

# Expectations and Reality in Conflict Prevention

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## 1. Background

Early warning and response systems began to be developed in Africa in the 1970s in order to deal with droughts and ensure food supplies in a timely fashion to avoid humanitarian disasters. By the 1990s, accelerated by the Rwandan genocide, early warning efforts expanded beyond natural disasters to include food security and refugees. More recently, early warning efforts have been used to address prevention, management and resolution of violent conflicts.

Various African regional and sub-regional organizations began to prioritize these issues in the early 1990s. The Organization of African Unity (OAU) established the Central Mechanism for Conflict Prevention, Management and Resolution charged with the anticipation and prevention of situations of armed conflict as well as with undertaking peace-making and peace-building efforts. The establishment of a Continental Early Warning System<sup>1</sup> (CEWS), however, accelerated after the transformation of the OAU into the African Union (AU) in 2002. The CEWS is intended to be one of the key pillars of the Peace and Security Council in addition to the Panel of the Wise, the African Standby Force and a Special Fund.

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<sup>1</sup> In July 2002, in Durban (South Africa), a protocol for the establishment of the Peace and Security Council (PSC) was signed. The protocol in Article 2 defines the PSC as a collective security and early warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa. Article 12 of the PSC protocol provides for the establishment and of a Continental Early Warning System in order to facilitate the anticipation and prevention of conflicts in Africa.

The models of early warning systems developed in the various regions were based on different premises. The Economic Community of West African States<sup>2</sup> (ECOWAS) in cooperation with its implementing partner, West Africa Network for Peace-building (WANEP), operates through a network of civil organizations in partnership with the governments. The Southern African Development Community (SADC) has developed an Organ for Politics, Defense and Security in the direction of developing a collective security or defense system. The Conflict Early Warning and Response Mechanism (CEWARN) of the Intergovernmental Authority on Development (IGAD) is primarily based on governments, but also operates in partnership with civil organizations.

The Horn of Africa, in particular over the past decades, has been one of the most fragile crisis regions in the world. It is characterized by a chronic mixture of war, breakdown of states, poverty, hunger and human misery. From a global perspective only the great lake region and Central/South Asia are comparable with regard to war proneness and the number of victims.<sup>3</sup> The Horn is further characterized by regionalized civil wars, by the reciprocal destabilization of neighboring countries through the support of rebel groups, the supply of arms, disputed borders,<sup>4</sup> clashes between communities across borders and low intensity conflicts, such as cattle rustling which spread beyond national borders. Mutual intervention by outside governments in internal conflicts is at the root of the chronically unstable and volatile regional security regime that characterizes the region.<sup>5</sup>

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<sup>2</sup> In 1993 the Revised Treaty of the Economic Community for West African States was signed. Article 58 put emphasis on regional security, mainly on the “establishment of a regional peace and security observation system”. In 1999 a protocol relating to the mechanism for conflict prevention, management, resolution, peace keeping and security was signed.

<sup>3</sup> See Tobias Debiel: *Global Perspectives on the Horn of Africa: Tentative Considerations on Geopolitics, Regional Security and Conflict Transformation*. Publication of the Friedrich Ebert Stiftung (Ethiopia office) 2003, p. 12.

<sup>4</sup> The Ethiopia-Eritrea border dispute is a case in point.

<sup>5</sup> See Ciru Mwaura, Susanne Schmeidl (eds.): *Early Warning and Conflict Management in the Horn of Africa*. Lawrenceville, New Jersey, 2002, p. 54.

With its revitalization in 1996<sup>6</sup> IGAD began, besides a broader development mandate, to focus on issues of conflict prevention, management and resolution. The establishment of a conflict early warning and response system was identified as a key area within IGAD's peace and security agenda.<sup>7</sup> In a meeting of the Council of Ministers held in Khartoum in 2000 the decision was taken to establish CEWARN for the IGAD region in order to receive and share information concerning potentially violent conflicts as well as their outbreak and escalation in the IGAD region.

The CEWARN Protocol signed in 2002 lays down a wide range of areas on which CEWARN can collect information. The mandate of CEWARN is to receive and share information concerning potentially violent conflicts as well as their outbreak and escalation in the IGAD region. These include livestock rustling, conflicts over grazing and water points, nomadic movements, smuggling and illegal trade, refugees, land mines and banditry.<sup>8</sup> With this catalogue of conflict hot spots, the expectations would have been for the Mechanism to have a wide scope of types of conflict monitoring.

However, member states opted of an incremental approach, commencing with the monitoring of cross-border pastoral conflicts. The focus on cross-border pastoral conflicts was chosen as entry point for CEWARN, because such a pilot project was of common interest to all IGAD member states. Arid and semi-arid cross-border areas with a livelihood system of pastoralists and agro-pastoralists run along all the borders of the IGAD sub-region, with similar ethnic groups along the boundaries. It was also an area where member states were willing to cooperate and share information and would mitigate and not fuel existing conflicts.

