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INSIDE

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Two Steps Forward, One Step Back: How the Rising Tide of Ethno-Nationalism is Hindering Ethiopia's Democratic Transition

By Nydia Ponnan

Abstract

Prime Minister Abiy Ahmed came to power after three years of political instability overseen by an authoritarian minority-led coalition which had ruled Ethiopia for the last three decades. Abiy's reformist vision of a unified multi-ethnic Ethiopia is being undermined by deep ethnic cleavages and the politicization of identity which was created by the adoption of an ethno-federalist system in 1995. This article discusses key challenges to Ethiopia's democratic transition. To ensure Ethiopia's political stability, the article recommends that the authorities restore public trust, protect citizens, and show greater restraint when handling unrest.

Introduction

Protests erupted in Ethiopia on June 29, 2020 after Hachalu Hundessa, a popular Oromo singer and anti-government activist, was shot dead in the country's capital, Addis Ababa. The unrest escalated into violent clashes with security forces, widespread rioting, looting, and destruction of property. The week-long violence resulted in the killing of at least 239 people and the detention of over 3,500 people in Addis Ababa and the Oromia region (Meseret, 2020). This is one of the episodes of recurrent ethnically charged

A map showing Ethiopia's federal states as of 2020 (Photo Credit: Wikipedia)

violent upsurges that threaten Ethiopia's transition to democracy.

Prime Minister Abiy Ahmed took over, in 2018, from the minority-led governing collation which had ran the country since 1991. In the last 18 months, he has undertaken a slew of ambitious political and economic reforms from which he has gained praise and admiration, domestically and internationally. However, violent unrests such as the June 29, 2020 and the embedded ethno-nationalist sentiments that underpin unrests have plagued his premiership and imperilled his vision for a stable, unified country based on the values of democracy, rule of law, and justice.

This article discusses how ethnicity and identity politics could potentially derail Ethiopia's transition to democracy. It begins by exploring the key driver of Ethiopia's deep-rooted ethnic cleavages - the ethno-federal system adopted by Ethiopia's previous leadership in 1995. Using literature review, this article then provides a brief overview of the social unrest and the political processes that led to PM Abiy Ahmed's election. It then examines how the escalating levels of unrest linked to growing ethno-nationalist movements have affected Ethiopia's transition under the new prime minister's stewardship. It will also consider whether the government's management

of the ethnic strife risks hampering the country's political stability.

Ethno-Federalism: A Double-Edged Sword

The ethnic conflict in Ethiopia does not stem from random partitions and arbitrary hierarchies imposed on the rest of the continent by the European colonialists. Rather, the ethnic divide in Ethiopia is rooted in the country's system of governance. The Ethiopian People's Revolutionary Democratic Front (EPRDF) came to power after a civil war unseated the Derg regime in 1991. The new government was formed as a coalition of ethno-nationalist armed groups comprising of four organisations namely: the Tigray People's Liberation Front (TPLF), the Amhara National Democratic Movement (ANDM), the Oromo People's Democratic Organisation (OPDO), and the South Ethiopian People's Democratic Front (SEPDF). The EPRDF opted to swap the predecessor's Marxist-Leninist ideology for an ethno-federalist system of governance.

Federalism as an ideology refers to the political power-sharing among autonomous units such as regions or states within an overarching political system (Taye, 2017). Federalism was chosen as a corrective measure, which would address ethnic differences and disparities

by upholding the principle of self-determination while ensuring that socio-economic development was decentralized and achieved through regional oversight (Zimmermann-Steinhart and Bekele, 2012). The system of ethno-federalism, however, had the opposite effect as it enflamed ethnic tensions (Yusuf, 2019).

Ethiopia is Africa's second-most populous country, with over 100 million citizens belonging to over 80 different ethnic groups. The Ethiopian Constitution acknowledged this diversity. The Constitution was built upon four central tenets: right to self-determination; the sovereignty of nations, nationalities, and people; equality; and equity (Zimmermann-Steinhart and Bekele, 2012). The Constitution authorized the establishment of nine self-governing regional states and two city administrations. Each regional state enjoyed cultural and linguistic autonomy, with self-governance extending to the enactment of socio-economic development policies, domestic resource mobilization, and policing within the region (Zimmermann-Steinhart and Bekele, 2012). In an effort to promote good governance, enhance local participation and localize problem solving, each self-governing regional state is afforded legislative, executive, and judicial powers (Yusuf, 2019).

The system of ethnic federalism has yielded dissonant results. It has promoted diversity, by empowering ethnic groups with linguistic and cultural autonomy and has distributed political power and resources through regional self-government. However, by tying ethnicity to territory, ethno-federalism dangerously places ethnicity at the epicenter of the political arena, which can lead to a rise in ethnic tension, secessionist movements or a bloody civil war as seen in the former Yugoslavia (Bieber & Goshu, 2019). In Ethiopia, it has triggered recurring upsurges in violent conflict and on the extreme end of the spectrum, there have been reports of instances of ethnic cleansing (Taye, 2017). The recurrent conflicts are precipitated by a wide array of causes, such as disputed border demarcations and settlements, ownership of grazing land and water resources, access to state resources such as funds, jobs and investments, the marginalization of minorities, and ethnic groupings jostling for control of regions (Yusuf, 2019; Taye, 2017).

The nine regional states - Tigray, Afar, Amhara, Oromia, Somali, Benishangul-Gumuz, Southern Nations Nationalities and People Region (SNNPR), Gambella, and Harari – are named after and drawn upon historical ethnic settlements, but they are not entirely homogenous. The ethnic heterogeneity has sown seeds of division between the majority groups who form part of local leadership and the underrepresented minorities in each region (Yusuf, 2019). Examples of such conflicts are the forcible eviction and displacement of approximately 100,000 Amhara people from their homes by the Oromia regional government (Taye, 2017). In the Amhara regional state, the Qemant have been fighting for autonomy and recognition; in Benishangul-Gumuz, the Berta and Gumuz who together form the regional majority, have been in constant competition for control of the government (Yusuf, 2019). The Guji-Gedeo rivalry for recourses and the persistent conflicts between different pastoralist clans in both the Somali and Afar regions are examples of the consequences of ethno-federalism (Taye, 2017; Yusuf, 2019).

This stratified environment allows the ethnonationalists in each region to galvanize their communities around their shared identity, in turn exacerbating antagonisms towards other ethnicities and also enflaming resentment towards the government (Yusuf, 2019). Resulting in the founding of two anti-government ethnonationalist rebel groups – the Oromo Liberation Front and the Ogaden National Liberation Front, which had regional support, but were too weak to orchestrate a coup. The national government has not only institutionalized division upon ethnic lines but has also played an active role in inciting violence by manipulating animosities between different ethnic groups to garner a result which will be economically or politically beneficial (Taye, 2017). Though the majority of conflicts in Ethiopia are blamed on ethnicity, it seems that the real cause of these chronic conflicts is the federal structure of government which has politicized identity and through the linkage of land and resources to tribal identity has widened the divide between different ethnicities (Taye, 2017).

An End to Ethiopia's Authoritarian Regime

The political unrest began in November 2015, when protests erupted in the Oromia region in opposition to the "Addis Ababa Masterplan" which intended to move administrative authority over parts of the Oromia region to the national government in the capital (Rohwer-Kahlmann & Bula, 2020). Although the plan was scrapped two months later in January 2016, the protests became a recurrent occurrence for the next three years. The protestors demanded political reform, an end to human rights abuses, ethnic marginalization and the repeal of the Anti-Terrorism Proclamation of 2009 which defines

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terrorism in overly broad terms and gives justification to the indiscriminate arrest and detention of journalists and political opposition leaders.

The protests quickly spread to the Amhara region, where they were ignited by the attempted arrest of Colonel Demeka Zewdu, a leader of the Wolqait Self Determination Committee, and an advocate for the reunification of Wolqait into the Amhara region, on alleged terrorism charges (Kagari, 2016). In 1991, Wolqait was removed from the administrative control of the Amhara region and became a district of Tigray. The protestors were met with a heavy-handed governmental response, the Ethiopian special forces used tear gas and, in many instances, excessive and lethal force to disburse the crowds. In Bahir Dar, the capital state of the Amhara region, protestors were met with gunfire, resulting in the deaths of at least 30 people, including a seven-year-old (Sandner, 2016). In October 2016, approximately 55 festivalgoers were trampled to death during an Oromo religious festival, after security forces fired tear gas and live rounds into the crowd causing a stampede (Kagari, 2016). The Ethiopian government denied any misconduct, rather they alleged that protestors were conducting illegal activities under the guise of protest action (Sandner, 2016). They claimed that public property had been damaged and that a grenade was thrown at the security forces, who then took the appropriate measures to restore order (Sandner, 2016). The rising tide of political oppression played a role in quelling longstanding animosities between the Oromo and Amhara, at least for the time being. Demonstrators in the Amhara region held up protest signs with a picture of an imprisoned Oromo leader as a sign of solidarity between the two ethnic groups (Sandner, 2016).

Amnesty International estimated that over 800 lives were lost at the hands of the Ethiopian security forces within the first year of political unrest, with the majority loss of life occurring in the Oromia and Amhara regions (Kagari, 2016). The majority of protestors were from the Oromo ethnic group, as they constitute 40 percent of the country's population but exercise little in terms of political power due to lack of representation at the governmental level (Mwakideu, 2016). For example, Amharic was chosen as the national language despite Afaan Oromoo being the most widely spoken language in the country (Sandner, 2016).

Since 1991, the national government has been headed by the TPLF, which was the strongest party in both houses of parliament. As such, the decision-making power was concentrated in the hands of a small ethnic minority, the Tigrayans, who controlled the country, the economy, and the military (Wanjiru, 2016). The TPLF spearheaded the Addis Ababa Masterplan which would redraw regional boundaries to expand Addis Ababa's control over the Oromia farmland which triggered the protests. In order to maintain their position as the ruling elite, the TPLF and PM Desalegn violently quashed the political demonstrations and then declared them illegal.

In October 2016, the national government declared a state of emergency under the pretence of restoring peace to the country. A 12-hour curfew was instated in certain areas, diplomats were not allowed to travel more than 40 kilometres outside the capital, and more than 11,000 people were arrested (Wanjiru, 2016). The government placed severe restrictions on media freedoms. Most private print companies were barred from operating and those that were allowed to function could only print sports news. Access to mobile data was blocked for weeks and the government delimited the use of social media platforms and used their anti-terrorism legislation to deem activity coming from political organizations or activists as terrorism or criminal (Wanjiru, 2016). The government used the same anti-terrorism rhetoric to ban political parties from giving statements to the press and prohibited Ethiopians from watching satellite television (Wanjiru, 2016). The regime's state of emergency overreach was viewed by anti-government activists as a tactic to suppress the growing calls for reform in the Oromo and Amhara and to quash the movement from spreading to other regions (Mwakideu, 2016).

After 10 months, the state of emergency was lifted in August 2017. As a reconciliatory measure, the national government agreed to release over 7,000 prisoners in January 2018. But, for many Ethiopians, this was seen as too little too late and the political unrest continued, resulting in PM Hailemariam Desalegn's unexpected resignation in February 2018. In his public address,
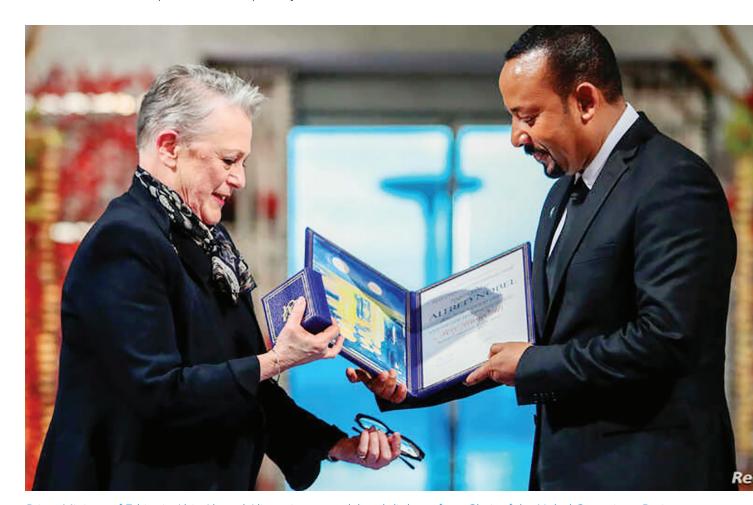
Desalegn recognized that the political crisis had caused the largescale loss of life and displacement. He acknowledged that his resignation was "vital in the bid to carry out reforms that would lead to sustainable peace and democracy" (Al Jazeera, 2018). The national government imposed another state of emergency immediately following Desalegn's resignation. After two months, the governing coalition replaced Desalegn with Abiy Ahmed, a young Oromo reformist.

