deploying in a country the size of Western Europe, but without roads, where one-third of the budget is just to get in place to be able to start work.

Despite this, MONUC had some notable successes in monitoring disengagement of combatants and verifying the withdrawal of foreign armies. But many of its tasks were simply not realizable without a political horizon and legitimate local partners.

It was not until the signing of the Final Act on 2 April 2003, that the Congolese parties at last agreed and committed themselves to a comprehensive programme for the restoration of peace and national sovereignty during a transition period of two years culminating in democratic national elections.

This crucial milestone led the Secretary-General to state, in his Second Special Report on MONUC to the Security Council, that:

*“The peace process has now moved beyond the Lusaka framework and begun a new chapter that, more than ever, will require the comprehensive engagement and assistance of the United Nations and the international*

“The most expensive peace is a better bargain than the cheapest war”



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*community at large ... MONUC is well, if not uniquely, placed to play a central catalytic role in assisting the parties through the transition period. For this reason I believe that the main focus of MONUC should now shift to facilitating and assisting the transitional process, and that the Mission should be reconfigured and augmented accordingly”.*

The restructuring of MONUC has begun with the clear articulation of our goal, namely: to facilitate and assist the Congolese parties through a successful national transition to good governance culminating in free and fair elections within the constitutionally authorized period of two to three years.

The achievement of this goal requires action in four multi-disciplinary core:

1. **Peace and Security**, to stop the killing and violence, the sine qua non for all that follows. The focus is on stabilizing Ituri and the Kivus; enabling refugee and IDP returns; ensuring effective DDR and further progress on DRRRR; supporting the embargo on arms; and promoting the normalization of bilateral and regional relations.
2. **Facilitating the Transition**, leading to free and fair elections. MONUC's Neutral Force has already filled the security void in Kinshasa, and

we are now beginning to focus on supporting the national electoral framework for which we are establishing an Electoral Assistance Division.

3. **Establishment of the Rule of Law and Human Rights** – to end impunity and build stable institutions. Police training and criminal justice capacity building is underway in Ituri and will soon begin in Kinshasa and the Kivus. MONUC is supporting the establishment of a National Human Rights Observatory and a Rule of Law Taskforce to coordinate security sector reform.
4. **Improve Human Conditions for Sustainable Peace**. The focus here is on programmes that address the tragic legacy of war: humanitarian catastrophe; child soldiers; sexual violence; HIV-AIDS and support for the establishment of a Truth and Reconciliation Commission.

All of these components are interlinked and must be pursued simultaneously. Without peace, the political process will collapse. Without the political process, we will have no partners for national consolidation. Without rule of law, there is no exit strategy. And without addressing the human detritus of war, the process will not be sustainable.

I would emphasize one additional point. In planning our operations, we have been intensely conscious of the enormity of the challenges of the

DRC. Perhaps more than in any other peacekeeping setting, this is a situation where the Congolese parties themselves must take the lead and the international community will follow with the necessary support and assistance.

But no single international organization can do this alone. The primary role of MONUC is to be a catalyst for the work of the international community as a whole. And with respect to the UN family, the United Nations system, the Bretton Woods institutions, and bilateral and multilateral donors will need to “plan and coordinate their activities to an almost unprecedented degree”.

Thus a key theme running through our new concept of operations is the need for coordination with external partners, and the need for the UN family to work as one, to avoid duplication and to develop real synergy.

## Concept of Operations

The immediate challenges are manifest: to establish an elections plan and modalities; to make operational our responsibilities in DDR; to consolidate and expand our presence in Ituri; to establish our approach to the rule of law and respect for human rights; and to put our local conflict resolution efforts in the Kivus on a firm footing, to name but a few.

Our core goal is supporting and facilitating the political transition. The International Committee in Support of the Transition (ICST) that I chair, comprising the Ambassadors of fifteen closely engaged states, has already been crucial in assisting the Congolese parties to resolve disputes such as over the national armed forces. To chair this effectively, I need timely and comprehensive information on the progress of the transitional institutions at practically every level. For this purpose, the establishment of a fully staffed and sufficiently senior Transitional Support Unit is essential.

Advancing the rule of law and respect for human rights will be achieved through a Rule of Law Task Force including MONUC, UN system agencies and other international organizations, supported by a Rule of Law Unit, the Office of the Civilian Police Commissioner and the Human Rights section, which will also be the focal point for human rights investigations to end the culture of impunity as well as supporting transitional justice initiatives. MONUC CIVPOL will soon expand to some 200

officers with mentoring and monitoring roles in support of local police reform and restructuring.

Improving human conditions for sustainable peace will be accomplished through: deployment of Humanitarian Affairs Officers in areas of local conflict and deprivation; deployment of Child Protection Officers in Kinshasa and the field particularly where there are child soldiers; and advocacy work by the Gender Issues Unit and the HIV/AIDS Unit.

The Office of Public Information including the countrywide Radio Okapi network is critical to the success of all MONUC activities. Recently, a wholesale review of information functions was conducted, and we are now making necessary changes to ensure that we are up to the task, and that the MONUC message is heard.

## Conclusion

The detritus of war remains, including foreign armed groups, lawless local bands and organized criminal networks enriching themselves through the illegal exploitation of natural resources in one direction and the illicit trade in arms in the other. And on the humanitarian side, we continue to see large numbers of civilian refugees living on both sides of unstable border areas.

The capacity to engage key countries and employ good offices to foster normalization of bilateral relations and improvement of regional relations is key to everything we wish to achieve. A stable DRC is in many senses the lynchpin for stability in the wider Central African region.

The end state, I believe is clear and worthwhile: a democratically-elected government in the DRC and a space where rule of law can be the essential framework that will finally permit the Congolese people to exploit and develop the vast and rich resources of their country. In this process, MONUC can help, but the Congolese must lead. I believe that they are ready to do precisely that, and MONUC is ready to help them put their tragic past aside and build the foundations of a better future. 🇷🇵

*William Lacy Swing, Special Representative of the Secretary-General and Co-ordinator of United Nations Activities in the Democratic Republic of the Congo.*

“Our core goal is supporting and facilitating the political transition”



PEACEKEEPING

BY CEDRIC DE CONING

# peacekeeping trends

**T**he past year saw a number of significant developments and important trends in the field of peacekeeping in Africa. In terms of developments, the most significant is possibly the decision by the African Union (AU) to embark on the process of establishing an African Standby Force (ASF). The AU also authorised and deployed its first fully-fledged peacekeeping mission, the African Mission to Burundi (AMIB), in 2003. In terms of trends, the most important is probably the increasing specialisation between the UN and regional organisations, where the latter focus on stabilising conflict zones with short but robust operations whilst the former follows on with more long-term peace building missions. This article will discuss some of the significant developments that emerged in Africa in 2003 and consider some of the trends what are likely to dominate the crisis management and peace building field in 2004.

## The African Standby Force

The AU made significant progress in the development of a cohesive African peace and security system in 2003. African Chiefs of Defence Staff met in Addis Ababa in May 2003 and agreed on the modalities of an African Standby Force and a Military Staff Committee, a standing advisory committee to the Peace and Security Council.<sup>1</sup> The ASF provides for five sub-regional stand-by arrangements, each up to brigade size (3 000–4 000 troops), which will provide the AU with a combined stand-by capacity of 15 000 to 20 000 peacekeepers.