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<sup>6</sup> IGAD supersedes the Intergovernmental Authority on Drought and Development (IGADD) established in 1986 by the then drought afflicted six Eastern African countries: Djibouti, Ethiopia, Kenya, Somalia, Sudan and Uganda.

<sup>7</sup> Article 6A paragraph (g) of the IGAD Agreement of March 1996, outlining the principles of the sub-regional mechanism, states: "Promote peace and stability in the sub-region and create mechanisms within the sub region for the prevention, management and resolution of inter- and intra-state conflicts through dialogue".

<sup>8</sup> Annex, Part II of the 2002 CEWARN Protocol.

Last but not least, it provided an opportunity, due to the complexity of the conflicts in the region, to form a basis for confidence-building on the basis of early warning among the member states, before the Mechanism can be expanded to cover other conflicts.

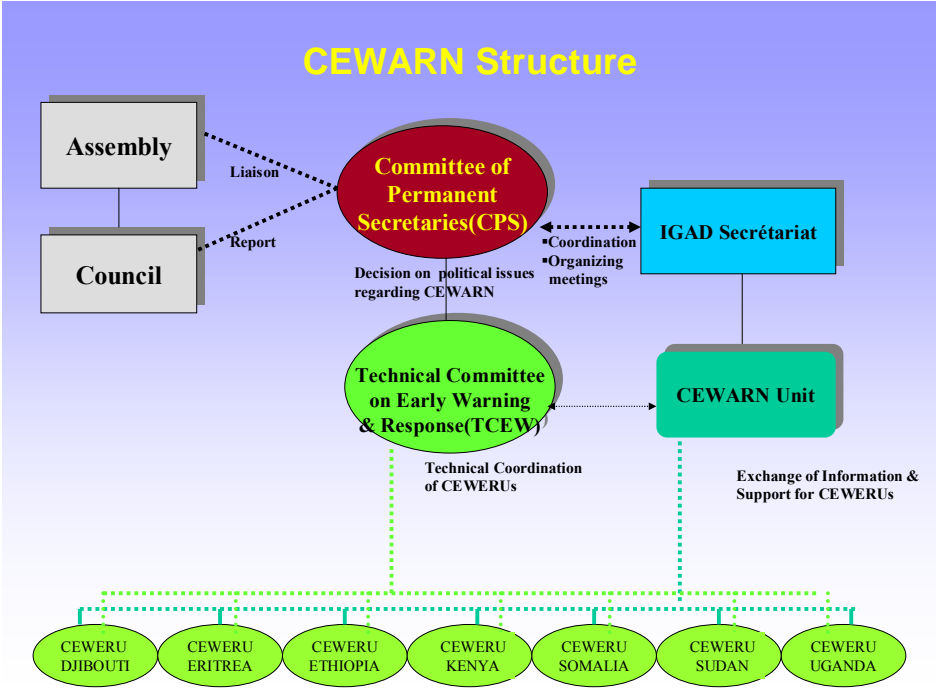
## 2. IGAD/CEWARN Areas of Conflict Monitoring

The mandate of CEWARN is to receive and share information concerning potentially violent conflicts as well as their outbreak and escalation in the IGAD region, undertake analysis of the information as well as develop case scenarios and formulate options for response.



In 2003 the initial pilot area was identified as the *Karamoja Cluster*, which is the cross-border area of Ethiopia, Kenya, Uganda and Sudan – followed by the *Somali Cluster* two years later, including the cross-border area of Kenya, Ethiopia and Somalia.

### 3. Structure and Functioning of the IGAD – CEWARN



CEWARN has established local information collection networks to collect and document prescient information and data on cross-border pastoral conflicts. At national level, each network is composed of several Field Monitors (FMs) who are trained in collecting information, categorizing and placing that information into prescribed reporting formats. So far, fourteen FMs have been deployed in the districts of the Karamoja Cluster since mid-2003 and eight FMs in the Somali Cluster since June 2005.

In each of the IGAD member states, CEWARN has identified National Research Institutes (NRIs) and contracted them as partner organizations for the Mechanism. Each NRI has a CEWARN Country Coordinator (CC), supported by an assistant, who is responsible for the supervision

of the FMs, coordination of information and data collection as well as for data analysis and the submission of EW reports.

The CEWARN unit in Addis Ababa is the regional hub for data collection, conflict analyses, information sharing, and communication of response options. It acts as clearing house and is responsible for quality control. It supports CEWARN stakeholders in capacity-building including training, and coordinates the different CEWARN organs, assists in developing regional cooperation structures and is the driving force for the political process behind the Mechanism.