Ethiopia's Precarious Democratic Transition

Since his historical ascendance to the premiership as the first Oromo leader, Abiy Ahmed lifted the state of emergency and started undertaking political reforms at light speed. Within the first few months in office, the PM had ordered the release of thousands of political prisoners, including the opposition leader Andargarchew Tsege, exiled anti-government groups were allowed to return, the media restrictions were finally lifted and a half of all ministerial posts were occupied by women

(BBC, 2019). Under Ahmed's instruction, the Attorney General undertook an extensive investigation into his predecessor's government. The investigation unearthed that the security police had held detainees in secret prisons, where they perpetrated egregious human rights abuses. The inquiry led to the arrest of 63 people on charges of corruption and human rights violations (MacKenzie, 2019). Ahmed ended the two-decades-long 'frozen war' between Ethiopia and Eritrea by signing a peace-agreement, thereby ending the territorial dispute between the two countries (BBC, 2019). This momentous peace-deal and the normalizing of relations between the two neighboring countries ended up winning the new PM a Nobel Peace Prize. For many Ethiopians and international onlookers, Ahmed's implementation of political reforms sparked optimism and marked a total turnaround from the national governments' authoritarian policies and practices of just one year prior.

Under Ahmed's stewardship, the government has made progress in the political and economic arena but, it has struggled to remedy the entrenched ethnic discord.

Prime Minister of Ethiopia Abiy Ahmed Ali receives a medal and diploma from Chair of the Nobel Committee Berit Reiss-Andersen during Nobel Peace Prize awarding ceremony in Oslo City Hall, Norway, Dec. 10, 2019 (Photo Credit: Reuters/VOA)

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His contemporaries within the governing coalition and many Ethiopians remained optimistic and held steadfast in the belief that change would take time and would require patience (Al Jazeera, 2018). However, after one year in office, confidence in Abiy's message of peace, unity and pan-Ethiopianism started waning and divisive ethnonationalist sentiment reared its head. The acme of Ethiopia's political instability occurred in June 2019, when Asamnew Tsige, Amhara's former security chief headed a military coup in the Amhara region which resulted in the deaths of several top military officials and the apprehension and detention of over 250 members of the National Amhara Movement (Gerth-Niculescu, 2019). The attempted military overthrow was considered to be a reaction to Abiy's push for political reform.

The country's ethno-nationalist political system underwent colossal transformation at the tail end of 2019. Ethiopia's ethnic-based ruling coalition the EPRDF was disbanded and reconstituted as the Prosperity Party (PP). Since the 1991 revolution, the EPRDF has ruled as an alliance of the four major ethnic groups in Ethiopia, however the TPLF had been at the helm as the decision-maker for the last three decades and pursued policies that served to benefit a small Tigrayan minority. The new PM attempted to restore the EPRDF's reputation with a host of political reforms but was unable to repair the damage of the last 30 years. He realized that the only way to garner real change would be through a changing of the old guard. Abiy's new political party was comprised of all the former EPRDF parties with the notable exception of the TPLF, in addition to five new allied parties representing other ethnic groups and regions. The creation of the PP signaled a departure from ethnocentric politics as the eight ethnic-based parties chose to dissolve and merge into one multi-ethnic pan-Ethiopian party.

The formation of a new national party was met with conflicting feelings. For some, the PP represented a step towards national unity and social cohesion (Allo, 2019). For others, like the TPLF, who couple ethnicity with political representation, a national unified party signalled a marginalisation of their political interests. Many others

strongly believe in the importance of preserving ethnic heterogeneity while still belonging to the larger Ethiopian society. In the last thirty years, ethno-federalism has promoted cultural, religious, and linguistic heterogeneity among the different ethnic groups. Without external interference, this form of self-governance is considered central to preserving their identity and character (Allo, 2019). For the proponents of ethnic autonomy, a unitary party represents a regression in cultural and political freedoms. In response, Abiy has assured the Ethiopian people that he is a supporter of the federal system and that the PP will not try to centralise powers or homogenise the country.

Ethiopia's general election which had been scheduled for August 2020 would have been the first test for Abiy's pan-Ethiopian party. However, the elections have been postponed due to the outbreak of the Coronavirus pandemic. Opposition leaders have condemned the decision to extend the PM's term in office by over a year and are unwavering in their view that the postponement of elections is a regression in democratic gains and that the Prosperity Party would lose its legitimacy if elections are not held this year (Zelalem, 2020). Bekele Gerba, the Deputy Leader of the Oromo Federalist Congress, has called for the formation of a constitutionally mandated coalition government after October 10, 2020 (Zelalem, 2020). Similarly, the Balderas opposition party instructed its supporters to protest if the government was not dissolved. The Tigrayan leadership withdrew their representatives from both the houses of parliament in response to the postponement of the election.

The TPLF antagonized the federal government by holding regional elections on the September 9, 2020 as an overt act of defiance. The Tigrayan leadership has insisted that it would not surrender to the mercies of a "dictatorial clique" in Addis Ababa and that if the government attempted to suppress the election in any way, they would treat it as a "declaration of war" (Zelalem, 2020; Marks, 2020). The TPLF obtained a resounding 98.5 percent of the 190 seats on the Tigray Regional Council and was declared the winner of the regional election (Getachew,

2020). The TPLF and other factions within the region now view Tigray as a "de facto state" and are adamant that their ultimate objective is total autonomy which can only be gained by seceding from Ethiopia (Getachew, 2020). The TPLF has used the regional elections to gain back political control after voting against the establishment of Abiy's PP and having been deposed from national leadership after heading the national coalition for the last thirty years.

The Prime Minister dismissed the vote as a 'shanty election' and vowed to retaliate militarily or through decreased financial budgets. Before the election, the House of Federation passed a resolution that declared the regional elections unconstitutional thereby deeming the result null and void. In response to the unsanctioned election, the upper chamber of parliament voted to sever ties with the Tigray state assembly and the highest executive body in early October. The federal government assured Tigrayans that this split was not all-encompassing and that they would still work with local institutions to provide basic services. The mutual disdain could further escalate tensions between the federal government and the Tigrayan leaders, increasing the likelihood of military action or even a civil war.

Despite PM Abiy's efforts to quell ethnic tensions through the establishment of a multi-ethnic political party and attempt to mend relations between the Oromo and Somali groups and encouraging the return of the displaced Gedeos, there has yet again been an upsurge in ethnic strife this year. The murder of popular Oromo singer and political activist, Hachalu Hundessa, in June 2020 sparked widespread protests around the capital and in the Oromia region which descended into rioting, looting, and destruction of property which resulted in the deaths of over 239 people (Gedamu, 2020). Following Hundessa's death, the TPLF in conjunction with ethno-nationalist Oromo groups started pointing the finger at entire ethnic communities and the federal government. Thereby escalating the already palpable levels of ethnic tension, which prompted this latest upsurge in intercommunal violence.

In response to the violence, the government shut down the internet citing its use in the spread of violence to other regions. In 2019, the internet was shut down eight times during times of public protest. Internet blackouts have been frequently used by authoritarian governments, specifically in Africa to silence dissent and stop the spread of negative information but the Ethiopian government has insisted that shutting down internet access was not an attempt to curtail press freedoms but an issue of national security. Abiy went so far as to say that the internet is not essential and that he would shut it down forever if it continued to be used to incite violence (HRW, 2020b). In January 2020, the Ethiopian authorities introduced a new hate speech and disinformation law, which contains intentionally vague terms and can be misused by authorities to curtail free speech and justify internet blackouts (HRW, 2020b). The government uses internet shutdowns and the adoption of this new law signals a worrying rollback into the authoritarian territory.

PM Abiy alleged that the killing of Hundessa and the violence that followed was an attempted plot to incite a civil war and that those involved in this plot would be held accountable (Al Jazeera, 2020). Several political leaders were arrested following the violent clashes, most notably Bekele Gerba (Oromo opposition leader) and Jawar Mohammed (former director and founder of the Oromia Media Network and now leader of the Oromo Federalist Congress). The media network was also raided, some journalists detained, and some Facebook posts were removed by Facebook for inciting violence (Gedamu, 2020b). After the opposition leaders were arrested and detained, many of their supporters took to the streets calling for their release. The protests in Oromia and the capital ended in violent clashes with the security police, resulting in the loss of 89 lives and many more being seriously injured (HRW, 2020).

This is not the first time that protestors mobilized in support of Jawar Mohammed. In 2019, more than 1,000 demonstrators surrounded Mohammed's home after he posted on social media that the government was conspiring to have him assassinated, as they tried to remove his security detail in the middle of the night, during a time of growing unrest; the police denied this claim. The protests spread to several towns in the Oromia and Harari regions, where violent mobs of different ethnic groups were attacking protestors, looting property and burning shops. In Dodola, a predominantly Oromo town,

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Jawar Mohammed (center), an Ethiopian-born American political analyst and activist, addresses supporters outside his home in Addis Ababa in October 2019.

violent clashes broke out between Oromo protestors and Amhara residents and continued for more than 24 hours, many victims were shot or beaten for their ethnic or religious affiliation. Once again, the security forces failed to de-escalate the situation. Security forces used tear gas and fired indiscriminately at the protestors. Almost 100 people were killed in the aftermath (HWR, 2020). The government responded by arresting 400 people and established a committee to investigate further.

Jawar Mohammed is also of Oromo ethnicity and once was Abiy's ally and supporter but soon became a vocal critic after Abiy expressed his vision of a multi-ethnic future for Ethiopia. These anti-Abiy sentiments have spread through the Oromo community and are particularly prevalent among young men known as *Qeerroo* (meaning bachelor in Oromo) who feel responsible for bringing Abiy to power. Many of whom were tortured, jailed, or watched their friends die in the uprisings preceding Abiy's appointment are now feeling disenfranchised by the pace of change. Abiy's many reforms have heightened Oromo expectations of what their position would be and how they will benefit from these changes. Oromos are emboldened by Abiy's position as under the TPLF they were repressed and unrepresented. Today, they are threatening to take matters into their own hands. Oromo political leaders like Mohammed and Gerba have taken a stand against Abiy's call for national unity as they would rather secure power for themselves and their community.

This had led to a peculiar alliance of foes; the TPLF and Oromo leaders have come together to drive their anti-government agenda forward. The Oromo-Tigrayan alliance has already had deadly consequences, by escalating ethnic tensions following Hundessa's shooting. They have once again joined together to criticize the government's decision to postpone elections. This opportunistic alliance poses a threat to Abiy's democratic reform agenda (Gedamu, 2020c).

The events of the last few months have signaled a rise in ethnic tension and intercommunal violence in the country. In the recent history, ethnic nationalism has been ruthlessly quashed by the Derg's violent military regime and then the EPRDF (BBC, 2020b). PM Abiy's push for political freedoms has unintentionally given rise to very strong ethnonationalist sentiments. As public trust in government declines, political leaders like Gerba and Mohammed are using identity politics to gain support, but these tactics have also provoked clashes between people purely based on ethnicity. These conflicts have resulted in heightened levels of internal displacement, approximately 700,000 people left their homes in Oromo neighborhoods and are now living in a refugee camp in the Somali region because of ethnic violence (BBC, 2020b). Ethno-nationalists from different ethnicities have disregarded Abiy's call for unity and continue to jostle for greater power in their regions. Some ethnic groups are demanding self-administration and statehood. The rise

of ethnonationalism poses significant challenges to the attainment of a unified peaceful Ethiopia.

The Prime Minister's vision for an inclusive, progressive, and democratic Ethiopia is being tested by the rising levels of ethnic strife and the waves of intercommunal violence that have engulfed the country. The government have backslid on their commitments to democratization in their handling of the mounting levels of ethnic friction. At federal and regional levels, the security forces have used excessive levels of force to disperse mostly peaceful demonstrations by firing teargas and live rounds at crowds. They have also used heavy-handed dictatorial tactics, such as the mass arrest of civilians, press, and political opposition leaders. The authorities have frequently shut down internet access and have now adopted new legislation that could be used to authorize blanket blackouts. Recently, the new governing party has extended its term in office by postponing elections till 2021 due to Coronavirus concerns. The PP risk a crisis of legitimacy as opposition leaders have deemed the postponement a brazen attempt at an authoritarian style power grab. Moreover, the TPLF has decided to hold unilateral regional elections in defiance of the national electoral board and federal government. These setbacks over the past few months have revitalized concerns over whether PM Abiy can deliver on his promise of a united democratic Ethiopia.

Conclusion

In April 2018, Prime Minister Abiy Ahmed took office as Africa's youngest leader (at the age of 41 years), inheriting a country on the brink of collapse. Prior to the handover, a month-long state of emergency had been declared to curb the escalating levels of violence in the Oromia and Amhara regions and widespread public demonstrations demanding political reforms and greater civil liberties. He came to power with a vision of national unity and began his premiership by releasing political prisoners and initiating a series of ambitious economic and political reforms that jumpstarted Ethiopia's transition to democracy. He successfully ended an age-old territorial stalemate with Eritrea and normalized diplomatic relations which won him a Nobel Peace Prize. The oppressive minority-led EPRDF was replaced with a new pan-Ethiopian political party.