The ASF design was developed on the basis of six possible mission scenarios, ranging from observer missions (1-3) to peacekeeping (4) to complex peace operations (5) and finally to intervention (6) missions.<sup>2</sup> The ASF also provides for a police and civilian standby capacity but these have

not yet been unpacked to the same extent as the military component of the ASF. It is foreseen that the ASF will be operationalised in two phases. The first is aimed at developing the capacity to manage scenarios 1 to 3 by the end of 2005. The second phase is aimed at developing the capability to manage the remaining scenarios by 2010. The development of an African standby system is a significant achievement because it provides Africa with a common policy framework for peacekeeping capacity building. This means that the various peacekeeping capacity building initiatives underway, and any new programmes, can be directed to support this common objective, regardless of whether such initiatives are taking place at the regional, sub-regional or national level. African leaders left the G8 Summit in France earlier this year with an in-principle undertaking from the G8 to support the ASF. It is now up to Africa to present the G8 with proposals that will indicate how the ASF will be operationalised and how G8 countries can support this process. This planning process is likely to dominate African multilateral defence and security meetings in 2004, both at the regional and sub-regional level. For instance, at a meeting of Defence Chiefs of Staff of the Economic Community of Central African States in Brazzaville at the end of October 2003 a decision was taken to create a brigade-sized sub-regional standby force.<sup>3</sup> They also decided to establish a joint peacekeeping training centre and to undertake regional military exercises. Whilst this planning process is expected to continue to gain momentum, it is important to note that the ASF will only officially come into operation once the AU Protocol on the Peace and Security Council has been ratified by sufficient countries to enter into force.

### The African Mission in Burundi

Another major development in 2003 was the deployment of the first ever fully fledged African Union peacekeeping mission. The African Mission to Burundi (AMIB) was approved by the AU Central Organ on 3 February 2003. The mandate of AMIB provides for the monitoring and verification of the various Burundi cease-fire agreements, facilitating the activities of the Joint Ceasefire Commission and the Technical Committees and supporting the delivery of humanitarian assistance and the

disarmament, demobilisation and reintegration (DDR) process. AMIB is an integrated mission comprising a civilian component and military contingents from Ethiopia, Mozambique and South Africa, with an approved strength of up to 3 335 personnel. AMIB is a significant development because it demonstrates Africa's political will and technical capability to deploy a peace operation in situations where the UN is unable or unwilling to do so. The peace process in Burundi has created a dilemma for the United Nations and the traditional donor community. On the one hand, a significant number of parties have signed the Arusha Agreement for Peace and Reconciliation and have formed a transitional government. On the other hand, hostilities continue and during most of 2003 two important players – the CNDD-FDD (Nkurunziza) and PALIPEHUTU-FNL (Rwasa) – remained outside the peace process. (The CNDD-FDD joined the peace process in November 2003, and now it is only the FNL that is still engaged in hostilities.) The AU felt it was important that the agreements reached thus far be implemented if the positive momentum of the peace process were to be maintained. This was especially true for those aspects relating to security sector reform, principally the transformation of the army into an institution that was representative of all the peoples of Burundi. The UN, on the other hand, felt that as a comprehensive cease-fire involving all belligerent parties was not in place, it could not consider a peacekeeping mission in Burundi. This difference in strategic approach between the UN and the AU resulted

in a number of operational challenges. For instance, the AU mission could not secure support for the basic needs of the approximately 200 ex-combatants gathered in the Muyange Demobilization Centre.<sup>4</sup> AMIB was forced to arrange for food, clothing, bedding, and health services themselves. Another telling example is the difference in approach between AMIB and the humanitarian community when it comes to the pre-assembly areas. These are areas where combatants will gather to be disarmed and transported to

The development of an African standby system is a significant achievement because it provides Africa with a common policy framework for peacekeeping capacity building



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“The deployment of ECOMIL in Liberia was the latest and perhaps one of the clearest examples of a growing trend in Africa where regional organisations undertake short but robust operations aimed at stabilising a conflict zone”

the demobilisation centres. AMIB argues that some form of limited assistance is needed in these areas so as to prevent the combatants from depending on the local communities for food, thus limiting their negative impact on the host communities. The humanitarian community, however, has an in-principle objection to providing humanitarian assistance to combatants. These and other differences are likely to be the focus of efforts in 2004 to improve the synchronisation and co-ordination between peace and security considerations on the one hand and relief and reconstruction concerns on the other.

### **UN Support to UNMIL in Liberia**

Another interesting development was the deployment of the ECOWAS Mission in Liberia (ECOMIL) on 4 August 2003. After weeks of indecision at the UN Security Council and when it became clear that the United States would not intervene in Monrovia as long as fighting

continued, the Economic Community of West Africa (ECOWAS) authorised the deployment of an ECOWAS Monitoring Group (ECOMOG) mission to Liberia. ECOWAS, however, already had 1200 troops committed in Cote d'Ivoire and a significant number of the troops in the UN Mission in Sierra Leone (UNAMSIL) were from the West African region. This problem was overcome through the bold leadership of the Secretary-General of the United Nations, Kofi Annan. He not only took the unprecedented step of authorising the release of some of the West African forces deployed in Sierra Leone, but also authorised logistical support for these forces from UNAMSIL. The deployment of ECOMIL in Liberia was the latest and perhaps one of the clearest examples of a growing trend in Africa where regional organisations undertake short but robust operations aimed at stabilising a conflict zone, followed by UN missions with a more long-term peace-building mandate. ECOMIL was replaced by the UN Mission in Liberia (UNMIL) on 1 October 2003. The ECOWAS mission provided the UN with the time it needed to plan and deploy a peace-building mission. At the same time the ECOMIL mission managed to sufficiently stabilise the situation for UN and other civilian humanitarian personnel to return to Monrovia, and later to other parts of the

country. The new UN Mission in Liberia is also symbolic of the implementation of the Brahimi recommendation that the UN should deploy missions with the requisite mandate and resources to enable it to achieve its objectives. UNMIL, with an approved strength of 15 000 soldiers and almost 900 police officers, will be the largest current UN peacekeeping mission.<sup>5</sup> It is an integrated multi-functional mission with a robust mandate, including, for the first time, a specific clause on the protection of civilians. This stands in sharp contrast to the previous UN mission to Liberia that had a very limited observer mandate. The UN now has three missions in three neighbouring countries in West Africa: Liberia, Sierra Leone and Cote d'Ivoire. It would appear as if the UN has now recognised the regional dimension of this conflict system and the three missions, although distinct, have been designed to share resources, exchange information and co-operate where necessary.

### Operation Artemis in Ituri

Another significant development in 2003 was the deployment of a European Union intervention force in Bunia, in the Ituri District of the Democratic Republic of the Congo (DRC). It was the first European Union peace operation under the EU Common Foreign and Security Policy and another example of a regional organisation stabilising a conflict zone in preparation for a more comprehensive UN peace-building operation. Unprecedented violent conflict, bordering on genocide, erupted in the Ituri district of the Oriental Province in north-eastern DRC after the withdrawal of Ugandan forces in March and April 2003. Rival rebel groups mobilised along ethnic Hema and Lendu identities was fighting a proxy war of control, linked to competing Ugandan and Rwandan interests, that has resulted in approximately 50 000 deaths and half-a-million internally displaced persons since 1999.<sup>6</sup> The UN Security Council authorised a French-led EU Interim Emergency Multinational Force (dubbed Operation Artemis) on 30 May 2003 when it became clear that the situation in Ituri could not be managed within the mandate and means of the UN mission in the DRC (MONUC). This operation is another example of a regional organisation mustering a short but robust stabilisation operation that gives the UN

time to plan a longer-term comprehensive peace-building response to the problem. These regional organisations have demonstrated that they are in a better position than the UN to muster a quick and robust military response, typically led by one country in a lead-nation capacity. However, such military interventions can achieve little beyond stabilising a critical situation for a limited period of time. The UN, on the other hand, has the capability to pull together the various components needed to form a complex integrated peace-building response that can address the long-term post-conflict reconciliation and reconstruction needs of these conflict zones. Not all regional organisations have these capabilities and one should guard against assigning such roles to all regional organisations and in all circumstances, but the UN, ECOWAS and the EU, in the context of the type of situations that occurred in Liberia and Ituri, appear to have arrived at a division of roles that play to each other's strengths and compensate for each other's weaknesses. This may be a model that will be favoured in future crises, where similar circumstances prevail. If so, this trend will have specific implications for the design, training and preparation of the various elements of the African Stand-by Force.