At national level the CEWARN Mechanism builds upon Conflict Early Warning and Early Response Units (CEWERUs) as focal coordinating integrated units that operate within relevant ministries of IGAD member states. These units are directed and managed by CEWERU heads who are nominated by the member states themselves. Each CEWERU is mandated to form a steering committee, including representatives of relevant ministries and the provincial administration, security bodies such as police, intelligence and the military, legislative bodies, civil organizations, academia, religious organizations or other influential members of the societies. Bringing together governmental decision makers and civil representatives, the CEWERUs are the responsible bodies for response initiatives on country level to be implemented in close cooperation with local committees or sub-regional peace councils.

The two regional coordinating structures of the Mechanism are the Technical Committee for Early Warning (TCEW) and the Committee of Permanent Secretaries (CPS)<sup>9</sup>. At the intermediate level the heads of CEWERUs collectively form the Technical Committee which convenes twice a year to run technical consultations on the CEWARN Mechanism, including the discussion of early warning reports and response options. The TCEW submits its recommendations to the CPS which comprises senior governmental representatives designated by IGAD member states. The CPS is the policy-making organ of CEWARN and it reports to the Council of Ministers which in turn reports to the Assembly

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<sup>9</sup> Article 9 of the CEWARN Protocol: Ibid.

of Heads of States. The Peace and Security Directorate of the IGAD Secretariat in Djibouti is a member of the CPS.

#### **4. CEWARN's Tools and Products for Early Warning and Early Response**

Each CEWARN Field Monitor submits Incident Reports documenting violent events as they occur and Situation Reports based on observable events on a weekly basis. Human deaths and livestock losses are the two most central of these issues.

CEWARN uses a set of indicators to track, monitor and analyze cross-border pastoral and related conflicts in the Horn of Africa region. Indicator Categories for Situation Reports: Presence and Status of

- Communal Relations,
- Civil Society Activities,
- Economic Activities,
- Governance and Media,
- Natural Disasters,
- Safety and Security,
- Social Services.

Indicator Categories for Incident Reports:

- Armed Clashes,
- Raids,
- Protest Demonstration,
- Other Crimes.

The Country Coordinators use the CEWARN Reporter<sup>10</sup> to enter and store the standardized field reports submitted to them by the Field Mo-

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<sup>10</sup> IGAD contracted Virtual Research Associates Incorporated (VRA) based in Boston/USA to develop the workshop's indicators into an early warning software program. The developed program called "the Reporter" provides the basis for data collection and analysis of information.

nitors. The Reporter is also used for the analysis of the reports, data management and graphic display of event frequency over the time. It also allows for qualitative and quantitative analyses of field data with a view to identifying emerging trends. The CEWARN Unit in Addis Ababa is responsible for the quality control of analytic reports that are submitted by the Country Coordinators.

The Reporter is available on-line but is accessible only by IGAD officials, national government representatives and the staffs of the CEWARN units. Based on the data gathered in the field, the following early warning reports are issued:

<b>Type of Early Warning Report</b>	<b>Frequency</b>	<b>Level</b>
Alerts	Immediately	National / Regional
Situation Briefs	As the need arises	National / Regional
Country Updates	Every three months	National
Cluster Reports	Every three months	Regional
Annual Risk Assessment	Annually	National and Regional (to be launched in 2007)
Country Baseline Studies	For all new AORs and evaluation every five years	National

## **5. Response Structures/Intervention of CEWARN**

Early warning involves the collection of data, analysis and communication of findings through an alert to a recognized authority, about the threat of a new or renewed conflict, at a sufficiently early stage to enable the authority to take appropriate strategies/response actions to mitigate or avert a conflict. To be effective, early warning must be linked to an early response framework.



At the national level, the reports generated by CEWARN are shared with each National Conflict Early Warning and Early Response Unit (CEWERU). Ideally, when early warning information is relayed to the CEWERUs, response actions would be initiated to mitigate or prevent an imminent conflict. The response requires proper coordination with the local structures in the areas of reporting and close cooperation with local committees or sub-regional peace councils. These include the local leadership, civil organizations and community-based organizations in the area as well as the traditional dispute resolution forums where they exist.

At the regional level, reports are submitted to the two regional coordinating structures of the Mechanism, namely the Technical Committee for Early Warning (TCEW) and the Committee of Permanent Secretaries (CPS).<sup>11</sup>

## **6. Impact of CEWARN on Early Warning in the IGAD Region**

“In the past few years that CEWARN has been operational, its continued field reporting and monitoring of pastoral and related conflicts, and regular production of early warning reports is an exercise that has managed to present and demonstrate immensely the nature, dynamics, and magnitude of this violence that no other institution has been able to do for a long time.” *Ms. Bernice Joyce A. Nima, Uganda Joint Christian Council (UJCC).*

“CEWARN is cutting edge and even in its infant state shows greater strength than virtually any other early warning system extant with respect to data collection. ... The documentation function alone that has been achieved so just in the pilot study of the Karamoja Cluster is absolutely remarkable, and, horrifying.” *Professor Howard Adelman, 2004*

- CEWARN has a unique database, providing constant and accurate information on cross-border pastoralist conflicts to national governments.

