THE EFFECTIVENESS OF REGIONAL ORGANIZATION IN BOUNDARY CONFLICTS: THE CASE OF AFRICAN UNION IN THE CONFLICT BETWEEN SUDAN AND SOUTH SUDAN

BY

GIDUDU MARION

A THESIS SUBMITTED TO THE SCHOOL OF HUMANITIES AND SOCIAL SCIENCES IN PARTIAL FULFILLMENT OF THE REQUIREMENT FOR THE AWARD OF THE DEGREE OF MASTER IN INTERNATIONAL RELATIONS AND DIPLOMACY

UNITED STATES INTERNATIONAL UNIVERSITY-AFRICA

SUMMER, 2019
DECLARATION

I, hereby declare that the information provided in this thesis is my own work. The information provided includes a collection of cited opinions of other authors concerning the role played by regional organizations in managing boundary conflicts.

Signature:__________________________  Date:__________________________

Marion Gidudu (ID No: 649973)

This project has been presented for examination with my approval as the appointed supervisor.

Signature__________________________  Date:__________________________

Mr. Leonard Maumo

Signature:__________________________  Date:__________________________

Professor Martin Njoroge
Dean School of Humanities and Social Sciences
United States International University – Africa

Signature:__________________________  Date:__________________________

Ambassador Professor Ruthie Rono
Deputy Vice Chancellor – Student and Academic Affairs
United States International University – Africa
DEDICATION

I dedicate this work to my parents; Dr. Canon Hannah Gidudu and Rt Rev Patrick Gidudu, my guardian Dr. Jeanette Meadway and my brothers Sam and Emma and my sister Janet Judith for their continuous financial support and generous endless prayers in getting me this far with my education and paying my school fees.

I further dedicate this research paper to United States International University- Africa in its completeness for the good academic experience I have had so far at the Institution and for use in research and academic delivery.
ACKNOWLEDGEMENT

I do hereby acknowledge and express my heartfelt gratitude to my lecturer especially Mr. Leonard Maumo and Mr. Wilfred Muliro who have conveyed knowledge in me at United States International University-Africa thereby empowering me to handle this research and deliver.

I acknowledge my family, including my brothers and sisters, for their support. I appreciate and acknowledge my friends at United States International University -Africa for the academic discussions we have had and we continue to have.
# TABLE OF CONTENTS

DECLARATION................................................................................................................... ii

DEDICATION...................................................................................................................... iii

ACKNOWLEDGEMENT........................................................................................................ iv

LIST OF TABLES .............................................................................................................. x

LIST OF FIGURES ............................................................................................................ xi

ABBREVIATIONS AND ACRONYMS............................................................................. xii

ABSTRACT....................................................................................................................... xvi

CHAPTER ONE.................................................................................................................. 1

INTRODUCTION............................................................................................................... 1

1.1 Background of the Study .............................................................................................. 1

1.2 Statement of the Research Problem ............................................................................. 6

1.3 Objectives of the Study ............................................................................................... 7

1.3.1 Main objective ........................................................................................................ 7

1.3.2 Specific Objectives .................................................................................................... 7

1.4 Research Questions ..................................................................................................... 7

1.5 Significance of the Study ............................................................................................. 7

1.6 Scope of the Study ........................................................................................................ 8

1.7 Organization of the Thesis .......................................................................................... 8

1.8 Definition of Operational Terms ................................................................................ 9
CHAPTER TWO .................................................................................. 11
LITERATURE REVIEW ........................................................................ 11

2.1 Introduction .................................................................................. 11

2.2 Assessing the Effectiveness of Regional Organizations .................. 11

2.3 The African Union ......................................................................... 15

2.4 The Effectiveness of African Union’s Strategies in Boundary Conflict Resolutions .................................................................................. 24
  2.4.1 Conflict Resolution Methods .................................................. 24

2.5 Techniques of Conflict Resolution ................................................. 29
  2.5.1 Civil Techniques .................................................................... 29
  2.5.2 Legal Techniques .................................................................. 30

2.6 Challenges Faced By the African Union ......................................... 32

2.7 Countries that Experienced Boundary Conflicts and how they Resolved them .............................................................. 35
  2.7.1 The Drive of Global Boundaries ............................................. 37
  2.7.2 Roles of Global Boundaries .................................................... 37
  2.7.3 Importance of the Sudan Map .................................................. 38

2.8 The United Nations Support Framework (UNSF) .......................... 38

2.9 Causes of Boundary Conflict ........................................................ 41

2.10 Alternative Approaches to the Identity Crisis in Sudan ............... 48
  2.10.1 The Methods of Capture of Slaves in Sudan ......................... 48

2.11 Background of the Sudan-South Sudan Border Dispute (Perspectives) ................................................................. 50

2.12 The Role of the African Union in Intervening in the Boundary Conflicts .............................................................. 59
CHAPTER FOUR ................................................................. 87
PRESENTATION AND DISCUSSION OF RESULTS ....................... 87

4.1 Introduction ............................................................................. 87
4.2 Demographic Data ................................................................... 88
4.3 Sudan before Secession ............................................................. 88
4.4 The Series of Sudan’s History .................................................... 89
4.5 AU’S Evaluation of Peace and Security in Africa on Conflict Resolution ........ 90
   4.5.1 The various conflicts in Africa and their resolution methods ............... 92
   4.5.2 Major Ethnics in Sudan and South Sudan ..................................... 102
   4.5.3 South Sudan ........................................................................ 102
4.6 SWOT Analysis ....................................................................... 104
4.7 Developments in the Border Zones and their Implications ............... 107
4.8 The Future ............................................................................. 108
4.9 Reasons for the Conflict............................................................ 108
4.10 Involvement of AU ................................................................ 110
4.11 African Union Mission in Sudan .............................................. 113
4.12. The Heglig Oil Dispute ........................................................... 117
4.13 Successes and Failures of AU .................................................... 119
4.14 The Nine Agreements that form the Comprehensive peace agreement (CPA) ... 124
CHAPTER FIVE........................................................................................................... 126
SUMMARY, CONCLUSION AND RECOMMENDATIONS.................................126
  5.1 Conclusion ....................................................................................................... 126
  5.2 Recommendations .......................................................................................... 128
REFERENCES............................................................................................................130
LIST OF TABLES

Table 4.1: The Ethnic Categories in Sudan.................................................................102

Table 4.2: Major Ethnic Groups in South Sudan.......................................................103

Table 4.3: Sudan and South Sudan Borders...............................................................104

Table 4.4: SWOT Analysis on the African Union Commission.................................105

Table 4.5: Negotiations over Border Conflicts.........................................................106
LIST OF FIGURES

Figure 2.1: The structure of the African Union adapted African Union Handbook 2014..................................................................................................................8

Figure 2.2: Map of the contested border between Sudan and South Sudan. Source: Congressional Research Service (Blanchard, 2012)..................................................................49

Figure 2.3: Map of Sudan and South Sudan........................................................................50

Figure 2.4: Map of South Sudan..........................................................................................51

Figure 2.5: Map of Sudan ..................................................................................................73

Figure 4.1: Early Times .....................................................................................................90

Figure 4.2: Sudan War Since 1955 ..................................................................................90

Figure 4.3: Effectiveness of Negotiations between Border Tribes .................................107
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AU</td>
<td>African Union</td>
</tr>
<tr>
<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
</tr>
<tr>
<td>AUBP</td>
<td>African Union Border Program</td>
</tr>
<tr>
<td>AMIS</td>
<td>African Mission in Sudan</td>
</tr>
<tr>
<td>AMISOM</td>
<td>African Mission in Somalia</td>
</tr>
<tr>
<td>AMIB</td>
<td>African Mission in Burundi</td>
</tr>
<tr>
<td>ALISMM</td>
<td>African Led International Support Mission in Mali</td>
</tr>
<tr>
<td>AUHIP</td>
<td>African Union High Level Implementation Panel</td>
</tr>
<tr>
<td>AUPD</td>
<td>African Union High Level Panel for Darfur</td>
</tr>
<tr>
<td>APSA</td>
<td>African Peace and Security Architecture</td>
</tr>
<tr>
<td>ASF</td>
<td>African Standby Force</td>
</tr>
<tr>
<td>AFRC</td>
<td>Agreement on Friendly Relations and Cooperation</td>
</tr>
<tr>
<td>AfDB</td>
<td>African Development Bank</td>
</tr>
<tr>
<td>AEC</td>
<td>African Economic Community</td>
</tr>
<tr>
<td>AMF</td>
<td>African Monetary Fund</td>
</tr>
<tr>
<td>ACB</td>
<td>African Central Bank</td>
</tr>
<tr>
<td>CAR</td>
<td>Central Africa Republic</td>
</tr>
<tr>
<td>COMESA</td>
<td>Common Market for Eastern and Southern Africa</td>
</tr>
<tr>
<td>CPA</td>
<td>Comprehensive Peace Agreement</td>
</tr>
<tr>
<td>CC</td>
<td>Caribbean Community</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>CEWS</td>
<td>Continental Early Warning System</td>
</tr>
<tr>
<td>CSOs</td>
<td>Civil Society Organizations</td>
</tr>
<tr>
<td>CBP</td>
<td>Customs and Border Protection</td>
</tr>
<tr>
<td>DPKO</td>
<td>Department of Peacekeeping Operations</td>
</tr>
<tr>
<td>DHS</td>
<td>Department of Homeland Security</td>
</tr>
<tr>
<td>EAC</td>
<td>East African Community</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>ECOWAS</td>
<td>Economic Community of West African States</td>
</tr>
<tr>
<td>ECOSOCC</td>
<td>Economic, Social and Cultural Council</td>
</tr>
<tr>
<td>FIS</td>
<td>Islamic Salvation Front</td>
</tr>
<tr>
<td>FLN</td>
<td>National Liberation Front</td>
</tr>
<tr>
<td>GOSS</td>
<td>The Government of South Sudan</td>
</tr>
<tr>
<td>ICC</td>
<td>International Criminal Court</td>
</tr>
<tr>
<td>IGAD</td>
<td>Intergovernmental Authority on Development</td>
</tr>
<tr>
<td>IOs</td>
<td>International Organizations</td>
</tr>
<tr>
<td>JEM</td>
<td>Justice and Equality Movement</td>
</tr>
<tr>
<td>JBVMM</td>
<td>Joint Border Verification and Monitoring Mechanism</td>
</tr>
<tr>
<td>OAU</td>
<td>Organization of African Unity</td>
</tr>
<tr>
<td>OLA</td>
<td>Office of Legal Affairs</td>
</tr>
<tr>
<td>MONUC</td>
<td>United Nations Organization Mission in Democratic Republic Of Congo</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>PSC</td>
<td>Peace and Security Council</td>
</tr>
<tr>
<td>PAP</td>
<td>Pan-African Parliament</td>
</tr>
<tr>
<td>PRC</td>
<td>Permanent Representatives Committee</td>
</tr>
<tr>
<td>POEs</td>
<td>Ports of Entry</td>
</tr>
<tr>
<td>PSPs</td>
<td>Peace Strengthening Projects</td>
</tr>
<tr>
<td>QIPs</td>
<td>Quick Impact Projects</td>
</tr>
<tr>
<td>RO</td>
<td>Regional Organizations</td>
</tr>
<tr>
<td>RECs</td>
<td>Regional Economic Communities</td>
</tr>
<tr>
<td>RPF</td>
<td>Rwanda Patriotic Front</td>
</tr>
<tr>
<td>RMs</td>
<td>Regional Mechanisms</td>
</tr>
<tr>
<td>SADC</td>
<td>South African Development Community</td>
</tr>
<tr>
<td>SPLM/A</td>
<td>Sudan’s People’s Liberation Movement/Army</td>
</tr>
<tr>
<td>SSPS</td>
<td>South Sudan Police Service</td>
</tr>
<tr>
<td>SLM</td>
<td>Sudan Liberation Movement</td>
</tr>
<tr>
<td>STCs</td>
<td>Specialized Technical Committees</td>
</tr>
<tr>
<td>SAF</td>
<td>Sudan Armed Forces ()</td>
</tr>
<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNSF</td>
<td>United Nations Support Framework</td>
</tr>
<tr>
<td>UNSC</td>
<td>United Nations Security Council</td>
</tr>
<tr>
<td>UNGA</td>
<td>United Nations General Assembly</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Full Name</td>
</tr>
<tr>
<td>--------------</td>
<td>-----------------------------------------------------</td>
</tr>
<tr>
<td>UNECA</td>
<td>United Nations Economic Commission for Africa</td>
</tr>
<tr>
<td>UNMISS</td>
<td>United Nations Mission in South Sudan</td>
</tr>
<tr>
<td>UNAMID</td>
<td>United Nations African Union Mission in Darfur</td>
</tr>
<tr>
<td>US</td>
<td>United States</td>
</tr>
</tbody>
</table>
ABSTRACT

Sudan is still experiencing tensions and civil strife while fighting over boundary towns with rich oil mines and experiencing civil war that was facilitated by the president’s decision to redraw the internal boundaries. African Union has been on the front line to condemn any form of hostilities against each other and draft maps that would guide Sudan and South Sudan towards the road to peaceful co-existence.

The main objective of the study was to establish the effectiveness of African Union strategies in boundary conflict resolutions between Sudan and South Sudan. With the specific objectives being: to examine the challenges faced by the African Union in seeking to resolve the boundary conflict between Sudan and South Sudan, to identify the causes of boundary conflicts between Sudan and South Sudan and to explain the role and intervention of the African Union in the Sudan and South Sudan boundary conflict. This Research used Sudan and South Sudan as case studies. The Descriptive Survey Research Design was used in the study, relying entirely on secondary data collected from past researches. The Social Constructivism and Ethnic Security Dilemma theories guided the study. The data was analyzed using descriptive method. The findings of the study indicate that the African Union has not been successful in resolving the boundary conflict between Sudan and South Sudan. The researcher anticipates that the findings of the study will help Sudan and South Sudan to come up with permanent solutions to the existing boundary conflict. The Researcher recommends that the African Union needs to guarantee efficiency and importance of cease-fire treaties and encourage inventive peace making processes.

**Key words:** effectiveness, regional organizations, boundary conflicts and African Union.
CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

Regional organizations are International organizations as they incorporate international membership and encompass geopolitical entities that operationally transcend a single nation. They define a unique geographical boundary like continents, geopolitics and economic blocs. Regional integration enabled neighboring countries to trade freely amongst each other with minimal barriers and free movement across boundaries. Regional integration was a pure economic objective to enter into a common agreement with other neighbors and enhance political and/ or military cooperation as well as expand national commercial interests (Van Ginkel & Van Langenhove, 2003). Meanwhile, African nations were struggling to heal from the colonial power rule. After decolonization, the continent attempted to industrialize but failed due to the rise of conflicts in the region.

In 1963 the Organization of African Unity was formed in Addis Ababa, Haile Selassie, the Ethiopian emperor resolved to bring Sudan and South Sudan together, bringing 32 African signatories to form the Organization of African Unity (OAU). The main objectives of OAU were: to support the unity and solidarity of the African States, to coordinate and strengthen their cooperation and efforts to achieve a better life for the peoples of Africa, to protect their sovereignty, their territorial integrity and independence, to eliminate all forms of colonialism from Africa, to promote global cooperation, taking into the Charter of the United Nations and the Universal Declaration of Human Rights, to establish both economic and political and economic objectives, accelerate the political and socio-economic integration of the continent, to promote peace, security and stability on the continent and to promote democratic principles and institutions, popular
participation and good governance (Gower, 2015). As such, the ability to protect African land from further exploitation was an important role for the Organization of African Unity. The AU vision is an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in global arena (African Union Commission, 2015).

The Organization of African Unity facilitated a series of independence movements while at the same time, supported the already independent countries in achieving its interests (Department of Foreign Affairs South Africa, 2003). To avoid further control by Western or any other foreign powers, African leaders opted to stay neutral in their global interactions. Meanwhile, various nations such as Uganda, Nigeria and Angola were experiencing civil, human rights violation and cross boundary wars, which OAU seemed powerless to end or control due to lack of an armed force and the restrictions set by national sovereignty and human rights (Khabure, 2013).

The AU came into existence in July 2002 at the Durban head of states summit with the more focused goal of propelling African states where Sudan and South Sudan are members towards peace and prosperity as the basis for achieving the ultimate goal of political and economic integration of its member states (Osaro & Olanrewaju, 2012) and to ensure an integrated, prosperous and peaceful Africa is one of the many regional organisations tasked with ensuring peace and stability in Africa.

African Union took over from OAU with the reason of peacekeeping activity of AU in this area. It is evident considering that the OAU only had the power to intervene in a conflict situation (Cernohous & Kriz, 2014).

The transition from OAU to AU was clearly intended to transform the institutional framework for realizing the pan-African vision and mission from what some critics
regarded as a mere ‘talking shop’ to an action-oriented forum (Wanyangu, 2015). It is therefore useful to take stock of the achievements of the AU in its first decade and, this can best be done from two broad perspectives which represent the main goals of the AU mentioned above - peace and prosperity.

The AU has clearly had reasonable successes through its direct contribution and collaboration with the International Community to settling and minimising conflicts in some of the region’s breeding ground, such as trouble spots in the Sudan, resolving post-election violent conflicts in Cote d’Ivoire and Kenya and forcing military coup-makers to hand back power to civilian regimes (Oyeranmi, 2014). It was founded on the September 9, 1999 with the view to accelerate the process of integration within the continent so that it may play a more prominent role in the global economy whilst addressing social, economic and political problems (UNIDO, 2012).

The AU’s predecessor, the Organisation of African Unity, looked to create unity and solidarity among African states (Kibet, 2009). It allowed member states to coordinate development and encourage cooperation within the UN framework. Many of these remain ingrained in the AU’s mission. The AU represents 98 per cent of the countries that consist of the African continent (excluding Morocco).

The Constitutive Act of the AU suggests that Africa needed a much stronger partnership between the Nations, inclusive of the civil society to control rising conflicts in the region. Today, most African leaders and the citizens acknowledge the requirement for regional crisis management on the continent, an attitude that has made foreign nations to respect Africa’s decisions and strategies.

In Africa, imposed colonial boundaries remain an enduring issue and remain a crucial basis for territorial conflicts. In spite of their resilience, these boundaries have often
remained as either sources or triggers of conflict between neighboring countries because they were created by Europeans and in many instances, are ambiguous and disputed. The boundary between Nigeria and Cameroon, over which there was a dispute concerning sovereignty over the Bakassi peninsula, is one such problematic boundary and has been a source of protracted conflict between the two countries (Asiwaju, Abramson & Carter, 2003–2004 & 2016).

The arbitrary and porous nature of national boundaries has occasioned the spilling-over of many intra-state rebellions into neighboring countries. This often poses a risk to regional stability and undermines the continents economic development. The persistent absence of peace, security and stability has serious consequences for Africa’s development and integration (Hong, 2015).

The war between the government and the rebels emerged from historical tensions between Nuer and Dinka but was later heightened by President Salva Kiir’s idea of redrawing South Sudan’s boundaries (Varma, 2011). The ongoing disturbances in South Sudan attracted attention from regional and international organizations. To enhance regional security, lasting peace and stability at the northern region, the AU called upon support and views from stakeholders. Sudan and South Sudan threatened by both internal and external conflicts, the African Union has been part of the country’s journey towards establishing peace and stability.

While the AU continues to call upon nations like South Sudan to embrace good governance, Egypt, through the mandate declared by the AU have provided South Sudan with the Cairo Declaration that would help the country unite its political leaders and establish a powerful ruling party in the country. Initially, Egypt was on the frontline supporting victims as well as elites of the country by taking in refugees and offering academic scholarships to Sudanese nationals to study and live in Egypt (The UNHCR &
the World Bank Group, 2015). The researcher intends to provide a comprehensive and clear research by focusing on the boundary conflict between Sudan and South Sudan, specifically the Heglig conflict. The study will use the approach of the Cairo declaration amongst several other strategies used by the AU and the regional communities to help in ending boundary conflict as well as civil conflict in South Sudan and Sudan.