However, the enlarged political space spurred on ethno-nationalist groups that were forcefully driven underground by Abiy's predecessors. The desire for greater representation, better outcomes and in some instances greater autonomy have escalated ethnic tensions, resulting in bloodshed and displacement. The emboldened ethno-nationalists within various regions and the recurrent episodes of unrest pose a significant challenge to Ethiopia's democratization project. Concurrently, the security force's excessive use of force, the government's over securitized management of ethno-nationalist political parties and frequent use of internet shutdowns contradict Abiy's commitment to the creation of an inclusive progressive country.

Ethiopia's deep-seated ethnic fault lines and its system of governance which politicizes identity are major challenges to the country's transition. A unified multi-ethnic Ethiopia based on the values of democracy and rule of law can only be achieved by resolving the ethnic cleavages. The government will have to engage in an open dialogue with different ethnic groups and balance their interests and expectations. To foster peace and security, the authorities will have to restore public trust, protect its citizens, and show greater restraint when handling unrest. While Abiy Ahmed has made progress on several fronts, he still has work to do to ensure he fulfills his promises to the Ethiopian people if his reform agenda is to be successful.

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Conflict Management in South Sudan:
What is Obstructing the Peace Process?

By Akosua M. Gyimah

Abstract

Less than two years after South Sudan's independence from Sudan, the country was engulfed in civil war that killed, maimed, displaced, and destroyed livelihoods of millions of people. The war has disrupted South Sudan's oil production, the implementation of the 2005 Comprehensive Peace Agreement (CPA), state building, democratic process, and economic development. Several peace efforts made by the international community and the region to end the war and stabilize the country have also failed. A cycle of violence, human rights violations, war crimes and poor humanitarian conditions in South Sudan persist as the international community and stakeholders continue to push for peace. This article attempts to examine various peace efforts and conflict management strategies implemented so far and why the efforts have failed. To secure peace in the nascent country, the article recommends addressing of crimes and violence, fair power distribution, and the involvement of peace guarantors (UN, AU, and IGAD).

Introduction

South Sudan gained independence from Sudan in July 2011 after decades of fighting (Seay, 2019). Barely two years after independence, in December 2013, the world's newest country was plunged into another civil war that emerged out of a political crisis within the Sudanese Peoples' Liberation Movement/Army (SPLM/A; former rebel movement and army, now a political entity) (Noel & Waal, 2016). The crisis followed months of political differences that led to tensions between President Salva Kiir Mayardit, and other key political leaders including former Vice-President Riek Machar as the country started to face acute financial distress and institutional incapacity shortly after independence (AUCISS, 2014; CRS, 2016). Having received huge sums of foreign capital, South Sudan's political leaders quickly embarked on expensive military expenditures, financial mismanagement, and corruption (Noel & Waal, 2016). The new country with poor infrastructure and weak socio-economic structures was spending eight to nine times and five times more than its much stronger neighboring Ethiopia and Uganda respectively. In 2012, the proportion of South Sudan's military expenditure to its Gross Domestic Product (GDP) was the highest in the world (CRS, 2016 p.15). Meanwhile, the country's oil production, which accounts for 98 per cent of its national revenue, was suspended for several months (in 2012) (Ottaway & El-Sadany, 2012, p.8; Noel &

Waal, 2016). South Sudan's GDP also fell by 48 per cent (CRS, 2016, p.1).

As its revenue dried up, South Sudan could no longer sustain its expensive public expenditure, corruption, political networks, and loyalties. Tension within the SPLM/A political leadership particularly between Kiir and Machar intensified as the leaders competed for power and scarce resources (Noel & Waal, 2016). As the crisis deepened, the SPLM/A broke up primarily between the Dinkas and Nuers, the largest and second-largest ethnic groups (Seay, 2019). Machar and other key government officials (of the Nuer tribe) were expelled by Kiir (a Dinka) in December 2013 after they were accused of plotting a *coup d'etat* to overthrow Kiir's government (Noel & Waal, 2016; CFR, 2020). Government forces and Kiir loyal rebels mainly Dinkas clashed with Machar's breakaway rebel group, the SPLM in Opposition (SPLM-IO), mostly Nuer militias in Juba (CSR, 2016, p.6; Noel & Waal, 2016). The conflict quickly spread to civilians and beyond Juba to Jonglei (East) and the oil-producing states of Unity and Upper Nile, Bentiu, Equatoria and Bahr El Ghazal continued until January 2014 when a cessation of hostilities deal was negotiated by Intergovernmental Authority on Development (IGAD), a regional organization (CSR, 2016, p.6).

A group of youth hold a flag at a past national event (Photo Credit: Tyler Hicks/The New York Times)

Impact of the Conflict on the Country and People

South Sudan's conflict has resulted in the death of 400,000 people and the displacement of another four million people (one-third of the population), 2.3 million who have fled to neighboring countries (UNSC, 2019; CFR, 2020). Armed groups have committed atrocious crimes including ethnic-based violence against civilians, property destruction, looting, burning of villages, child abductions and recruitment, and extrajudicial killings of suspected opposition supporters (CRS, 2016; CFR, 2020). South Sudan's conflict has led to high incidents of gender-based and sexual violence including the rape of women, children, and elderly people across the country (Copnall, 2015; UNICEF, 2017; Tchie, 2018). UN and aid workers have been targeted, harassed, extorted, beaten, raped, and killed by government forces and rebels with impunity (CRS, 2016; Noel & Waal, 2016). The conflict has disrupted oil production and supplies as parts of the oil fields have been destroyed (Woodard, 2018). As fuel supplies ran low, prices particularly in the black market, skyrocketed and significantly impacted many economic activities in the country (Woodard, 2018). Ethnic tensions in the country have also been exacerbated by the conflict and the President's decree to reconstitute states and administrative districts which have intensified competition for lands and resources (CRS, 2019).

Millions of South Sudanese across the country face food shortages, starvation and economic hardship as farms, livestock, trade routes, and markets have been destroyed by inter-communal violence and cycles of revenge attacks (CRS, 2016). Many have lost their property, means of economic livelihood in addition to facing very high inflation (730 per cent), scarce foreign currency, high national debt, the rising cost of food (850 per cent), and other basic needs (CRS, 2016, p.5, 18). Currently, more than half of the population (6.5 million) are facing severe food insecurity (Dahir, 2020). Health conditions in the country have been worsening due to a lack of access to clean water and health services (UN, 2020). South Sudan currently has one of the worst mortality and literacy (30 per cent) rates in the world (CRS, 2016). Currently, 70 per cent of schools in South Sudan have closed down (Williams, 2017). South Sudan's human development index is among the lowest in the world (CRS, 2016). The plight of the people is worsened by the recent swarms of desert locusts and the coronavirus pandemic (Wlliams, 2017).

The humanitarian situation in South Sudan is at the United Nation's level 3, which is the same as Syria's, Iraq's, and

Millions of South Sudanese across the country face food shortages, starvation and economic hardship as farms, livestock, trade routes, and markets have been destroyed by inter-communal violence and cycles of revenge attacks

Yemen's, and one of the worst in the world (CRS, 2016). The situation is worsened by the recurring looting of aid supplies, deliberate attacks, violence, and extortion of UN and humanitarian workers by government forces and rebels, general insecurity, and expensive modes of transporting aid supplies (CRS, 2016). Government forces and rebels have been accused of committing gross violations of human rights, international humanitarian law, war crimes, and crimes for humanity for their attacks on aid workers and other civilian targets including hospitals, religious centers, relief compounds with impunity, and UN bases (CRS, 2016). Analysts note that the psychological and social impact of the conflict on communities and inter-ethnic relations is comparable to those of post-genocide Cambodia and Rwanda (CRS, 2016).

Peace Agreements and Efforts

Since the start of the civil war, there have been many efforts and strategies by the international community and regional actors particularly the United Nations Security Council (UNSC), the United States (US), the African Union (AU) and IGAD to stabilize the country, to protect civilians, bring peace, and end hostilities between the government forces and Machar's SPLM-IO (CFR, 2020). Efforts include diplomacy, humanitarian aid, and peacekeeping (CRS, 2016). The UNSC established standards for sanctions and embargoes, the deployment of peacekeeping forces to protect civilians, support humanitarian relief, resettlement and peace efforts (CRS, 2016; UNSC, 2019). The US is the single most important donor to South Sudan's peace process and humanitarian relief efforts and had contributed USD 1.9 billion as of 2016 to support the country's very expensive humanitarian needs but under severe financial constraints and many challenges (CRS, 2016). The AU established the Commission of Inquiry to investigate the root causes of war and to make recommendations about accountability and institutional reforms (CRS, 2016).

Under the auspices of the UNSC, other international partners, the AU and IGAD members including Ethiopia, Uganda, and Sudan have led peace negotiations and

implementation (Woodward, 2018). Ethiopia's Prime Minister, Abiy Ahmed was very instrumental in arranging the first face-to-face meeting between President Kiir and his political rival and opposition leader Machar in Addis Ababa (Woodward, 2018). At the beginning of the conflict, IGAD negotiated for months with the warring parties until they agreed to sign a ceasefire agreement in January 2014 (CRS, 2016). In May 2014, with enormous international pressure, the belligerent parties signed a ceasefire agreement in Addis Ababa to create the necessary conditions towards the formation of a new government, draft of a new constitution, conduct elections and to create democratic mechanisms for resolving conflicts and to address issues concerning oil revenues, unpaid soldiers and civil servants salaries (BBC, 2014; UNSC, 2019). This peace deal, however, broke down shortly after and hostilities resumed between the two parties (BBC 2014).

In 2015, following enormous international pressure and regional efforts, another peace agreement was negotiated by IGAD and signed by Kiir and Machar to a ceasefire and form a transitional government in a power-sharing arrangement between two factions and other political detainees (CRS, 2016; CFR, 2020). Machar returned to Juba in April 2016 to take the position of First Vice-President in the new Transitional Government of National Unity (TGNU). But this deal also broke down after both sides violated the ceasefire agreements and refused to disarm (TOSN, 2020). This happened after Kiir and some government officials refused to put Machar back into the First Vice-President position and accused him of plotting another *coup d'etat* and forced Machar back into exile (CRS, 201). Fighting resumed and spread to many areas including Wau, in Western Bahr el Ghazal, and the greater Equatoria displacing several people (CRS, 2016, p.11). Between 2017 and 2018, a series of ceasefires were negotiated but failed (CFR, 2020).

On August 5, 2018, Kiir and Machar committed to yet another peace deal to end the conflict and form a transitional government to build the country (UN, 2020; Woodard, 2018). The transitional government was

supposed to develop processes for resolving conflict and accountability and the criteria for choosing ministers, women, and former rebels for governance (Woodard, 2018). This deal included the creation of an Independent Boundaries Commission (IBC) which was to oversee the drawing of inter-state boundaries in South Sudan instead of the government. Kiir reversed his policy to reconstitute South Sudanese states and administrative districts to the original numbers (10 states). Machar and other SPLM-IO leaders and rebels were granted amnesty and Machar was also sworn in as Vice-President (UN, 2020; Gedamu, 2019). The factions were supposed to begin a ceasefire within 72 hours after signing the deal, but it too broke down almost immediately (less than a week) (Woodard, 2018). Each side denied responsibility for the failure. Violence resumed between government forces and Machar's rebels at the instigation of local leaders (CFR, 2018). Many people were displaced from their homes and communities as a result (TOSN, 2020). Earlier on June 28, 2018, the Khartoum Declaration of Agreement, which was signed by the belligerent parties who promised to permanently end hostilities and resume negotiations on governance (as specified in the 2015 peace deal) had also failed (Sudan Tribune, 2018). In 2019, NSS recruited 10,000 troops from pro-Kiir's ethnic group in violation of the peace deal (Anna, 2019).

The deployment of peacekeeping troops has been some of the major diplomatic approaches championed by the US, UNSC, and the AU to stabilize South Sudan and provide security for civilians (CRS, 2016). AU forces were deployed to supervise the implementation of the "permanent ceasefire" of the power sharing agreements in accordance with the Khartoum Declaration and later, the "Agreement on Outstanding Issues of Governance" in 2018 (Woodward 2018). The UNSC has, since the start of the conflict in 2013, expanded the mandate and size of the UN peacekeeping mission in South Sudan (UNMISS) many times (CRS, 2016). Established in July 2011 to facilitate state building and democratic governance, UNMISS' role changed in 2014 to include civilian and refugee protection, monitoring and investigating human rights abuses, facilitating relief efforts, returning and reintegrating displaced persons, facilitating conflict management and cessation of hostilities, and preventing terrorism in the region (CRS, 2016; Woodard, 2018). UNMISS troops jumped from a size of 7,000 troops and 900 police officers in 2011 to 12,500 and 1,323 respectively in December 2013 (CRS, 2016, p.12). UNMISS' size increased again in December 2015, when an additional 500 troops and 600 police officers were deployed to train local police in human rights and community policing (CRS, 2016).