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<sup>11</sup> The CEWARN reports are published on the CEWARN website for a broader public. See <<http://www.cewarn.org>>.

- The CEWARN approach tries to cope with the dynamism of conflicts and combines quantitative with qualitative analyses of field data.
- CEWARN has increased awareness among governments, civil actors and other stakeholders regarding the nature, intensity and magnitude of cross-border pastoralist conflicts leading to specific policy programs for the regions.<sup>12</sup>
- CEWARN has managed to bring together state and non-state actors to collaborate and adopt strategies toward addressing violent cross-border pastoral conflicts.

## **7. Other Regional Early Warning and Conflict Management Mechanisms**

### **7.1. Economic Community of West African States (ECOWAS)**

15 West African countries<sup>13</sup> signed a treaty on the Economic Community of West African States (Treaty of Lagos) on 28 May 1975. The protocols launching ECOWAS were signed in Lomé, Togo on 5 November 1976. In July 1993 a revised ECOWAS Treaty designed to accelerate economic integration and to increase political cooperation, was signed. Art.58 of that treaty put emphasis on regional security, mainly the “establishment of a regional peace and security observation system”.

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<sup>12</sup> Uganda formulated the Karamoja Integrated Disarmament and Development Programme as “creating conditions for Promoting Human Security and Recovery in Karamoja” 2005-2008. CEWARN/CEWERU Head and Country Coordinators were part of the consultative team for the process. Kenya is in the process of finalizing a policy programme for Arid and semi-Arid Lands and the CEWARN/CEWERU office is involved in the process.

<sup>13</sup> Today ECOWAS has 16 member states and these are Benin, Burkina Faso, Cape Verde, Gambia, Ghana, Guinea, Guinea Bissau, the Ivory Coast, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone and Togo.

ECOWAS was designated one of the five regional pillars of the African Economic Community (AEC). Together with COMESA, ECCAS, IGAD and SADC ECOWAS signed the Protocol on Relations between the AEC and RECs in February 1998.<sup>14</sup>

### *7.1.1. Structure*

The Community consists of the Authority of Heads of State and Government, the Council of Ministers, the Mechanism for Conflict Prevention, Management and Resolution, Peace and Security, the Community Tribunal, the ECOWAS Parliament, the Executive Secretariat and six Specialized Technical Commissions.

The ECOWAS summit of December 1999 agreed on a protocol for the establishment of a Mechanism for Conflict Prevention, Management and Resolution, Peace and Security. The institutions of the Mechanism include (1) the Authority; (2) the Executive Secretariat; and (3) a Mediation and Security Council comprised of ten member states. The Mediation and Security Council oversees the activities of the following organs:

- Defense and Security Commission;
- Council of Elders;
- Early Warning Observation and Monitoring Centre;
- ECOMOG.

The Executive Secretary has the power to initiate fact-finding, mediation, facilitation of negotiations and reconciliation actions for the effective prevention and management of conflicts in the sub-region.

The Council of Elders is appointed by the Executive Secretary to engage in preventive diplomacy in the region. These eminent personalities are

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<sup>14</sup> The AEC Treaty (commonly known as the Abuja Treaty) came into force with the requisite number of ratifications, in May 1994. It provided the basis for the African Economic Community to be set up through a gradual process which would be achieved by coordination, harmonization and progressive integration of the activities of existing and future regional economic communities (RECs) in Africa.

chosen “to use their good offices and experience to play the role of mediators, conciliators and facilitators”.

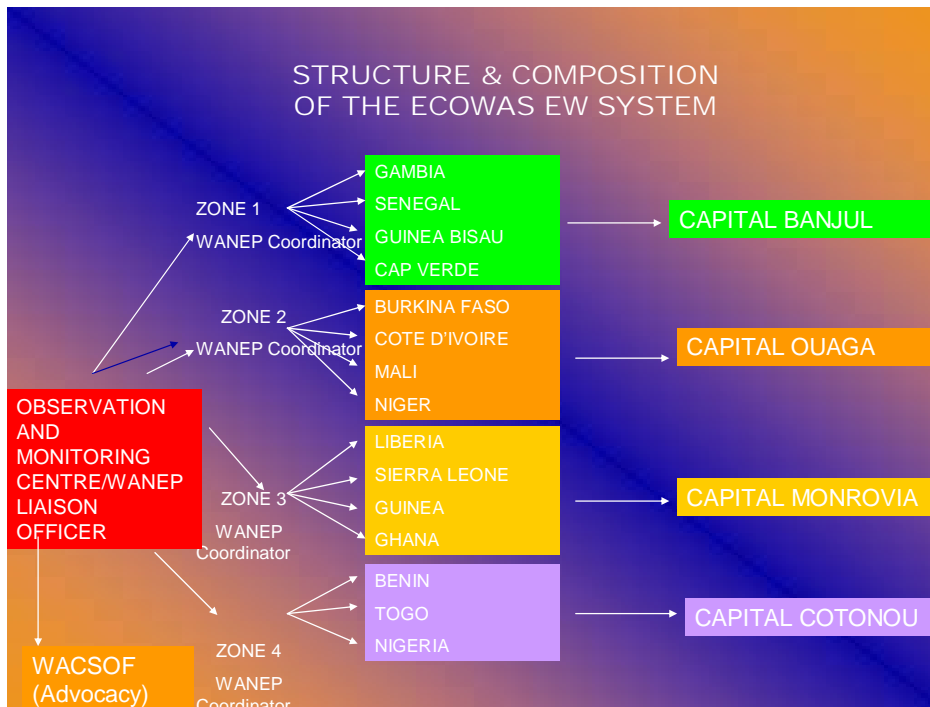
#### *7.1.2. Early Warning Observation and Monitoring System*