The African Union High-Level Implementation Panel for Sudan (AUHIP) was mandated for one year as an independent body by the African Union Peace and Security Council (PSC) on October 29, 2009 (Tufts University, 2019). The directive happened following the PSC’s implementation of the report from the African Union High-Level Panel for Darfur (AUPD) on that same day. It was presided over by previous South African President Thabo Mbeki, former Burundian President Pierre Buyoya and former Nigerian President Abdulsalami Abubaker. The PSC reintroduced the panel’s mandate for an extra year in 2010, 2011 and 2012. On October 24, 2012, the board was rechristened to the African Union High-Level Implementation Panel for Sudan and South Sudan (African Union, 2015). The AUHIP’s mandate was to help with the enactment of the AUPD’s approvals and the implementation of the Comprehensive Peace Agreement (CPA).

The panel’s mandate was to aid the Sudanese parties in their execution of the CPA and DPA (Dagne, 2010). These efforts comprised supporting preparation for the April 2010 general election in Sudan, preparing for the Southern Sudan referendum in January 2011 and expediting the post-referendum and post-secession negotiations between northern and southern Sudan. Some of the issues that required additional negotiation were borders, the Abyei area, security, citizenship, oil, currency and finance, debts and assets and the two areas of South Kordofan State and Blue Nile State.
1.2 Statement of the Research Problem

The control of oil fields located in Bentiu and Heglig districts in South Sudan resulted into boundary conflicts and later led to the independence of South Sudan in 2011 after the signing of the 2005 Comprehensive Peace Agreement. The boundary conflicts have claimed lives of many people, displaced some of them, caused economic development hindrance, destruction and loss of property and increased influx of refugees into neighboring countries like Uganda and Kenya (Rolandsen & Leonardi, 2014). The two countries, Sudan and South Sudan have attracted political and religious attention from other countries, International organizations, as well as regional organizations like African Union in calling upon its leaders to embrace peaceful negotiations rather than military retaliations.

To show commitment, the African Union (AU) took the interventionist and active role in controlling conflicts in the African Great Lakes Region and supports peace operations around the continent (Zeru, 2015). The AU has always been on the front line to condemn any form of hostilities between African countries. It took lead in solving the Sudan and South Sudan boundary conflict. In order to create permanent peace and security, AU recommended that South Sudan and Sudan sign a deal to cement a way for a long-lasting ceasefire, creation of a provisional government, drafting of a new constitution and conducting of fresh elections. Other proposals that were brought on table included, re-demarcation of the two country’s boundaries, signing of the 2014 Addis Ababa peace agreement (Craze, 2011).

The conflicts, however, continued even after the formation of the new countries i.e. Sudan and South Sudan. There is need to identify permanent solutions that the two countries can embrace to bring boundary conflicts under control. It is against this
background that the researcher designed this study to establish the effectiveness of African union strategies in boundary conflicts between Sudan and South Sudan.

1.3 Objectives of the Study

1.3.1 Main objective

The main objective of the study is to establish the effectiveness of African Union’s strategies in boundary conflict resolutions between Sudan and South Sudan.

1.3.2 Specific Objectives

i. To identify the causes of boundary conflicts between Sudan and South Sudan

ii. To examine the challenges faced by the African Union in seeking to resolve the boundary conflict between Sudan and South Sudan.

iii. To explain the role and intervention of the African Union in the Sudan and South Sudan boundary conflict.

1.4 Research Questions

i. What are the causes of boundary conflicts between Sudan and South Sudan?

ii. What challenges has the AU encountered in resolving boundary conflict between Sudan and South Sudan?

iii. What role does AU play to end the conflict between Sudan and South Sudan?

1.5 Significance of the Study

The researcher anticipated that this study would contribute to an understanding of the role of regional organizations in seeking to resolve the boundary conflict between Sudan and South Sudan. The regional organizations such as the African Union have played a significant role in trying to resolve the Sudan-South Sudan boundary conflict. It was also anticipated that this study would help to reduce the problem of boundary conflict between Sudan and South Sudan. The study contends that oil was indeed a key component in Sudan’s war. As a result, the economic growth of the two countries would significantly
be visualized. The security of the two countries including that of the neighboring countries would be stable that would result into economic growth and development in between the two said countries and on the African continue as a whole. The number of tourists and investors would increase in the region hence bringing along development.

1.6 Scope of the Study

The study topic is the effectiveness of regional organizations in boundary conflicts. Therefore the effectiveness of regional organizations is the independent variable and boundary conflicts is the dependent variable. This research covered South Sudan and Sudan boundary conflict in particular the Heglig boundary conflict that was fought between the countries of Sudan and South Sudan in 2012 over oil-rich regions between South Sudan's Unity and Sudan's South Kordofan states.

1.7 Organization of the Thesis

This thesis is structured into five chapters: chapter I provides the general introduction which includes the statement of the problem. Research Objectives, Research Questions, Significance of the Study, Scope of the Study and the Theoretical Framework. Chapter II (literature review) focuses on the Effectiveness of Regional Organizations, the Challenges faced by the African Union, the United Nations support framework, the African Union Border Programme, the Causes of Boundary Conflict and the Role and Intervention of the African Union in Boundary Conflicts. Chapter III (Research Methodology) examines the Research Methodology including the Research Design, Data Analysis and SWOT Analysis.

Chapter IV (Analysis, findings) looks at Demographic data, Sudan’s History, Major Ethics in Sudan and South Sudan, AU’s Evaluation of Peace and Security, Negotiations over Border Conflicts, Developments in the border zones and their implications, Sudan before Secession, Border Conflict between Sudan and South Sudan, Reasons for the
conflict, Involvement of the AU in solving the conflicts, Successes and failures of AU in resolving the Border conflicts, African Mission in Sudan and the Heglig Oil Dispute. Chapter V looks at the summary, conclusion and recommendations.

1.8 Definition of Operational Terms

Effectiveness: The degree to which objectives are achieved and the extent to which targeted problems are solved (Business Dictionary, 2019). According to the study, it refers to how successful an organization is in attaining its desired results.

Regional Organizations: These are a key driver of democratic transformation, fostering cooperation between countries (International IDEA, 2019).

Boundary: A line which marks the limits of an area; a dividing line (Lexico Dictionary, 2019).

Conflict: Is an active disagreement between people with opposing opinions or principles (Cambridge University Press, 2019).

Security Dilemma for Inter-state. The spiral process unvaryingly connects to arms races. Ethnic identity can just as frequently be fortified using non-military means. War is coterminous with harm: you cannot have one without the other (Roe, 1999).

Intra-state Security Dilemma is regularly related with groups, identities such as ethnicity or religion. Harm can follow violence: violence may come later if either side cannot attain their societal security necessities through party-political legal means.

The security dilemma, also referred to as the spiral model, is a term used in global relations and refers to a state in which activities by a state anticipated to enhance its security, such as amassing its military strength or creating alliances, can lead other states to retort with similar measures, generating amplified rigidities that create conflict, even when no side really needs it (Buzan, 1993).
An Ethnic Security Dilemma often shows groups’ terror of extinction, which explains aggressive attitudes towards the other group and dangerous measures in self-defense (Cotter & Leuprecht, 1999 & 2010).
CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction
This chapter presents the literature review. A literature review is an evaluative report of information found in the literature related to the selected area of study. Its main aim is to compare and contrast different authors’ views on an issue. It may include sources of information like the websites, text books and journals. It reviewed the related literature on the effectiveness of Regional Organizations in Boundary Conflicts while focusing on addressing the following specific objectives: to identify the causes of boundary conflicts between Sudan and South Sudan, to examine the challenges faced by the African Union in seeking to resolve the boundary conflict between Sudan and South Sudan and to explain the role and intervention of the African Union in the Sudan and South Sudan boundary conflict.

2.2 Assessing the Effectiveness of Regional Organizations
Several studies have attempted to assess the effectiveness of international organizations, however, there seems to be no mention of what the author means when they say ‘effective’ (or ‘successful’ or ‘significant’), on the criteria for determining effectiveness and on the difficulties in making such judgements. These considerations are implicitly viewed as unproblematic, which leads to incomplete and imprecise arguments (Nathan, 2010). It is scornful of the claim that international organizations ‘matter’, dismissing this claim as hopelessly vague. In order to achieve clarity where ‘effectiveness’ is a component of the dependent variable, it is necessary to specify what is meant by this term. It is also helpful to acknowledge the epistemological problems when trying to gauge effectiveness.
In agreement with Hasenclever & Weiffen (2006), he argues that the main concern when determining the effectiveness of international organizations would be to look at whether those institutions can make a contribution to peace and stability by getting states to steer clear the logic of balance-of-power and consequently avoiding war.

In essence, if an organization is unable to prevent violent conflict, we should be able to look at what contribution it made towards the end of such conflict and therefore promoting peace and stability in the end.

A regional organization would be effective just by forming treaties, protocols and mechanisms for security co-operation and peacemaking. This tactic to effectiveness seems limited in that it does not ruminate the effectiveness of such treaties, protocols and mechanisms. The effectiveness of regional organizations needs to be attached on their role in the prevention of conflict or the resolution of such conflict (Okumu, 2013). This ensures that the emphasis is on the real and not just alleged effectiveness.

However, such an assessment is made problematic by the fact that conflict, peace and stability are very multifaceted events that could be triggered by a multitude of factors that relate on different levels from national, regional and even international. For example the IGAD mediation that led to the 2005 Comprehensive Peace Agreement for Sudan is an example of this constellation of actors and dynamics (Rolandsen, 2011). The trouble of pinpointing the specific effect of a regional organization is even better with respect to claims that these bodies can add to the long-term prevention of violence.

A Regional Organization’s peacemaking focus, orientation and effectiveness are shaped by historical, geographic, political and economic circumstances (Ancas, 2011). The significant aspects include the process of state formation, the power of states, their national politics and alien policies, the level of improvement, the national distribution of
power and resources, the role of external powers, the nature of domestic and external conflicts and security dangers. The peacemaking effectiveness of regional organizations must thus focus principally on the character, policies and interests of these states and on the relationships between them (Barnett, 1995).

These organizations have generated security regimes of various kinds and have undertaken preventive diplomacy, mediation, peace operations, post-war peacebuilding, arms control and disarmament. On numerous instances they have enabled the dissolution of violent conflict. For instance, in 2008 the African Union (AU) brokered a peace agreement in the midst of civil violence in Kenya; in 2005 the Inter-Governmental Authority on Development (IGAD) mediated an end to the decades-long civil war in Sudan; and the Organization of African Unity (OAU) brokered the Algiers Agreement of 2000, terminating the border war between Ethiopia and Eritrea. The European Union (EU) was influential in creating a security community in which war is unimaginable while the Association of Southeast Asian Nations (ASEAN) has forged a culture of pacific administration of inter-state disputes (European External Action Service, 2016).

Regional Organizations are considered significant not only by the member states that dedicate resources to them but also by the United Nations and the donor governments that fund these bodies in the South. Article 52 of the UN Charter emboldens pacific settlement of local disputes by regional arrangements or agencies. The end of the Cold War gave fresh incentive to this aspiration. Over the past two decades, the UN General Assembly, the UN Security Council and the UN Secretary General have supported the peacemaking role of Regional Organizations (United Nations, 2013).

The African Union being a regional organization, has a regional and international responsibility to promote and protect Peace, Security and Stability within its member states (Sarkin, 2009). It intervenes in times of conflict, respecting the country’s
sovereignty for example in Burundi, the African Union intervened in 2003, through a peacekeeping mission and in 2015 through a peacemaking mission.

Under the Peace and Security Council, the AU has had various success stories of conflict resolution with an equal share of failures, with the biggest threat being recurrence of conflict in its said successful countries. Case in point, of interest for this study is Burundi. Burundi has been a success for the AU, on the onset of its civil war, but it threatens a possible recurrence of conflict, since the incumbent President Pierre Nkurunzinza’s bid to run for a third term (BBC, 2015).

The AU is not really independent since it is an organization controlled through sovereign states with a duty of protecting and respecting sovereignty of states. It is also donor funded, hence controlled and hugely influenced by outside forces, discrepancy of member states and sparing in depth understanding of African conflicts.

Consequently, the AU experiences political, bureaucratic, civilian, military and infrastructural deficits which considerably restricts its efficiency, in turn creating a gap between AU’s security mandate and its achievements in conflict resolutions (Cernohous & Kriz, 2014). Nonetheless, AU’s member states are faced with challenges that prompted by absence of technical capacity, with some internally excluded with their conflicts to afford participation in resolving other conflicts.

Peace Agreements have been claimed to be amongst the most effective conflict resolution methods. The African Union has adapted to this method in most of its peace missions. Though, why it has not been very effective in AU’s peace mission given the danger and recurrence of conflict.

The African Union has been effective in boosting cooperation and unity within Africa, putting its efforts towards diminishing conflict and boosting democracy. According to an
AU spokesman, Africa is progressing not only in peace and security, but is also flourishing in areas such as culture; education; trade both within and outside the continent (notably with China); and continuing to place importance on the empowerment of women (African Union, 2018).

Processes are also being implemented that aim to diminish corruption and boost credibility amongst African leaders. The African Peer Review Mechanism evaluates member states on their successes and failures in a wide range of areas (Chene, 2009). Under this mechanism, leaders submit themselves to public scrutiny, although currently only 62 per cent of countries (34/55) have signed up.

The AU’s budget depends on the support of its partners, a topic that often dominates their summits. As a result, a Chatham House report from last year said: "African solutions to African problems continue to be a main concern for the organization (Donnelly, 2008).

The AU continues to work hard to try to find avenues through which progress towards self-sustainability can be made. Through its pursuit of alternative sources of funding, it can also ensure objectivity.

Recently, South Africa accepted Omar al-Bashir to move in and leave the country easily to attend the AU summit yet the International Criminal Court having issued a warrant for his arrest. Failing to condemn Bashir creates a sense of acceptance and therefore, a lack of commitment to the pursuit of eliminating human rights violations (Gower, 2015).

The African Union runs the threat of placing African unity above the promotion of global norms such as democracy and respect for human rights.

2.3 The African Union

The creation of the AU has been described to have been of great significance to the development of African institutions. The replacement of the OAU with AU was meant to
fast track the process of integration of African countries and therefore open doors for both socio-political and economic development of the people (Kibet, 2009).

In the face of violence and little economic progress among African countries, the Organization of African Unity was seen as a product of the Cold War (Mays, 2003). This meant that it was not in a position to handle the challenges that were facing the African continent after the cold war.

It was necessary for the OAU to be abolished in favour of the AU – an organization that will be better equipped to handle issues internal to the African continent and individual African countries. In establishing the AU, some of the structural and practical loopholes of the OAU were addressed (African Union, 2017). These made the AU a much more proactive regional organization compared to its predecessor.

Article 4(h) of the Constitutive Act gives the PSC mandate to intervene through peace processes – peace-making, peacekeeping and peace-building. This mandate is extended to both internal and external conflicts and crisis (Kioko, 2003).

There are however questions about the threshold for intervention. Kuwali argues that Article 4(h) is somehow restrictive and thus defines the role of the AU in conflict management as a rather reactive one and not proactive as widely thought. The article suggests that intervention may only occur in cases of genocide, war crimes and other crimes against humanity (Kuwali, 2008).

The African Union (AU) considers ill-defined borders as potential sources of conflict, especially when natural resources are discovered in the border regions. Such borders are a threat to peace and security, and they hinder regional integration, economic growth and development (Abebe, 2017). In 2007, the AU launched the African Union Border Programme (AUBP) as a direct response to these risks.
The AUBP is supporting African countries to develop their capacities in the areas of border delimitation, demarcation and management (African Union Organization, 2019). It is doing this by carrying out an inventory of African institutions that offer training in these domains, exploring avenues for collaboration with relevant training centers outside Africa, and designing a capacity building programme.

The AUBP was therefore adopted as an instrument for states and regional economic communities to cooperate on border management issues, including addressing these types of cross-border criminal activities (Ebo, 2018). Its implementation strategy is based on three pillars, namely cooperation and coordination (involving actors at all levels, taking into consideration obstacles to trade and traffic at border crossing and focusing on insecurity, crime and smuggling); capacity-building (institutional reforms, the acquisition and proper use of modern technology, and continuous training of personnel based on the needs and changing nature of African borders); and community involvement (the active inclusion of border communities in managing borders).
The Assembly is the African Union’s (AU’s) supreme decision-making organ and comprises Heads of State and Government from all Member States. It determines the AU’s policies, establishes its priorities, adopts its annual programme and monitors the implementation of its policies and decisions (African Union Handbook, 2015). The Assembly is mandated to accelerate the political and socio-economic integration of the African continent. It may give directives to the AU Executive Council and Peace and
Security Council on the management of conflicts, war, and acts of terrorism, emergency situations and the restoration of peace. It may also decide on intervention in or sanctions against Member States according to specific circumstances provided for in the AU Constitutive Act.

The Executive Council works in support of the AU Assembly and is responsible to the Assembly. All Member States participate in the Executive Council, usually at Foreign Minister Level. The Executive Council’s core functions, as set out in rule 5 of the Rules of Procedure, include to: prepare the Assembly sessions, determine the issues to be submitted to the Assembly for decision, coordinate and harmonize AU policies, activities and initiatives in the areas of common interest to Member States, monitor the implementation of policies, decisions and agreements adopted by the Assembly, elect the Commissioners to be appointed by the Assembly, promote cooperation and coordination with the Regional Economic Communities (RECs), African Development Bank (AFDB), other African institutions and the United Nations Economic Commission for Africa (UNECA), determine policies for cooperation between the AU and Africa’s partners, consider and make recommendations to the Assembly on the Commission’s structure, functions and statutes and ensure the promotion of gender equality in all AU programmes (African Union Handbook, 2014).

Specialized Technical Committees (STCs) are specialized committees responsible for detailed consideration of thematic areas where AU members have shared interests (African Union Handbook, 2017). The AU Constitutive Act, article 14, provides for STCs to be composed of Member State Ministers or senior officials responsible for the relevant thematic areas and mandated to: prepare projects and programmes for the Executive Council’s consideration, ensure the supervision, follow up and evaluation of the
implementation of AU organ decisions and ensure the coordination and harmonization of AU projects and programmes.

The African Peace and Security Architecture (APSA) is the umbrella term for the key AU mechanisms for promoting peace, security and stability in the African continent (core AU objectives under article 3 of its Constitutive Act). APSA has several key elements, including the: Peace and Security Council, which is the standing decision-making organ of the AU on matters of peace and security, Continental Early Warning System, which monitors and reports on emerging crises, Panel of the Wise, which is a consultative body established to provide advice, African Standby Force, which is intended to provide rapid deployment peacekeeping forces and the Peace Fund, which is intended to fund peacekeeping and peace support operations (Bah, Nyangoro, Dersso, Mofya & Murithi, 2014). The various African peace and security mechanisms work in tandem with the peace and security structures of the Regional Economic Communities (RECs) and Regional Mechanisms (RMs) set up to support regional peace and security.

The Peace and Security Council (PSC) is the standing organ of the AU for the prevention, management and resolution of conflicts. It was established to be a collective security and ‘early warning’ arrangement with the ability to facilitate timely and efficient responses to conflict and crisis situations. The PSC’s core functions are to conduct early warning and preventive diplomacy, facilitate peace-making, establish peace support operations and in certain circumstances, recommend intervention in Member States to promote peace, security and stability (African Union Peace and Security, 2015). The PSC also works in support of peace-building and post-conflict reconstruction as well as humanitarian action and disaster management.