Since 2013, UNMISS' capacity has been boosted with regional forces and better equipment to improve civilian protection against violence (Noel & Waal, 2016). Under UNSC Resolution 2304, the UNSC authorized the creation of a Regional Protection Force (RPF) made up of 4,000 peacekeeping troops within UNMISS deployed from African countries to provide security and stability in South Sudan's capital (CRS, 2016). UNMISS is currently responsible for the protection and security of hundreds of thousands of displaced South Sudanese civilians sheltered in camps near UNMISS bases (CRS, 2016). UNMISS peacekeeping troops host about one million South Sudan refugees within South Sudan and nearby countries including Uganda (Woodard, 2018).

International sanctions and trade embargoes have been among the international efforts employed by the UNSC and other international actors to end the conflict (CRS, 2016). In August 2015, Kiir and Machar were forced to sign a peace deal after the international community threatened to impose sanctions and an arms embargo on South Sudan (CRS, 2016). These threats followed the Security Council's unanimous passing of Resolution 2206 in March 2015 after the warring parties failed to reach a peace agreement despite IGAD's multiple attempts (CRS, 2016). Resolution 2206 established the international guidelines for targeted sanctions against South Sudan and triggered a series of sanctions against certain prominent individuals including Kiir and key senior security and military personnel who were accused of masterminding predatory attacks against Nuer civilians and communities (CRS, 2016). In late 2015, the US and a UN Panel of Experts proposed further sanctions and arms embargo against the warring parties to limit their access to weapons, funds and the human impacts of the

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conflict (CRS, 2016). In February 2018, the US banned the exportation of weapons and military services to South Sudan. The US also intensified pressure on the Security Council to pass a draft resolution on May 31, 2018 to compel the warring parties to return to peace talks (Woodard, 2018). The European Union banned the supply of arms, military goods and services whereas the United Kingdom (UK), France and New Zealand called on member countries to enforce the UN arms embargo against South Sudan to cut arms supply into the hands of the government and the rebels (CRS, 2016). Ethiopia and other regional countries also attempted to impose sanctions, arms embargo and other punitive measures on South Sudan in support of UN efforts to limit arms flow into the country and to force Kiir and the rebels to commit to peace deals. These efforts were, however, undermined by Uganda, South Sudan's closest ally, which deployed troops to support President Kiir to "protect key infrastructure" and help maintain "stability" (Woordard, 2018). Uganda's President Yoweri Museveni continued to supply military weapons and other military equipment including fighter jets to South Sudan's government in violation of the UN ban on the supply of arms and ammunition to the war-torn country (CRS, 2016).

Failure of Peace Efforts

In spite of several peace efforts to halt the conflict in the world's newest country, there is no peace in South Sudan (TOSN, 2020). Multiple ceasefires and peace agreements to end hostilities in South Sudan have been repeatedly violated by Kiir and Machar against the promises of the two (TOSN, 2020). Violence, insecurity, displacements and humanitarian conditions in South Sudan continue to surge (Smith, 2017). Even the ongoing coronavirus pandemic and recent attempts by the AU and the Peace Security Council to implement the new peace deal have not stopped the violence (TOSN, 2020). In fact, violence between government forces and armed militia has intensified in recent months particularly Central Equatoria and Lobonok with many casualties and human rights abuses against civilians and aid workers (*The Defense Post*, 2020). With repeated violations of peace deals and the continuous violence, some analysts are beginning to conclude that the country may be on its way to being another "failed state" (TOSN, 2020). South Sudan's longtime supporters, including the US, the United Kingdom and Norway (CFR, 2018) have expressed their frustrations concerning the repeated ceasefire

South Sudan's first Vice President Riek Machar takes the oath of office in front of President Salva Kiir and Chief Justice Chan Reech Madut at the State House in Juba, South Sudan on February 22, 2020 (Photo Credit: Andreea Campeanu/ Reuters)

violations by the warring factions. Many commentators are wondering if lasting peace and political stability is feasible in South Sudan (Dedamu, 2019). Some have argued that even if South Sudan's peace deals succeed in halting the conflict, the country will remain susceptible to future conflicts because the deals do not address the root causes of the conflict. The following section discusses the underlying reasons behind the failure of South Sudan's peace deals, if there is any hope in the peace deal and what it will take to halt the conflict and unify the people.

Reasons Why Peace Deals in South Sudan Failed

Among the major factors that are fueling South Sudan's conflict is the country's oil industry which accounts for the largest source of the country's national revenue (TOSN, 2020). The industry is dominated by foreign oil companies with production mainly done by Dar Petroleum Operating Company (DPOC) which is owned by China National Petroleum Corporation (CNPC) and Sinopec (with 47 per cent share) together with Malaysia, Egypt, and the South Sudanese government (eight per cent) (TOSN, 2020). DPOC is closely linked with South Sudan's National Security Service (NSS) and armed militias involved in the conflict (TOSN, 2020). CNPC is linked to China's Belt and Road Initiative (BRI) and like other Chinese companies it has business interest in South Sudan's mining industry. The company, therefore, derives benefits from the ongoing conflicts through its close ties to the government, the NSS and the rebels (TOSN, 2020). Meanwhile, South Sudan's own oil company, Nile Petroleum Corporation's (Nilepet) is involved in arms deals and finances the NSS. With this close relationship and considering NSS' targeted attacks on government critics and activists, it is not surprising that the government has struggled to commit to ceasefire agreements (TOSN, 2020).

The absence of institutional capacity in South Sudan is one of the underlying causes of the current conflict (AUCISS, 2014). South Sudan lacks basic institutions of a modern state needed to resolve conflicts. Country's post-independence initiatives to build state capacity failed completely although huge foreign capital investment was put into it (AUCISS, 2014). With one of lowest literacy rates, South Sudan lacks trained and experienced technocrats who are critical in the functioning of any modern state. In the absence of institutional capacity, South Sudan was unable to contain the initial political crisis and prevent it from spreading to the army and ultimately to the general population (AUCISS, 2014). The government is unable

Multiple ceasefires and peace agreements to end hostilities in South Sudan have been repeatedly violated by Kiir and Machar against the promises of the two (TOSN, 2020)

to handle the economic, developmental, governance, and political challenges of the nascent country (AUCISS, 2014).

One of the reasons for the failure of South Sudan's peace deals is the failure to address the root causes of the violence, which leaves the country vulnerable for recurrent wars (CFR, 2018). The failed implementation of the 2005 CPA is among the major factors fueling the current conflict (CRS, 2016). Instead of focusing on building national institutions and democratic processes in the South, the CPA was rather focused on the conflicts between the north and south (CRS, 2016). Both the CPA and the 2015 Peace Agreement failed to address human rights violations, accountability and reconciliation associated with South Sudan's conflicts with the north and within itself (CRS, 2016). The breakdown of the August 2018 deal was attributed to its failure to include mechanisms for preventing violence and conflicts during the transitional period. The deal also relied heavily on the 2015 peace agreement, Resolution of the Conflict in the Republic of South Sudan (ARCSS) which had already failed (Woodard, 2018).

Kiir's near totalitarian power, which triggered the initial political crisis, remains a contentious issue for Machar and his supporters because the peace deals continue to place an enormous amount of power into the hands of the president (CFR, 2018). Under South Sudan's 2011 transitional constitution Article 101 (r), the president has absolute power to appoint and dismiss national or local elected officials "in the event of a crisis in the state that threatens national security and territorial integrity." At the onset of the conflict when Machar felt marginalized by Kiir and his government, Machar resorted to the use of violence as his only means of gaining access to power after he was expelled from his vice-presidential position (CFR, 2018). Machar told the AUCISS that the crisis escalated into violence after SPLM's political leadership efforts to engage Kiir to share power and resolve political

The training of 180,000 troops from both sides of the conflict to form the country's national army has been one of the major factors that prevented South Sudan from achieving peace (Spanish News, 2020)

differences through democratic means had failed (AUCISS).

The emphasis on the power-sharing aspect of South Sudan's peace agreements has been one of the major obstacles. Experts argue that a unity government being promoted is unlikely to work or halt the violence (TONS, 2020). Besides being opposed by the opposition rebels, President Kiir and his supporters are opposed to power-sharing because they believe that sharing with the opposition threatens South Sudan's political integrity and sovereignty (Copnall, 2015). Kiir's army officials from Unity, Upper Nile, and Jonglei worry about the implications of power-sharing agreements on the national army and their jobs (Copnall, 2015; UN, 2020). Meanwhile, civil society organizations (CSOs) argue that the emphasis on power-sharing between the government and opposition rebels ignores the underlying causes of the war and issues of justice and accountability (Copnall, 2015). Power-sharing agreements only focus on issues concerning the creation of states and border delineation but fail to address leadership failures of Kiir and Machar (Woodard, 2018). Some critics argue that relying on the same belligerent leaders in peace negotiations despite their repeated violations of past peace deals is bound to fail. Not only have the fundamental issues and conditions remained the same, but the situation has also actually worsened over time. Instead of relying solely on Kiir and Machar, power-sharing negotiations should include representatives from the South Sudan Opposition Alliance (SSOA) which comprises various opposition groups who were also signing parties of the Khartoum Declaration (Woodard, 2018). Former high-level political detainees and smaller political parties should also be included in governance negotiations to ensure broader support and legitimacy.

South Sudan's main political rivals, Kiir and Machar are among the obstacles for the failure of the deals (Copnall, 2015). These leaders have consistently failed to make the necessary commitments to halt the fights and to ensure successful implementation of the peace deals (Copnall, 2015). The two leaders who have fought each other for years and do not trust each other. Kiir has been

reluctant to share power with Machar despite his verbal commitments to do so in past agreements (CRS, 2016). Kiir has attacked CSOs and demonstrated little political will to build a "transitional government" in accordance with the 2015 peace deal (CRS, 2016). Supporters of Kiir and Machar are part of the problem and often oppose crucial aspects of the peace deals including power-sharing (Copnall, 2015; UN, 2020). Moreover, Kiir's supporters oppose his plan to reverse his policy for state reconstitution (Copnall, 2015).

President Kiir's decree in October 2015 to increase the number of South Sudan's states from 10 to 32 has been one of the major factors fuelling the conflict (CRS, 2016 p.18). The policy also includes the creation of three administrative districts (Abyei, Pibor and Ruweng) and with implications on taxes and royalties from oil production (Spanish News, 2020). The decree has been disputed by Machar who argues that they are a "Pandora box" (Spanish News, 2020). Some legislators from the government and IGAD have also criticized the policy, which according to IGAD, is in violation of South Sudan's peace agreement (CRS, 2016).

The training of 180,000 troops from both sides of the conflict to form the country's national army has been one of the major factors that prevented South Sudan from achieving peace (Spanish News, 2020). The country lacks the financial resources and logistics needed for the creation and training of the army. During the floods between June and October 2019, South Sudan's army was unable to receive their training supplies to the troops. In 2018, medical supplies and training equipment including tents to South Sudan's troops were provided by Sudan (Spanish News, 2020). It is alleged that the government is planning on spending $40 million to train a total of 6,000 troops from each faction, the government forces, and opposition rebels. To many analysts, forming a unified army that would cooperate to protect the leaders and country after years of bloody fights and revenge attacks against conflict would be one of the major challenges ahead (Spanish News, 2020).

People celebrate as they wait for the arrival of South Sudan's President Salva Kiir in the capital Juba on August 6, 2018, following the signing in neighbouring Sudan of a ceasefire and power sharing agreement (Photo Credit: Akuot Chol/Agence France-Presse/Getty Images)

South Sudan's long history of civil war has had a significant impact on the current conflict and the peace process. The country's several decades of conflicts (1955-1971 and 1983-2005) with Sudan in the north have deepened ethnic tensions particularly the Dinkas and the Nuers (Copnall, 2015). Years of conflict also mean that the political landscape is controlled by armed groups who rely largely on their own ethnic base for support. The implications of ethnic divisions on the conflict exacerbated inter-communal dynamics and a culture of revenge in South Sudan (Copnall, 2015).

Machar's legal limbo and years of movement restrictions present political and security challenges in the peace process. Although restrictions on his movement and freedoms have recently been lifted, he still faces major security concerns considering the ongoing mistrust between him and Kiir and past allegations of a coup plot that led to the collapse of the 2015 peace agreement (Spanish News, 2020).

Despite playing a leading role in South Sudan's peace negotiations, the actions of the country's closest neighbors have played a major role in fuelling the conflict while undermining the peace process (Copnall, 2015). Uganda has provided military support to president Kiir Sudan has offered weapons, logistics and bases to Machar and his militias. The role of Ethiopia and Kenya in the peace negotiation efforts are, however, driven in part by their own economic interests in the new nation.