The early warning system of ECOWAS is known as the sub-regional Peace and Security Observation Team. Its structure includes:

- I. An Observation and Monitoring Centre (OMC), which is the hub of the ECOWAS Early Warning System, responsible for early warning analysis, located at the ECOWAS Secretariat in Abuja, Nigeria.
- II. Four Observations and Monitoring Zones (OMZs) which are located in Banjul Gambia, Ougadougou, Burkina Faso, Monrovia Liberia and Cotonou Benin.
- III. The Defense and Security Commission (DSC) – the main user of early warning information.
- IV. The Council of Elders: They act as ambassadors of peace and promoters of non-violence, stability and good governance in the West African sub-region. COE teams have been sent to Liberia, Côte d’Ivoire, Togo, Burkina Faso, Guinea Bissau and Benin to promote peace.

The decision-making and the implementation of decisions of the mechanism is the task of the Mediation and Security Council (MSC), comprising nine member states who serve a two-year term. The MSC works at three levels:

- Heads of state and government, who meet at least twice a year;
- Ministerial level (Defense, Foreign Affairs, Internal Affairs), who meet once every three months to discuss the peace and security situation in the sub-region.
- Ambassadors, who meet monthly to review the regional peace and security situation.



### 7.1.3. Scope of ECOWAS Early Warning in Conflict Prevention

The ECOWAS early warning data collection has a large number of civil participants through the observation centers. The implementing partner for ECOWAS is the West Africa Network for Peace Building (WANEP), which is a network of civil organizations. Civil society, however, has no formal representation in the decision-making structures. The system has developed and utilizes 93 indicators for social, economic, military, cultural and humanitarian development.

ECOWAS adopted an overall approach to monitoring all aspects that affect peace and security. This includes small arms, youth's activities, smuggling, militias and the development of rebel groups.

Its activities mainly comprise disarmament and demobilization, mediation and reconciliation, humanitarian assistance and pedagogic programs

– especially the education of children and youths. It also operates an ECOWAS Peace Fund.

The implementation of the early warning system has, however, had more focus on military intervention and peacekeeping through the ECOWAS Monitoring Group (ECOMOG). ECOMOG has established itself as a force for peaceful security intervention in Liberia (twice), Sierra Leone, Côte d'Ivoire and Guinea Bissau.

## **7.2. The Continental Early Warning System (CEWS) of the African Union**

The process of establishing a formal conflict resolution mechanism by the OAU, now the AU began with the Cairo Declaration of 1993. Its goal was to provide a framework for the anticipation and prevention of violent conflict in Africa. Before the transformation of the OAU into the AU, in 2002, the early warning system had not been established.

In July 2002, in Durban, South Africa, a protocol for the establishment of the Peace and Security Council (PSC) was signed. In Article 2 the protocol defines the PSC as a collective security and early warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa.

Article 12 of the PSC Protocol provides for the establishment of a Continental Early Warning System (CEWS) in order to facilitate the anticipation and prevention of conflicts in Africa.

### *7.2.1. Institutional Framework of the CEWS*

The CEWS consists of:

- I. An observation and monitoring centre known as the Situation Room located at the Conflict Management Division of the AU, which is responsible for data collection and analysis.
- II. The Observation and Monitoring Units of the regional mechanisms for conflict prevention, management and resolution which

shall be linked through appropriate means of communication to the Situation Room.

In July 2005, following a consultative process by the Commission, a draft road map for the operationalization of CEWS was drawn up. The following items were identified as key elements for the operationalization of CEWS:

- a) Data collection;
- b) strategic analysis of data;
- c) early warning reports and engagement with decision makers;
- d) coordination and collaboration between the AU, the regional mechanisms and other key stakeholders.

In June 2006, at the 57th meeting of the PSC, the status of the continental peace and security architecture was reviewed and the Commission was urged to hasten the process towards the full realization of CEWS. The Commission then planned a meeting where it would:

- take stock of the challenges of establishing CEWS;
- examine international experiences on EW and their relevance for Africa;
- define key steps to realize the operationalization of CEWS;
- adopt a road map that will clearly spell out the steps to be taken by each of the stakeholders as well as the timelines for their implementation, leading to the operationalization of CEWS.