The Commission is the African Union’s Secretariat. It is responsible for the AU’s executive functions and day-to-day management (African Union Handbook, 2014). The
Commission’s specific functions, as set out in article 3 of the Commission Statutes, include to: represent the AU and defend its interests under the guidance of and as mandated by the Assembly and Executive Council, initiate proposals to be submitted to the AU’s organs as well as implement decisions taken by them, act as the custodian of the AU Constitutive Act and OAU/AU legal instruments, provide operational support for all AU organs, assist Member States in implementing the AU’s programmes, work out AU draft common positions and coordinate Member States’ actions in international negotiations, manage the AU budget, resources and strategic planning, elaborate, promote, coordinate and harmonize the AU’s programmes and policies with those of the Regional Economic Communities (RECs), ensure gender mainstreaming in all AU programmes and activities and take action as delegated by the Assembly and Executive Council.

The Pan-African Parliament (PAP) is one of the nine organs proposed in the 1991 Treaty Establishing the African Economic Community (Abuja Treaty). Its purpose, as set out in article 17 of the AU Constitutive Act, is “to ensure the full participation of African peoples in the development and economic integration of the continent”. The Parliament is intended as a platform for people from all African states to be involved in discussions and decision-making on the problems and challenges facing the continent (Walraven, 2004).

The Parliament sits in Midrand, South Africa. Some of the its functions are set out in the 2001 Protocol to the Abuja Treaty relating to the Pan-African Parliament which include to: facilitate effective implementation of the OAU/African Economic Community’s (AEC’s) policies and objectives and, ultimately, the AU, work towards the harmonization or coordination of Member States’ laws, make recommendations aimed at contributing to the attainment of the OAU/AEC’s objectives and draw attention to the challenges facing the integration process in Africa as well as the strategies for dealing with them and
promote the coordination and harmonization of policies, measures, programmes and activities of Africa’s parliamentary forums.

The Economic, Social and Cultural Council (ECOSOCC) was established in 2004 as an advisory organ to the AU composed of Civil Society Organizations (CSOs). The principle of ECOSOCC is for civil society to organize itself to work in partnership with the AU (Mavenjina, 2018). ECOSOCC’s mandate includes: Contributing through advice to the effective translation of the AU’s objectives, principles and policies into concrete programmes, as well as evaluating these programmes, Undertaking studies and making recommendations, Contributing to the promotion and realization of the AU’s vision and objectives, Contributing to the promotion of human rights, the rule of law, good governance, democratic principles, gender equality and child rights, Promoting and supporting the efforts of institutions engaged in reviewing the future of Africa; and forging pan-African values in order to enhance an African social model and way of life, Fostering and consolidating partnership between the AU and CSOs and Assuming functions referred to it by other AU organs.

The Permanent Representatives Committee (PRC) conducts the day-to-day business of the AU on behalf of the Assembly and Executive Council (The New Times Rwanda, 2019.). It reports to the Executive Council, prepares the Council’s work and acts on its instructions (under article 21 of the Constitutive Act). All AU Member States are members of the PRC. Rule 4 of the PRC Rules of Procedure specifies that its powers and functions are to: Act as an advisory body to the AU Executive Council, Prepare its Rules of Procedure and submit them to the Executive Council, Prepare Executive Council meetings, including the agenda and draft decisions, Make recommendations on areas of common interest to Member States particularly on issues on the Executive Council agenda, Facilitate communication between the AU Commission and Member States’
capitals, Consider the AU’s programme and budget as well as the Commission’s administrative, budgetary and financial matters, and make recommendations to the Executive Council, Consider the Commission’s financial report and make recommendations to the Executive Council, Consider the Board of External Auditors’ report and submit written comments to the Executive Council, Monitor the implementation of the AU budget, Propose the composition of AU organ bureaus, ad hoc committees and sub-committees, Consider matters relating to the AU’s programmes and projects, particularly issues relating to the socio-economic development and integration of the continent, and make recommendations to the Executive Council and Monitor the implementation of policies, decisions and agreements adopted by the Executive Council, Participate in the preparation of the AU programme of activities and calendar of meetings; consider any matter assigned to it by the Executive Council.

The African Monetary Fund’s purpose will be to facilitate the integration of African economies by eliminating trade restrictions and providing greater monetary integration, as envisaged under articles 6 and 44 of the Abuja Treaty. The Fund is expected to serve as a pool for central bank reserves and AU Member States’ national currencies. The Fund will prioritize regional macroeconomic objectives in its lending policies. The specific AMF objectives include: providing financial assistance to AU Member States, acting as a clearing house as well as undertaking macro-economic surveillance within the continent, coordinating the monetary policies of Member States and promoting cooperation between their monetary authorities and encouraging capital movements between Members.

The African Central Bank’s purpose will be to build a common monetary policy and single African currency as a way to accelerate economic integration as envisaged in articles 6 and 44 of the Abuja Treaty. The ACB’s objectives will be to: promote international monetary cooperation through a permanent institution, promote exchange
stability and avoid competitive exchange rates depreciation, assist in the establishment of a multilateral system of payments in respect of current transactions between members and eliminate foreign exchange restrictions that hamper the growth of world trade (The East African, 2019).

2.4 The Effectiveness of African Union’s Strategies in Boundary Conflict Resolutions

2.4.1 Conflict Resolution Methods

The African Union has employed the following conflict resolution approaches in resolving boundary conflicts in Africa.

Peacemaking. Peacemaking is often the first step towards conflict resolution and it involves the very first technique which will guarantee that this process starts. In order for conflict resolution practitioners to choose on which method they shall use in the very initial phases of a conflict situation (Ouma, 2016).

Seeking clarity of Conflict Situation. The parties in conflict are normally the one who define the type of conflict (Brad, 2013). Due to the fact that parties’ to a conflict best realize their fundamental goals and beliefs, mutual perception, fact and communication involved. At this actual stage, it is easy to differentiate intensity of the conflict, passion and beliefs as illustrated by each party to the conflict. In the interest of accomplishing a harmonious stability in the conflict, centered on perceptions and joint interest of parties in conflict, intensity is reduced, resentment condensed. In turn, encouraging an honest environment for clarifying the conflict situation.

Clarity of parties’ position and perspective. It is vital for parties in conflict to appreciate and state their locations and perspective in order to achieve peace. A violent position or perspective is likely to carry on to cause tension and certainly erupt into conflict. Thus each party needs to know what they yearn as a result to the conflict, in order to resolve it.
Parties to the conflict, also need to apprehend that elasticity in their position or perspectives is essential for any agreement to be reached at (Chetty, 2016). This will need the parties to be civil when supporting their position in order to reach a concession, amenable to both parties and not imposing.

Appeal to Overriding Interests. Appealing to paramount interests can help in facilitation in lessening of the conflict’s intensity giving room for diplomatic co-existence (Meerts, 2014). This interest can be a collective allegiance to a cause, which will invoke seriousness in dealing with the conflict at hand.

Promote the Value of Exchange. Frequently during a conflict resolving situation, intimidation by either party is typically the focus in order for each party to objectify their interests. This usually leads to vehemence and frustrations by either party. Thus, as principle, it is essential for eye-catching offers to be made as well as recompense agreements, in order to stimulate the value of exchange. It is critical that the equilibrium of control is portrayed in order to create attractive the value of exchange. Either party needs to appreciate the other party and what they have to offer in order to resolve conflict (Shonk, 2019)

Need to create space between parties’ in conflict. This approach is best positioned for parties’ with equivalent measure of authority and influence. It permits the parties sufficient time to consider ceasefire and each keeping away from the issue at hand for a while. It can only function with parties demonstrating equal power or influence because if not, then one party is expected to fail as a compromise act, which will act as forced resolution and will not be permanent. This can be a premeditated practice to conflicts which seem to have contradictory differences such as racial and nationality groups, religion and ethnicity (Stewart, 2009).
Avoid Aggression. Retorting to aggression with an equal measure of violence commonly leads to intensification of conflict (Roderick, 2010). Counter attacking violent behavior implores a test of interests, capabilities and will. Thus the most insignificant response is one which substitutes power to bases which can be employed more efficiently while reducing the risk of violence acceleration.

Peacekeeping. Peacekeeping purely depends on protecting anticipation and power affiliated (Holt & Taylor, 2009.). It is essential to protect the balance of power which exists, as well as limit any gap between prospects and power. On the other hand, it is critical to know and begin resolution process from the site at hand and not principles or expectations. This is because, peacekeeping is a matter of relation and ratio.

Importance of Legitimacy. There is need to entreat lawfulness by identifying conflicts legality. Due to the aim that the more valid a clarification, justification or reason for a decision, the more expected a settlement is to be reached. It may be of thoughtfulness to include a third party with genuine support of impartial fact finding, which will help in unveiling concealed interests or beliefs in turn (Farneti, 2009).

Balance Power and Issues at hand. They must be negligible to declarations and promises, intimidations or pleas, as this fails at a point where there is need for use of life-threatening power during a vital resolution. Nevertheless, it has been reasoned to have been an effective effort, but in the long run, it is pricy. Within a possibility of building anger and aggressive approval. A significant regulation to guide in harmonizing power and issues at hand, it is only precarious to raise power relative to matters at stake.

Commitment needs to be displayed. There is need for exhibition of guarantee to resolve conflict from all parties involved in the battle. Thus, reliability is the essence of warranting this is accomplished. Demands, appeals or offers have to be those that can be
attained for them to be acceptable. All this needs to be done with the care of one’s power in mind, as they should not undermine parties’ supremacies in this process, it should be of hope. To which end, a promptness to respond to either parties positives or negatives needs to be demonstrated.

Understand peacekeeping missions. In order for a peacekeeping mission to be impeccably performed, one has to analytically realize harmony. Peace is an arrangement of opportunities, this is because, one can only recognize it, if the parties in war admit to certify amity is detected and found. If reconciliation is understood as nonexistence of conflict and the prevention of confrontational, forceful, antagonistic situation, then war is likely to return. Thus, limit of alteration, accumulating pressure for drastic transformation by counterattacking conflict, may lead to jeopardy of vehemence.

Protecting balance of power. The equilibrium of power in peacekeeping dishonors on what affiliations have advanced between groups and individuals (Morgenthau, 1932). This is dominant in identifying variations and sustaining balance in order to start a peace process. Guarding the balance of rule can help in expecting and evading a boom of an encounter.

Limit gap between expectation and power. Diplomacy is a skill critical at this point. This is because it is well-defined as the art of escaping hostilities by protecting global anticipation in harmony with the interchanging balance of control among states. Three tactics can be employed in this specific principle, these are; make reimbursing modifications to restore balance of power, negotiate changes in agreements to be redrawn, redefined and probably improved and also take on implicit variations in prospects.

Accept Conflict. In certain occurrences, to uphold complex amity, it may need lower-level war. Harmony occurs along diverse dimensions, to which, its complexity is required
in order to adopt the use of conflict, violence and war to retain peace. This notion helps in restricting a huge gap between balance of power and the constant battle, to eradicate the chance of covering this gap through risky struggle and ferocity.

Reduction of a possible successful violence. It is judicious to pursue peaceful options in order to achieve steady harmony. Forcefulness raises more violence, as that violence has been used against, will strive for vengeance by using the same strength, which will possibly be more adversative in order to reach their aim. Thus, nonaggressive choices are critical in escaping a strip of exploded viciousness.

Peace fostering. Peace development is the advancement of a useful atmosphere within which improvement towards a just concord can be wanted. It serves to enhance that the more socioeconomic and political freedom is amplified, the more a peaceable stable reconciliation is stimulated.

Effectively address recurring issues. In order to efficiently address recurrent concerns during a reimbursement, the instructions have to be perfect and impartial in addressing demanding disputes, mainly in resolution. This is because, the constancy of these guidelines and their suitable reply to dealing with regular battle, will return to conceivable encounter reappearance.

Adjustment mechanisms. Organizations are part of a procedure in assisting rapid amendment amongst parties in war to achieve a harmonious contract. To accomplish diplomatic rebalancing of command in any society, institutions perform an essential role. Ceasefire in a society can be expanded by being alert of the competence establishments have in nurturing reconciliation. In order to conquer this, cultures have to institutionalize consensus-building, institutionalize clash of views, anticipations and interests, institutionalize settlement techniques and institutionalize a test of power.
2. 5 Techniques of Conflict Resolution

2.5.1 Civil Techniques

Win-Win, Lose-Lose and Win-Lose situations. Win-Win state, Win-lose, or lose-lose position are all invaded within zero-sum or nonzero-sum war tenacity. Zero sum implies a win-lose situation and a non-zero-sum a win- lose or lose-lose condition (Treslan, 1993). The moment conflict resolution is capable to assist parties in war to reach a settlement, in the sense of either win-win or lose-lose condition, then it has ceased from being an inactive battle resolution to active conflict resolution.

Third Party Intervention. Third party intervention generally involves a mediator. The mediator has to be one that is acknowledged by both parties in conflict and plays a neutral part in the mediation (Svensson, 2009). The mediator appeals authority of communication, which supports parties in battle better communicate their interests, locations and expected consequence of the standoff in the conflict. Through a prosperous third party intervention, parties in conflicts may modify their conduct and communication through an influential balance and a cautious use of the carrot and stick to the method. In each case, either a win-lose situation is expected to serve.

Negotiation. Negotiation is the act of resolving a conflict between two or more parties. It includes a third party, but the third party is representative of each party’s interests in order to reach a solution. Negotiation purely deals with either parties interests. It can either be charitable, multifaceted/two-sided, non-adjudicative, confidential and flexible.

Good Offices. Good offices, is a skill in which the mediator is only endorsed to expedite communication between parties in conflict but not initiate proposals for resolutions. Its plan is to re-establish communication and negotiations between disputants in cases where there was a stand-off. It consents parties to the conflict to uphold both the right and concluding verdict to results of the conflict, as well as the rights to reserve to choose
whether negotiations will continue or not. Good offices, suggest the lee-way or legitimization of third party intervention, particularly if the disagreement involves states.

2.5.2 Legal Techniques

Fact Finding. The significance of fact finding method is regularly stressed due to the need to interpret any stereotypes which have been spread by the state. This commonly benefits a country’s residents to have a specific ending or opinion of any looming or what version of any upcoming difference shall attain nationwide approval. This impacts even the conflict instigating state which has sought an unbiased investigation to experience struggle in persuading the local stereotype.

Thus, the triumph of fact finding exhibits in a covenant, unlike decision. If one values fact finding grounded on decision, the genuine information or ruling may never surface at all. This is because, parties in a conflict have an already recognized detail defined in their own terms, which are frequently competent to obscure evidence, particularly states. Hence, in order to govern an objective fact in regards to conflict, commissions of investigation, within lawful structures, by treaties of parties, are selected to find facts to a specific arguments, in order to determine an unprejudiced aftermath of the fight.

Arbitration. Arbitration is a legitimate process which involves an authorized binding verdict by an arbiter. Conversely this does not limit the amount of control, parties to a heated discussion have when it comes to the arbitration process in regards to their battle, as they are competent to choose whether they shall succumb their argument for adjudication, they select their arbiter, they have a say in the rulebooks to be applied in the arbitration process and they have an indirect control over effects of the reward, if they believe the honor as worthless.
In this case, for a dispute to be deliberated for arbitration, states must offer an ad-hoc proposal of specific existing conflicts of recognized and determinate sort. In that, both sides are responsive of truthful and lawful limits within which, their privileges will be put at stake by subjugation to a third-party decision maker.

Offer ad-hoc submission of current battle of unnamed but noncritical range. In that, an entirely materialized disagreement permits at least outside limits of menace to be determined. They have to give in to a sensibly demarcated class of imminent insignificant conflicts. This is because, the component of impending dangers constantly restricts guarantee, as it is challenging for a state to regulate its accurate publicity to clashes. Parties to the battle, bow to upcoming conflicts without close control but with reservation of unnamed classes of conflicts, the choice of reservation being exclusively determined by each party to encounter.

Independent Settlement. Terminated negotiations is not operational as compared to terminating negotiations. This is because, persistent hostility escalates pressure, which transforms to shared extraction from the battle by parties in conflict. Thus, when either party or both parties in conflict agree to perform self-sufficiently in regards to ended negotiations, the objective of the compromise may be advanced by their credit of their disappointment. Unilateralism can at times harbor qualities of conflict resolution (Jackson, 2000).

Coercive Settlements. This is frequently implemented through diplomatic relations, vengeance, embargoes, sanctions, boycotts and retort ions. This is habitually reinforced in humanities where common verdict is absent and by-law prosecution is fragile. This has been contended not to yield so much in regards to conflict resolution, but considering that worldwide conflict maneuvers in the midst of a martial showground, this is one effective feature of conflict resolution. Thus is it critical to note that in conflict resolution tactics, a
serious understanding is that conflict exploits on shielding one’s own interests, or in retrospect, evade conflict and withdraw or reach a concession, which in the long-run, creates vigor to search for a creative problem resolving effect.

2.6 Challenges Faced By the African Union

In Sudan, conflicts have persisted even after the leaders signing various treaties to help in reconciliation. As argued out by Mwencha, AU has failed to identify the root causes of the conflicts between Sudan and South Sudan and also lacks adequate peace-building mechanisms to monitor the negotiations and stabilize conflicting regions (Woodrow Wilson Center for Scholars: Africa Program, 2008).

On the same case, the overlap caused by the multiplicity ideas provided by AU, IGAD, and the UN is confusing and makes the Sudanese leaders to assume that they are under pressure to maintain peace but no organization seems to deeply consider solving the long-term problems faced in the country (Hettne & Soderbaum, 2006). The African Union and other organizations should set a common ground with specific strategies that are uniformly agreed upon as advised by Mwencha.

Despite numerous protocols and signing of technical consensus documents to facilitate the free movement of goods and people across borders, the AU’s record in stimulating the removal of trade barriers between countries in the union is less than impressive and the value of intra-African trade is still abysmally low as a percentage of total trade.

A major challenge confronting the AU and its leaders is how to respond to the job and livelihood aspirations of Africa’s youth who account for as much as three-quarters of the labour force in most countries; many have gone to school and attended universities to become productive members of society but end up being jobless. High and still rising levels of unemployment among young people in Africa prompted heads of state at the AU
summit in Malabo, Equatorial Guinea, last June to adopt a ‘Declaration on Creating Employment for Accelerating Youth Development and Empowerment (Lisk, 2012).

As Ottaway & El-Sadany (2012) declares, Sudan has the usual challenges of a developing country. It must establish a governmental system, in all its dimensions, the executive, the judiciary, the legislature, the public, the army. The country will have to develop infrastructure, expand services to the population, the rule of law and good governance, the country will basically have to start all over again, through a process which will be marked by tensions, abuses and successes.

Post-conflict reconstruction and development (PCRD) and peacebuilding are some of the most important challenges facing African countries emerging from conflicts. The African Union also faces a major challenge of lack of funds (African Union, 2017).

Despite its successes, especially in peacekeeping missions, the AU still faces challenges. It has the initial lack of willingness of AU member states to provide troops to AMISOM. And in Sudan, even as UNAMID has potential capacity for AU-UN cooperation, joint command-and-control operations so-called "dual keys “have not worked well (Hengari, 2013). These hybrid missions are challenging at best, given that they require coordination among countries with divergent institutional cultures and, occasionally, inadequate levels of training in complex peacekeeping operations.