### South Africa Enters the Field

Another important development in 2003 was the deployment of a significant number of South African troops to a various peacekeeping missions in Africa. As a result of committing approximately 1 200 troops to MONUC, South Africa's stature as a UN peacekeeping nation jumped from 39 out of 89 countries in May 2003 to a ranking at number 10 in October 2003. South Africa is now the fourth largest UN Troop Contributing Country in Africa, after Nigeria, Ghana and Kenya. If you add the deployment of a further approximately 1 600 troops to Burundi, then South Africa had a total foreign deployment of around 3 000 personnel in 2003, making it the second largest peace-keeping contributor in Africa, after Nigeria. South Africa also has personnel in UNMEE and UNMIL and is

“South Africa's stature as a UN peacekeeping nation jumped from 39 out of 89 countries in May 2003 to a ranking at number 10 in October 2003”



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thus participating, in some form or other, in almost every UN peacekeeping mission in Africa. In addition, South Africa also contributed to the EU operation in Ituri. South Africa's entry into the peacekeeping world is important because it adds a considerable amount of resources to the UN, AU and SADC. The deployments in the DRC and Burundi are also an indication that South Africa has now developed the political will to support its peacemaking initiatives with military deployments, where required, and this will further add to the credibility and impact that South Africa can project in the peacemaking field.

“The UN currently runs 11 peacekeeping missions with an annual budget of US\$ 2.17 billion”

### The Financial Realities of Peacekeeping in Africa

One of the most important lessons of 2003 relates to the financial realities of peacekeeping in Africa. In 2003, the extent of African peacekeeping was not limited by political will, the availability of troops and equipment or institutional modalities, but by the lack of funding. Peacekeeping operations are by their very nature costly affairs. The AU experience is that even the relatively small and less logistically

demanding unarmed military observer missions undertaken by the OAU were so costly that it was not able to finance them from its own budget. The OAU had to rely on donor funding to finance the relatively small missions it deployed to Rwanda (NMOG), Burundi (OMIB), the Comoros (OMIC), Ethiopia/Eritrea (OLMEE) and the DRC (JMC) over the past decade. The operational cost of maintaining 67 military observers in Burundi (OMIB) from 1993 to 1996 was approximately US\$ 7.2 million. The budget for the OAU Liaison Mission in Ethiopia and Eritrea (OLMEE) was US\$ 1.8 million per year. Its original planned strength was 43 civilian and military personnel, but because of financial constraints it had an actual strength of 27 in 2000, comprising 11 military staff and 16 civilian support staff. The African Mission in Burundi (AMIB), by contrast, is considerably larger than any mission the AU, or the OAU before it, has undertaken to date, with up to 3 335 personnel and an operational budget of approximately US\$ 110 million per year. This is a significant expense in the African context. In comparison, the budget of the AU Commission for 2003 is approximately US\$ 32 million. It is thus understandable that finding the financial resources to sustain AMIB was an important preoccupation for the AU in 2003 and it will continue to dominate a portion of the AU agenda in 2004. The degree to which it manages to do so will have an important bearing on the kind of peacekeeping missions the AU is likely to undertake in future. One of the variables is whether AMIB will become a UN mission. The AU has always considered AMIB to be a temporary bridging mission aimed at providing the security necessary to maintain the momentum in the peace process until the UN can take over. At the Regional Summit that convened in Dar Es Salaam in November 2003, the call for the UN to take over the AMIB mission was repeated. The regional leaders argued that sufficient progress has now been achieved, after the CNDD-FDD of Pierre Nkurunziza joined the transitional government of Burundi, to meet the UN requirement that a comprehensive cease-fire has to be in place before it would consider a peacekeeping mission in Burundi. The UN currently runs 11 peacekeeping missions with an annual budget of US\$ 2.17 billion.<sup>7</sup> It is responsible for six peacekeeping missions in Africa, namely Western Sahara (MINURSO), Ethiopia and

Eritrea (UNMEE), the DRC (MONUC), Sierra Leone (UNAMSIL), Cote d'Ivoire (MINUCI) and the newest and largest mission, the UN Mission in Liberia (UNMIL). The UN is likely to add a seventh African mission in the Sudan in 2004, if the Machakos peace process between the government of Sudan and the Sudan Peoples Liberation Movement/Army (SPLM/A) proceeds apace.<sup>8</sup> If the UN deploys a peacekeeping mission in Sudan, the UN Security Council is unlikely to approve an eight African mission in Burundi as well. A similar situation prevailed during the OAU Observer Mission in Burundi (1993–1996). The OAU expected the UN to take over the mission but the UN Security Council felt that the situation in Burundi was being dealt with by the OAU and thus preferred to focus its resources on more pressing needs on its agenda. With this history in mind the UN is unlikely to take over from the AU as long as the AU maintains a credible peacekeeping mission in Burundi. If the UN is unlikely to deploy a peacekeeping mission in Burundi, the AU will have to find the money to sustain AMIB for at least two to four years. South Africa as lead nation has budgeted approximately R850 million, or approximately US\$ 120 million, annually to sustain its troops and to supply most of the logistical needs, like fuel, air transport and medical support, for the mission.<sup>9</sup> Although the AU is expected to reimburse South Africa at some point, there is no immediate pressure to do so. The AU is, however, under considerable pressure to find funds to sustain the Ethiopian and Mozambican contingents. The deployment of the Ethiopian contingent was financed by the United States with a US\$ 6 million contribution that included the airlift of the contingent to Burundi and logistical support for 60 days. The AU needs to find funds to maintain the Ethiopian contingent before the 18 December 2003 deadline when the US-funded period comes to an end. Similarly, the United Kingdom contributed US\$ 6.4 million to prepare, deploy and sustain the Mozambican contingent and the AU needs to find additional funds to sustain their deployment beyond the initial 60-day period. This is not going to be an easy task if the wider context within which these funds are being sought is taken into consideration. The international donor community is heavily committed in Iraq, Afghanistan, and the Balkans. In Africa, peace operations like AMIB are



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competing for funds against the backdrop of the fight against HIV/AIDS and the food crisis in southern Africa. The money that could be allocated for peace support operations in Africa in 2003 was spread across five non-UN missions: Burundi, the Central African Republic, Cote d'Ivoire, Liberia and Sudan. For instance, at a donor conference in Paris in July, ECOWAS sought a further US\$ 40 million to double its 1 200 strong ECOMOG force in Cote d'Ivoire, but managed to secure only US\$ 8 million. The ECOMOG operation in Cote d'Ivoire costs approximately US\$ 1.3 million a month.<sup>10</sup> The United States, France and Britain had contributed US\$ 13 million for the first six months of the ECOMOG operation in Cote d'Ivoire. France is also supporting a 300-strong peacekeeping force of the Economic and Monetary Community of Central African States (CEMAC) in the Central African Republic.<sup>11</sup> And the United States, Norway, the United Kingdom, Italy and other donors are supporting two observer missions in the Sudan, the Joint Monitoring Commission and the Verification and Monitoring Team. Seen in this context it is unlikely that the international donor community

“In Africa, peace operations like AMIB are competing for funds against the backdrop of the fight against HIV/AIDS and the food crisis in southern Africa”