The meeting planned for the consultation of government experts on early warning, scheduled for 28-30 November 2006 in Durban South Africa, was postponed. Therefore, as we are discussing here today, there is no functional CEWS for the AU and it is still very much in the making.

## **8. Cooperation among the Early Warning Systems on the Continent**

### **8.1. United Nations**

The former UN Secretary General Kofi Anan, in the report on “*The causes of conflict and the promotion of durable peace and sustainable development in Africa*” (1998), states that “... broader international efforts ... can succeed only if there is genuine cooperation and support of such measures by the sub-region”.<sup>15</sup> By so doing, he was reinforcing the position of his predecessor, former UN Secretary General Boutros Boutros Ghali’s “*Agenda for Peace*” (1992), where he noted that “*regional arrangements or agencies in most cases possess a potential that should be utilized in serving functions of preventive diplomacy, peace keeping, peace making and post conflict peace building*”.

At the United Nations level, Resolution 60/180 of the UN sets up the UNPBC and requires it, where appropriate, to work in close consultation with regional and sub-regional organizations to ensure their involvement in peace building processes, in accordance with chapter five of the UN Charter. Details have not been worked out. The UN has, however, established the United Nations office for West Africa (UNOWA).

### **8.2. The African Union**

For the AU and RECs in the region, Art.12 (3) of the protocol requires the commission of the AU to collaborate with the UN and its agencies, other relevant international and regional organizations, research centers, academic institutions and non-governmental organizations to facilitate effective functioning of the CEWS. The consultative process for establishing the framework of cooperation is still ongoing.

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<sup>15</sup> Kofi Anan: *The causes of conflict, and the promotion of durable peace and sustainable development in Africa*. Report of the Secretary General. New York 1998, paragraph 21.



### **8.3. Cooperation between the IGAD/CEWARN and ECOWAS**

There is no formal agreement between the two functional early warning systems on the continent. There are no avenues for sharing information or accessing data between the two institutions. Save for the occasional sharing of information at regional and international conferences, the only avenue is by website.

While letters of intention to share information and experiences have been exchanged between the secretariats of both institutions, the collaborative and cooperative modalities of how this is to be executed still have to be worked out.

Notwithstanding, both EW systems are applying the same Swiss Peace Foundation FAST model of EW analysis, based on events. Both EW systems are using the same Reporter model for data collection and analysis and so, while this makes the systems vulnerable, there are still lessons to be learned from the peculiarities of both regions in addressing conflicts.

## **9. Lessons Learned, Obstacles and Preconditions for Successful Crisis Prevention**

### **9.1. Lessons Learned**

As to whether the early warning systems in Africa are being effective remains a moot question. What is clear though is that it is now accepted that conflict prevention and management is important for peace and security and for development. Another key lesson so far drawn from the monitoring of conflicts is that there has to be good will of member countries to operate a functional response system. In fact, it has been argued that what is lacking is not early warning, as in most of the cases information on brewing or simmering conflicts is available, but what is lacking

is the will of **those in authority to take appropriate response strategies and actions to prevent** the conflicts from escalating.

Experience shows that conflict prevention calls necessarily for a policy of intervention, whether internal or external. The question of intervention usually poses the challenge of legitimacy, especially given the high risk of political instrumentalization<sup>16</sup>.

Most reports generated by early warning systems call on member states to address the root causes of the conflicts, rather than the short-term measures usually employed. The root causes of conflicts include poverty, colonial history, ethnicity, competition for resources, regional imbalance, interference in internal governance and the role of external actors, which may be governments or multinational corporations.

States tend to find short-term measures expedient, though they only serve to aggravate the situation. Conflict suppression, use of force to weaken, divide and deter a conflict is usually applied by deploying troops/military to forcefully restore law and order. While this can deescalate the conflict, it is not a sustainable solution. It only addresses physical symptoms but does not address the structural/root causes of the conflict. Unfortunately this is the most commonly used intervention method in Africa. Using the military to suppress crises/conflicts is the norm.

There is need to focus more on conflict transformation: Addressing the root causes of the conflict includes attitudinal changes and the socio-economic development of most areas. Unfortunately, the analysis of conflict indicates that the causes of conflict are mutually reinforcing each other, i.e. the disabling factors are mutually reinforcing each other without reciprocal enabling indicators.

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<sup>16</sup> Life After State House: Addressing the Unconstitutional Changes in West Africa: UNOWA Issue Papers, March 2006, p. 31.

## 9.2. Obstacles

Notwithstanding the above, regional early warning systems face severe obstacles in setting preventive measures and implementing their mandate set forth in *The Charter of the OAU and the Principle of Non-Interference*. This Charter is the basic document of the OAU, which has been the cornerstone of the international legal system in Africa. The OAU principles are stated in Article II of the charter as follows:

1. The sovereign equality of all member states;
2. non-interference in the internal affairs of states;
3. respect for the sovereignty and territorial integrity of each state and for its inalienable right to independent existence;
4. peaceful settlement of disputes by negotiation, mediation, conciliation or arbitration.