Financial: The AU’s lack of financial and logistical resources undermines its ability to lead these types of operations (Hengari, 2013). The financial issues that face the AU and have made it difficult before to cover logistical challenges of the infighting that was in Sudan before the split has forced the organization to continue looking support from elsewhere. The kind of support is however more of financial and not in the form of contributing troops. This is because according to The Human Rights Watch (HRW), the
United Nations had decided to assign the responsibility of achieving the objectives of the Security Council resolutions 1556 and 1564 on the African Union (Human Rights Watch, 2005). The HRW believed that the entire world, or at least most of it looked to the African Union to solve the then “Darfur crisis”. They believed that the AU had the ability to achieve a cease fire with the DPA. At the same time, the United States and the European Union saw it as an avenue of avoiding the deployment of their own troops in a violent country.

The AU however, was also seeing this as an opportunity for it to assert itself as an important regional organization on the African continent with significant power (Human Rights Watch, 2005). Their reliance on funding from outside has however continued to chip away their chance of achieving such a reputation. It continues to elucidate that the AU has taken up a responsibility that is far much greater than its capacity to handle it.

Human Rights Watch suggests that the success of the AU largely depends on the alacrity of the U.S. and the E.U. to provide funding for the peacekeeping endeavours of the AU within the region (Human Rights Watch, 2005). There is well documented willingness to fund the AU. Britain, for instance, offered training and support for the African Union’s plans to increase the number of troops to 7,700 during the Darfur conflict to a tune of $466 million in costs (Relief web, 2005).

The EU also pledged €40 million which was immediately designated as development funds by the AU to keep the efforts of peacekeeping going. In addition to that, Britain increased its contribution to the AU Darfur’s peacekeeping force financially to £19 million all the way from £6.6 million in June of 2005. The money was intended to help fund the operations of peacekeeping until when the UN-AU hybrid forces would be active (International Refugee Rights Initiative, 2016). The then Secretary of State for international development, Hilary Benn, said that the funds were going to be used to
purchase 500 vehicles and other rapid deployment equipment (Corlazzoli, 2005). Most of these equipment was needed, this was especially because the Janjaweed was being funded oil revenue from Khartoum.

Unity: AU member states have not always provided unified or consistent approaches to armed conflicts within the UN Security Council. The AU's approach to Libya in 2011 and, more recently, its response to the crisis in Mali have been inconsistent and at times contradictory vis-à-vis sub-regional initiatives.

2.7 Countries that Experienced Boundary Conflicts and how they Resolved them

Africa has been recorded as the master of boundary conflicts and less research has been done to identify lasting solutions to their disputes. A number of African countries are either currently engaged in conflict or are just emerging from it. It is hard to pinpoint any part of Africa without some kind of major conflict, it could be ongoing or has recently been resolved. It is possible to identify conflicts around calls for secession, conflict around ethnic sub-nationalism and self-determination, some regions have experienced a great deal of military intervention, and there’s also the conflict over citizenship and land ownership.

Some of the examples of African countries that have experienced boundary conflicts include but not limited to:

Uganda and Kenya over the Migingo Island that is about one hectare and floating on Lake Victoria (Oduntan, 2015). This has never been resolved since the two countries are still seeking answers from the colonial map archives in London. This may also be probably because of the acquired customary status, particularly in the practice of African states.

Sudan and South Sudan over the Heglig oil. The Heglig oil dispute between these two countries has not been resolved yet (Douglas, 2012). South Sudan has maintained that
Heglig was disputed territory subject to settlement by the Technical ad-hoc Border Committee established under the Comprehensive Peace Agreement to “demarcate precisely the 1/1/1956 north-south borderline.” Alternatively, Sudan has maintained that Heglig lies within Sudan. This contradiction in positions seems enough to define Heglig as “disputed.”

Libya and Chad dispute over the Aouzou strip, the international court of justice relied on the colonial treaties between Italy, France and Britain to reach the conclusion that the strip was Chadian territory.

Libya and Burkina Faso on the basis of the uti possdetis principle. This was resolved by the intervention of the International Court of Justice.

Cameroon and Nigeria over the Mbanié Island (between Gabon and Equatoria Guinea). These agreed on a compromise aimed at submitting to the International Court of Justice.

Kenya and South Sudan over the Ilemi triangle. The territory is claimed by South Sudan and Kenya. The perceived economic marginality of the land as well as decades of Sudanese conflicts are two factors that have delayed the resolution of the dispute.

Eritrea and Ethiopia over the Badme territory. This dispute has not yet been resolved since Ethiopia refuses to accept the delimitation of the border area claiming that the United Nations backed Eritrea.

Outside Africa, countries like Afghanistan and Russia had a boundary conflict that was fueled by security concerns, culture, habits and ethnic groups share boundaries (Mehra, 2014). Other non-African countries with boundary disputes included China and India, and China and Asia (Bender & Nudelman, 2014).
The Drive and Role of Global Boundaries

2.7.1 The Drive of Global Boundaries

The global boundaries allocate territory to states and political units which have international status and role. International boundaries give political units identities under international law and give sovereign equality among states (Moslemi, 2016). They ensure that the territory is distinct for economic activities such as mineral exploitation (Loayza, 2016).

The International borders divide territories with unique characteristics into distinct entities. These include history, language and culture (Okumu, 2013). They also identify a territory within which a state administers laws, collects taxes and provides defense (Wayumba, 2013).

2.7.2 Roles of Global Boundaries

A boundary plays a critical role in determining relations between neighboring states. For instance, if a state in a region has territorial interests in two of its neighbor’s territories, they may find it convenient to establish harmonious relations between them to checkmate the hostile neighbor (Okumu, 2013).

A boundary is critical in inter-state trade and commerce as it can be used to ensure that revenues are collected in form of custom duty and goods are not smuggled across for example U.S. Customs and Border Protection (CBP), within the Department of Homeland Security (DHS), is the main organization charged with monitoring, regulating and aiding the flow of goods through U.S. Ports Of Entry (POEs).

They provide national and transnational economic social life. This refers basically to the prompt growth of cross-border transactions and networks in all areas of life for example trans-national communities are one feature of trans-nationalism. Trans-national
communities are groups whose identity is not mostly built on attachment to a specific territory. These communities signify an influential challenge to the outdated thoughts of nation-state belonging. Boundaries have also been established, maintained and administered for security and military purposes in order to curb illegal activities and armed insurgencies.

2.7.3 Importance of the Sudan Map

The map will be used for the North-South border demarcation and that will in turn lead to the redeployment of the Sudan Armed Forces (SAF) and Sudan People’s Liberation Army (SPLA) across the borders (Craze, 2014). It will also form political constituencies in the disputed zones before the 2009 general elections and the referendum on independence in the South in 2011.

But most significantly, the demarcation would determine whether Juba or Khartoum controls the mineral-rich Abyei region. This map is critical as the Comprehensive Peace Agreement (CPA) of 9 January 2005, that ended the 21 years of North-South war, provides for demarcation of the border between the two regions (United Nations, 2010).

2.8 The United Nations Support Framework (UNSF)

Member states of the UN continue to approach the Security Council to help them deal with issues around boundaries. The UN considers that international boundaries are a key component of the peace process between nations. They can either prevent conflict or aggravate it. A carefully done demarcation and delimitation process can lead to a warm and productive relationship and cooperation between member states. This process is therefore critical in the peace process. A great effort is made by countries to try and resolve disputes that are related to boundaries. There are however several cases where more precision is required in the process of delimitation and demarcation. Whenever there is mistrust and bad faith between neighbouring countries, the International Court of
Justice is considered a reliable third party to help resolve the dispute (International Court of Justice, 2017). It is in this context that the United Nations Secretariat may be invited by the parties concerned to participate in the mediation process.

The United Nations Secretariat is committed to ensuring that the expertise it provides remains completely neutral and impartial. When mediating boundary issues, The United Nations is supposed to be flexible in its role and ensure full involvement of all the concerned parties throughout. Member states would usually lead the process and The United Nations will be there to provide a neutral view and expertise. During the process, the United Nations encourages compromise between the parties following close negotiations the different procedures that would lead to a conclusion that is acceptable by all parties. This is different from how things could possibly go if the case was taken to an arbitration court where there is no negation or reconciliation between parties.

In certain instances and in this case Sudan versus South Sudan, a nation may not have sufficient expertise, structure and capacity in terms of legal, political, technical, administration and logistics to enable them proceed by themselves in an arbitration court. In such a situation, the required expertise and capability to assist them deal with their boundary dispute are accessible through the United Nations Secretariat.

The nations that are involved in the dispute are the only ones that can establish of the Boundary Demarcation Commission. The composition and how the commission would be configured will always differ depending on the dynamics of the case. Since the role of the United Nations is to serve the request of the parties, the commission may include the UN Secretary General and the top management of the UN may also take part in the process (Kagawa, 2013).
The United Nations Cartographic Section is the one that delivers the necessary expertise in legal, political, technical, mediation, administration and logistics matters in the demarcation processes. All these is done under the guidance of the Secretary-General in overall, with cooperation from the Department of Peacekeeping Operations (DPKO), Department of Political Affairs (DPA), and the Office of Legal Affairs (OLA). The Cartographic Section provides technical expertise in addition to the administrative and logistical support (Kagawa, 2013). The capacity with which the UN Secretariat will participate with in a case will always depend on the level that UN is involved in the entire boundary issue, from preparation, delimitation and demarcation and even maintaining.

Sometimes the UN provides the involved parties with complete support. The UN will be the one to take care of all the aspects that are required. These will include:

Institutional organization: working together with the involved parties to establish the Boundary Demarcation Commission and configuring the Secretariat of the Commission. The UN will also help to organize the field demarcation team, establish the chain of communication for the commission and direct the field work.

Legal and administration: The obtaining of all authorisation that is necessary to enable the Boundary Demarcation Commission to make decisions and the establishing of all the procedures necessary for making the decisions by the Commission. The UN will also be the one that creates the Terms of Reference for the field demarcation team and setting the parameters for the physical representation of the boundary both on water and on land. The UN will develop special agreements and legal procedures to be use by the Commission.

Technical support: The analysis of the existing legal and cartographic material, the preparing of a base map for demarcation and other maps that would be required, the
organization and implementation of field surveys. The United Nations Secretariat will also provide support in the logistics, safety and security for field operations as needed.

Perhaps the most important part of the process and the role of the UN in contributing to peace is boundary management. This part involves: the establishment of a bilateral committee (or commission) for boundary issues, the committed protection of the border area and boundary line, the maintenance of the markers of the boundary and facilities that are associated with it, and establishing the necessary procedures for the protection of the border and cooperation between the parties. In normal situations, the states involved will take a bilateral approach to boundary maintenance. However, post-conflict situations are challenging and may require the United Nations to take over this task. The main objective of managing boundaries is so as to protect the border and to establish an environment that promotes sustainable peace, security and cross-border cooperation between states (Kagawa, 2013).

In the case of a boundary dispute, it is very important to realize that the United Nations can only be helpful and exercise its full mandate if the involvement of the UN was requested by the member states. The UN can however still be involved in such a process in cases where either there is a conflict, a decision has been reached by the United Nations Security Council (UNSC) for its involvement or through the United Nations General Assembly (UNGA).

2. 9 Causes of Boundary Conflict

Boundary conflicts affect the international system either negatively or positively; this is because they affect the sovereignty of countries and infringe into the fundamental rights of the population (Boulden, 2003). Boundary conflicts threaten the sovereignty of countries and the rights of its people and for thousands of years, countless lives have been lost in battles over disputed territories (Vasquez & Marie, 2001). This is in line with the
Ethnic Dilemma Theory that argues that countries or nations can confront each other which leads to consequences that result into loss of lives and also political instability in the country for example Sudan and South Sudan that have left thousands of civilians homeless and increased refugees in neighboring countries like Kenya and Uganda. Such disputes can be caused by the need to control natural resources while other disputes result from differences in culture, ethnicity, and religion (Vasquez & Marie, 2001). Despite the success in granting independence and transferring ownership of territories to formally colonized countries, the conflict between natives is still evident (Bemis, 2008).

Boundary conflicts in South Sudan and Sudan dates back to colonization and the country is still struggling with it to date. According to Joe & Theodore (2011), Anglo-Egyptian government ideally isolated the South as a heathen region and North side as the useful region. Historical developments therefore alienated the South from the North. Despite the region being one, they were treated as separate. Khabure (2013) suggests that lifting the barrier after Sudan’s independence in 1956, as such, was not a surprise. The South was in a disadvantaged economic, political and social position and for that reason; the leaders representing the south started a campaign for better status and political inclusion.

Before South Sudan got its independence from Sudan, the politics in the region was typically controlled by the major Arab and Muslim political parties. The politics of Sudan at that time was marked by distinct marginalization of other individuals with reference to their ethnicity, religion, and at some point, their social class. The culture of systematic marginalization affected all the social-political aspects of life in Sudan. This is in agreement with the Ethnic Dilemma Theory that highlights effects as a result of battles between individuals and groups. The Sudanese people face a multitude of human rights violations resulting from intense authoritarianism, proxy conflicts, hunger, military operations and targeted extrajudicial killings (Khabure, 2013).
Not only was the South not represented in political issues, but also, the government ruling the entire Sudan was unstable with power moving from military to civilian governments due to the battle in Sudan between North and South. The split between the two regions intersected central difficulties that existed within both. The North, which ruled the entire country, was really unstable politically. Power switched back and forth between military and civilian governments, ranging from those controlled by the left to those with an Islamist orientation. The South was mostly resentful of the dominant North but also totally divided, mainly along tribal lines; these divisions were systematically oppressed by northern governments to fail the southern rebel movements (Ottaway & El-Sadany, 2012). The South Sudan citizens therefore faced alienation in a politically unstable country, which made situations worse. Sudan faced years of international efforts to bring an end to decades of conflict and political injustices. With the help of IOs and ROs, they signed the Comprehensive Peace Agreement (CPA) of 2005 that would end two decades of war and oversee the smooth process of a secession referendum (Joe & Theodore, 2011). This was an agreement between the Government of the Republic of Sudan and the SPLM/A. The peace agreement was in respect of the issues related to the Conflict Areas of South Kordofan and Blue Nile Countries and Abyei Area (Boulden, 2003). The agreement, pushed by IGAD, required the two parties to be conscious of the human rights violations during the conflicts and to consider urgent peace and security to the people of Sudan.

The main post-independence conflict between South and North as discovered by Luka (2018), is the oil which 80-90% is produced in South Sudan. Nonetheless, the country is landlocked and transit fees must be negotiated to reach the pipelines through the north; boundaries with five areas must be negotiated, for example Abyei Kafia Kingi, etc. The famous “Heglig Crisis” is one of the boundary wars that resulted from issues relating to
oil rich regions. This six months war, from March to September took place along the Sudan and South Sudan boundary with the main battle taking place at Heglig. On the same case, Countries that “trade between Sudan and South Sudan has been reduced after the referendum, mainly to counteract the gain of the South’s self-determination (Luka, 2018). The referendum was established by the UN to vote for or against South Sudan’s secession from Sudan. This was part of the process of implementing the CPA of 2005. The majority of the voters were in favour of secession and the referendum declared South Sudan an independent state (UN News, 2011).

Research shows that territorial boundaries are the major cause to the emergence of territorial misunderstandings (Abramson & Carter, 2016). Nations challenge each other over territorial conflicts are normally because of the economically valuable resources, ethnic kin, or military-strategic utility attached to such territories (Adelman & Stephen, 1999). This is in agreement with the Ethnic Security Dilemma theory. In case the boundary demarcation are not proper, it would also lead to a boundary conflict (Bemis, 2008). Some Countries intend to exert their sovereignty in territorial conflicts that are necessarily not along the boundary lines and this form of territorial conflict was common amongst colonial powers intending to expand their territory outside their boundaries. (Diez, Mathias, & Stephan, 2008).

In Latin America for instance, the Ecuador and Peru boundary conflicts were part of the Rio Protocol 1942 treaty that intended to end a sporadic war between the two countries (Simmons, 1999). As it is for most cases of territorial disputes, Ecuador and Peru have had unclear boundary since colonial times and it trickled to the post-independence age. Ecuador had been left without access to either the Amazon River or the Río Maranon, the region’s other major waterway, and thus without direct access to the Atlantic Ocean (GlobalSecurity.org, 2018). On the same case, the 1763 treaty of Paris intended to end the
territorial conflict between Europe and the Red Indians during the evolution of America. The seven-year conflict was caused by the Europeans need to expand their colonial settlements and acquire resources from the colonies. However, the need from autonomy stirred a series of wars such as the American Revolutionary War between 1775 and 1783 (Bemis, 2008).

In the case of the Western world, it is clear that territorial disputes exist, although at insignificant rates compared to Africa. Despite the success in granting independence and transferring ownership of territories, the conflict between settlers, natives and slaves is still evident in the modern American community (Bemis, 2008). Besides a long history of treaties and revolution wars, the United Countries still faces protracted disputes over boundaries. However low the intensity of disputes, it is still clear that historical settlements trigger boundary conflicts even in the United Countries (Robinson, 2003). Seemingly, the ambiguities that accompany boundary conflicts may lead to military confrontations or peaceful concessions depending on how the involved presidents and other political leaders interpret and tackle the situation.

Afghanistan and Russia fought brutally for a time, and Russia had to leave Afghanistan again. The Russia invasion in Afghanistan is rather a different aspect of boundary disputes, but still applies in other regions. Culture, habits and ethnic groups share boundaries. Afghanistan was foremost driven by the security concerns a rapidly weakening Afghanistan, vulnerable to Islamic extremism and Western encroachment, posed to the Soviet Union’s South boundaries (Mehra, 2014). China on the other hand is keeping its issues on the low key. Although not publicly known to the world, China and India have numerous simmering boundary disputes. The Paracel Islands, Fergana Valley, Durand Line, Kashmir and many other land and maritime boundaries are a source of conflict in Asia (Bender & Nudelman, 2014). Some cases in Asia such as Russia and
Afghanistan have been brutal while others, especially those that involve China, are contained.

The oil field resources. The discovery of oil in the rich regions of Bentiu and Heglig of Southern Sudan laid a foundation for the conflict between Sudan and South Sudan. The central government in Khartoum was determined to control the oil fields from the outset and moved to create the Unity Province in 1980. This creation excluded the oil regions from southern control and incorporated them into the north. The takeover of the oil districts and the introduction of sharia law in 1983 reignited rebellion in the south. Colonel John Garang formed the Sudan Peoples’ Liberation Army (SPLA), attacking Chevron oil installations. By 1993 the war against the south had become a jihad, with the current ruler Brigadier Omar al-Bashir staging a successful coup with the support of the National Islamic Front under Hassan al-Turabi (Dorward, 2012). The oil resources are considered as a security boundary threat between Sudan and South Sudan hence causing unrest between these two countries. This is in line with the defensive ethnic security dilemma theory.

Undefined and unmarked borders. The Anglo-Egyptian condominium, Sudan had been officially divided into two areas: the North and the South. The North, predominantly Arab and Muslim, constituted what French colonial authorities called the useful country, where whatever resources were available and whatever development took place were concentrated. And the South, African and heathen, appeared to be a remote region without resources best left to its own devices and those of missionaries, but also to be protected from slave raiders. Under the condominium, an official internal boundary existed that put the South out of northern reach. Unfortunately for the present conflicts, this internal boundary was never clearly delineated, let alone demarcated—it crossed, after all, territory considered to have no value. Not surprisingly, when Sudan became
independent in 1956 and the barrier between the two areas was lifted, the South found itself in an extremely disadvantaged position. It was not long before it started agitating for a new status (Ottaway & Sadany, 2012).

The struggle for power. In 2011, the world’s tenth largest state, the former state of Sudan, became two nations: Sudan and South Sudan. Both are rich in natural resources but there is much conflict over the use of many local resources. The struggle for political power in both Sudan and South Sudan is a major point of conflict due to the myriad of tribal groups vying for power, particularly in the South. Abyei in the South is an area of major dispute over oil, and the South Kordofan and Blue Nile regions have potential for conflict over the issue of damming the Blue Nile in the South for water conservation. The Dinka and Nuer tribes of the South, and the non-Arabic and Chadian-related Sudanese in the western region of Darfur, have always felt isolated and have regularly taken up arms resulting in two civil wars in the last 20 years (Flint, 2009).