APP

will be able to contribute more than between US\$ 10 to 20 million to AMIB, if that much. Considering these prospects, the AU has actually managed to do remarkably well in terms of fundraising for AMIB in 2003. Over and above the contributions received from the USA and UK, the AU has managed to secure funding from Italy, Germany, and Denmark, and has itself contributed US\$600 000 from the Peace Fund. The most significant contribution is likely to come from the European Union. Although the AU has thus received significant contributions and commitments in 2003, it still needs approximately US\$ 80 million to finance AMIB's first year of operations. The AU experience with AMIB is thus likely to be a costly lesson. From this perspective, the only viable peacekeeping operations in Africa are UN peace operations. Compare, for instance, the cost of AMIB with the cost of MONUC, where the UN will be spending US\$ 608 million over the next year. South Africa is contributing a similar size force to MONUC, at about half the cost (US\$ 55 million) because the UN provides most of the logistics South Africa is responsible for in Burundi. In the case of MONUC, the UN will reimburse approximately 60 per cent of the expenses incurred by South Africa. The advantages of contributing to UN, as opposed to AU or sub-regional operations, are not difficult to grasp. This is an important reality check for those who advocate a greater role

for regional peacekeeping in Africa. If the UN, or the international community in general, would like to see the delegation of more conflict management responsibilities to the AU and sub-regional organisations, it would have to provide it with the necessary resources to carry out such mandates. The most important lesson learned in 2003 is that we cannot escape the financial realities of peacekeeping in Africa. In the long term, the AU is likely to shy away from undertaking such operations on its own. Instead, it is likely to facilitate short-term stabilisation missions like the ECOMIL mission in Liberia. The ASF concept that is designed around brigade-sized sub-regional forces may have to be refined to focus on the operational needs of scenarios 1 to 3 (observer missions) and 6 (intervention missions), whilst preparations for scenarios 4 and 5 (peacekeeping and complex peace operations) should be undertaken in the framework of the UN stand-by system. 

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## Endnotes

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BY ANDREAS VOGT

PEACEKEEPING

# the Sudan

# joint monitoring mission

**S**udan has, except for the period between 1972 and 1983, been in a state of civil war ever since its independence in 1956. War has thus been the central focus of political, economic, and social life throughout the country's recent history. The prolonged conflict has caused the loss of up to two million lives and displaced more than four million people. The war's main consequence has been a devastated country in steep economic decline, which has severely hindered Sudan's capacity to develop as a nation.

Despite the above facts, recent media statements have expressed indications of hope:

*The possibility of ending the 21-year old civil war in the Sudan inched a step closer Wednesday [22 October 2003] after the Khartoum government and the Sudan Peoples [sic] Liberation Movement/Army (SPLM/A)*

*agreed to work out a comprehensive peace deal by 31 December.<sup>1</sup>*

The purpose of this article is not to provide a detailed overview of the conflict-ridden modern history of Sudan, nor to present an in-depth analysis of all the different peace initiatives in the country in the past. Rather, in a time where 'successful' is a rare description of peace efforts applied to African conflicts, it is meant to highlight one of very few fairly prosperous peace mission arrangements going on in Africa today – namely the Joint Monitoring Mission (JMM) and, more specifically, the Joint Military Commission's (JMC) implementation of the so-called Nuba Mountains cease-fire agreement (CFA).

Even though each conflict is unique, and thus demands different approaches, methods and



resources, the JMM/JMC model may – without the elusive luxury of future hindsight – serve as a useful test case as a conflict management tool. Based on its present positive status and potential, on the fact

“The principles of the cease-fire include the guarantee of free movement of civilians and goods, including humanitarian assistance, through the Nuba Mountains”

that the agreement and implementation of it have received limited press coverage, and on the fact that the limited information provided is often inaccurate or lacking, it is imperative to provide a clear and concise picture of the CFA. Moreover, it is important to look at the structure and role of the JMM/JMC’s effort to implement it and what the initiative has achieved – facts that may provide significant lessons for future cease-fire and peace initiatives in Sudan, other African countries, or elsewhere in the world.

### Background

Although the civil war in Sudan is commonly, often rather simplistically, depicted as one of the Muslim north versus the Christian and animist south, reality tells one that there are numerous additional complicating factors associated with the conflict. At the moment, and as it always has, it involves several armed factions and militias, and various ethnic and religious groups. Today, the main parties are, on the

one side, the government of the Republic of Sudan, and on the other, the Sudan Peoples Liberation Movement/Army (SPLM/A). When people talk about the government in terms of the conflict in the Nuba area, it is often in reference to the Sudanese army *and* the Popular Defence Forces, of which the latter is composed of various tribal militias. Similarly, when they talk about the SPLMA/A in the Nuba Mountains, it is often rather referred to as SPLM/N, where the ‘N’ represents the faction of the movement operating in the Nuba Mountains.

The conflict in the Nuba Mountains has no single battlefield, thus creating a very complex and fluid displacement situation. Fighting over control of territory and the appropriation of civilian food-stocks, partly with the aim of displacing civilians<sup>2</sup>, and fighting for the denial of resources to the opposing side, have been dominant war patterns.<sup>3</sup> In the past, these patterns left many conflict resolution experts and diplomats with slim hopes of a successful implementation of the Nuba Mountains cease-fire agreement. Experiences over the last 22 months have – so far – proven them somewhat wrong.

### The Nuba Mountains Cease-fire Agreement

Geographically, the Nuba Mountains cease-fire agreement entails the whole of Southern Kordofan and the province of Lagawa in Western Kordofan. The area is more than three times the size of Rwanda (about 80 000 km<sup>2</sup>) and has a population of about 500 000 people.

Based upon a US initiative, the Nuba Mountains cease-fire agreement was signed between the government of Sudan and the SPLM/N on 19 January 2002 in Switzerland. It came into force three days later. The CFA provided for the establishment of an *international* monitoring unit (IMU) and the JMC, which together form the so-called Joint Monitoring Mission. As there are representatives from the warring parties in the JMC, the JMM comprises only the international component of the JMC/IMU. The CFA is now in its fourth six-month period and a fifth is agreed upon.

According to the CFA’s broader objectives of “promoting a just, peaceful and comprehensive settlement of the conflict”, the warring parties were to “immediately observe and extend the current military stand-down and to apply it to the Nuba

Mountains to facilitate the negotiation of the cease-fire and the relief and rehabilitation program".<sup>4</sup> It further reaffirmed the parties' will to negotiate an internationally monitored cease-fire agreement supervised by a JMC, including third-party participation.<sup>5</sup>

More specifically, the principles of the cease-fire include the guarantee of free movement of civilians and goods, including humanitarian assistance, through the Nuba Mountains. It also entails the cessation of:

- ▲ Hostilities, military movements including reconnaissance and reinforcements, as well as hostile actions;
- ▲ All attacks by air or land, as well as acts of sabotage and the laying of mines;
- ▲ Attempts to occupy new ground positions and movements of troops and resources from one location to another for reasons other than the supply of food, clothing and medical support for military forces in the field;
- ▲ All acts of violence against or other abuse of the civilian population, e.g. summary executions, torture, harassment, arbitrary detention and persecution of civilians on the basis of ethnic origin or political affiliation, incitement of ethnic hatred, arming civilians, use of child soldiers, sexual violence, training of terrorists, genocide, and bombing of the civilian population;
- ▲ Supply of ammunition and weaponry and other war-related stores to the field;
- ▲ All hostile propaganda between parties, including defamatory, untruthful, or derogatory statements, both within and outside the country.<sup>6</sup>

The agreement further implies that "the Parties shall exercise control over all armed groups other than their own forces within their respective zones of control". They will also "promote the culture of peace and respect for civil and political rights and freedoms in those zones" while "the cessation of hostilities shall be regulated and monitored through the Joint Military Commission (JMC)".<sup>7</sup> As indicated above, the CFA has held up surprisingly well so far.