Conclusion

South Sudan's conflict has had a significant economic, social, and human cost with long term implications for the people of Africa's most nascent country (Woodard, 2018). The continuing violence and brutality have significantly affected state building, institutional and infrastructural development, national debt, the provision of public goods and services, humanitarian and human rights situation (AUCISS, 2014; CRS, 2016). In spite of several failed peace agreements, the international community and other stakeholders continue to push for peace, stability and unity. Many are now hoping that the 2018 Peace Agreement and recent peace negotiations will finally bring lasting peace and stability that South Sudanese are hoping for. While the leaders have recently made some progress on the formation of a transitional unity government, the country's security, institutional and humanitarian challenges pose a major threat to its ability to achieve peace, democratic and economic goals. The UN has urged all "international partners" to "encourage" and "pressure" the warring parties to continue working on achieving sustainable peace so as to prevent South Sudan from failing. South Sudan's political leadership must have the political will to implement the peace

> "Future peace deals must also address the conflict's underlying causes to ensure a fair distribution of power between the government and the opposition. To achieve this, there is a need for future peace deals to reform the transitional constitution in a way that promotes inclusiveness and democratic pluralism

agreements. To build trust and ensure sustainable peace, the leaders must address issues of inclusiveness, develop robust mechanisms for financial transparency, monitoring and enforcement, and accountability. Warring parties must halt attacks on civilians and aid workers and to permit relief services across the country. Leaders must build humanitarian institutions and programs to ensure the success of peace deals. South Sudan should seek assistance from the international community and the region to invest in healthcare and psychological care for all its citizens.

Key Recommendations

- It is crucial for the UN, IGAD, the AU and other international actors to stay actively involved to ensure a successful implementation of the peace process. To protect the security and political stability in the already volatile region, the international community must prioritize refugee management, repatriation and integration in the implementation of the peace process (Gedamu, 2019). The international community and the region should also put pressure on South Sudan's government to distance itself and the NSS from the state's oil companies. Since the oil industry is the main source of funding for the conflict, a severance of the relationship between the government and its security forces will cut off funding and discourage the NSS from engaging in violence and human rights abuses. This can be done through sanctions from the Court or the AU although this may be far-fetched considering China's involvement in South Sudan's industry and its influence on the AU.

- Future peace deals must also address the conflict's underlying causes to ensure a fair distribution of power between the government and the opposition. To achieve this, there is a need for future peace deals to reform the transitional constitution in a way that promotes inclusiveness and democratic pluralism. The president must share power with the rebels and to include them in peace talks to ensure a successful implementation. The leadership of the SPLM particularly Kiir and Machar must put the country first by uniting to promote harmony and peaceful coexistence among South Sudanese people particularly their supporters. They must mobilize their supporters and make the necessary concessions to ensure the deal succeeds. Warring parties must disarm, and the government must provide security for opposition politicians.

- South Sudanese women and their organizations should be involved in the political and peace processes more (UN, 2020), as according to Betty Sunday, Coordinator of South Sudan's Women's Monthly Forum on Peace and Political Process, their "meaningful participation" will be critical in helping South Sudan achieve peace.

- Peace deals should also address all types of crimes and violence including sexual offenses against women and children. Peace process should implement the conditions in the Khartoum Declaration including reforming South Sudan's security sector, rehabilitating oil wells, and improving national infrastructure (AUCISS, 2014; CRS, 2016).

- The UN intends to increase UNMISS capacity to increase humanitarian, water, and airborne support particularly during the rainy season to protect agriculture (UN, 2020). It will also expand the mandate of UNPOL and its Rule of Law unit to address issues of impunity and accountability and civilian law enforcement (UN, 2020). The international community is urged by the UN to support South Sudan in maintaining unity and to achieve "sustainable peace".

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African Peace and Security Architecture and the Regional Peace and Security Mechanisms in the Great Lakes Region:
Challenges and Way Forward

By Ntando Ncube

Abstract

The Great Lakes Region faces incessant conflict caused by various issues that include exploitation of natural resources, inequitable access to land, weak state institutions, and ethnicity. This article describes the foundations and approaches to peace and security in the African continent and the theoretical and institutional shifts in conflict prevention, management, and resolution on the continent after the transformation of continental body, OAU, to AU in 2002. It also discusses various peace and security mechanisms in the Great Lakes Region and challenges (like lack of regional integration, lack of democracy, and limited institutional capacity) to achieving sustainable peace and security in the region. The article recommends regional cooperation to curb illegal exploitation of natural resources, illegal mining, and smuggling networks; and solidifying relations among member states for regional peace and security.

Introduction

The Great Lakes Region is one of the regions in Africa affected by unending conflicts that have had an impact on the livelihoods of millions of people. Despite many efforts to ensure peace and security in the region, conflict continues as the region battles with armed militias, abuse of women and children, as well as continuous penury.

This article briefly describes the African Peace and Security Architecture (APSA) as a precursor to understanding the foundation and rationale of peace and security mechanisms in the Great Lakes Region. It also discusses the challenges of these peace and security mechanisms in the Great Lakes Region, focusing on the following peace and security mechanisms: the Regional Economic Community in the Region, East African Community (EAC), International Conference of the Great Lakes Region (ICGLR), and the Peace and Security Strategic Framework. Under these establishments, these mechanisms have failed to a greater extent to achieve peace and security in the region. The ICGLR was incapable of preventing, managing and resolving conflict, particularly the Burundian Crisis in 2015. There exists differences and lack

of mutuality in peace and conflict deliverables among the EAC member countries with their relations characterised by mistrust. It ends by recommending the prioritizing of regional integration in conflict prevention, management and resolution.

From Organisation of African Unity (OAU) to African Union (AU)

The Organisation of African Unity (OAU) through the adoption of the Declaration on the Political and Socio-Economic Situations in Africa sought to establish a mechanism for the organisation to deal with development, security, human rights, peace, and democracy. Despite this mechanism, security and peace matters were treated as exclusive to sovereign individual member states. The OAU often took a non-interference stance on a lot of human rights violations and domestic disputes citing the respect of the principle of sovereignty. The conflicts that took place in Somalia, Sierra Leone, Liberia, and the genocide in Rwanda exposed the shortcomings of non-interference (AU, 2015).

African Union headquarters in Addis Ababa, Ethiopia (Photo Credit: AFP/Getty Images/Simon Maina)

The African Union was established in 2002, succeeding the OAU which had been established in 1963. This succession marked a major shift with regards to intervention in member states' domestic disputes and other events that threatened peace and security in the continent. With a lot of developments in Africa and internationally, it was necessary to bring about this transformation.

The constitutive Act of the African Union spells the operations of the union with regards to responding to security and peace challenges in the continent. Article 4(m) of the AU Constitutive Act (2000) emphasizes the respect of human rights, good governance, rule of law and democracy. Article 4(o) and (p) emphasizes the need to treat human life as sanctity and condemns and rejects any change of government that is unconstitutional respectively:

> (m) *"respect for democratic principles, human rights, the rule of law and good governance;*
>
> (o) *respect for the sanctity of human life, condemnation and rejection of impunity and political assassination, acts of terrorism and subversive activities;*
>
> (p) *condemnation and rejection of unconstitutional changes of governments".*

The Constitutive Act provided a paradigm shift to how the continental body deals with peace and security issues bewildering the continent (ECDPM, 2016).

Article 4(h) of the Constitutive Act states:

> *"the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity".*

African Peace and Security Architecture (APSA)

The transformation of the OAU to AU saw the birth of the African Peace and Security Architecture (Nathan, 2014). APSA is the main AU institution that deals with peace and security interventions in Africa. There are many bodies under the APSA framework which execute the broader APSA objectives and mandate. APSA is composed of the following bodies:

The Peace and Security Council (PSC)

The PSC is the AU's organ with decision making powers in relation to conflict prevention, management and resolution. The PSC is a cornerstone of APSA and is established in terms of article 2 of the PSC protocol:

"There is hereby established, pursuant to Article 5(2) of the Constitutive Act, a Peace and Security Council within the Union, as a standing decision-making organ for the prevention, management and resolution of conflicts. The Peace and Security Council shall be a collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa".

PSC is made up of 15 members, ten members are elected for a term of two years while five members are elected to serve a three-year term. In its design, the PSC is mandated to provide "a collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa" (AU, 2015). The African Union Commission has the responsibility of implementing the PSC decisions and providing operational support. This is made possible through the chairperson of the AU Commission Chair as well as the Peace and Security Commissioner who also gets support from the Peace and Security Department (PSD).

The African Standby Force (ASF)

ASF was established in terms of Article 13 of the PSC protocol. This is a force with the military, police and civilian dimensions. This tripartite composition of the ASF is designed for complimentary reasons in the event that PSC decisions relating to the Peace Support Operations (PSO) have to be implemented.

The Panel of the Wise (PoW)

Panel of the Wise (PoW) stands as an advisory element of APSA and carries out preventive and 'silent' diplomacy and is comprised of five prominent Africans. The numeric composition of the panel caters for the representation of the five African regions. Their key roles include but not limited to; promotion of peace, and resolution of conflicts as invited by the PSC, the AU Commissioner or through their own initiatives.

The Peace Fund

The peace fund is an instrument of financing the operations of the APSA and was established in terms of Article 21 of the PSC Protocol. Member states of the AU, donors, the private sector actors, and individuals make up some of the funders of the Peace Fund.

Continental Early Warning System (CEWS)

This is the AU's mechanism for detecting potential conflicts and provides the AU with relevant and timely data to warn the Union and the PSC on the potential of peace and security threats in the continent.

Regional Economic Communities (RECs) and Regional Mechanisms (RMs)

In addition to the above institutional bodies under APSA, there are also eight Regional Economic Communities and two Regional Mechanisms that also aid the peace and security coordination and processes as part of APSA.

The Great Lakes Region: Dynamics of Conflicts

The Great Lakes Region is mired in conflicts particularly in the border areas of Burundi, DRC, Rwanda, Tanzania, and Uganda. The causes of conflict in the Great Lakes Region are numerous and broad. They include but not limited to, access to land, exploitation of natural resources, armed militias, poor governance and lack of democracy. These incessant conflicts have resulted in heightened tensions in various communities, gross human rights violations, abuse of women and children and a rising number of displaced persons migrating to other countries, as described in the following section.

Ethnic Divisions

Ethnic divisions have been recognised as one of the major causes of conflict in the Great Lakes Region. It is crucial to note that ethnic differences are prevalent in several countries and that this in itself is not a sufficient reason for conflict to arise. Societies with multiple ethnic groups can prosper in a peaceful environment and co-

> "
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The democratic peace theory encapsulates that stable democracies enjoy an environment of peace and stability as they are less likely to be entangled in conflicts. However, repressive regimes and the road to establishing democracy and enjoying peace and tranquillity are characterised by violent conflicts

exist with tolerance and respect of their differences. Nonetheless, in the Great Lakes region, DRC, Burundi, Rwanda, and Uganda in particular, this is not the case. Conflicts have been triggered in these nations based on ethnic grounds. In order to understand the dynamics of ethnicity in the Great Lakes Region, it is important for one to have an appreciation of the distribution of the Hutus and Tutsis beyond political boundaries. There are many Hutus and Tutsis (estimated to be more than two million) in the border regions of Burundi and Rwanda. Some of them historically identify themselves with the DRC. Thus, if a conflict is triggered along ethnic lines, politicians and other influential people with vested interests can easily manipulate the situation for political capital by creating alliances and allegiances across the three different countries.

Access to Land

The use and access to land are one of the major factors leading to conflict in the Great Lakes Region. Unequal land access is one of the contributors to poverty in Rwanda. The limited and unequal access and distribution of land and land insecurity which is brought by the abrupt and frequent population displacement and re-distribution of land, have been described as major causes of 'structural conflict', economic monopolies and side-lining of the general population and thus creating social tensions breeding violence. Many communities experience a lot of conflicts because of land disputes, in Rwanda for example it has been reported that about 80 per cent of disputes at district level, are about land issues (UNDP, 2013). It is, therefore, an administrative and political obligation that the authorities in these countries implement land policies that are not only equitable but also people driven.

Exploitation of Natural Resources

The 3T (Tin, Tungsten, and Tantalum), diamonds, timber, wildlife, ivory and other trading commodities account for 30 per cent of illegal trade in the Great Lakes Region (UNEP,2015). An estimated USD 1.25 billion is generated

through illegal exploitation of natural resources and about 50 per cent of illegal flow of natural resources is from export of gold (UNEP, 2015). Natural resources and conflict in the Great Lakes Region are inter-connected and many researchers have unearthed this reality. Le Billion (2015) categorises conflicts of natural resources in the Great Lakes Region into two: firstly, it is the conflict that arises as a result of two or more nations having conflict over natural resources that are along common borders and secondly conflict that arises as a result of illegal exploitation of natural resources whose proceeds are then used to bankroll rebels and fuelling of conflict. The exploitation of natural resources has led to regional insecurity as it promotes the operations of armed groups and smuggling networks. The ordinary people in the region continue to suffer despite being inhabitants of one of the richest regions in the continent. It has been reported that about 44 per cent of children in the DRC alone, suffer from malnutrition and approximately six million people are food insecure. There is need for regional cooperation to curb illegal exploitation of natural resources, illegal mining, and smuggling networks.