Sudan has been in conflict over the redistribution of agricultural land which has people disheartened with the government’s inability to push for better Red Sea trade links via Khartoum. Instability in government and the security forces and a lack of security over ownership of land has also contributed to the border conflict between Sudan and South Sudan (Mason, 2019). This is in agreement with the Ethnic Security Dilemma theory.

There has been a growing concern that there could be more inter-state disputes in Africa as natural wealth is discovered in the borderlands. The continuing Somali nationalism in the region and border skirmishes between Uganda and the Democratic Republic of the Congo (DRC) over the oil-rich Lake Albert region and the Sudan and South Sudan boundary conflict over the Heglig oil, all indicate that border disputes are on the rise (Okumu, 2010).
In addition, Douglas (2004) also highlights the causes of civil wars in Sudan which include; the 1972 Addis Ababa peace agreement and the regional government, the impact of religion and race, natural resources like land, actors in the AUBP, expert missions and the role of foreign relief agencies and international Islamist networks.

2. 10 Alternative Approaches to the Identity Crisis in Sudan
Deng (2011), argues that by bringing to the surface the realities of the African elements of identity in the North thereby revealing characteristics shared by all Sudanese as a new basis for the creation of a common identity could be established that fosters equitable participation and distribution. If the concerns that divide prove challenging, a framework of diversified existence within a loose federal or confederate arrangement should be put into place. Partitioning a country alongside reasonable boundaries may be the only remaining possibility to end the devastating war.

2.10.1 The Methods of Capture of Slaves in Sudan
According to Jok (2007), he explores the terrible experience of captivity and examines the efforts of slaves to escape. The various methods include buying and selling them using middle men as a strategy that has been supported by Western antislavery groups and church-based humanitarian agencies but has also been the subject of great moral debate.

In addition, allowed and even encouraged by the Arab-dominated Khartoum government, the state military has also captured countless women and children from the south and sold them into slavery in the north to become concubines, domestic servants, farm laborers, or even soldiers trained to fight against their own people. Also instigated by the Khartoum government, Arab herding groups routinely take and sell the Nilotic peoples of Dinka and Nuer (Jok, 2007).
Figure 2.2: Map of the contested border between Sudan and South Sudan. Source: Congressional Research Service (Blanchard, 2012).
2.11 Background of the Sudan-South Sudan Border Dispute (Perspectives)

The Abyei borderland has become highly politicised. According to Concordis International (2012), “tense relations due to outstanding issues between the two countries represented the greatest barrier to building cooperative relations along the Sudan-South Sudan border at state and local levels”

The relationship between the local people and the national interests in the borderland is complex and “ politicisation of the conflict by national elites” remains a major challenge to stability in the borderland (CI, 2010a). During Sudan’s civil wars, the conflicting parties exploited local historical disagreements over land and water by arming the border communities to play out the national conflict on the ground, even though the local grievances were based on completely different grounds (CI, 2010b, p. 9).
Until today, “national disagreement over the control of land, oil and natural resources unresolved by the CPA” fuel tensions in the borderland (p. 16). While on the one hand national disagreements have fuelled tensions and mistrust on the local level (CI, 2010b, p. 14), the discrepancy between local and national interests has led to deeper “feelings of marginalisation in the border communities” (CI, 2010b, p. 9).

Communities tend to feel excluded from the process of defining Abyei’s territorial boundary and “they ultimately perceive that insecurity and uncertainty at the border is driven by national interests”. According to the communities, stability can only be ensured when the interests of border communities are taken into account through for example popular consultations (ibid.). This also means, that “agreement between one set of actors does not imply acceptance by another” (CI, 2010b, p. 17).

Figure 2.4: Map of South Sudan

Source: Congressional Research Service (Blanchard, 2012).
Various international organisations have conducted focus group interviews with South Sudanese in the period before and after the referendum on issues such as separation and the issue of Abyei. In these interviews, it shows the emotional experience associated with secession and the creation of a nation with a national identity. The referendum resulted in overwhelming support for an independent South Sudan. The motivation for secession seems to lie in economic/developmental arguments mostly, as a Madi Woman in Magwi states: “I will vote for separation.

The CPA was signed to see what would happen between the Northern Arabs and Southerners, but no cooperation is visible. Development is in full gear in Khartoum while in the South, what do we have? Dirty tin roofs and mud walls (Levy, 2010, p. 14). The majority of the participants in these focus group discussions agree that resource revenues, such as oil, should not be shared with the North. As a man in Wau asserts: “If the South separates, everything will now be divided between North and South, so what reason will there be for the South to again share our resources? Are we still under colonization? No, that is not acceptable”. Or a Dinka Twic man in Pager, stating that “the reason why we voted for separation of South from North is because we do not want to share our resources with the North” (Levy, 2010, p. 30).

The idea of marginalisation seems deeply rooted and the belief that independence will lead to the resources that allow for development, is often-heard. A Lopit man in Lopa votes “for separation because Arabs took all our resources to develop the North”, and a Kuku man in Kajo Keji argues that separation will allow South Sudan “to utilize our oil resources properly” (Levy, 2010, p. 14).

Southern Sudanese had seen a very promising future for an independent South Sudan, which would “develop faster because most of the resources will be under the control of the Southerners. Things will be much better”, according to a man in Wau. A Dinka Twic
Woman in Khir expects that “if things remain like this, in the next 10 years, our country will be like Kenya and Uganda” (Levy, 2010, p. 17). A commonly shared belief is too that tribal relations would improve after independence. A Dinka Gok Chief from Cueibet emphasises that “it is Arabs that are using Southerners against their own people. The relationship will be very good if we are separated” (Levy, 2010, p. 36), pointing at the North as a cause for the conflict, while a Dinka Rek Woman believes that relations improve because of a shared identity: “The Southern Sudan tribes will unite and cooperate after separation because of the independence of their country” (Levy & Cook, 2010). The improved livelihoods are stated as a reason for tension relief by a Lou Nuer Woman in Waat, arguing that “now, people fight because of hunger. After a while, hunger will end, and we will have the spirit of one people” (Levy, 2010, p. 36).

**Figure 2.5: Map of Sudan**

**Source:** Congressional Research Service (Blanchard, 2012).
The prospect of South Sudanese independence had great effects on the perspectives of participants in the Sudanese provinces of Southern Kordofan and Blue Nile. Most participants were in favour of a united Sudan. “Sudan should remain as one country”, an Arab woman from Blue Nile said, “because if not there will be war between the South and the North” (Cook, 2009, p. 37). A younger Nuba woman from Julud in Southern Kordofan supports this view too: “Sudan should be united, so that there will be no problems” (p. 37). An older Nuba woman from Dilling in Southern Kordofan illustrates the issue further: “We want Sudan to be one because if it divides, we will not know who to join” (p. 37).

The referendum proved to raise more questions about the status of the people in the Sudanese borderland. As an older woman from Koalib in Southern Kordofan states, “it is we who determine whether to join North or South not only that or also to become independent as a country” (Cook, 2009, p. 38), whereas the people in contemporary Sudan were not inquired. A Funj younger man from Blue Nile believes that “Southern Blue Nile will vote in the same referendum as the South”, while a Nuba younger man from Southern Kordofan too believes that “the popular consultation will give us the opportunity to join the South” (p. 38).

When explaining that Southern Kordofan and Blue Nile will not have the opportunity to determine their own fate, participants see a hopeless future. “If there is no referendum it will mean the people of Blue Nile got lost in the middle of Sudan. They were not given their rights in the peace agreement”, a younger Funj man from Blue Nile states (Cook, 2009, p. 39). “If Southerners will inform us, we will join them. If they will not, we can also separate from the North and rule our own affairs”, a Funj middle-aged woman from Blue Nile states (p. 39). A younger Nuba man from Southern Kordofan asserts that “if the South separates we will claim for an independent country for the Nuba” (p. 39). Given
these strong positions, the belief that “if there is no referendum we will be lost we will suffer more” as a Nuba middle-aged man from Southern Kordofan puts it (p. 39), seems valid.

There was a wide understanding that separation would not resolve the tensions around the border. While some Southerners felt that this lies in the hands of the North solely, others claim that both governments could play part, or, as a Jurbele Woman from Gadiem states, “if one of the governments wanted to take or cross to the other territory by force, that is what will bring problems or a border war” (Levy, 2010, p. 35).

Moreover, there is a division between those that argue that tensions are fuelled from above, such as the previously quoted woman, and those that believe that the situation could deteriorate because of “nomadic Arabs who will be grazing their cattle in the South, and this will cause problems” as a Nuer Bul woman from Mayom argues (Levy, 2010, p. 35). In Sudan, there is an understanding of the Abyei crisis too. A Nuba older woman from Southern Kordofan says “it [the Abyei crisis] is a fight for land ownership. The Arabs are trying to take it from the original owners”. “I think people are fighting in Abyei because of the land because Arabs say Abyei is their land and Dinkas say that also”, an Arab older woman from Southern Kordofan explains (Cook, 2009, p. 28).

After the referendum, some focus group participants valued the efforts of the Government of South Sudan (GoSS) in the negotiations, that, as a chief from Kapoeta Town in Eastern Equatoria states, could “stand firm with the Abyei people” (Berg, 2015). A Mundaria Woman from Terekeka Town in Central Equatoria states that “the government is actually trying very hard, but the problem is with the Khartoum government” (Lomeri, 2019). Others argue that “our government is not doing enough on Abyei because Abyei referendum was not conducted”, as a Nuer Lek woman from Pulkuai in Unity state argues, or a Dinka Ngok man from Lakes region, blaming the GoSS as “people are
getting killed in Abyei every day. Do you think they will not finish? Our government needs to speed up the negotiation of Abyei with the North” (Machuany, 2014).

Among participants, there is strong support for Abyei to become part of the South. While “most Central Equatoria participants and some, mostly female, participants in other locations support negotiation as the only viable option to resolve Abyei”, others “are supportive of using any means necessary, including a return to war” (Machuany, 2014). As a Lotukho man from Torit Town in Eastern Equatoria states: “If it means going back to war with the north to have Abyei join South Sudan that is fine with me. If we leave Abyei like that, the Arabs will take it” (BBC, 2014).

We are seeing different perspectives from Sudan and South Sudan, but we have not yet investigated the views from the Ngok Dinka and Misseriya communities in the borderland. In December 2012, the Enough Project interviewed Ngok Dinka politicians, traditional leaders and civilians in various towns and villages, as well as Misseriya men in Goli. “From these discussions, it becomes clear that there are fears in both communities that the other side will initiate violence this dry season. Both communities view the other as backed by their allied government, with the Misseriya emphasizing the view that the international community backs the Ngok Dinka” (Rendón & Hsiao, 2013, p. 9). As an Ngok Dinka Chief states, “nowadays the Misseriya have the back-up of the Sudan government by aerial bombardment, by tanks, by heavy artillery...to take over the resources of Abyei (p. 9). A Misseriya chief on the other hand, argues that “The Dinka will start the conflict because they are backed by the international community. They have strength” (p. 9). With the backing of both governments, distrust increased.

The situation became precarious and during field research before South Sudan’s secession, Ngok Dinka showed that they are “adamantly opposed to a mixed Ngok-Misseriya Abyei Administration and predict conflict if a Misseriya Deputy Administrator
“is chosen”, a Ngok Dinka elder from Agok illustrates that “hyenas cannot be in charge of goats” (Cook, 2009, p. 53). An Ngok Dinka chief from Agok asserts that they “have never claimed any leadership from Muglad, which is Misseriya headquarters, and I think there is no point for them to claim leadership in Abyei if it is not for the intention of destroying us” (p. 53).

Land (ownership) has been a crucial aspect of the wars over the past decades. One Misseriya man argues that “we will not give up Abyei if a single Misseriya is alive. We have the documents that show that Abyei belongs to the Misseriya” (Rendón & Hsiao, 2013, p. 12). The problem is a deeper clash between the colonial past and the (colonial) present. A Misseriya man explains that “the CPA created the problem. It decided that Abyei was Ngok Dinka land”, he continues, “before the CPA, the Ngok Dinka were part of the North; after the CPA, they hardened and went against the government” (p. 11).

Here, identity comes into play as well. Ngok Dinka participants from Abyei are clear in their affiliation with the South. “I will join Bahr el Ghazal because we are all Dinka”, an older man from Wau says, “we speak one language, our culture is one, our colour is black, so I better join them rather than joining those who have their own language and culture and different beliefs” (Cook, 2009, p. 63).

Experiences of the past have resulted in reluctance to reconcile. An Ngok Dinka chief from Marial Achak village asserts that “every year the Misseriya violate agreements. We try to rebuild and every year they come and destroy and loot. That kind of person who is killing us, insulting us, calling us slaves, you would no longer be interested in having dialogue with him” (Rendón & Hsiao, 2013, p. 10). Reconciliation, however, is a two-way process. It is what an older Ngok Dinka woman from Agok states: “[in order to reconcile with the Ngok] I will tell the Misseriya to respect the Ngok and their rights because the land belongs to them. Disarm all those who have guns, and then they will be
allowed to graze freely. They should allow intermarriage to strengthen the relationship” (Cook, 2009, p. 59).

Both Ngok Dinka and Misseriya participants indicated “that peaceful co-existence could only take place when their ownership of Abyei was recognized by the other side” (Rendón & Hsiao, 2013, p. 12). While in 2009, a Ngok Dinka woman from Wau said: “I think we can compromise with Misseriya on grazing rights through negotiations and agreement...that way we will live in peace” (Cook, 2009, p. 59), this seems no longer a viable option. On part of the Misseriya, “the new emphasis on ownership is particularly noteworthy. Historically, the community emphasized its interest in securing migratory or pastoralist rights through the territory, while, as of late, the community has shifted their rhetoric to emphasize “ownership.”” (Rendón & Hsiao, 2013, pp. 12-13).

The issue of Abyei has become increasingly politicised, and all (South) Sudanese seem to have an opinion on the fate of the region. This also plays out on the ground. Tensions between the borderland communities have increased, as both governments support ‘their’ respective populations. However, it is interesting to see how the borderland perspective differs from the ‘national’ perspectives. While South Sudanese view independence as a route towards development as independence means self-determination about resources, Sudanese respondents state that unity is the only way toward stability. In contrast, the Ngok Dinka and Misseriya respondents’ statements from the borderland are driven by questions of identity and land ownership. Also, the CPA and the backing of the respective governments created distrust. This, however, is not so much driven by an economic rationale. The added complexity fuelled by national interests becomes particularly visible in the position of the Misseriya. Induced by claims from the Government of Sudan, Misseriya representatives have shifted their claims from grazing rights to land ownership. While at an earlier stage, the issue could probably have been settled with a clause
guaranteeing Misseriya grazing rights, the conflict has gotten more nationalistic through territorial claims.

As becomes clear from discussions with local representatives, the border will only be sustainable if both sides accept it. In order for the border and the division of territory to be acceptable, it is crucial to involve the local perspectives in the negotiations. As Craze (2013) asserts, “political negotiations and international arbitration have systematically excluded the two communities the Ngok Dinka and the Misseriya whose lives and territory are at stake, leading to tension on the ground when the communities failed to agree to what was decided for them” (pp. 100-101).

In the end, the Ngok Dinka and the Misseriya are supposed to live peacefully alongside each other. What remains an interesting aspect is that of Sudan’s populations in Southern Kordofan and Blue Nile, who presumed that a referendum in the Southern provinces meant a right to self-determination for the borderland populations. This raises the question of where the problem lies. Is it a result of a failure in communication or is it a failure in understanding and interpreting the borderland context. While both seem equally unpleasant, the latter would be significant in a broader context. As decisions are taken at a national or international level, the people that are most affected by the result, the local communities, are never consulted or only in a limited context.

2.12 The Role of the African Union in Intervening in the Boundary Conflicts

2.12.1 The regional organizations

Regional organizations (RO) are not only important for economic development but also stand as a reliable mechanism for peacebuilding, conflict resolution, and sustainable security in various parts of the world. Like International Organizations, Regional Organizations incorporate global membership and embrace geopolitical stakeholders that operationally surpass a single nation state (Jetschke & Lenz, 2013). The major difference
between the two as Jetschke & Lenz (2013) describe is the idea of boundaries. Regional Organizations define a unique geographical boundary like continents, geopolitics, or/and economic blocs. Some common examples of ROs include European Union (EU), Caribbean Community (CC), African Union (AU) and Association of Southeast Asian Nations (ASEAN) amongst many others (Hettne & Soderbaum, 2006).

Various ROs have influenced ideas and progress in the African continent. Consistent with a post by UNECA (2018), the rise of regional organizations resulted from the urge to industrialize as well as to strengthen structural, social and political structures. African countries embrace regional integration as a vital means to national development driven by the advantage of large economies working in together in agreement (UNECA, 2018). Prime examples of ROs exist in the post-independent Africa. For instance, Intergovernmental Authority on Development- IGAD was purposefully formed to contain peace in Somalia and at the Horn of Africa. Other examples of Regional Organizations in Africa include the East African Community (EAC), Southern African Development Community (SADC), The Economic Community of West African States(ECOWAS) and the Common Market for East and South Africa (COMESA) have displayed their determination and commitment to preventing and resolving conflicts on the continent.

While most of the organizations are sub-regional, and define membership with a distinct portion of the African continent, AU covers the entire region. One of the objectives of the organization is to “defend the sovereignty, territorial integrity and independence of its Member Countries” as well as to “promote peace, security, and stability on the continent (Keitany, 2016).” In his keynote speech at the Woodrow Wilson International Center for Scholars, on the April 10 2008 regional symposium, the outgoing president of COMESA, Erastus Mwencha stated that “since the inception of the African Union in 2002, Africa has witnessed a dramatic reduction in the number of armed conflicts (Woodrow Wilson
Center For Scholars: Africa Program, 2008).’’ The Secretary-General said that the AU is currently in a position to enhance diplomatic prevention. The existence of mechanisms such as the Panel of Wise and standing units that can be deployed quickly in order to terminate ongoing conflicts present opportunities for strategic peacebuilding in the continent.

Sudan and South Sudan are a good example of how AU developed IGAD to oversee peacebuilding strategies in the Horn of Africa. According to (Boulden, 2003), AU used its resources to back up missions established by members of IGAD. The peace process led by IGAD brought hope to the Sudan – South Sudan dispute. IGAD developed a framework for negotiations that eventually led to the Comprehensive Peace Agreement between the North and the South.

The AU Commission provides strategic, political, technical, and planning support to operations authorized by the Peace and Security Council and carried out by regional coalitions of Member States, Regional Economic Communities (RECs), or Regional Mechanisms for Conflict Prevention, Management and Resolution (RMs) (African union, 2017).

AU as a political broker: This role is being performed by the Peace and Security Council (PSC) that is an expertise in the field of conflict management. When it was clear that Sudan was not going to remain united, the baton was transferred from IGAD to the AU. The involvement of IGAD was greatly linked to the CPA process, which had been founded on the basic assumption that Sudan was going to remain united as one country. It would have necessitated extreme changes to the entire framework of the agreement in order to accommodate negotiations on the terms for a referendum. This complete change in the terms proved to be more political. Although IGAD was an African organization, the AU facilitated the creation of the AUHIP in its ambition to obtain “African solutions to
African problems”. This was mainly because the Troika countries – the United States., Britain and Norway exerted a lot of pressure on the parties and supported the IGAD process logistically, financially and through expertise on pertinent issues which made IGAD to be seen an extension of the western countries.