### **The JMC**

The JMC is part of the body supervising the implementation of the CFA, again is indirectly part of a greater Sudanese peace agreement currently being worked on (which is beyond the scope of this article).

The initial key tasks of the JMC can be summarised as follows:

1. Determining the location of combatants as of the effective date of the Agreement.
2. Verifying disengagement of combatants.
3. Monitoring and reporting on the redeployment of combatants from combat positions to defensive positions.
4. Monitoring and reporting on the storage of arms, munitions and equipment.
5. Supervising the mapping and clearance of mines.
6. Inspecting all supplies to both Parties.
7. Approving all flights destined to the Nuba Mountains and assuring notification to the Parties.
8. Coordinating all military movements in the Nuba Mountains.
9. Resolving disputes concerning the implementation of the Agreement, including the investigation of any alleged violation.
10. Facilitating liaison between the Parties for the purposes of the Agreement.<sup>8</sup>

The leadership of the JMC is composed of three representatives from each party to the conflict and an international Chairman with two Vice-Chairmen – the latter three internationals appointed in consultation with the parties. Both the Head of Mission (HoM) of the JMM and Chairman of the JMC is currently, and has been since the start, Brigadier-General J.E. Wilhelmsen from Norway. The JMC comprises a Central JMC, of which the leadership and a support staff are part,<sup>9</sup> as well numerous Local JMCs working in different sectors of the Nuba Mountains.

There are several aspects to the JMC that make it somewhat unique. First of all, it is not mandated by the UN, as most international peace initiatives are today – especially if it involves military troops on the ground. Second, in the absence of a comprehensive peace agreement, the CFA was brokered outside a comprehensive Sudanese peace-making framework. It was actually primarily agreed upon on humanitarian grounds and as a confidence-building measure.

Another special quality about the JMC is its mixed structure. About forty unarmed observers are

"There have been no serious breaches of the agreement and the parties to the conflict and the local population seem fairly content"

currently part of the JMC, where Local JMC teams work in groups of three, consisting of one representative from each of the Sudanese parties and one international staff member from the IMU. According to Brigadier-General Wilhelmsen, the teams exist of monitors who overlook the CFA by patrolling by helicopters, in cars and on foot.<sup>10</sup> And, as the CFA states, “They [the Local JMCs] shall be responsible for observing and reporting to the Sector JMCs on compliance with cease-fire and for resolving disputes concerning the [CFA] in their designated areas of responsibility”.<sup>11</sup>

The JMM/JMC is also supported politically by the so-called Friends of the Nuba Mountains. This is composed of several diplomats based in Khartoum, representing the countries sponsoring the JMM, including numerous European countries, Canada and the USA. This support is meant to lend credibility and leverage to the Nuba cease-fire agreement as well as to the more comprehensive peace process underway in regard to the entire Sudan.

### A Surprising Success?

As alluded to above, the JMM/JMC’s implementation of the CFA is an overall success so far. There have been no serious breaches of the agreement and the parties to the conflict and the local population seem fairly content with the agreement and the general situation.

The fact that the conflict has many parties and several complicating factors, combined with the few resources the JMC has available – including only a

limited number of unarmed personnel – to control a relatively big area, is what makes the success of the JMC unique.

Battle fatigue and stalemate, which might have made the conflict somewhat ripe for settlement, is not to be underestimated. Yet, considering that the war in the Nuba area of Southern Kordofan, located

in south-central Sudan, was sealed off from the outside world and that humanitarian access to SPLM/N-controlled areas of the mountain region was denied for long periods over the last 15 years, few believed an agreement could be signed, let alone held.<sup>12</sup> Despite some tense moments, the January

2002 CFA has survived its first two years.<sup>13</sup>

Although this model might not work elsewhere – not even elsewhere in Sudan – the success of the cease-fire agreement monitored by the JMC in the Nuba Mountains makes it an important test case that deserves further and more detailed attention. Yet, regardless of its overall success, many observers, from the military as well as the civilian side, highlight various problems.

### The Good News ... and the ‘Not so Good’ News

Most people with knowledge or interest in the region maintain that any appraisal must acknowledge the successes of the Nuba CFA. Among these successes, one expert includes:

*... establishment of an international presence in such a politically sensitive area; cessation of hostilities and a reduction in violence; removal of the long-standing humanitarian blockade; and arrest of the alarming decline of the food security situation in SPLM/A-controlled parts of the mountain region.*<sup>14</sup>

He adds that the CFA also

*... brought about the formulation of a novel framework to guide humanitarian and development actors responding to the new conditions. This integrated programme design, the Nuba Mountains Programme Advancing Conflict Transformation (NMPACT), has moved beyond the parameters of the Operation Lifeline Sudan (OLS) tripartite agreement for humanitarian access – between the government, the SPLM/A and the United Nations – by introducing a ‘peace building’ approach and addressing issues across the lines of conflict from both sides.*<sup>15</sup>

Although there have been few breaches of the CFA and the aid community is present in the area, there are still serious ongoing problems. Brigadier-General Wilhelmsen, naturally being more on the military side of the equation, points out that the need for humanitarian assistance is still enormous. He does not hide his frustration, almost helplessness, with the aid community when he says that “Sudan is knowingly one of the poorest countries in the world and that is why it is essential that particularly the aid organisations get on the ball.”

“The success of the cease-fire agreement monitored by the JMC in the Nuba Mountains makes it an important test case”



More specifically, Wilhelmsen expresses immense concern over the slowness of the humanitarian organisations, and says that: “for us in the military – who expect results, fast results on every decision made – it is at times very frustrating to see that the most basic necessities for survival do not reach people who suffer. The way the international community can show that it believes in peace is to help on the humanitarian side.”<sup>16</sup>

With regard to the humanitarian side, a number of actors engaged in the Nuba Mountains have drawn attention to various other shortcomings that could undermine the agreement. These include:

- ▲ Inadequate explanation of the cease-fire to the wider Nuba community throughout Sudan, since the government portrayed it as a peace agreement and the SPLM/A as a humanitarian settlement;
- ▲ Incomplete deployment of military forces in the Nuba Mountains, according to the terms of the agreement;
- ▲ Excessive government-armed police presence (making the local population nervous) and controversial attempts by the JMC to integrate the police from both sides under an ambiguous legal framework;
- ▲ Incidents of civilian harassment and impeded movement;
- ▲ Unclear administrative procedures for civilians in demilitarised zones of separation;

- ▲ Dissatisfaction with the manner in which violations are addressed through the JMC mechanism.<sup>17</sup>

In spite of these legitimate civilian and military concerns, there is one broadly shared criticism – one that appears to underlie many of the above-mentioned shortcomings of the cease-fire agreement. It has to do with the lack of routine and persuasive political oversight by the countries that sponsor the ceasefire agreement, particularly the Friends of the Nuba Mountains arrangement referred to above. Many observers criticise it for being too passive, and not functioning as the necessary political “watchdog” that it is supposed to be. Without applying such leverage, it is hard for the JMC and humanitarian organisations to succeed in such a sensitive environment. Lately, though, with the somewhat positive indications of a comprehensive peace agreement being signed in the near future, the political leverage utilised will likely spill over to and influence the Nuba Mountains region as well.

On the other hand, somewhat complicating matters, is the fact that the region covered by the CFA lies within the disputed zone between northern and southern Sudan, which gives rise to contentious claims over boundaries and national ethnic identities specific to the Nuba people. However, recent discussions and thinking about a comprehensive peace agreement indicate that numerous constitutional arrangements will be established and several borders



demarkated. This would hopefully mean that any cease-fire arrangement, to include the one in the Nuba region, would be rooted and included in a process to bring about an enduring peace in Sudan.