The Union's Charter places paramount importance on safeguarding sovereignty, territorial integrity, and independence. This principle, enshrined as one of the fundamental purposes of the organization, was viewed as being essential in order to consolidate the African states' hard-won independence and struggle against neo-colonialism in all its forms. The non-intervention principle, enshrined in the OAU Charter, puts a caution on the level of warning that any mechanism can issue, with regard to impending crises and activities carried out within the internationally recognized borders of states. The non-intervention principle has been the foundation stone of the Union, a sacred rule, which states have adhered to blindly. This emphasis on sovereignty has contributed to the delays in addressing conflicts, which would otherwise have been prevented.

While the OAU Charter recognizes the principle of non-interference, it does not provide any enforcement mechanism to safeguard its principles. Rather it emphasizes cooperation among member states and the peaceful settlement of disputes through negotiation, mediation and conciliation. Other obstacles are:

- Conflict prevention and resolution mechanisms are governmental in nature, regulated by formal protocols and agreements. The role of early warning and early response, thus, becomes inextricably

linked to the dynamics of the conflicts that affect the regions in which governmental institutions are key players in the conflicts. The institutions are complex and bureaucratic.<sup>17</sup>

- Member states themselves are too involved in the conflicts. There are few instances of coups or coup attempts on the continent in which neighboring states have not been either involved or accused, rightly or falsely, of being accomplices. Some coup attempts degenerate into civil war. See Côte d'Ivoire in September 2002 or the attempt to overthrow Samuel Doe in Liberia 1989.<sup>18</sup>
- IGAD still has relatively weak capacities and is blocked by internal dissent. It has a limited capacity to enforce or implement peace agreements.
- Member states are not ready to concede the enormity of the political crises within their borders.
- CPMR is complicated, due to the use of army personnel by national governments, to respond to conflicts or crises. The armies more often complicate and escalate conflicts.
- Member states are faced with too many crises and have gotten accustomed to crisis management, so that they pay little attention and are not ready to commit resources to the predictive nature of early warning information.
- Strengthening the institutional and human capacity of the mechanism and the involvement of state and non-state actors is of key importance.
- Sustainability: Most of the funding of the mechanisms comes from donor funds and not from the member states themselves. This produces problems with regard to sustainability and ownership of the mechanisms.

Commenting on the need to strengthen preventive measures and the attendant obstacles, the Executive Secretary of ECOWAS had the following to say:

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<sup>17</sup> See Ciru Mwaura, Susanne Schmeidl, *Op. cit.* (footnote 5), p. 100.

<sup>18</sup> See *Life After State House*, *Op. cit.* (footnote 16), p. 26.

“We have to get more pre-emptive, anticipate ... regrettably we have not shown the courage and the determination to move in a timely fashion to prevent situations of crisis from deepening. And when it has gotten out of hand, it has cost us in the sub-region and the wider international community much more to resolve the crisis.”<sup>19</sup>

Despite the conflict preventive/intervention methods of ECOWAS and its military strength in monitoring conflicts, despite the existence of a decreed prohibition on coup d'état by African leaders and a decree saying that the same will not be tolerated or recognized by the OAU<sup>20</sup> the political situation in the sub-region is still precarious.

“For the past decade and a half, the region (West Africa) has experienced numerous successful coups d'état and credible, unsuccessful coup attempts. Coup and coup plots afflicted thirteen of the regions 16 member states of ECOWAS during this period, leaving only Cape Verde, Ghana and Senegal unaffected. Successful coups took place in Côte d'Ivoire, Gambia, Guinea Bissau, Liberia, Mali Mauritania, Niger, Nigeria and Sierra Leone.”<sup>21</sup>

While the above trends appear disheartening to the attempts of ECOWAS regarding early warning, commendable work was undertaken by ECOMOG intervention twice in Liberia, in Sierra Leone, in Côte d'Ivoire and in Guinea Bissau, saving hundreds and thousands of lives which would otherwise have perished in the conflicts without the intervention of the regional mechanism. IGAD has expanded its mandate and undertaken serious mediation efforts in Sudan and Somalia within the frame of its stretched human and financial resources.

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<sup>19</sup> Mohammed Ibn Chambas, Executive Secretary of ECOWAS, quoted in the Life After State House Report of UNOWA, Op. cit. p. 23.

<sup>20</sup> OAU Assembly of Heads of State and Government: Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World (1990).

<sup>21</sup> See Patrick J. McGowan: Africa Military Coup d'état 1956-2001: Frequency, trends and distribution: the Journal of Modern African Studies, Vol.41 No.3, 2003.