The role of the African Union in the realm of peacekeeping was fulfilled via conducting quite a large number of complex peacekeeping operations.

Peace making: this is the third role of the AU was implemented according to their agenda.

Sanction and rewarding: The AU according to her Article 7 of the Constitutive Act, has the mandate of imposing sanctions or rewards to member countries. E.g. the AU imposed sanctions to Central African Republic (March 2003 - June 2005; March 2013 - cont.) and Egypt (July 2013 - cont.) for not complying with the set standards.

In Sudan, the organization held a series of meetings with South Sudan President Salva Kiir and Sudan President Omar Hassan Ahmad al Bashir. The Addis Ababa meeting of 1st January 2014 hoped to put a ceasefire. The two leaders agreed to the ceasefire but they failed to end the ongoing wars at the time (Murithi, 2007). Other meetings and treaties were presented to the warrying parties to end hostilities but each attempt either failed or provided a temporary solution. Realizing that the situation in Sudan was getting to catastrophic levels, AU emphasized on dialogue, calling upon the UN Security Council to declare disarmament on both countries and impose sanctions on both participants and facilitators of the war.

Amongst the various objectives of the AU is its mandate to promote peace, security, and stability in Africa especially in Sudan and South Sudan. The organization is also responsible for protecting human rights as provided in African Charter of Human and People’s Rights as well as in the other Human Rights Instruments (Tieku, 2007).
organization upholds the principle to conduct peaceful resolution of conflicts among states such as Sudan and South Sudan and within a state. The examples of the African peacekeeping missions include; the African Mission in Sudan (AMIS), the African Mission in Somalia (AMISOM), South Sudan, African Union Mission in Burundi (AUMB) and African led International support Mission in Mali (ALISMM).

The AU, through the PSC intervenes in warrying and conflicting nations such as Sudan and South Sudan in various ways. Depending on the escalation of the crisis, the PSC authorises appropriate strategies of intervention including the imposition of sanctions, peace support missions, and sometimes military intervention where and when appropriate. Some of the countries that AU conducted peace building activities include eastern Democratic Republic of the Congo which saw the involvement and intervention of more than eight other African countries (Makong, Mofya, Ladzekpo, Seifu, & Omar, 2012). The organization also took part in the North Atlantic Treaty Organization (NATO), military intervention in Libya to implement United Nations mandate to establish peaceful negotiations between Ethiopia and Eritrea.

The AU plays a big role in reducing armed conflict in Africa for example in Sudan and South Sudan. Despite a wide ranging agenda to build in order to achieve its long term goals, peace and security remains a core role in the AU Commission. The AU is trying to move beyond crisis management to conflict prevention in order to have preventive rather than reactive measures of managing conflict in the continent. Unfortunately, the organization experiences various challenges that may interfere with the internal harmonization and cooperation and coordination between member states.

AU has attempted to assist countries with weak or failed governments such as Sudan and South Sudan by offering humanitarian aid and through establishing peace-keeping initiatives. It also offers permanent solutions to civil injustices against minority ethnics
in African nations. In Sudan, throughout 2007, the government of Sudan was facing rebellion from the marginalized Darfurians. The regional or continental perspective under the leadership of the AU seeks to find a political solution while undertaking peace operations to alleviate the suffering of Darfurians. The AU applied a desirable and robust monitoring mission that dissuaded the brutality against fellow human beings even with the sluggish peace keeping progress in Sudan.

The foremost strategy used by AU was to include both the President Salva Kiir and President Omar al Bashir in all talks, despite their political alliance. IGAD through the leadership of the Ethiopian Premier separately listened to the demands of the conflicting parties. Salva Kiir demanded the imposition of cease fire on his vice and while Omar al Bashir demanded for the withdrawal of Ugandan government in helping Sudan’s government. Bashir also wanted a withdrawal of treason charges on the detained opposition leaders.

AU held several extensive talks that led to the signing of the peace treaty that met the grievances of each party and also offered monitoring strategies on the implementation of peace in the country. The deal included a provision for power sharing talks, a curfew that restricted movement and a one month truce for humanitarian missions. Unfortunately, the two sides did not yet again commit to the peacebuilding solution (Joe & Theodore, 2011).

Even with the several failed attempts to rescue the situation in Sudan, AU maintained its mandate on promoting democracy and good governance by rejecting options to use force or unconstitutional means to seize the conflict. Murithi (2007) proposes that the organization condemned all acts of human rights violation in Sudan and suggested that perpetrators be held accountable through acceptable and relevant means. AU also integrated the decisions to establish a Commission of Inquiry and identify processes of
accountability and reconciliation and facilitated humanitarian assistance to affected individuals in Sudan to reduce suffering and protect lives.

Despite the international pressure to impose sanctions, embrace accountability procedures, and use force to end the war, AU has stand on its ground to use dialogue and peaceful methods to combat war in South Sudan and Sudan (Keitany, 2016). As ineffective as AU may appear, the ROs intervention is more concerned of South Sudan and Sudan’s sovereignty and acts without pressure or use of force as a peace building strategy.

2.12.2 African Union Border Programme

It is now over 50 years since the first African country obtained its independence and the border related conflicts are still unresolved. These borders were a result of the rivalries and competition between colonial countries in Europe during the scramble and partition of Africa. Most of these borders were defined poorly without much thought about the people within them. It is not surprising that the location of important natural resources within the border areas of different countries is making it more difficult to resolve the border issues.

With the conviction that it would be impossible for African countries to achieve much of their aspirations if they lacked in unity and solidarity, leaders in Africa resolved that it would be necessary to reduce the burden of managing border conflicts. They decided that it would be beneficial to turn borders into bridges and stop looking at them as barriers. The continent is now boasting of efforts that are currently in place to promote integration within the continent, promotion of peace, unity, security and greater stability. There are structures put in place to help prevent conflicts.
The AUBP is one such structure. A number of legal and political instruments were adopted by the member states of the African Union to make it possible for them to deal with issues that arise as a result of management of state boundaries in Africa.

According to Berg (2015), the African Union Border Program is based on the principle of presence of African borders. In the First Session of the Organisation of African Unity, before the African Union was formed, in 1964, the attending member states recognized that “border problems constitute a grave and permanent factor of dissention” and therefore resolved “that on the day of their independence, the borders of African States, constitute a tangible reality” that has to be respected by the member states (AUBP, 2013, p. 17). More generally, the AUBP advances the idea that “the achievement of greater unity and solidarity among modern African states and peoples requires the reduction of the burden of the borders separating them” (Berg, 2015). The author also suggests that the argument of the transcending of borders as barriers to borders as bridges is all around: It is the title of the file with a collection of all declarations on borders published by the AUBP and it is the title of the AUBP’s YouTube documentary, to name only two examples. Nevertheless, the idea of borders as a tangible reality could clash with the emerging paradigm within critical border studies in which borders are represented as more than simple lines and are regarded as geographical processes in constant development. “Rather than treating the concept of the border as a territorially fixed, static, line, [the border can be thought of] in terms of practices” (Parker, Vaughan-Williams, & al., 2009, p. 586). The reality of the border depends on the meaning we attach to it and on how the border is experienced. With borders as a changing reality, the question arises to what extent the tangibility of borders allows for changing borders and bordering on the African continent, as we have seen with South Sudan’s secession. It is this idea of perception of the border that can make working with the underlying principles of the
AUBP difficult. Even though the AUBP shows awareness of the borders as a souvenir from the colonial period, it does not take into account Mignolo’s perspective on coloniality. The African border can be seen as a clear legacy from the colonial period, while at the same time reflecting the colonial difference. The colonial difference is the difference between “those who participated in building the modern/colonial world and those who have been left out of the discussion” (Grosfoguel, 2008). The AUBP has, in accordance with the objective of African solutions to African problems, the aspiration to mitigate tensions in borderlands through delimitation, delineation and demarcation of borders. Only a third of the 80,000 km of African borders have been properly demarcated, even though demarcation provides for a factor of stability for both countries, which in turn is a key factor for any investment decision that can promote development (AU-PSD, 2014). This may often be the case, but demarcation does not always mean the end of the problems. Cases where the border has been the source of violence tend to have higher risk for continuing conflict. The Ethiopian – Eritrean borderland is an example where after delimitation and demarcation of the border by the International Court of Arbitration, the town of Badme is still in a dispute, with a ruling that is not accepted by both parties. Also, the mere delimitation and demarcation of the Sudan – South Sudan border and the actual creation of a country, has proven not to mean the end of the conflict. But, how do two probably opposing ideas of the border as a bridge and the border as a source of identity (Berg, 2015) rhyme? Does this prove Newman &Paasi’s (1998) argument that “boundaries both create identities and are created through identity” (p. 194)? Delanty (1997) states that the creation of a European identity is based on differentiating between the Self and the other (p. 96). Identity can be constructed from a shared perspective on the border. Shabe residents along the Benin-Nigeria border claim to be the border, irrespective of which side they are on. In this case, the border proves to be a border of
linkage (Goldberg, 2001). Brambilla (2007) shows how the socio-territorial organization of the Kwanyama people of the Angola-Namibia border has adapted to the existence of the border and how the population lives with the ‘onaululi’, the artificial division. At the same time, however, this division has created a “sense of sharing a common experience that binds [the Kwanyama people] together” (p. 31). However, this is not portrayed in the Sudan – South Sudan borderland, where the border remains a place of contestation. Berg (2015) argues that despite promoting the border as a bridge, for example by encouraging regional integration, the AUBP emphasises the Sudan – South Sudan border as a barrier in the view of the borderland people, through its focus on delimitation and demarcation. Brambilla (2014) argues that we need an epistemological perspective on the border, with a focus not only on how the border is used, represented and imagined but also interpreting how ‘borderscaping’ takes place. Thereby, “the borderscape allows to move beyond the often criticized gap between practices and representations, by bringing performativity into the foreground” (p. 15). This also changes the research agenda to “a participatory approach which involves researching not on different actors involved in the borderscape but with them, leading to new and fresh ways of political participation understood as existence (becoming) rather than essence (fixed realistic/territorialism ontology)” (p. 16).

The AUBP was established in 2007 as a reasonable result of the Resolution on Border Disputes between African States that is now on its 54th year. Through the establishment of the AUBP, the African Union Commission was hoping to create “a united and integrated Africa with peaceful, open and prosperous borders” (AUBP 2013a), “reflecting the more necessary improvements in the European Union. The assumption is that “well delimitated, demarcated and managed boundaries provide an environment of security and facilitate trade, which forms the basis of peoples’ and States’ prosperity” (AUBP, 2013, p. 6). The AUBP focuses on delimitation, delineation and demarcation5 of borders,
thereby responding to the lack of clear bordering causing tensions between neighbouring countries. Eastern Africa, for example, is divided up by more than 30 boundaries each country has been involved with at least one border dispute with a neighbour.

Okumu (2010) argues “that among the sources of current border disputes in Eastern Africa are the improperly delimited and poorly demarcated colonially inherited borders, the procrastination of post-independent governments to correct the colonial errors, poor border administration and management, increasing populations, and discoveries of mineral wealth in the borderlands and frontiers” (p. 280). AUBP is the utmost inclusive policy apparatus ever designed at continental level on the concern of Africa’s borders and as the ‘peak of the long procedure of the evolution of comprehensive boundary problem-solving policy-making at continental level.

2.13 Theoretical Framework

2.13.1 Ethnic Security Dilemma Theory

The security dilemma is debatably the theoretical essential of defensive realism, because for defensive realists it is the security dilemma that makes likely sincere cooperation between countries beyond a brief alliance in the face of a common opponent. The Proponents of the theory include Herbert Butterfield, John Herz and Robert Jervis. The theory is also credited to Barry Posen.


Herbert Butterfield published The Whig Interpretation of History in 1931, and in 1944, he published The Englishman and His History.
Hans Hermann Herzen wrote *Political Realism and Political Idealism* in 1951.

Robert Jervis is perhaps best known for two books in his early career, he also wrote *System Effects: Complexity in Political and Social Life* (Princeton, 1997).

Recent studies have proven that the conceptual frame of the security dilemma is useful when thinking about ethnic conflicts at the intrastate level, although its relevance may be difficult to see at first sight. The application of the security dilemma was first popularized by Barry Posen (Jiaxing, 2012). Posen articulates some interesting parallels between an international system and ethnic relations within a state from a realist’s perspective. First, the collapse of imperial regimes produces the problem of “emerging anarchy.” Second, ethnic groups behave as if they are states without the assurance of their security by the state and thus “the security dilemma affects the relations among these groups, just as it affects relations among states.” Third, “the indistinguishability of offence and defense” favors the worst-case analysis and preemptive action. All these conditions will similarly generate a spiral of action and reaction that is typically found in an international conflict.

The most popular examples of the security dilemma include the former Yugoslavia, Moldova’s civil war, and Croatia.

Agreeing with Buzan (1993), he argues that relative power is hard to measure and is often individually evaluated: what seems adequate to one state’s defense will seem and will often be offensive to its neighbors. Because neighbors wish to remain independent and secure, they will react by trying to strengthen their own positions. States can trigger these reactions even if they have no expansionist disposition.

Security Dilemma for Inter-state. The spiral process unvaryingly connects to arms races. Ethnic identity can just as frequently be fortified using non-military means. War is coterminous with harm: you cannot have one without the other (Roe, 1999).
Intra-state Security Dilemma is regularly related with groups, identities such as ethnicity or religion. Harm can follow violence: violence may come later if either side cannot attain their societal security necessities through party-political legal means.

An Ethnic Security Dilemma often shows groups’ terror of extinction, which explains aggressive attitudes towards the other group and dangerous measures in self-defense (Cotter & Leuprecht, 1999 & 2010).

The security dilemma, also referred to as the spiral model, is a term used in global relations and refers to a state in which activities by a state anticipated to enhance its security, such as amassing its military strength or creating alliances, can lead other states to retort with similar measures, generating amplified rigidities that create conflict, even when no side really needs it (Buzan, 1993).

Herbert Butterfield contended that the security dilemma can drive republics to conflict even though they may not want to hurt each other. The overriding battle in history can be made without the participation of any great lawbreakers who might be out to do deliberate maltreatment in the world. His works encompass six suggestions about security dilemma. These are its final source is panic which is derived from the complete sin of humanity, it also involves doubt over others’ targets, it is unplanned in origin, it produces catastrophic outcomes, it can be strengthened by psychological aspects and it is the vital reason of all human fights (Roe, 1999).

John Herz, who originally invented the term security dilemma, explained it as groups and individuals who stay together with each other without being structured into a higher union must be concerned about their safety from being antagonised, endangered, controlled or conquered by other groups and individuals (Herz, 1950). Determined to achieve security
from such assaults, they are obliged to attain more and more supremacy in order to escape
the sound effects of the influence of others.

Herz also recommended six features of the security dilemma (Tang, 2009). These are: the
final source of the security dilemma is where there is lack of a higher harmony and no
dominant authority, an immediate root of the security dilemma is countries’
indecisiveness and suspicions about each other’s intentions to do harm under anarchy,
nations’ means of self-help of trying to escape from the security dilemma by building-up
more and more control which forms a cycle of power competition, countries’ endeavour
to escape from the security dilemma by gathering more and more power may not intensify
their security at all of becoming self-defeating and even disastrous, the security dilemma
can cause conflict, but is not the reason of all battles and the dynamic of the security
dilemma is a self-reinforcing vicious cycle.

Robert Jervis well-defined the security dilemma as these unplanned and undesired
consequences of actions meant to be protective and one state’s accomplishment in
security often accidentally intimidates others (Tang, 2009). He focused on these seven
traits of the security dilemma which are: the security dilemma is structural in foundation,
states’ indecisiveness and uncertainties about each other’s current and upcoming
objectives is vital for establishing and conserving the security dilemma, it is caused by
defensive actions thus unintended, it tends to produce unintentional and self-defeating
results that lessens in one’s own security, it tends to produce inadvertent and devastating
consequences that is conflict, the security dilemma can cause combat, but is not the root
of all battles and the dynamic of the security dilemma is self-reinforcing and bears a
similarity to a spiral.
The security dilemma and ethnic conflict

Figure: 2.5: The causal link from security dilemma and war.

Source: Tang, 2011
Anarchy generates uncertainty; uncertainty leads to fear; fear then leads to power competition; power competition activates the (dormant) security dilemma; and the activated security dilemma leads to war through a spiral.

The upper part of Figure 1 speaks about the vital and proximate causes of the security dilemma such as anarchy, survival, uncertainty and fear and self-help through competition whereas the lower part of Figure 1 speaks about the potential outcomes that can be produced by a security dilemma which include war or threat of war and more power and less security.

Although the security dilemma may produce certain types of outcome, not all those types of outcome are produced by a security dilemma. Thus, while the security dilemma can produce unintended and self-defeating results, not all such results are produced by a security dilemma (Glaser, 1997). Likewise, while the security dilemma can produce (bad) spiral-like situations (for example, a deterioration in relations) not all spirals are caused by a security dilemma. The security dilemma can possibly lead to war, not all wars are caused by a security dilemma.

The Security Dilemma is also portrayed through the following:

Disarmament. The series of current interethnic clashes starting in 2009 can also be detected through the lens of the ethnic security dilemma that followed the Comprehensive Peace Agreement reached in 2005 and was exaggerated after the civilian demilitarization led between December 2005 and May 2006 (Tang, 2011). Based on the authorization of demilitarization in the Comprehensive Peace Agreement, the South Sudan government and the Sudan People’s Liberation Army steered a civilian disarmament campaign in Jonglei, aiming at the Lou Nuer first (Brewer & UNDP, 2010). Nevertheless, they barred to surrender arms, as they believed the targeted arms reduction to be a determined effort
by the authorities to weaken their fighting capabilities. This would rise Nuer’s relative insecurity to other ethnic groups.

After negotiations between the government of South Sudan and the Nuer failed, the state authority resorted to coercive disarmament in which the white army and SPLA soldiers involved in a series of fights (Young & Barltrop, 2016 & 2008). As an outcome, while other 3000 arms were collected, about 1600 soldiers and hundreds of citizens were assassinated. The Goss and SPLA were organizing to disarm Murle militias as well but the strategy was not implemented due to concerns of the International Community regarding possible causalities following the disarmament.

Later, another round of disarmament led by the United Nations Mission in Sudan and targeting Murle Militia, resulted in the collecting of small amount of arms, proposing that people were successfully hiding some of their weapons to arrange for potential armed conflict (Todisco, 2015). The fact that the government of South Sudan and SPLA failed to promptly remove weapons all ethnic groups in Jonglei made the Luo Nuer immensely unprotected to the Murle who regarded themselves as the Nuer’s victims and commanded to have the right to attack back against the Luo Nuer and Murle concerning their combat competences inspired the security dilemma.

After the complexion of the first round of the demilitarization campaign in 2006, the Luo Nuer progressively armed themselves by looting collected arms. Nevertheless, observing the state of the Luo Nuer remained deteriorated as a widow of opportunity, the Murle confronted them in Akobo County in January 2009, killing about 300 Luo Nuers. This was followed by retaliation of the Luo Nuer in March, which led to in the deaths of 450 Murle. The clashes in 2009 were the greatest deadly in the post-CPA period and there is no uncertainty that the two ethnic groups are trapped in the spiral of an action-reaction process (Yuki, 2013).
Though another disarmament movement targeting both the Luo Nuer and the Murle was shepherded between August 2009 and March 2010, both groups confronted and truly flourished in hiding some of the armaments (Holland, 2012). The security dilemma was clearly a vital root of hostility to disarmament. Thus the 2006 demilitarization is the primary reference point of acceleration of the security dilemma between the Luo Nuers and the Murle which deteriorated into a stage of ruthless attack and vengeance.