## Conclusion

Before and at the inception of the cease-fire agreement, it appeared to many that the type of issues under contention would seriously undermine any chance of a successful signing and implementation of a CFA in the Nuba Mountains area. Yet, with its unique mission, composition, organisation and structure, the JMC, together with other involved elements, has been able to implement the CFA in quite a remarkable manner.

By actively including both sides as well as international monitors in the implementation, combined with a relatively straightforward agreement, the parties to the conflict have most likely felt a strong sense of control and ownership in a process they both – including local militias – agreed to be part of. Hence, few breaches have occurred, humanitarian aid is, albeit slowly, being brought in, mines are being cleared, and it looks as if the agreement can be part of an overall Sudanese peace agreement in the near future.

Although not yet clear, there are strong indications that the UN will soon be involved in a more comprehensive manner in the peace process in Sudan, if not even take over the process and implementation entirely. Regardless of the UN's future involvement, and independently of what will happen to the Nuba CFA and its implementation in the

future, the JMC efforts have proven that it might be possible to achieve a lot with a limited mandate and few resources. Maybe it was the timely luck of “ripeness”? Or perhaps it was the provision of ownership of the process to the parties? What we do know is the simple fact that it worked quite well, and that it thus might be possible to apply such an approach elsewhere. As alluded to above, each conflict is unique, and hence necessitates its own approach. Yet, if exercised with caution, in applying the right lessons from the Nuba experience, there should be few logical arguments to stop the world community from trying it elsewhere. 🗣️

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## Endnotes

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BY OGHOGHO EDMONYI

PEACEBUILDING

# Rwanda

## The importance of local ownership of the post-conflict reconstruction process

In the post-Cold War era, with its characteristic proliferation of civil wars and intra-state conflicts, the erstwhile application of post-conflict reconstruction has become antiquated. The contemporary nature of wars now demands more holistic and innovative approaches to reconstruction efforts, beyond rebuilding physical infrastructure, to strengthening institutional and social infrastructures in areas where they already exist or fostering an enabling environment for their creation in more extreme cases.

Defined in broad terms, post-conflict reconstruction entails those exercises undertaken after hostilities have ceased in order to facilitate the transition to sustainable peace and to put a country back on the path of institutional functionality, macro-economic stability and development. Post-conflict reconstruction goes beyond ensuring that humanitarian aid is delivered, security is stabilised, elections are held and “democracy” is off to a start.

In fact, it is my argument here that these events only mark the beginning of the process. A successful post-conflict rebuilding project is one which sets effective foundations for democracy, economic prosperity, peace and justice to take root in societies in transition. It is crucial for long-term sustainability that the reconstruction effort is locally conceived of and led. The impact of international responses to reconstruction represents a dynamic factor in the process, due to the sheer number of agencies with varying agendas and capacities involved in individual situations, which has often had negative consequences for successful implementation. Furthermore, the pattern of international funding of reconstruction also represents a phenomenon with ambiguous consequences that potentially can complicate any rational planning process within nascent governments that have a limited capacity at the best of times.<sup>1</sup>

Each post-conflict society is unique in its needs



and thus the reconstruction project must be tailored accordingly. Nonetheless, there are some overriding characteristics which mandate certain necessary steps. These include the following factors:

- ▲ Security is often not a constant. Guaranteeing security is a more elusive target since an atmosphere of security is a long-term project that improves as progress is made on a number of other socio-economic factors such as the effecting of justice, reconciliation, and reintegration of ex-combatants. The transition to peace is often characterised by insecurity, uncertainty, and repeated cycles of violence. However, this is a very crucial first step because it is only in a secure environment that the next sequence of events can take place.
- ▲ Economic distortions and skewed income distribution are often widespread as a result of a number of factors such as international sanctions imposed on the particular country, perhaps as a means to coerce a cease-fire, and rent-seeking behaviours in the distribution of resources during the conflict such as in Sierra Leone, Liberia and the Democratic Republic of the Congo.

- ▲ Human capital for reconstruction tasks is scarce or contentious.
- ▲ Societies and their populations are highly traumatised and militarised due to the fact that victims and perpetrators are often undistinguishable. This creates an environment of potential violence, distrust and insecurity.
- ▲ Conflict is cyclical; many African countries have returned to conflict after unsuccessful attempts at reconstruction, which makes it necessary to take into account in any peace-building attempt the dynamics of the conflict, that is, the characteristics of victims, warring factions, perpetrators, and the inequities and schisms that lead to a build-up of tensions and the escalation into conflict.

Rwanda as a country in transition once had all of the above-mentioned characteristics. It emerged from the 1994 genocide with a highly militarised, traumatised and displaced populace and very few intellectuals or professionals to partake in the reconstruction of its country. It has been nine years since the events that cumulated in the systematic killings of some one million Tutsis and moderate Hutus in one of the worst genocidal campaigns of

the century. Rwanda has managed to pull itself up again by its own bootstraps; provided a bold vision for reconstruction and development, re-established peace and security; and put in place mechanisms for effective governance that ensure inclusive and participatory policies at all levels. Although Rwanda, like most post-conflict societies emerging from devastating conflict with all its challenges, has the usual buzz of international workers, donors, and aid agencies, the framework of the reconstruction effort has largely been government-induced and community-led. The various instruments that have been formulated to achieve the above goals include:

- ▲ The Unity and Reconciliation Commission enacted in March 1999 to undertake the task of fostering dialogue on the historical dimensions and causes of the conflict with the aim of promoting unity among the people of Rwanda and utilising the materials gathered for educational purposes.
- ▲ The Legal and Constitutional Commission established to consult with the population at all levels of society to propose the constitutional arrangements for a democratic society, thereby empowering people in the democratic process as a result.
- ▲ The creation of Gacaca jurisdictions to utilise traditional methods of justice (Gacaca) to clear the bulk of the cases of genocide suspects, sow the seeds for the restoration of peace and unity, and reintegrate perpetrators into society. This involves community-based councils adjudicating cases that provide punitive measures for those convicted and allows them to spend a portion of their sentence performing community service tasks. Gacaca works on four levels – cell, sector, district and provincial – dealing with crimes ranging from property abuse to rape, but stopping short of the cases of the political leadership behind the killing, which are handled by the National courts.
- ▲ A Poverty Reduction Strategy that has three main programmes: governance; rural economic transformation and labour-intensive public works; and decentralisation through the common development fund (CDF). This forms an instructive basis for Rwanda's current macro-economic plan, which has a very strong bottom-up approach to ensure grass-roots poverty alleviation initiatives such as *Ubudehe*.<sup>2</sup> One of the amazing fruits that



have already been borne out of this strategy is the Butare pilot, run by the Ministry of Local Government and Social Affairs to facilitate decentralisation and community-level development processes. In the Butare pilot, communities prioritise the areas they desire to put their own resources and energy into resolving, after which they develop a community-level action plan to address these issues. This plan forms the basis of discussion for developing a solution by the community, complemented by the appropriate technical and scientific knowledge to help find the most appropriate solutions. These exercises so far have identified pressing issues such as soil fertility and health. The Ministry of Local Government and Social Affairs, in collaboration with other related ministries, plans to develop response packages of information that will help communities finalise their action plans and implement them. This is a good instance of empowering communities to act collectively for the benefit of economic development as part of post-conflict reconstruction.