Democracy and Governance

The democratic peace theory encapsulates that stable democracies enjoy an environment of peace and stability as they are less likely to be entangled in conflicts. However, repressive regimes and the road to establishing democracy and enjoying peace and tranquillity are characterised by violent conflicts. Many states with shaky democracies are experiencing or have experienced conflict, and the states of the Great Lakes Region are not an exception. The Great Lakes Region countries have been classified as failed states with varying degrees over the past decades.

Despite some improvements in some of these countries, most are still considered "fragile' where the capacity of state institutions and organisations is challenged by non-state institutions. The trouble around elections, disregard of constitutional presidential term limits, depriving of basic rights like freedom of speech and movement,

lack of transparency and accountability are some of the democratic challenges that have fuelled conflict in the Great Lakes Region. Some democratic rights seem to be restricted in this region ostensibly to maintain peace and thus democracy being sacrificed at altar of stability and peace. But this does not solve nor achieve a peaceful environment but rather breeds more discontent among various groups and citizens.

Peace and Security Mechanisms in the Great Lakes Region

East African Community (EAC)

The East African Community (EAC) is one of the regional economic communities (RECs) on the continent. Rwanda, Uganda, Kenya, Tanzania, Burundi, and South Sudan are members of EAC. When Felix Tshisekedi assumed presidency in the Democratic republic of Congo (DRC), he made public his intention to make DRC a member of EAC (Wolters, 2020). This announcement was welcome by Rwanda's President, Paul Kagame, who is at the helm of the rotating presidency of the EAC. EAC is one of the functioning RECs particularly on the economic

front (Wolters, 2020). Despite some inroads in economic activities, the EAC has faced challenges in conflict prevention, management and resolution. The Burundi Crisis exposed the lack of unity and mutual goals of attaining peace and security in the region.

Intercontinental Conference on the Great Lakes Region (ICGLR)

The ICGLR was established through efforts aimed at promoting government and civil society cooperation in promoting and consolidating peace and security processes in the region. The consultative process included eleven countries of the Great Lakes Region. The primary objectives of ICGLR were embedded on ownership, partnership and inclusiveness. The stakeholders included the member states (Angola, Burundi, Central African Republic, DRC, Kenya, Rwanda, Republic of Congo, Sudan, South Sudan, Uganda, Tanzania and Zambia) and six co-opted countries (Botswana, Zimbabwe, Mozambique, Namibia, Ethiopia and Egypt); civil society, private sector actors; youth; women; AU; UN; the Group of Friends and Special Envoys (co-chaired by Canada and the Netherlands), which provided political, diplomatic,

The 7th Extra-ordinary Summit of the Heads of State and Government of the Intercontinental Conference on the Great Lakes Region (ICGLR) that took place in Kampala, Uganda in September 2013 (Photo Credit: Flickr/Paul Kagame)

technical and financial support; and regional economic communities: the East Africa Community (EAC), Southern African Development Community (SADC), Common Market for Eastern and Southern Africa (COMESA), Economic Community of West African States (ECOWAS), Intergovernmental Authority on Development (IGAD) (ACCORD, 2016). One of the positive things is that ICGLR is a multi-stakeholder platform focusing on peace and security in the Great Lakes region. Civil society organisations played a critical role in in the formulation of the Dar es Salam Declaration and the Pact Security, Stability and Development. These two documents form the legal basis for the operationalisation of ICGLR.

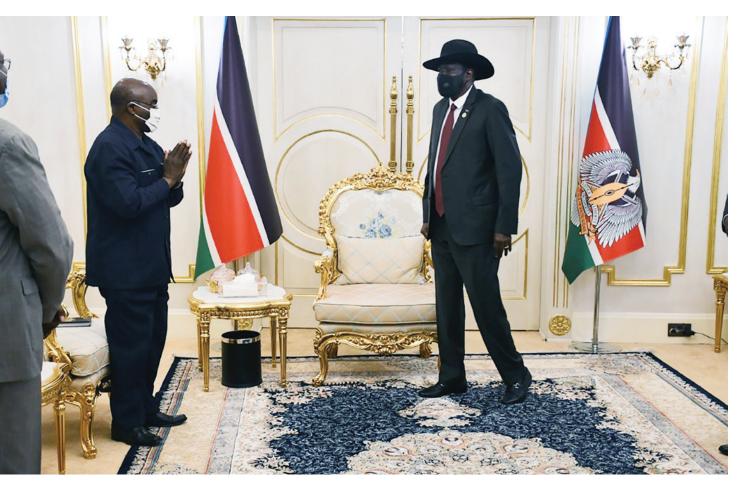## Peace, Security and Cooperation Framework (PSC-F) 2013

The Peace, Security and Cooperation Framework was signed in 2013 by 13 governments of the region as they committed to promoting peace and stability in the Eastern part of DRC and the entire region. The UN Great Lakes Region Strategic Framework (UN GLRSF) was subsequently launched in March 2016 and endorsed by the UN Security Council. The UN GLRSF emphasises a peace and security-oriented development approach in the region.

Peace and Security Challenges in the Great Lakes Region

Limited Institutional Capacity in Conflict Prevention, Management, and Resolution

The capacity of regional organisations is limited especially when global or regional powers are involved. The powerful nations withdraw their support or oppose actions towards peace and security. This undermines regional efforts to prevent and contain conflicts. Thus, the power dynamics in an intra-national organisation undermine sound action (Samuel, 2016). Despite limited success of peace and security initiatives like the Expanded Joint Verification Mechanism (EJVM) which has been instrumental in the implementation of the PSC-F's principles, the ICGLR has not exhibited collective power of member states. Rather,

South Sudan President, Salva Kiir met Amb. Joram Biswaro, the Special Representative of the Chairperson of the African Union Commission and the Head of AU Mission in Juba in October 2020. Amb. Biswaro commended President Kiir for mediating the Sudanese parties who signed the Peace Agreement in Juba in October, 2020. (Photo Credit: African Union Peace/Twitter)

the centre of power tends to revolve around the member state with the rotating presidency (Wolters, 2020). ICGLR has also been criticised for its lack of decisive operational capacity to prevent, manage and resolve conflict (ACCORD, 2016). The Burundi Crisis in 2015 exposed the limitations of the ICGLR in preserving peace and security in the region. It took the EAC and the government of Burundi to come up with the initiatives under the banner of ICGLR in responding to armed militia that had been formed. Under the EAC's Protocol on Peace and Security conflict prevention, management and resolution (CPMR) is central. Despite the availability of this EAC protocol, not much has been achieved with regards to sustainable peace and security in the Great Lakes region. There is lack of clear strategies and monitoring mechanisms to trace the implementation of protocols and to hold to account the member states that fail to implement the dictates of Peace and security protocols (ACCORD, 2016). Lack of funding has also affected the capacity of ICGLR to prevent, manage and resolve conflict in the region. As a forum of peace and security that brings together different actors, member states in particular, the ICGLR's limited functional capacity is a major setback to peace and security agenda in the Great Lakes region.

Lack of Regional Integration

Regional integration is very crucial because of their homogenous nature in terms of culture, development and operate in almost similar political dynamics. These similarities provide an advantage to a collective regional approach to conflict management. The relationship, however, between member states who are part of the EAC has been described as 'asymmetric' (Cicheka, 2019). The member states do not speak with the same voice, there seems to be diverse interests that determine how member states respond to various issues before them. The 2015 Burundian crisis exposed the mistrust among the Great Lakes Region member states as there were differences on the conflict management and resolution approach. Moreover, the three regional organisations (AU, ICGLR and EAC) lacked coordination and led to lack of clarity on the message to the Burundian government (Institute for Security Studies, 2016). The economic dominance of Kenya, the growing economy of Tanzania, and the political stability and the growing economy of Rwanda have created an environment of competitiveness in the region and reaching consensus and cooperation in conflict situations is difficult (Cicheka, 2019). The fact that the EAC member states also belong to other RECs is a challenge to regional integration for the Great Lakes

Region. For example, Kenya, Rwanda, South Sudan, and Burundi are also members of COMESA, Kenya and Uganda members of IGAD and Tanzania also a member of SADC. The allegiance to other RECs has led to divided commitment as they lobby for different goals and thus undermining the integration of peace and security efforts in the Great Lakes Region. The member states seem to be more concerned with national interests than regional cooperation.

Despite article 127 of the Treaty for the Establishment of the EAC providing for the inclusion of non-state actors, there is no clear operational and implementation framework on the role of non-state actors in peace and security matters. The unstructured and uncoordinated regional implementation of disarmament, demobilisation, and re-integration (DDR) programmes has limited the civil society organisations in playing a role in peace and security issues (ACCORD, 2016). The ICGLR also recognises the civil society as a key player in preventing conflict, but does not provide clarity on how civil society can collaborate with ICGLR (ACCORD, 2016).

Constitutionalism and Governance Challenges

One of the causes of conflict in the Great Lakes Region has been the lack of commitment to constitutionalism and good governance. Internal conflicts affecting member states have external consequences and thus affect regional peace and security. It is therefore crucial to solve internal challenges in member states, but this has been a challenge because of the need to protect member state's sovereignty. Regional organisations' actions and responses are dependent on the authorisation of the member states and without commitment to constitutionalism and good governance, member states are unlikely to support processes that seek to promote constitutionalism and good governance as a conflict prevention, management and resolution approach. There is no political will to adhere to the dictates of the constitution particularly with

> The 2015 Burundian crisis exposed the mistrust among the Great Lakes Region member states as there were differences on the conflict management and resolution approach

> " It is important to note that any efforts to attain sustainable peace and security in the Great Lakes Region are predicated on the commitment to constitutionalism, good governance, and democracy by individual states in the region

regards to presidential term limits. The Burundian Crisis in 2015 was a result of Burundi's former President Pierre Nkurunziza's desire to rule for a third term outside of the Burundi's constitutional provision. Before the DRC's elections in 2018, a conflict almost erupted in the region when DRC's former President Joseph Kabila indicated a desire to go for a third term. Upon international pressure, he finally announced his successor, President Tshisekedi. It is important to note that any efforts to attain sustainable peace and security in the Great Lakes Region are predicated on the commitment to constitutionalism, good governance, and democracy by individual states in the region. Regional integration in conflict prevention, management and resolution can only be a success if member states have a collective goal of constitutionalism and respect of human rights.

Conclusion

The article presented a skeletal view of the APSA to provide a foundation for understanding the peace and security architecture at regional level. It is important to point that the institutional capacity of APSA is very pivotal in determining the regional conflict prevention, management and resolution processes. The transformation from OAU to AU marked a new era with regards to the Union's interference in member states domestic issues. This was a key turning point in the conflict management approach as the African union as a continental body has a huge role to play in ensuring peace and stability in Africa. The Peace and Security Council which is a cornerstone of APSA is pivotal in conflict issues in Africa and the Regional Economic Communities under APSA play a crucial role in regional efforts to peace and security.

The Great Lakes Region continues to be mired in conflicts that have caused the displacement of millions of citizens.

The mechanisms to attain peace and security have yielded unfavourable results. Challenges to attaining peace include limited capacity by the peace and security mechanisms like ICGLR and EAC. Without regional integration and collectivism in peace and security programmes peace and security will become a challenge for many years in the region. There is need to foster regional integration and harmonisation of peace and security programmes by different regional organisations like EAC and ICGLR. It is crucial that member states have political will to implement human rights protocols and promote constitutionalism in the region. For the region to enjoy sustainable peace and security, peaceful internal political environments of member states are prerequisites.

Recommendations

- Improve the coordination of various peace and security mechanisms in the Region as well as with African Union. For example, there is need to harmonise the operations of the ICGLR and EAC in order to ensure complementary actions with an exclusive goal of achieving peace and stability in the region.

- There is need to solidify regional relations for improved integration in conflict prevention, management and resolution. This can be done through increased engagement by the Great Lakes Region states in order to build trust and reach mutual peace and security goals for the region.

- Implement and holding to account member states that disregard the human rights protocol. The member states of the EAC and ICGLR must prioritise the interests of the ordinary people of the Great Lakes Region and sanction member states that threaten peace and stability in the region. This calls for political will to champion the peace and security agenda.

- There is need to establish a reliable and consistent funding mechanism for peace programmes particularly funding the ICGLR.

- The African Union needs to improve its relationship with RECs and provide timely guidance in order to prevent, manage and resolve conflict in the region.

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Confluence of Transnational Organized Crime and Terrorism in the Horn of Africa

By Vincent W. O. Owino

Abstract

This article analyzes the intricacies between transnational organized crime and terrorism in the Horn of Africa region. It also examines how criminal activities have empowered and entrenched terror groups in the region. With expanding connectivity of the East and Horn of Africa economies into a broader global economy and the expansion of the informal black-market economy, it has become significantly difficult to draw a distinctive line between organized crime groups and terrorism. The convergence of these two groups poses security challenges to the region as the new dynamics have made these groups more resilient to counterterrorism and counterinsurgency measures, which has improved their operational capabilities. Specific situational policy approaches are required to rid the region of the two problems.