UNMISS’s lack of capability. The presence of global actors in South Sudan has not effectively incorporated peace. In July 2011, the United Nations Security Council Resolution 1996 established the UNMISS with a civilian security mandate. However, due to absence of personnel and equipment, UNMISS often failed to provide security in a well-timed and effective means (Hutton, 2014).

When thousands of Luo Nuer youth were mobilized for a tit-for-tat attack against the Murle in December 2011, UNMISS was able to use only half of its troops due to lack of helicopters (relief web, 2012). Locals also condemned UN peace keepers for not being able to reach places that are inaccessible by helicopter. Furthermore, UNMISS was silent about evident human rights exploitations committed by the SPLA during the demobilization operations. UNMISS thus far has not supported the parties overcome the security dilemma by reassuring them of security.

Ethnic groups in Jonglei are reluctant to disarm because they need arms to safeguard their societies and cattle from the other ethnic groups, arms reduction has not been directed to all ethnic groups concurrently, making disarmed groups uncertain and there is basically no security device that can equally and efficiently protect citizens and preserve internal stability (Kachuol, 2014).
State’s lack of capacity. The lack of government capabilities to offer security to its citizens which created a state of anarchy within the country, made the ethnic groups resist disarmament and feel responsible for their own security. The UNMISS conveyed that both the national police and the security forces lacked skills to offer security because of limited logistical human and fiscal resources and the fight of accessing numerous regions which lack active roads (Sharland & Gorur, 2015). The absence of a recognized justice system has also generated a turmoil state and given rise to a culture of exemption in which perpetrators of vehemence are rarely prosecuted.

There are two key security apparatus in South Sudan; the South Sudan Police Service and SPLA (Abatneh & Lubang, 2011). The quality of SSPS is very bad. Because the SSPS was often outnumbered and outgunned by armed pastoralists, it was unsuccessful to put to end interethnic clashes. Luo Nuer youth have articulated their grievances against the SSPS, which constantly failed to capture the Murle who conducted cattle raiding, murder and abduction. Most of the SSPS personnel are former SPLA soldiers, who were not probed to join the post-CPA army and thus are commonly for worse.

In addition, several workers are old and lack proper education. The absence of police stations in Jonglei also averts the SSPS from replying timely to collective violence. Moreover, because police is not seen as an attractive job of competent youth in South Sudan, enrollment of young people will continue to be a contest. The reliability of the SPLA has been questioned. Though the SPLA as a national army of South Sudan is liable for dealing with outward pressures, it is often mobilized to end internal cases due SSPS lack of ability to do so. On the other hand, the SPLA does not interfere in every interethnic clash which builds misperception among communities about its role and mandate (Cheri, 2016). Ethnic identities of SPLA soldiers expound the unreliable responses. Corruption within the SPLA has destabilized the legality of the organization.
Cattle grazing. Environmental conflict offers a suitable lens to clarify the traditional aspect of interethnic conflicts in Jonglei. In South Sudan, cattle are important assets for all ethnic groups because cattle are a major currency for these groups, signifying wealth and social status and are used for reimbursement and the payment of wedding dowries (Mennen, 2016).

Roughly 80 percent of the population depends on cattle grazing to live and the livestock business has been one of the largest sources of occupation. Because cattle are openly related to the existence of these groups, people often enter regions of other ethnic groups and loot cattle. Not only are plundered cattle used for nourishing people’s lives, they are also sold in exchange for small arms. Even though the primary aims in these clashes were cattle, use of such weapons as shield has increased the human lethality of conflicts.

Though cattle grazing needs water and pasture land, not all ethnic groups in Jonglei have access to those resources due to physical as well as geopolitical shortage (The New Humanitarian, 2013). Hence, during dry times or eras of drought, those who occupy arid land travel with their cattle to terrains of other ethnic groups to vie for resources, often resulting in fierce conflicts. The lack of amplification on ownership has often deadlocked disputes.

Furthermore, the Transitional Constitution of South Sudan has not yet restricted the legal framework for pastoralists’ grazing rights (United Nations Environment Programme, 2018). Cattle raiding and interethnic clashes have traditionally been observed in Jonglei, particularly when the Lou Nuer whose land was often affected by droughts travelled to territories of other ethnic groups, such as the Dinka and the Murle, the boundaries and ownership of land in Jonglei are not clearly well-defined.
Many disputes were intensified after the 1991 SPLM division and the dual organization of the area that succeeded (United Nations, 2014). These concerns are more complex by refugee return, violence-induced dislocation and the delineation of communities ahead of the elections. Interethnic battle in Jonglei State, South Sudan in hunt for water and pasture for cattle grazing. Movement of the Lou Nuer has thus been a cause of interethnic clashes in Jonglei for eras.

Impact of climate change. Climate change has been an escalating reason of resource shortage in Jonglei, which give rise to the frequency and rise of interethnic clashes (Gordon, 2014). Little yearly rain and prolonged drought instigated by climate change have reduced the number of available water points and other vital resources, coercing pastoralist communities to travel more into immediate tribal areas for provisions.

As a consequence of higher temperature and little drizzle, the frequency and interval of droughts improved, which has reduced the total of water points and turned lands unfertile. Within an environment solemnly affected by climate change, it is safe to assume that the chance of conflicts is high. Due to lengthy droughts, the traveling Lou Nuer would occasionally have to stay longer in lands of the Murle or Dinka, where more people contend over deteriorating resources to stay alive at the expense of others. Thus, migratory practices dictated by the ecological degradation bring communities with long-standing relations of hostility into closer proximity, contributing to the recurrent outburst of conflicts (Onuoha, 2008).

2.13.2 Strengths of the Theory

The security dilemma supports expound key events, such as World War I, the Cold War origins and end and the outbreak of ethnic fights in previous republics such as the Soviet Union, the former Yugoslavia and Africa mainly South Sudan. The theory has also been situated in order to recommend policies for some of the most advanced persistent
encounters in international politics, including controlling of weapons races, designing a long-lasting concord plan to ethnic clashes for example the Dinkas and the Nuers in South Sudan.

2.13.3 Criticism of the Theory

There has been misperception regarding the security dilemma existence because numerous scholars, including the three original supporters of the theory, have defined the notion in loose ways. Herbert Butterfield’s acknowledgement of the absolute source of the security dilemma to the universal sin of humanity is realistically mismatched with his other opinions that the security dilemma is unintentional in origin and that combats compelled by the security dilemma are disastrous.

John Herz who believed the security dilemma to be all general, he later evidently disproved Butterfield’s declaration that the security dilemma is the reason behind all human wars by noting that there was no security dilemma between Hitler’s Germany and other countries.

Robert Jervis’s works do not contain a consistent definition of the idea rather, they treat the concept concisely and inconsistently. In various places, Jervis defined the security dilemma as accidental and undesired consequences of actions meant to be protective. Although there have been vital overlapping areas among the definitions and elucidations by the three inventive creators of the security dilemma, none provided a severe and understandable definition of the security dilemma in one place. The non-existence of such a definition has unsuccessful consequences. In particular, it promotes twisting, widening and mishandling of the notion, resulting in many areas of misperception and contradiction.
2.13.4 Applicability of the Theory to the Current Study

The security dilemma is evidently showed through the power sharing between South Sudan President Salva Kiir and his vice president Riek Machar. When South Sudan broke away from Sudan after voting in a referendum in January 2011, some predicted ethnic cleavages were going to be its Achilles heel as is seen in the Dinka-Nuer division (Minde & the Carter Centre, 2016 & 2011). The two centers of party-political and equipped authority have, in effect, eroded the situations for a sustainable power-sharing organization in South Sudan. Some have commanded, for instance, that the SPLM has received generous martial and political backing from Uganda and China, while SPLM has also received similar provision from the Sudan government in Khartoum (Kebbede & Young, 1997 & 2015).

2.13.5 Social Constructivists Theory

The Proponents of the theory include John Dewey who is repeatedly cited as the philosophical founder of this approach. Jerome Bruner and Jean Piaget are considered the foremost theorists among the cognitive constructivists, while Lev Vygotsky is the main theorist among the social constructivists. Immanuel Kant is the fore-runner of the theory. Alexander Wendt is also one of the proponents of the theory.

Jerome Bruner is famous for his writings such as: *A Study of Thinking* (1956), *the Process of Education* (1960) and *Studies in Cognitive Growth* (1966).

Jean Piaget’s works consist of *Structuralism* (1968), *Genetic epistemology* (1971) and *the early growth of logic in the child* (1959).

Kant’s major works include, *the Critique of Pure Reason (1781), the Universal Natural History (1755) and the Critique of Practical Reason (1788)*.

Alexander Wendt’s texts contain: *Social Theory of International Politics, Cambridge University Press, 1999* and *Quantum Mind and Social Science Unifying Physical and Social Ontology, Cambridge University Press, 2015*.

Social constructivism is a theory of knowledge in sociology and communication theory that scrutinizes the knowledge and understandings of the world that are established cooperatively by persons. This theory assumes that understanding, significance and meaning are developed in coordination with other human beings Jafari & Davatgari (2015).

### 2.13.6 Assumptions

**Reality**: The first assumption of social constructivism is that reality does not exist in advance; instead it is built through human activity. Social constructivism believes that since reality is not made before social creation, it is not something that can be revealed by individuals.

**Knowledge**: Social constructivism signifies knowledge as a human product that is socially and culturally constructed. Individuals can construct meaning when they interact with each other and with the environment they live in.

**Learning**: This assumption of Social constructivism stresses that learning is a social process. It does not take place only within an individual nor is it a passively established by external forces. Social constructivists state that significant learning occurs when individuals are involved in social activities such as interaction and teamwork.
2.13.7 Strengths of the Theory

Offers psychology new inquiry techniques and new techniques of looking at human behaviours ways that highlight the role of social influences in creating our world and also that emphasise the significance of experience. It re-evaluates our thoughts of objectivity and subjectivity and aims to reveal what individuals are facing rather than just presuming attitudes from external interpretations. It attempts to interpret the world through the eyes of those who create it. Social construction encompasses direct action then without this it is not possible to understand human behaviour.

2.13.8 Weaknesses of the Theory

It is challenging to evaluate this new tactic. It has to contest with a long history of successes and failures from other approaches such as realism and liberalism. Social constructionists only try to interpret the social truths that people construct rather than trying to explain their origin. This theory tends to substitute the causes of natural science and switches psychology as a more inventive subject such as literature than a science.

2.13.9 Applicability of the Theory to the Current Study

Applying social constructivism will help support the understanding of how societal agents reconstruct and redefine the central principles and arrangements in which they work. The theory will help investigate Norway’s actions as a small state, in South Sudan and on the world politics.

Social constructivism is clearly illustrated in the South Sudan – Norway relations for example how the emergency of Norway’s actions has influenced South Sudanese’ insights on Norway, the investigation of the ancient relations and how Norway’s foreign policy has set Norway on peace engagements in South Sudan and other countries. The Norwegian foreign policy became focused on peace in contrast to the outdated foreign policy of other European countries. Its foreign policy was first marked as a liberal policy
of peace that stresses people’s role, arbitration, neutrality and free trade. This was in direct contradiction of what was commonly professed as a foreign policy. The implementation of this foreign policy encompasses a strong link with Norwegian organization, where the state is indirectly involved (Grenna, 2015). Therefore, the historical understanding of the Norwegian peace foreign policy, explains Norway’s engagement in peace efforts, not only in South Sudan, but diverse places around the world.

2.14 Conclusion

This study is aimed at establishing the effectiveness of the African Union in the South Sudan and Sudan boundary conflicts. This does not only affect only South Sudan but stretches across territorial boundaries such as Sudan and Kenya, Ethiopia and Eritrea, Cameroon and Nigeria hence bridging the gap of boundary country conflicts within the African continent. It is clear to note that the African Union has the mandate to try and solve most of Africa’s problems such as peace and security within the African Continent through its Peace and Security Council that is in charge of conflict prevention, peace keeping missions and peace building mechanisms. It has also focused on economic development, good governance, social progress and peace through cooperation and self-reliance among the member states.
CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter describes the research design and procedure which was used in the study. It explains the study design and the data analysis method applied. This section also describes secondary approaches that were used to gather data that reinforces the study on the effectiveness of the African Union in boundary conflicts between Sudan and South Sudan.

3.2 Research Design

The descriptive research design was used in this study since the researcher anticipates to look at the problem at hand, describe it, explain it and attain significant evidence that would be of use to the African Union as a regional organization. The research followed a deductive method to deduce findings and conclusions. The researcher used a qualitative approach to establish the effectiveness of regional organizations in particular the African Union in boundary conflicts between Sudan and South Sudan. Data used for this study was drawn from secondary data. This is due to the nature of the security condition in Sudan and South Sudan thus the choice of conducting secondary research. The Secondary data collected was through journals, books, newspapers, magazines and organizations reports deliberating the effectiveness of the African Union in conflict resolutions.

3.3 Research Instruments

To understand the objectives of this study, the research involved collecting secondary sources of data in respect to the plans, policies, journals, books, newspapers, magazines, and organizations reports discussing the effectiveness of the African Union in conflict resolutions, the motives for battle reappearance and the conflict in Sudan and South Sudan.
3.4 Data Analysis

The study incorporated a descriptive analysis. The collected data was analyzed using qualitative research method approach that is theoretical in form and looked into the theories as a platform for directional control. Qualitative analytical technique was used to analyze and interpret data on ‘effectiveness of regional organizations in boundary conflicts. Thematic or, content analysis was applied to analyze qualitative data. Data contents were summarized and that evidence used as an initial point in analysis. Similarities and dissimilarities in secondary data was scrutinized in order to draw conclusions. Data collected was classified, coded and linked to the arguments in the study.

3.5 The Delimitation of the Study

The study restricted itself to the South Sudan and Sudan boundary conflicts focusing on the Heglig boundary conflict that was battled between the countries of Sudan and South Sudan according to the variables. It mainly focused on the role of the African Union conflict resolutions in ending the boundary conflict between Sudan and South Sudan.

3.6 Conclusion

This section offers a synopsis of the research design and methodology used in the study. It outlines processes that will be followed to collect data. The research anticipates to reflect a positive and strong relationship existing between the involvement of the African Union in boundary conflicts and the progressive progress of conflict resolution.
CHAPTER FOUR

PRESENTATION AND DISCUSSION OF RESULTS

4.1 Introduction

This chapter presents the results obtained as per the research questions. It includes other results of further analysis. This section exhibits a systematic and thoughtful application of secondary research data as collected from published materials. All statements made in this chapter are directly supported by the results of the data provided alongside.

Sudans have been facing conflicts since the 16th C BCE. Issues between the modern Sudan and South Sudan are a result of long-term issues between people of the two countries as well as continuous factors experienced along the conflicted boundaries after secession. This section establishes investigative data and evaluation as per the objectives of the research to help come up with conclusions for the study in chapter 5. This has been done by closely examining the following issues: demographic factors that contribute to interminable conflicts between the seceded states; Historical factors; AU’s evaluation of Peace and Security, AU’s involvement, the African Union Mission in Sudan, the Heglig oil dispute, the successes and failures of the AU, the nine agreements of the CPA and the SWOT analysis of the African Union Commission.

The introductory paragraph briefly states the problem under investigation, the purpose of the study, chapter, the purpose of the chapter (data analysis), and the organization of the chapter. The research in this case examines the effectiveness of regional organizations in boundary conflicts. The purpose of the research was to find out if regional organizations have been successful in controlling conflicts or maintaining political stability along conflicted border lines.
There is no single way to analyze data, therefore, the organization of Chapter 4 and analysis procedures will relate to the research design and research methods explained in chapter 3.

4.2 Demographic Data

This section includes a summary of the statistical characteristics of the population of Sudan and South Sudan. In a usual primary data, it would include the demographics of the participants. This section covered general statistics of the two countries as retrieved from various sources with a scope from pre-secession, secession, and current status. As a qualitative research, this section employ tables to explain relationships that will help develop rather than test the theories.

4.3 Sudan before Secession

On July 9 of 2011, Sudan, Africa’s largest country, split into two nations. The secession was a result of the longest civil war in world history between the north and the south that dates back to the country’s independence in 1956 (Fadlalla & Adunbi, 2011). Southern Sudanese recorded a massive vote for secession from the north in the January 9, 2011 referendum (BBC, 2019).

The imposition of an Arab Islamic identity by the government in Khartoum caused decades of alienation among many Sudanese living in the South thought of themselves as African and either Christian or belonging to traditional African religions. International perceptions of ethnicity explains why secession was ultimately the inevitable result of the tensions in Sudan (Knox, 2012)

The border wars between Sudan and South Sudan have their roots in the complex relationships between the movements of ethnic groups along the borders as viewed in figure 2.2 and 2.3. Southern Sudanese separatists fought a violent civil war against
Sudan's government, nearly non-stop, from 1962 to 2011. John Garang, a prominent Dinka leader, commanded the region's military the war for independence from Sudan. For the Dinka, as well as most other South Sudan ethnic groups, this created a major disruption in traditional life. People from all ethnic groups in what is now South Sudan were displaced by the decades of warfare, losing their all-important cattle in the process. The Dinka were especially affected by their traditional lands border Sudan.

4.4 The Series of Sudan’s History

The series is made up of information collected from various sources such as; Chapin (1991), Holt & Daly (2011), Hasan (1967), Keita (1993), Kramer (2013), World Report & Chad (2011).

Figure 4. 1 explains the formation of the classical Sudan, then known as ‘Suhal’. It’s a timeline that composes of both South and Northern Sudan. The history begins from the 21st C BCE or 2100 BC when the Kushite migrated to Sudan as its first immigrants. It goes all the way to the Common Era of the 16thC, during the Islamization period in Sudan.

Figure 4. 2 on the other end Focuses on the Common Era between the 19th to the 21st century when South Sudan became independent from Sudan.
4.5 AU’S Evaluation of Peace and Security in Africa on Conflict Resolution

The Peace and Security Council.
The African Union has eleven organs, which aid it in its functionality as well as achieving its mandate as a regional body in Africa. The Peace and Security Council (PSC) is among AU’s eleven organs. The Peace and Security Council is a structure which transitioned from OAU’s Central Organ of the Mechanism for Conflict prevention, management and resolution. It was however slightly restructured to aid in better response to crises and conflict situation in Africa. Promotion of Peace, Security and Stability prominence among AU’s missions and visions mandated the AU to establish the PSC as a measure towards collective security (Iktinyua, 2010).

Its core functions include; conducting early warning in order to facilitate timely and efficient responses to conflict and crisis situation. Participating in preventive diplomacy, expediting peace-making and establishing peace support operations, they recommend interventions in Member States to promote peace, security and stability. The PSC also equally partakes in peace-building, post-conflict reconstruction, humanitarian interventions and disaster management (Tschirgi, 2003).

The African Peace and Security Architecture (APSA) has structures, principles and most important, a decision making process which endorses prevention, management and resolution of crises and conflicts, post-conflict reconstruction and sustainable development (African Union Organization, 2012). Essence of APSA’s structure is the Peace and Security Council, with the Commission, The Panel of the Wise, The Continental Early Warning System (CEWS), African Standby Force (ASF) and the Peace Fund aiding in effective and efficient functionality of the PSC. Consequently it’s commissioning through the AU’s constitutive Act article 20 in conjunction with article 9 and 2 of the Constitutive Act of 2002, the PSC has had to prove its value in regards to effectively and efficiently carry out its mandate.
4.5.1 The various conflicts in Africa and their resolution methods

Sudan and South Sudan Conflict. Sudan and South Sudan conflict started as an end result of the battle for oil rich states between South Sudan’s unity and South Kordofan states (International Crisis Group, 2013). South Sudan was able to capture and conquer Heglig until Sudan’s armies pushed them away. On April 11 2012, after numerous attacks and counter assaults between Sudan and South Sudan, the vice president of South Sudan authoritatively affirmed war towards South Sudan, halting all negotiations which were continuing between the two countries. This standoff persisted, with loss of lives, tankers and armories, until September 26, 2012 when a contract about border, natural resources and security was contracted and settled upon.