“It has been nine years since the events that cumulated in the systematic killings of some one million Tutsis and moderate Hutus”

For the people of Rwanda, building a sustainable peace is defined in similar terms to other post-conflict societies: re-building a political framework,

including a revision of the constitution; ensuring a working social contract; resettling refugees and displaced persons; disarmament, demobilisation and reintegration of ex-combatants, and ensuring economic redress. However, the most important element for Rwandans is the “never again” element enshrined in the attempts to rebuild society. Rwandans place a strong emphasis on breaking away from the destructive and divisive ideology of the past that pitted one group against the other. In addition, there is an element of denial that in some cases is curiously flagged by a rationalisation of why identity was delineated as such and preferential treatment accorded to one group at the expense of the others. In the same vein, denial manifests itself in some Rwandans’ apparent ignorance of past events, ideologies that ran counter to the national spirit. Thus, much like the South African healing process, the Rwandan efforts at rebuilding are heavily geared towards acknowledgement, discussion, and cohabitation of truth in order to understand past events and prevent their recurrence. It is important to note the significance of this dynamic;

“Rwandans place a strong emphasis on breaking away from the destructive and divisive ideology of the past that pitted one group against the other

these are not goals that could be achieved simply by signing a peace accord or by forming a representative government, symbolic and crucial as these may be. The real milestones begin with the implementation stage, whereby every individual is made to count, understanding the meaning and workings of the ideals that have been set forth. The culmination of this occurs when individuals,

communities and the nation at large is able to live by and embody the principles in the documents that the warring factions signed.

The aim of the Gacaca system is twofold: to involve the community in establishing the truth, promoting reconciliation in the process; and to speed up trials and decongest the prisons. It is certainly doing the latter, as earlier this year thousands of prisoners were released by a presidential decree to go back to their communities to be categorised and face justice in their communities. The prisoners released were mostly the old and sick, those who by virtue of being in prison for some eight years may have served the appropriate term for

their crime, and the young. This also constituted an act of effective leadership, demonstrating necessary compromise, on the part of the government, and a promotion of the need for the eventual reintegration of perpetrators into their communities. Even this action did not unleash the social turmoil that the doomsday prophets spoke of. Moreover, the categories of persons most affected by the process – the prisoners, the survivors, and all Rwandan communities – seem to largely favour and support Gacaca. At the very least, the Gacaca law contains a politically and astutely designed set of incentives to encourage popular participation, social cohesion and acceptance. The confessions procedure, with its requirement for complete confession, including the names of all people involved in the crime, is already setting in motion an avalanche of confessions, including the implication of other people, which is likely to lead to significant debates as people seek to explain themselves, implicate others, contextualise events, and so on. Hence the Gacaca procedure promises to produce more truth than the formal justice system has so far managed to do. In addition, the confessions procedure and the community service commutation option bring significant reductions in the length of prison sentences, even for those found guilty. As a result, many people should be able to finally rejoin their families and participate in the reconstruction of their communities.

Gacaca holds untold potential for solving the problem of slow judicial practice and for creating significant benefits in terms of truth, reconciliation, and even community and individual empowerment. Communities turn out in great numbers to witness proceedings and are quite co-operative in participating as members of the general assembly. Gacaca may not be able to satisfy international standards of justice, but it will bring catharsis to the victims of the genocide, as accusers face the accused and torturers the tortured. The main challenge to Gacaca, other than financial and socio-economic factors, could be the absence of formal trauma counselling for the judges and members of the general assembly. However, this is hardly financially feasible at the moment and perhaps redundant by virtue of the main tenets of a system like Gacaca: a chance for communities to heal themselves by speaking openly and honestly about past demons. It could very well mean a thorough exorcism of hate politics because everyone has to confront the evil it

has caused.

In the 20th century's landmark Nuremberg trials, Nazi leaders were prosecuted for the systematic murder of millions of Jews. However, forged out of the rubble of World War II, the trials were a distant affair to many of those struggling to rebuild their lives and communities. In contrast, Rwandans are choosing to honour their healing process. Long-term stability might well result. As the *Inyagamugayos*<sup>3</sup> of a cell Gacaca in Kigali Province noted, Gacaca has created a forum for people to come together on a constant basis; to feel part of the same system and to build a future together. They only hope that every effort to assist Rwanda in exorcising its demons could be harmonised in their processes to attain peace and justice, i.e. Gacaca, the Supreme Court and the International Criminal Tribunal for Rwanda, based in Arusha, Tanzania.

At this juncture, it is too early to say how well the country will fare. Nonetheless, there are more obvious successes and opportunities, as the window for change is shrinking, such as the adoption of the new constitution in July 2003 and the conducting of elections in September 2003. More recently, there was also a symbolic gesture of reconciliation from rebel commander Paul Rwarakabije,<sup>4</sup> returning from the eastern DRC, who says that his decision to return to Kigali was based on a desire to further his goals and the interests of his constituency by working within the newly elected government. This is a development that no doubt will ease the return of more refugees and militants to join in the rebuilding of their country.

In the same vein, there are some challenges that have to be addressed if Rwanda is to succeed and sustain its post-conflict reconstruction. These include regional peace and security in the Great Lakes; especially in the DRC, northern Uganda and Burundi; poverty alleviation and economic rehabilitation; the challenges of restorative vs. retributive justice; the role of the international community, especially through the work of the ICTR; better co-ordination between the ICTR and peace-building and judicial process within Rwanda; and the continued denial of responsibility by certain incumbent groups such as ex-government officials and ex-FAR (Rwandan Armed Forces) militias still at large.

Among outside viewers, there are concerns for the stability of the reconstruction process as the revolutionary methods of Gacaca continue, as well as concerns for the protection of the rights of individuals

within their communities. Nonetheless Rwanda, much like its counterpart, South Africa, has a formula for success as long as it continues to have a united, committed, disciplined and driven leadership to remind the Rwandan people of their achievements and continuously energise them in dealing with the challenges that still abound.

Rwanda continues to see the fruits of opting for a locally conceived and driven post-conflict reconstruction framework as the priorities of its poor government are the priorities identified by the people and the sense of security from retaliation, both internal and external, as well as recourse to violence are continuously strengthened within a relatively volatile Great Lakes region. Consensus building, coupled with social delivery and a constant redefinition and revisiting of the social contract between the government and its people, and among citizens as well, will ensure that no one is marginalised in the process, and grievances and greed are sufficiently channelled through the appropriate institutions, as the outbreak of conflict is a clear indication of the breakdown of social cohesion in a society. ▲

“Gacaca may not be able to satisfy international standards of justice, but it will bring catharsis to the victims of the genocide, as accusers face the accused and torturers the tortured”

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## Endnotes

- 1 S. Holtzman, *Post-Conflict Reconstruction*, Social Policy and Resettlement Division, Environment Development Work in Progress.
- 2 *Ubudehe* is a local initiative that invests in community-led programmes geared towards encouraging local entrepreneurs, farmers and the like to be proactive in their economic empowerment by identifying point of emphasis and priority for investment.
- 3 *Inyagamugay*'s is a Kinyarwanda word for “honest persons”, and it used in this context to mean the judges who serve in groups of twelve and are elected from among the men and women over 18 years of age who are not incriminated in the genocide, have good standing in the communities and do not hold any political office.
- 4 Rebel commander Paul Rwarakabije returned with 103 fighters of his movement, the Democratic Liberation Forces of Rwanda, which had been based in eastern Congo for nine years. It was established following the flight of Hutu extremists to the Congo after the 1994 genocide in Rwanda. See [www.allafrica.com/stories/200311180406.html](http://www.allafrica.com/stories/200311180406.html).



COMMENTARY

BY MWALIMU NGWANE

# civil-military relations:

## the military and African politics

**T**he reasons for military interventions (militocracy) in Africa are as varied as they are complex. They range from personal grievances to the political and economic kleptocracy of civilian regimes. In a struggle to cope with this predicament between the devil of tyranny (as in one-party systems) and the deep sea of anarchy (as in multiparty systems) military rule has often been invoked. The balance sheet has largely been negative, with very few being benign, that is serving the interests of the people whether in a short or long political life span.