### **9.3. Preconditions for Success**

- Good governance and strengthening democratic institutions in African states;
- democratic change of leadership, preventing the manipulation of constitutions and electoral laws;
- good will of member states and commitment to address the root causes of conflicts rather than the short-term fixes;
- socio-economic development of marginalized areas and effective use of gains from natural resources;
- examination of the principle of non-interference to tailor it to the higher goal of peace and human security;
- creation of cooperative and collaborative linkages with non-state actors and expansion of the early warning networks, to include the participation of civil society, the media and the business community.

## **10. Terrorism and Conflict Prevention**

Following the September 11th attacks and the following war in Afghanistan, geopolitical realities shifted away even further from sub-Saharan Africa with the Horn of Africa and East Africa being the exception.<sup>22</sup>

Some analysts have pointed to Africa as a lethal combination of corrupt or destructive leaders, porous and unmonitored borders, rendering it a conduit and incubator for international terrorism. Terrorism is often linked to mercenariness, drug trafficking and illicit proliferation of small arms, all of which are rife in the region.

The crux of the argument is that countries with weak governments and failing economies may become safe havens and fertile breeding grounds

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<sup>22</sup> Tobias Debiel, Axel Klein: *Fragile Peace State Failure , Violence and Development in Crisis Regions*. London 2002.

for terrorists.<sup>23</sup> Where weak governments are in charge, and effective policing structures are lacking, coupled with rampant corruption, terrorists can exist without detection. In adverse economic conditions and in countries with overwhelming socio-economic problems people are possibly more susceptible to being recruited into terrorist organizations than in more stable countries.

A protocol to the OAU Convention on the Prevention and Combating of Terrorism<sup>24</sup> enjoins the Peace and Security Commission of the AU to coordinate and harmonize continental efforts to prevent and combat terrorism in all its aspects as well as to implement other relevant international instruments. The protocol also spells out the role of regional mechanisms to establish contact points on terrorism at the regional level.<sup>25</sup> To this end, IGAD set up the IGAD Capacity Building Programme against Terrorism (ICPA), in 2006, based in Addis Ababa.

Some countries in Africa, like for instance Uganda,<sup>26</sup> Sudan and South Africa<sup>27</sup> have passed anti-terrorism laws, while Kenya and Ethiopia submitted bills to their parliaments. Despite the existence of UN Security Council Resolution 1373 (28 September 2001), the process of the enactment of anti-terror laws in Africa is slow and protracted. The debates in the national parliaments, however, express fears that aspects of terrorism laws could detract from basic human rights and civil liberties.

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<sup>23</sup> See Jai Banda, Anton Katz and Annette Hubschle: Rights Versus Justice: Issues Around Extradition and Deportation in Transnational Terrorist Cases. In: African Security Review, Vol.14, No.4, 2005, p. 59.

<sup>24</sup> Adopted by the ordinary session of the Assembly of the African Union in Addis Ababa, 8<sup>th</sup> July 2004, Art.2 thereof.

<sup>25</sup> Art. 6 Ibid.

<sup>26</sup> Uganda Anti-Terrorism Act 2002.

<sup>27</sup> South Africa's anti-terror legislation, the Protection of Constitutional Democracy Against Terrorism and Related Activities Act (Act 33 of 2004) went into effect on 20<sup>th</sup> May 2005.

<sup>28</sup> The mandatory character of the resolution obliges each member state to create the prescribed legal framework in its national laws and institutions and to cooperate fully with other states on a global scale.

Cases of irregular extradition, inhuman treatment of suspects and renditions that have caused international concern raise unnecessary sympathies for a rather critical factor that constitutes a serious violation of human rights and a threat to peace, security, development and democracy. In the process of combating and eradicating terrorism which requires Africa's active participation, cooperation and coordination with the international community it is necessary that African states do not act unlawfully.

## **Conclusion**

The conflicts in Africa almost appear intractable. The role of early warning mechanisms is complicated, due to the complexity and sensitivity of the nature of the conflicts in the region. There is a need for the UN to outline areas of cooperation with the regional actors with regard to early warning and the continental early warning mechanisms to be fully operational to provide the much needed centre for coordinating ongoing efforts in this field.

Long-term investment in peace-building in all its dimensions is important for long-term security. The developments in the African states in the IGAD region and in ECOWAS are indicators of better possibilities for early warning in the future. Though the systems are not yet in a position to prevent conflicts, the infrastructure which is operational, has been adequate to generate debate and policy developments, and in the case of West Africa to stem the worst effects of conflict by the intervention of ECOMOG.

The early warning systems now operational are important, in as far as they will continue to emphasize the need for addressing the structural causes of conflicts. For CEWARN to spearhead the end of marginalizing pastoral communities and, given time, gain the confidence of the member states to monitor other types of conflicts and for ECOWAS to deal with the complexity of establishing democracy and good governance in



order to overcome the scourge of coup d'états that afflicts the region, are among other pressing needs.

The support of the UN and the international community in strengthening the capacities of the regional early warning systems is highly desirable.