Introduction

The post-Cold War era East and Horn of Africa has seen decades of civil unrest, political instability, armed conflicts, poverty, diseases and pandemics, political marginalization and exclusion, and socio-economic problems, among other problems. The 21st Century begun with a ray of hope for the region as it marked an upsurge in relevant economic and political transformation in East Africa and the Horn of Africa region. The region, for the purposes of this article includes Kenya, Tanzania, Uganda, Somalia, Sudan, South Sudan, Eritrea, Ethiopia, and Djibouti.

Traditionally, due to political instability, protracted civil conflicts, armed conflicts and other social upheavals, this region is one of the most unstable ones in the international system (Bereketeab, 2013). The geostrategic position of the Horn of Africa and East Africa mapped this region as a new economic and commercial frontier owing to the proximity to oil producing countries of the Middle East, accessibility to the international high sea route, and existence of abundant natural resources (Westad, 2005), attracting international attention as an excellent economic hub. These considerations offer investment climate, provoking a wave of foreign direct investment in the horn region to tap "Horn of Africa Opportunity" (African Development Group, 2018).

The free trade market economy in the region, a constellation of strong economic growth partnership

visible from the renewed hope for cooperation, and the launch of revitalized Intergovernmental Authority on Development (IGAD) community, have propelled strong partnership for regional cooperation and with improved Foreign Direct Investment in the region, the, stage was set for Horn of Africa's development breakthrough. However, influx of illicit products and forces of illicit markets that span the region, exploiting the underlying weakness in the rule of law, weak institutions, corruption, the inherent civil conflicts, poverty and mistrust among regional states have since challenged these efforts for cooperation provoking negative security dynamics in the region. These have led to the rise of unconventional transnational activities ranging from transnational organised crime to acts of terrorism.

The international community has been grappling with definitional challenge of these two exclusive variables – a semantic exercise but critical within the international legal framework. There is no universally accepted definition of transnational organized crime. However, it is defined as serious crimes spanning at least one border, undertaken by concerted associations of individuals motivated by the desire to obtain financial and other material benefits directly or indirectly (UN Office on Drugs and Crime, 2004). Terrorism can be understood as an asymmetric warfare waged by organized individuals or group of individuals on unsuspecting non-combatants to maim, cause bodily harm, cause fear, kill individuals, and/or

Security forces stand next to a wreckage at the scene of a suicide car bomb attack in Mogadishu, Somalia on July 13, 2020. The UN Security Council met in August, 2020 to update members on the nexus between terrorism and organized crime. (Photo Credit: AP)

cause destruction of property (natural or private), coerce governments, and influence policies to achieve political goals. The Organisation of African Unity (OAU), now the African Union (AU), in its Convention on the Prevention and Combating of Terrorism, defines terrorism broadly as any act which violates criminal laws of a State and which may endanger life, integrity or freedom of, cause injury or death to, any person, any group or may cause damage to property, natural resources, environmental or cultural heritage and is calculated to intimidate, put in fear, force, coerce or induce any government (Medani, 2010).

This article aims to analyze the intricacies between transnational organized crime and terrorism in the Horn of Africa region, and examine how criminal activities have empowered and entrenched terror groups in the region. According to Congressional Research Service (2010), interactions between international terrorists and criminals are on the rise (John Rollins and Liana Wyler, 2010), posing a significant security threat to state security, civil liberties and democracy. The involvement of terrorists, insurgent, extremist and criminal groups in criminal activities though not adequately documented have been concerns in the region. United Nations High Commission for Refugees reports on possible human abuse cases related to smuggling and trafficking of human beings along the East and Horn of Africa to the Middle East, North Africa and Europe (UNHCR, 2013). This revelation shades light on the convoluted confluence

of transnational organized crimes and terrorism in the region. The extent and nature of convergence of terrorism and transnational organized criminal activities vary significantly, ranging from geographical overlap of activities, niche market structure, organizational structure and their composition that assumes global traits drawing a thin line between the variables.

Globalization and proximity of the Horn region to the war-ravaged Arab Peninsula states of Yemen and Saudi Arabia, with aspects of weak statehood, have encouraged illicit trans-border transactions. Criminal groups have leveraged on state fragility to flourish into transnational threats, international organized crimes, and strategic threats in form of terrorism, human smuggling and trafficking, drug trafficking, proliferation of small arms and light weapons, spread of diseases and pandemics, illegal trade, poaching and illegal sale of wildlife products. Transnational organized crime poses a substantial threat to the safety and security of states and poses a significant challenge to law enforcement agencies. This new strategic threat perception is fashioned by radical Islamic terror groups, insurgent groups, organized gangs operating within potentially weak and or failed states, non-governed territories that are breeding grounds for criminal manoeuvres, and constant civil conflicts providing refugees and youth radicalization avenues, especially for the al Qaida and its caliphates (Fernandes, 2016).

Nexus between Transnational Organized Crimes and Terrorism

The multiplicity of actors and dynamics in the international system escalated by globalization and interdependence has led to emergence of new security threats and rise of more complex non-state actors. For the sake of this article, the emergence of a hybrid actor, an amalgam of criminal groups and terrorist group, and other non-state franchises operating at international arena. In order to understand security dynamics in the region, it is prudent to understand and identify manifestations of the nexus between transnational organized crimes and terrorism in the Horn region. The coalition between terrorist groups and organized crime syndicate is embedded on synergetic links with an external partner strengthened by a 'marriage for convenience' analogy, where the two partners ensures complementary roles. Relationship between terrorists and organized criminals in most instances are primarily matter of business. From anecdotal evidence, terrorists will turn to criminals who can provide forged documents, smuggle weapons, provide transport assistance, and act as spies for clandestine operations.

Historically, terrorist and transnational criminal groups have shared similar characteristics, borrowing tactics and techniques and commonly ascribing to each other's ideology, demands and or even interests (Petraeus, 2006). Rollins and Wyler (2010) in their Congressional report identify grounds where terrorism and organized crimes converge: shared tactics and methods, the process of transformation over time, and short-term or long-term transaction based service for hire activities between groups (John Rollins and Liana Wyler, 2010). The threat includes not only traditional transnational organized crime activities such as drug trafficking and human trafficking, but others, including the potential for weapons of mass destruction, cyberwarfare, money laundering, political assassinations and trafficking of biological weapons (Farah, 2012).

Blending religious ideology with the pragmatic objectives of generating greater profits, international system dynamics has led terrorist groups to develop growing penchant for criminal activities to enhance their monitory capabilities and to exert greater influence in the community, this is one of the confluence zones between terrorism and transnational organized crimes. Numerous

Two Ethiopian children outside their home in a shantytown in Burco, Somaliland. The informal settlement, which has existed for several years, is home to dozens of Ethiopian migrants who tried to make the journey to Saudi Arabia but failed (Photo Credit: IOM/Muse Mohammed)

The multiplicity of actors and dynamics in the international system escalated by globalization and interdependence has led to emergence of new security threats and rise of more complex non-state actors.

outlawed criminal groups still undertake covert operations within the region and beyond. Some of these groups are reportedly affiliated to regional seditious organizations such as al Shabab and with unclear links with al Qaida, suggesting transnational connectivity operating through proxies (INTERPOL, 2018). According to National Cohesion and Integration Commission Kenya (2018) there exist over 100 outlawed organized gangs operating in Kenya and beyond, with main ones being Mungiki, Wakali Kwanza, Mombasa Republican Council, and the Sabaot Land Defence Force.

Criminal activities today are becoming increasingly important part of the terrorist economy, and these activities vary according to the terrorist organizations concerned and with circumstances. Organized crime syndicate associated with organized transnational activities mutually link with terrorists in East Africa and the Horn region to drive their agenda in the following scenarios

Human Trafficking and Smuggling

Human trafficking and human smuggling are often confused with each other due to the thin distinctive link separating the two crimes. It is critical to understand the difference. Human trafficking involves forceful exploitation of men, women, or children ranging from forced labour, commercial sexual exploitation and other abusive activities for material and financial end. Human smuggling involves fraudulent transportation of individuals with falsified documentations, where the victim is acting voluntarily. For purposes of brevity, these terms will be used interchangeably.

Human trafficking and smuggling is the fastest growing criminal enterprise globally; it is growing to a more attractive business prospect than other forms of smuggling and trafficking. The Horn of Africa is a major source of mixed migration, with people ever on transit within their borders, to neighbouring countries, the Gulf region, Southern Africa, Asia, North America and Europe. There are multiple impetus for migration ranging from political persecution, armed conflict, civil uprising

and natural disasters, extreme poverty and economic exclusion, to corruption, porous borders, and lack of employment. A Global Financial Integrity report (2017) indicates that human trafficking and smuggling is one of the fastest growing transnational organized crime market. The report further alludes that human trafficking is playing a growing role in terrorist and insurgent groups' activities (May, 2017).

For terrorists, human trafficking and smuggling is a dual use crime. Terrorists use human trafficking as operational tool to subjugate opponents, intimidate population and decimate communities, as a driver for recruitment and radicalization process, and to increase members for martyrdom and majorly for financial gain where trafficked individuals are trade commodities. Acknowledging the possibility of interlinks between transnational crime and terrorism, Security Council in its resolutions 2331 (2016) and 2388 (2017) condemn, the illicit trade on, persons abducted by Islamic State in Syria (ISIS), as well as violations and abuses conducted by Boko Haram, al Shabab, the Lord's Resistance Army (LRA) and other such groups.

Terrorism activities in the region are believed to be funded by financial proceeds from transnational organized criminal activities including human trafficking and smuggling in the region. Kenya's National Police Service report gives succinct account on the arrest of Ali Hassan Ali a terrorist with links to ISIS and his role in human trafficking and smuggling across the region. Ali is believed to facilitate payment and transfer of finance linked with ISIS (UNSC Counter-Terrorism Committee Executive Directorate, 2018). Terrorists further rely heavily on organized criminal groups' activities such as human smuggling to move across borders to evade law enforcement agencies while crossing international borders. East Africa and the Horn of Africa region act as both the source and transit point for human trafficking and smuggling with most recorded flow destination to the Middle East. Most trafficked individuals originate from Ethiopia, Somalia, Sudan, Eritrea and South Sudan. Boosaaso, on the coast of the Gulf of Aden, and Obock

> "The covert smuggling operations in the region are largely conducted along the East Africa's coastal strip, stretching from coastal towns of Kenya and Tanzania with most smuggled drugs being heroin and cocaine

in Djibouti, are the two main ports of exit for those who opt to be smuggled to the Middle East (United Nations Office on Drugs and Crime, 2013).

According to a UNDOC report, in many occasions, most smuggled individuals are forced into abusive activities in the Middle East, Europe and North America (United Nations Office on Drugs and Crime, 2013). The International Labour Organization, indicate, existence of forced and abusive labor of smuggled individuals. Most of whom are forced to work in prostitution, as drug traffickers and or even beggars (International Labour Office, 2013). In worst-case scenarios, smuggling turns to trafficking especially in the Middle East where individuals are compelled to work for the smugglers to pay back dues accrued from the smuggling process, these dues range as high as USD 50,000 (UN office on Drugs and Crime, 2018). All these avenues are sources for both new recruits, as some smuggled migrants are later trafficked to Syria and Afghanistan for military trainings, and monitory income.

Drug Trafficking

The United Nations Office on Drugs and Crime (UNODC) defines drug trafficking as the cultivation, manufacture, distribution, and sale of substances which are subject to drug prohibition laws. According to Mandel (2011), institutional decay and violation of rule of law in weak states not only weakens state capacity, but also provide a safe haven for organised criminal gang such as drug trafficking organizations (Mandel, 2011). Most states of East and the Horn region have been regarded as international pariah owing to their wanton state of affairs. With potentially weak and or failed states coupled with the geostrategic positioning and proximity to the Arab Peninsula, the region has proven to be a strategic stage for illicit drug trafficking.

East African Community antic-narcotic law enforcement agencies in 2010 warned the regional states against losing the fight against drug trafficking. This was on the backdrop of the regional states who were once transit points turning into addictive consumers (Gastrow, 2011). The drug trafficking and smuggling business in the region is an intricate syndicate of drug barons, drug lords, criminal gangs and terrorists in Kenya, Sudan, Somalia and overseas.

Terrorist groups are believed to be involved in intricate and convoluted schemes such as drug trafficking and other organized crimes in order to raise capital (Thachuk, 2007), as drug trafficking is by far the transnational criminal activity that provides the largest funding for terrorism. The covert smuggling operations in the region are largely conducted along the East Africa's coastal strip, stretching from coastal towns of Kenya and Tanzania with most smuggled drugs being heroin and cocaine.

East Africa's drug economy analysis exclusively focuses on Kenya. However, there are arguments that, the economy stretches far as from the Horn of Africa to Cape Town (Mark Shaw, 2017). United Nations Office on Drugs and Crime (UNDOC)'s 2013 report further indicate that apart from Kenya, Tanzania also is an established transhipment hub for Afghan heroin smuggled to South Africa, West Africa and Europe. Al Shabab has been directly linked to heroin and cocaine trafficking racket connecting Afghanistan, East Africa and the Horn region and onward to Europe, packed and disguised as sugar or rice aboard trucks into Kenya (Judith Van Der Merwe, 2014).