### **Soldiers as Power-Mongers**

The 1960 civilian leadership in Africa was basically pan-African to the extent that some failed to cover

enough ground in their own national territories. This gave leeway to soldiers as power-mongers. Among the prominent military take-overs in the 1960s were those in Congo (Kinshasa) in November 1965 by Colonel Joseph Désiré Mobutu, and in the same year in Algeria by Colonel Houari Boummedienne; in Nigeria in January 1966 by Major Nzeogwu followed later by a counter-coup by Major-General Johnson Aguiyi-Ironsi; a month later in Ghana by Colonel Kwasi Amankwaah Afrifa; in Togo in January 1967 by Lieutenant Colonel Etienne Gnassingbe Eyadema; in Mali in 1968 by Lieutenant Moussa Traore; and in Libya in September 1969 by Colonel Muammar Ghaddafi.

The symbol of benign militocracy in this epoch is Muammar Ghaddafi. He, with a small group of unknown young officers, overthrew the monarchy

of King Idris I to establish a participatory democracy based on people's congresses and committees. Still the leader of Libya today, Ghaddafi has succeeded in wresting power from the former colonialists by exploiting Libyan wealth and putting it at the disposal of the citizens. The results are for anyone (not wearing neo-colonial blinkers) to see.

### Soldiers as Power-Brokers

The 1970–1980 civilian leadership in Africa was basically nationalist to the extent that it wanted to have a tyrannical grip on every facet of national life. Torn between the exigencies of “under the tree” rule and the pressures of Cold War politics, the leadership opened avenues for soldiers to step in as power-brokers. Prominent among the military coups in the 1970s were the experiences in Uganda in 1971 by Idi Amin Dada; in Ethiopia in 1974 by Colonel Mengistu Haile Mariam; in Nigeria in July 1975 by General Muhammad Murtala; and in Ghana in 1979 by Flight-Lieutenant Jerry Rawlings. The most benign of these take-overs was that of Muhammad Murtala. General Murtala's eight-month government gained a reputation for integrity and commitment to radical change and was welcomed by most Nigerians.

In the 1980s, there were take-overs in Liberia in April 1980 by Master-Sergeant Samuel K. Doe; in Ghana in 1981 once again by Rawlings; in Nigeria in 1983 by Major-General Muhammad Buhari, and in 1986 by General Ibrahim Babaginda; in Burkina Faso in 1983 by Captain Thomas Sankara; in Guinea in 1984 by Colonel Lansana Conte; and in the same year in Uganda by Yoweri Museveni.

The most spectacular of military rules in the 1980s was that of Captain Thomas Sankara. He instituted a nation in which all citizens participated in its development and brought the masses into political and economic decision-making. He lasted in power only four years.

### Soldiers as Power-Sharers

In spite of some of the positive records of military rule, it has been observed that the military should stick to their legitimate places in the barracks. They should return to their roles as protectors of state security, not as custodians of political power. The people of Africa saw the one-party tyranny as a front

for militocracy, and the only way the military could be excluded was through national constitutional reforms. The 1990s were therefore years of national debate. That debate was to provide Africa with a democratic system which would enable it to aspire to a stable political and economic future. Unfortunately most African leaders refused to budge and where they did, it was for political convenience not conviction, and so the military rode on.

The 1990–2000 civilian leadership in Africa is basically globalist to the extent that it has yielded its power to international donors. The masses have watched how their independence gains have been pillaged by the ‘axis of economic evil’ (the International Monetary Fund, World Bank, and World Trade Organization); they have watched with pain their republican institutions turned into burdens of monarchy; they have watched in distress how their humble leaders have transformed themselves into demi-gods. The social democracy that the masses were advocating has become so neo-liberal that the only (dis)credit one can give multipartyism is having expanded both the economic and political space for a simpering elite (across the political divide). This simpering elite thrives on election manipulation, social exclusion and brazen corruption. If the masses were helpless the soldiers thought they still could make a contribution to national life.

Prominent among the military coups in the 1990s were Mali's 1991 coup by Ahmadou Toumani Toure; Nigeria's 1993 coup by General Sani Abacha; the 1997 coup in Zaire (now the Democratic Republic of the Congo) by Laurent Désiré Kabila; and Sierra Leone's series of coups embodied by Foday Sankoh. The most benign of these was Ahmadou Toumani Toure who took power, installed a national conference, and the following year left the scene for civilian rule. That he came back in 2001 as elected leader is proof of his charisma and political vision.

### Soldiers as Statesmen

Africa has tried both the single party (where there

“In spite of some of the positive records of military rule, it has been observed that the military should stick to their legitimate places in the barracks”



AFP

was discipline without democracy) and multi-party system (where there is liberalisation without discipline) but the military seldom remained in the barracks. National debates were deferred until the late 1990s. In 1999, Ghaddafi – who thought the gains African countries had made during independence had all been lost back to the colonialists – called for continental debate. One of the main things to come out of Sirte was the transformation of the

Organisation of African Unity into the African Union. Among the 33 articles that were adopted in the African Union Treaty was Article 30: “Governments which shall come to power through unconstitutional means shall not be allowed to participate in the activities of the Union.” Was the word ‘unconstitutional’ to mean just coming to power by the bullet?

In spite of this resolution, the wave of military coups continues even in twenty-first century Africa. The early years of the new century saw coups from Robert Guei followed by Guillaume Soro in Côte d’Ivoire, from François Bozize in Central African Republic, from Sekou Damateh Conneh in Liberia (although the transition is now manned by a civilian businessman, Gyude Bryant), and General Verissimo Correia Seabra in Guinea Bissau, with a transition also manned by a civilian businessman.

From the utterances of these coup leaders, there seems to be a return to benign militocracy. The coup leaders are all establishing a short-term transition during which there will be a national debate, national catharsis and national reconciliation. Strangely, the coup leaders are enjoying maximum co-operation not only from their citizens, but recognition and support as well from regional bodies in the continent. The central African organ, CEMAC, gave Bozize the red-carpet treatment after he ousted elected leader Ange Patasse, who sought political asylum first in Cameroon and then in Togo. The West African organ, ECOWAS, yielded to rebel pressure and presided over the departure of

democratically elected leader Charles Taylor from Liberia. Taylor has now found asylum in Nigeria. ECOWAS also negotiated the smooth resignation from power by Kumba Yala in Guinea-Bissau to make way for a rebel-led agenda.

In the 1960s–1980s, coups were quickly and decisively condemned, but what is happening today that ‘young Turks’ are given more prominence than opposition leaders? Is the African Union holding the tenets of the African Peer Review Mechanism more to its chest than Article 30 of its treaty? Should we not now agree with Antonio de Figueredo, Basil Davidson, Claude Ake, Thandika Mkandawire, Adebayo Olukoshi, Samir Amin, Kwesi Prah, Micere Mugo and other African revisionist scholars that Africa’s real political and development problem lies in copying the wrong borrowed Western models?

In presiding over transition periods, the twenty-first century military must move from being benign soldiers to visionary statesmen. Transition periods are not only meant to establish civilian election calendars. They are avenues to re-examine and reconsider our models of democracy and development, which so far have served Western countries and their African lackeys in power. Transition governments have the advantage of practising consensual democracy (no party ideology) and proposing home development models. So what works for a transitional government can work for a permanent government.

Finally, militocracy, whether benign or malign, has no legal binding; it is not the people’s best choice, but as long as democratic avenues are gagged by truncated elections and constitutional panel-beating, and as long as civilian leadership in Africa is by grotesque routine instead of by grandiose reform, the military will remain the people’s hidden choice.

Militocracy, whether benign or malign, is a dangerous trend but as long as the weak civil society is pauperised and emasculated by civilian (mis)rule, the masses will be tempted to yield their voices to benign militocracy in the hope that the bloodless bullet will silence the fraudulent ballot and bring to national debate, the unanswered questions of what independence, democracy, citizenship, justice, and economic empowerment mean to the people of Africa. 🗣️

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