Piracy and Maritime Terrorism

After the collapse of Somalia government that plunged Somalia in a state of perpetual conflict destabilizing the country, a spree of illegal fishing vessels ensued marauding the international waters. Continued competition for control of fishing grounds led to the rise of organized maritime crimes and piracy. Due to its strategic positioning along the Gulf of Aden with access to international waters, Somalia has a long history of piracy with the current wave of successful hijackings dated to have begun in 2005 (United Nations Office on Drugs and Crime, 2013).

Analysts are convinced that an array of cooperation is brewing, if not existing, between Somali pirates and the al Shabab cells. The head of the East African Seafarers Assistance Programme told Reuters that pirates are

channelling money to al Shabab, stating, "The money they make from piracy and ransoms goes to support al Shabab activities onshore." Giving reference to an anonymous Somali security authority, the 'Unholy High Seas Alliance' report claims that pirates' channels at least 20 per cent of ransoms collected to al Shabab in exchange for training, anchorage grounds for hijacked ships and weapons. On the other hand, pirates help traffic weapons and people to the al Shabab controlled port of Kismayu (John Rollins and Liana Wyler, 2010). This coincides with a spate of land-based abduction of foreigners, tourists, aid workers, government officials and wealthy tycoons in East Africa and the Horn region since 2008. With the most recent kidnapping of two Cuban Doctors, working in Mandera and Garissa counties along the Kenya-Somalia borders, has rekindled speculations that pirates might be cooperating with al Shabab, acting as a secondary market for pirate hostages with high political value (World Bank, 2013).

Trafficking of Small Arms and Light Weapons

Trafficking of Small Arms and Light Weapons (SALW) has one of the most direct and devastating effects on state security and development. Illicit arms trade is presumably conducted all over the world, ranging from simple sale of a handgun to transfer of large consignment of ammunitions. Trafficked weapons are manufactured and sold legally before entering black market through legal acquisition of arms which are then diverted through illicit distribution due to falsification of end users' information, corruption and poorly tailored arms control policies; the black market typically raises the retail value from legal markets price (May, 2017), making the business more lucrative.

Political instability, civil and armed conflict in east and Horn of Africa have increased the demand for arms and enable trade on illicit arms in the region. This situational conflict has opened a pandora's box for exploitation of weak state institutions by criminal groups. Al Shabab has taken advantage of porous borders in Kenya, South Sudan, and Somalia to coordinate smuggling of weapons in partnership with local criminal groups.

Research findings indicates that Somalia being the most destitute state provides enabling environment for illicit market for SALW. Armed groups in Somalia such as, Somali National Army, Hawadle, Al-Itihaad al-Islamiyah, Jabhatul Islamiyah, AhluSunna Waljama'a, Rahanweyn, and Ras-Kamboni movement, have acquired arms from

Yemen, Eritrea, Ethiopia, Libya, Saudi Arabia, Iran, and the United Arab Emirates (Opong, 2017), fuelling conflicts and insecurity in the region. Small Arms Survey (SAS) have corroborated these assertions.

It is imperative to note that civil conflicts and banditry in cases of Kenya and Uganda led to increase in demand for small arms and weapons, such as guns. This resulted in commercial enterprise of these weapons. There are numerous an unaccounted-for guns and other small firearms in the hands of pastoralist communities of Turkana, Baringo, Samburu, West Pokot and Mount Elgon region in Kenya. A similar phenomenon is evident in parts of Mount Elgon region in Uganda, among the Karamojong community and the Acholi. Somalia, Sudan, South Sudan and parts of Ethiopia too are believed to be receiving an assortment of weapons and ammunitions. This leaves arms in the hands of civilians some with paramilitary trainings like in the case of child soldiers of South Sudan and LRA, creating weak security links in the community, in tur causing security threats.

Illegal, Unregulated Trade

For so long, al Shabab relied on well-wishers, sympathizers, deep-pocketed supporters, rogue states and even charity groups, not forgetting its affiliation with al Qaida for funding (Keatinge, 2014). However, paucity of the offshore funding and risk associated with remittance or *hawala* transportation scheme made the offshore funding precarious, unreliable and inconsistent jeopardizing al Shabab's operations. The decline in diaspora resource funding rendered al Shabab more reliant on alternative domestic sources of revenue.

Faced with possibility of collapse due to inadequate funds, al Shabab divulged into illegal, unregulated trade to ensure reliable, consistent source of revenue. In addition, al Shabab developed what Tom Keatinge term as 'industrial scale' business operation in the non-

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A masked Somali pirate walks past a Taiwanese fishing vessel washed up on the shore in the once-bustling pirate den of Hobyo, Somalia (Photo Credit: AP/Farah Abdi Warsame)

governed regions, where it exercises authority (Keatinge, 2014). Al Shabab is charging unregulated taxes on charcoal and sugar as means of boosting income adding to illegal export and trade on charcoal using falsified documentation for trans-shipment. To keep up with operational revenue requirement, al Shabab got involved in an environmentally deleterious charcoal export racket and illicit sugar smuggling with importation of raw sugar from Brazil, the sugar is repacked and then transported in truckloads to Kenya.

Furthermore, al Shabab has a formal tax collection system, an extortion scheme to collect 'taxes' from local business operations and international organizations (Petrich, 2019). The extortion schemes are recurring checkpoints as pointed out by Petrich, these checkpoints charge up to USD 10 USD (Petrich, 2019). Al Shabab go as far as taxing international organizations for the right to operate humanitarian mission centre. Roland Marchal argues that international organization have to pay USD 10,000 annually to operate in al Shabab controlled territories (Marchal, 2011).

Conclusion

In summation, this article set out to analyse the state of existing evidence on the possible connections between transnational organized crime and terrorism. Making inferences to larger studies, in the discourse, the article pointed to the most prevalent hypotheses about the

nature of the nexus between transnational organized crime and terrorism. Owing to limited literature available on this particular field, this article is based largely on anecdotal evidence analysis, as concrete empirical evidence is hard to come by. This aspect leaves grey areas and information gaps in this field of study that should be explored further to vividly bring out the seemingly existing confluence, cooperation and convergence between transnational organized crime and terrorism in the region.

However, the article is able to bring out case analysis on probable nexus zones as argued by Global Counterterrorism Forum (GCTF), categories of interaction between organized crime and terrorism; coexistence as groups operate in the same geographical space; convergence, where either group mimics the other groups behaviour and cooperation for common goal. Al Shabab can be seen striking marriage for convenience type of relationship with drug barons, warlords, pirates and other criminal syndicates to smuggle and traffic drugs, arms and human beings within and beyond the region.

Where terrorists cannot procure goods and services on their own, definitely they implore indulgence of criminal groups. Motivated by desire to make more money and operate in non-governed territories, criminal groups tend to cooperate in a symbiotic relationship with terrorists.

To keep up with operational revenue requirement, al Shabab got involved in an environmentally deleterious charcoal export racket and illicit sugar smuggling with importation of raw sugar from Brazil, the sugar is repacked and then transported in truckloads to Kenya

Nevertheless, the article established that, al Shabab has been careful to limit its public association with criminal activities within Somalia in order to maintain the status quo image of a freedom fighter movement and to maintain legitimacy among the locals.

The linkage between terrorism and crime is deep, complex, and enduring given the technical nature of interpretation and understanding of the nexus between transnational organized crime and terrorism. Thus, much research has focused on the impacts of transnational organized crime on state security and development in the region, with minimal attention paid on the probable risk of transformation of this hybrid security threat to a more sophisticated, complex phenomenon in the region.

It is challenging in trying to unravel linkages between transnational organized economic enterprise and terrorism especially in the region because of multiplicity of issues, actions by the aforementioned entities that crisscross each other group's values and ideologies, poor policy structures and definitional gaps. Weak legal institutional frameworks add to the uncertainty of issues depicting unclear variables. In this sense, there is a real challenge enmeshed in the livelihood of innocent civilians with unforeseen consequences. Thus, to deter negative externalities that may destabilize the society, there is need for a programmatic response focused on developing effective response policies on addressing issues related to the financing of terrorism, strengthening the protocols to severe loopholes through which illicit money can earned and or transferred. Lastly, there is need for regional reintegration and renewed cooperation embedded on political goodwill to strengthen capacity building and resilience and above all, ensuring regional sustainable development.

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Editor's Note

Dear Reader,

We are excited to release our sixteenth bi-monthly issue of *The HORN Bulletin* (Vol. III, Iss. VI, 2020). We bring to you well-researched articles and analysis of topical issues and developments affecting the Horn of Africa. We welcome contributions from readers who wish to have their articles included in the HORN Bulletin. At HORN, we believe ideas are the currency of progress. Feel free to contact the Editor-in-Chief for more details at communications@horninstitute.org.

Hassan Khannenje, Ph.D.
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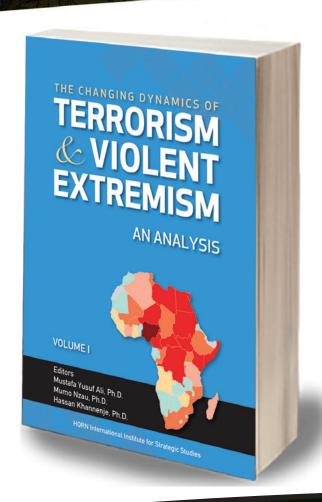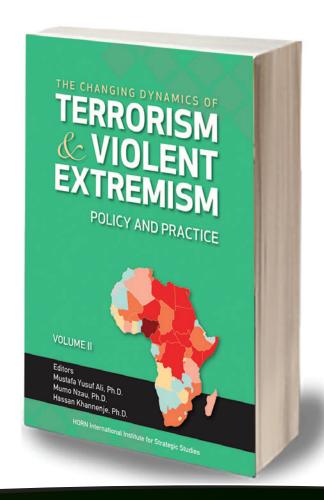
Upcoming Event

International Conference on Africa-Middle East Relations

Shared Peace. Shared Security. Shared Prosperity

HORN International Institute for Strategic Studies will hold an *International Conference on Africa-Middle East Relations.* The Conference, designed for both in-person and virtual attendance, will provide an opportunity for scholars and experts to discuss and exchange ideas on the nature and dynamics of Africa-Middle East relations. Participants from Africa, Middle East, and across the world will be invited to participate in the discussion.

The Conference, *inter alia*, will address the following areas in Africa-Middle East relations: geopolitics and Africa-Middle East Relations; trade and investment between Africa and the Middle East; Africa-Middle East relations in a multipolar world; significance of political ties between African states and the Middle East; among others.

THE CHANGING DYNAMICS OF TERRORISM AND VIOLENT EXTREMISM: AN ANALYSIS (VOLUME I)

Terrorism and violent extremism remain pervasive and massively lethal to humanity. Their dynamism and numerous inflection points have made it problematic to employ a one-size-fits-all approach or strategy. Scholars and practitioners have, however, continued to enrich this discourse, and The Changing Dynamics of Terrorism and Violent Extremism: An Analysis (Volume I) is the first of the two-book volumes series conceived from an international conference on terrorism and violent extremism organized by the HORN International Institute for Strategic Studies in April 2018 in Nairobi (Kenya) in an attempt to address this problem.

The volume contains ten chapters and it presents a comprehensive analysis of terrorism through a broader perspective that includes digital explosion and rise of youth radicalization; radicalization into violent extremism; human rights violations and international terrorism; effectiveness of counter-terrorism strategies; and informal early warning systems. It concludes with a critical reflection on key themes in the volume and their implications for policy and practice. This book will be of interest to scholars, policymakers, and students of terrorism and violent extremism, security, and conflict.

Editors: Mustafa Y. Ali, Ph.D., Mumo Nzau, Ph.D., and Hassan Khannenje, Ph.D.

THE CHANGING DYNAMICS OF TERRORISM AND VIOLENT EXTREMISM: POLICY AND PRACTICE (VOLUME II)

The debate on how to effectively counter terrorism has been pushed into the forefront of policymaking deliberations, and Africa, and the world at large, would greatly benefit from the continued conversation on this subject. Prevention of terrorism requires careful, meticulous, and dispassionate evaluation of current strategies and approaches to inform the design and implementation of new policies. This volume is the second of a two-book volumes series conceived from an international conference on terrorism and violent extremism organized by the HORN International Institute for Strategic Studies in April 2018 in Nairobi (Kenya).

This ten-chapter volume informs policy issues ranging from evolution of violent extremism in Islam; the role of the youth in the prevention of violent extremism; protection of critical infrastructure; analysis of state responses to terrorism and violent extremism; to case studies on countering violent extremism. Its conclusion underscores the import of evidence-based and context-specific policy formulation. This volume provides a comprehensive reference reservoir for practitioners, scholars, students, and others working in the realm of terrorism and violent extremism.

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