This crisis led to several global responses from the United Nations, African Union, Arab League, Iran, Israel, Kenya, United Kingdom, United States, Vietnam and Yemen. All this retorts called to a culmination of the conflict and a harmonious arrangement be ascended upon by the two countries. Conflict Resolution method. As of April 15, 2012, Mohamed Kamal Amr the Egypt’s foreign minister in Khartoum stated that Sudan had ruled any benevolent of negotiations with South Sudan until they evacuated Heglig (Rezeg, 2018).

However, when South Sudan withdrew from Heglig, on May 22, Thabo Mbeki pointed out that the two countries were prepared to return to the negotiation table. Thabo Mbeki acted under the capability of the African Union in this conflict, as a distinguished person from the council of the wise (International Peace Institute, 2013). The inception of this led to signing of eight agreements by the two nations and this assisted in recommencing significant oil exports, demilitarizing a 10 km border line, returning of 350,000 barrels of south Sudanese oil to the world market. Additionally they drew the factors to follow in respect to delineation of borders, guarding each other’s citizens and a monetary
agreement. Though, vice president Riek Machar of South Sudan stated that the deals did not address the looming issue of Abyei (Spittaels & Weyns, 2014).

Djiboutian- Eritrean border Conflict. The Djibouti and Eritrean battle was triggered by the Franco-Italian border agreement in 1900 which was appended upon by France and Italy, in which, Italy got Eritrea and France got Djibouti (United Nations, 2002). On the other hand, Ras Doumeira, an area between the border of Eritrea and Djibouti was never resolved under the Franco-Italian agreement. Djibouti in 2008 alleged that Eritrea took advantage of Djibouti when it permitted its track into its country to get sand, which led to tunneling channels at the border of Djibouti and Eritrea, with an aim of marking Ras Doumeira as an Eritrean territory. This standoff instigated a full blown battle to happen between Djibouti and Eritrea.

In response to the worldwide reactions and call to sojourn the conflict, Djibouti stated it did not expect to involve into any hostility with Eritrea but they initiated it, as they needed to persuasively occupy Ras Doumeira which according to Djibouti it is a fragment of their territory. Conflict Resolution method. There has not been a solid conflict resolution method, although, the African Union’s Peace and Security Council urged the two countries to participate in restraint in order to resolve the disagreement, as well as to completely collaborate with the AU mission sent to Ras Doumeira (BBC, 2017).

Due to the standoff with the AU mission, the United Nations passed resolution 1862 and commended dialogue between the two states (United Nations, 2009). This led to the two countries agree to include Qatar as a mediator and the AU hailed the idea.

Rwandan Civil War and the Genocide. The Rwandan Civil War which began in 1990 was a conflict between Rwandan government and Rwanda Patriotic Front (United to End Genocide, 2016). This led to the creation of many war groups, fighting for power,
between the Tutsi and the Hutu. This was resolved by the Arusha Accords to generate a power sharing government and ended the civil war in 1993. The Arusha Accords being effected under previous late president Juvénal Habyarimana, conveyed peace and calm to Rwanda, though, in 1994, late president Juvénal Habyarimana was slayed and the commencement of the Rwandan Genocide.

The Organization of African Unity (OAU), the United States (US) and France, having been involved in the civil war, were out of action to deal with the degree of the crises that was outlet with the onset of the genocide. The UN was reluctant to respond and pulled out from Rwanda in 1996, following the withdrawal of support by the Rwandan Patriotic Front-led government. This gave rise to the Rwandan Patriotic Front rebel group that defeated the government hence putting an end to the genocide, this was effective, leading to President Paul Kagame’s leadership term (Hintjens, 1999).

Kenyan Crisis. The Kenyan crisis was a political and ethnically charged crisis, which took place in 2007-2008 (Brownsell, 2013). It was instigated by the purported rig of elections by the former President Mwai Kibaki over the unproven favored candidate, former Prime Minister Raila Odinga. The vehemence was majorly prompted against the Kikuyu and curtailed from the Rift Valley. The Peace process, was started by the African Union through Kufuor and followed by Kofi Annan. This was a process which involved both the AU and the UN. It led to ratification of a peace agreement and an alliance government with equal power sharing. This agreement incorporated restructuring institutions and is being executed by the Kenyan government, a process which began is being implemented by the Raila- Kibaki coalition government.

Guinea Clashes. This was politically started clashes, as the 2013 general elections were disputed. This clash later transformed into ethno-religious fighting. This lead the AU, EU
and the UN to appeal for amity and calm as well as security of the civilian as live bullets had been used against demonstrators by the police (African Union Peace and Security Department, 2015). They also stressed the need for calmness as it was not good for Guinea. The government took lead to demand for return to peace and tranquility and the government took action to guarantee peace and calm resumed to Guinea, as well as suspending the 12 May elections.

Egyptian Revolution. In 2011, Egyptians took to the streets to effect a revolution, as they protested of state of emergency laws, corruption, and lack of freedom of speech, desire to raise minimum wage, unemployment and police brutality (Salem, 2011). This was a scheme towards expelling President Hosni Mubarak. The overthrowing of President Hosni Mubarak was effective and was succeeded by Mohamed Morsi, to which his regime was also ousted and he had to escape Cairo.

The state was provisionally run by the army, disbanded and new officials nominated through their initial parliamentary election. Egypt’s turmoil since 2011 has yet not diminished and is ongoing, particularly with the conflict between the government and the Muslim Brotherhood (Vannetzel, 2017). Egypt has been extremely insecure since 2011. Unfortunately no real action has been taken by the African Union, through its Peace and Security Council.

2008 invasion of Anjouan. The annexation of Anjouan was as an outcome of abnormalities in elections, which the then president Mohamed Bacar contended on its validity, conducted the elections and claimed a landslide victory (The New Humanitarian, 2008). This was a triumph not supported by the African Union, given its unlawfulness and under the leadership of Jakaya Kikwete threatened an attack to oust the government if negotiations by the South African President Thabo Mbeki does not produce any results.
The negotiations with Mohamed Bacar led to him approving to hold a re-election in 2008, and Thabo Mbeki considered this as a stand to AU’s decision to annex Comoros and oust Mohamed Bacar from Anjouan (Amir, 2008). This operation was notably marked as operation Democracy in Comoros. The African Union was persuaded that annexation was the best result to resolve this standoff, hence involved the African Union Stand by Force which consisted of troops from Sudan, Tanzania and Senegal, with logistical support from Libya and France. The AU invasion was prosperous and Mohamed Bacar and his followers were impeached.

Libyan-Egyptian War. Diplomatic relations between Libya and Egypt were fading since 1973 due to halt of confederation talks between the two countries and Libyan’s president’s opposition to President Anwar Sadat’s peace policy (Wright, 1944). This peace policy was not very common in the Arab states as it dismayed the Muslim Brotherhood, as Sadat appeared to have reserved efforts to guarantee a Palestinian state. In 1976, due to the affiliation failing between Egypt and Libya, President Sadat persisted to deliberate troops towards the Libyan border and grew support from the United States. President Gaddafi was seen undesirably and made an effort coup which was alleged to be President Sadat’s operation of instigating war with Libya.

Nevertheless, in 1977, President Sadat entreated the American government to help in settlement talks with Libya, but this did not discourage Libya from ordering all Egyptians staying in Libya to return to Egypt or face arrest. July 21, 1977, Libya conducted war against Egypt and they strike back killing 400 Libyans and harming numerous others, with only 100 Egyptians dead. Conflict Resolution method. This lead to a ceasefire with efforts of mediation by Algeria’s president and Palestinian liberation organization leader Yasser Arafat. President Sadat commanded his troops to end the war and settled to a
truce. In August 1977, captives of war were swapped through a covenant and this reduced the pressure between Egypt and Libya (Jaffer, 2016).

Burundi Civil War. The Burundi Civil war took place between 1993 and 2006. It was a radical conflict, initiated after attaining liberation from the Belgium in 1962 (Gebremichae, 2018). This war gave rise to 300,000 deaths and President Pierre Nkurunziza captivating power directed by the Arusha Peace Accords. Burundi Peace keeping mission involved mediation where outstanding persons were involved, the UN and the AU which led to an inter-ethnic power sharing government, harmony and tranquility in Burundi, after more than a decade of civil war.

In 2015, the declaration of President Pierre Nkurunziza running for a third term in office glowed demonstrations with those opposed to his re-election, demanding he did not honor the peace deal (Guardian News & Media Limited, 2019). The protests and turbulence grew worse when the High Court announced that the incumbent president could seek re-election. There was an attempted coup d’état which was unsuccessful and raised pressures in Burundi. The African Union, European Union and United Nations had warned against shepherding the elections as they would not be fair and would cause a likely setback into violence, which was overlooked. Viciousness continues to strike Burundi as deliberations on ending the viciousness is unending.

Chad- Sudan Conflict. The Chad and Sudan conflict was a continuation of rivalry for control and land and the internal Chadian conflict also played part in this (Bessell & Campbell, 2008). The Sudan government for many years tried to overthrow the Chadian president Idris Deby and used Chadian insurgents as intermediate men. The Sudan government equipped and empowered the three Chadian rebels and also Chad equipped and permitted the Sudan rebel group. The motive for the inception of this war was grounded on land and power, the interior battle in chad, the Sudan government used this
as a plan to manage security around its boundaries with fragile states as extension with its restrictions and finally, the national struggle for supremacy through an enormous area of central Africa.

Chad has been a republic in conflict, exacted by intra-state conflict between the Northerners and Southerners, until 2003 when Chad’s fight was as an outcome of a spillover of conflict from Sudan. The two countries were deploying insurgents and fueling attacks in each other’s countries, with Sudan working with Chad rebels and vice versa. An attack was hurled in Chad at its capital city N’Djamena on February in 2008 by three rebel groups. The rebel groups were previous associates of President Idris Deby and suspected him of dishonesty towards affiliates of his own tribe. This struggle has led to 250,000 Sudan refugees and 168,000 from Chad. In 2010, additional 5,000 Sudan refugees travelled into West Darfur. Conflict Resolution method. The Chad government requested the United Nations to pull out its troops from East Chad, on January 2009.

The United Nations reacted by reconsidering its mission’s mandate and recommending a steady draw down and shut down by end of the year. The UN then shifted its duty to safeguarding civilians, comprising of expatriate populations and immigrants from Darfur to Chadian security forces. 2010 marked the end of a five-year war by Sudan and Chad when they signed a contract for the restoration of peace. This led to the reappearance of Chadian rebels back to Chad from Sudan, the opening of the boundaries of Chad and Sudan after seven years and deployment of a joint force to protect the border, and in six years, President Idris Deby visited Khartoum.

Libyan Civil War. The Libyan civil war commenced with demonstrations aiming to advance the political standoff in Libya with a rally towards democracy (Karl, 2015). This was influenced by the Arab Spring. The previous President, the late Muammar Gadaffi was named a dictator and Libyans wanted an unrestricted state in which they are not
gathered or ruled by a gag. This started in 2011 and diminished with the assassination of Muammar Gadaffi, after which, another government was restored but insecurity is still experienced in Libya, with various rebel groups taking governing the country (Ouma, 2016).

Tunisia Revolution. Tunisian revolution was a mass act demand for civil confrontation. This revolution led to the overthrow of President Ben Ali and the beginning of democracy (Zunes, 2011). President Ben Ali had ruled Tunisia since 1987 to 2011 when his government was overthrown. This revolt took place for three weeks and six days, with the reappearance to peace being the installation of a new government. The new administration was a constituent assembly, which after a period of time, also led to successive demonstrations against the Islamic led government to which they resigned and dialogue preceded deliberating the country’s transition. Responses in regards to this alteration of government was applauded by most states and organizations.

Algerian Civil War. The Algerian war was a battle between the government and numerous Islamic rebel factions (World Peace Foundation, 2015). This war triggered life-threatening cruelty against inhabitants, with many correspondents and aliens falling victim of the combat. The Civil confrontation was governmentally initiated, as the contest for authority and control of the country was obvious. The struggle for power between Islamic Salvation Front (FIS) party and National Liberation Front (FLN) party, led to an interruption out of guerrilla warfare, to the point of transition. The period for the guerilla war fare, several Islamic armed groups took an assertive position against negotiations with the government declaring that there shall be no treaties, dialogue or armistice. As a conflict resolution strategy, in order to put an end to the civil war, with talks and dialogue deteriorating, it was cautious for another election to be shepherd. This led to weakening of the battle as General Liamine Zéroual won and
generated an army government. Afterwards in 1999, a parliamentary election was piloted and Abdel Aziz Bouteflika became president.

Second Liberian Civil War. This was a political battle between two rebel parties from the North and South of Liberia (Joseph, 2014). Their goal was to take over Liberia and the government under Charles Taylor could not battle them off. The assassinations during the war was considered by ritualized power, as they thought the more children were slayed and sacrificed so were they resistant to bullets. The UN martial took over Liberia, as they were in a peacekeeping mission and were profoundly armed. They involved in a demilitarization process and were capable to temporarily return the country back to peacetime, with women also demonstrating and in favor of for peace. Conversely, the delicate nature of Liberia’s adjacent countries threatened to appeal fresh fights in Liberia and partial nuclear disarmament.

War in Darfur. The fight in Darfur, Sudan began in 2003 (Relief web, 2005). The war was an attack against the government, due to complaints of discrimination between the black and the Arab Sudanese. Two rebel groups; Sudan Liberation Movement (SLM) and Justice and Equality Movement (JEM) hurled an attack against the government of Sudan. The government reacted to this attacks, by initiating an operation of ethnic cleansing against the black Sudanese (Ouma, 2016). This has been termed as a massacre and embraces the President of Sudan as an individual of importance in the International Criminal Court (ICC) with wrongdoings against humankind, massacre and war crimes. In an effort to return tranquility back to Darfur, JEM and the Sudan government signed a cease fire contract complemented by a tentative arrangement in pursuit of concord. Though this has not been the case since the government attacked a unit of the JEM murdering several people, leading to the JEM affirming no amity shall return to Darfur.
Islamist Civil War in Somalia. This is a rebellious war against the government of Somali by Islamist rebel groups, which target to take control of the southern part of Somali (Felter & Sergie, 2019). The government of Somali, aided by the African Union peacekeeping troops has been involved on a continuing fight between the Islamist insurgents and African Union Mission in Somalia (AMISOM) as well as the Somali government.

Kivu Conflict. The Kivu war started as an equipped battle, between the government and the militia group (Stearns, 2012). The United Nations armies are involved in a peacekeeping mission in the region. Congo has experienced numerous unsuccessful reconciliation deals and the fight has transitioned into a natural resource based clash.

AU’s determinations to encourage stability, peace and security in the continent, it is ostensible that the PSC has applied its mandate in the PSC protocol to actively involve the panel of the wise in peace initiatives in Africa (African Union Peace and Security Department, 2019). The panel of the wise has operated upon the virtue of prevention and mediation. The Panel of the Wise through the PSC protocol upholds the prerequisite for preventive diplomacy, peacemaking, peacekeeping and post-conflict reconstruction. Its primary role is to recommend the Peace and Security Council on modalities of managing a pending or constant fight or disasters.

However, founded on the PSC protocol, they also participate in fact finding mission which assist in averting intensification of a disagreement into war, shuttle diplomacy, encouraging political negotiations, support and guide parties on how to resolve disagreements in relation to enactment of reconciliation treaties, support mediation teams and official dialogues.
4.5.2 Major Ethnics in Sudan and South Sudan

The table 4.1 lists the two categories of ethnics in Sudan, giving examples for each category.

Table 4.1: The Ethnic Categories in Sudan

<table>
<thead>
<tr>
<th>SUDANESE ARABS</th>
<th>AFRICAN ETHNICS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Descended from the Arabian Peninsula</td>
<td>Pre-existing indigenous population</td>
</tr>
<tr>
<td>migrants during Arabization</td>
<td></td>
</tr>
<tr>
<td>Awadia, Fadnia, Bani Arak, Bani Hassan,</td>
<td>Nubians, Beja, Fur, Fallata, copts</td>
</tr>
<tr>
<td>Al-Ashraf, Kinanah, Rashaida, Baggara,</td>
<td></td>
</tr>
<tr>
<td>Darfurians</td>
<td></td>
</tr>
</tbody>
</table>

Source: Chapin, 1991

4.5.3 South Sudan

The table 4.2 is a list of major ethnic groups in South Sudan. The country has over 60 subtribes. Therefore, the list below only indicates 13 tribes in order of popularity with a graphical representation on figure 4.
<table>
<thead>
<tr>
<th>POSITION</th>
<th>TRIBE</th>
<th>POPULATION (2013)</th>
<th>REGION OF OCCUPANCY</th>
<th>MAIN RELIGION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Largest</td>
<td>Dinka</td>
<td>4.1 million (35.8%)</td>
<td>Bor, Bahr el Ghazal</td>
<td>Christianity, African Traditional Religion: ATR</td>
</tr>
<tr>
<td>2&lt;sup&gt;nd&lt;/sup&gt;</td>
<td>Nuer</td>
<td>1.8 million (15.6%)</td>
<td>Upper Nile, Jonglei, and Unity</td>
<td>Christianity, ATR</td>
</tr>
<tr>
<td>3&lt;sup&gt;rd&lt;/sup&gt;</td>
<td>Azande</td>
<td>713,000 (6.2%)</td>
<td>Western Equatoria</td>
<td>Christianity, ATR</td>
</tr>
<tr>
<td>4&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Bari</td>
<td>542,000 (4.7%)</td>
<td>White Nile Valley</td>
<td>Christianity, ATR</td>
</tr>
<tr>
<td>5&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Shilluk</td>
<td>381,000 (3.3%)</td>
<td>Kodok (formerly Fashoda)</td>
<td>Christianity, ATR</td>
</tr>
<tr>
<td>6&lt;sup&gt;th&lt;/sup&gt; / 7&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Toposa</td>
<td>207,000 (1.8%)</td>
<td>Eastern Equatoria</td>
<td>Christianity, ATR</td>
</tr>
<tr>
<td>6&lt;sup&gt;th&lt;/sup&gt; / 7&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Lotuho</td>
<td>207,000 (1.8%)</td>
<td>Eastern Equatoria</td>
<td>Christianity, ATR</td>
</tr>
<tr>
<td>8&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Luo</td>
<td>171,000 (1.5%)</td>
<td>Western Bahr el Ghazal</td>
<td>Christianity, ATR</td>
</tr>
<tr>
<td>10&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Moru</td>
<td>152,000 (1.3%)</td>
<td>Western Equatoria</td>
<td>Christianity, ATR</td>
</tr>
<tr>
<td>11&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Murle</td>
<td>130,000 (1.1%)</td>
<td>Jonglei</td>
<td>Christianity, ATR</td>
</tr>
<tr>
<td>12&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Acholi</td>
<td>60,000 (0.5%)</td>
<td>Bahr el Ghazal</td>
<td>Christianity, ATR</td>
</tr>
<tr>
<td>N/A</td>
<td>Bagara Arabs</td>
<td>Data not available</td>
<td>Western Bahr el Ghazal</td>
<td>Islam</td>
</tr>
</tbody>
</table>

Sources: Dinka: (The World Factbook) Nuer, Shilluk and Moru: (Joshua Project, 2014).
### Table 4.3: Sudan and South Sudan Borders

<table>
<thead>
<tr>
<th>BORDER</th>
<th>TRIBES</th>
<th>REASON FOR CONFLICT</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Northern Bahr el Ghazal–East Darfur border</td>
<td>Rizeigat</td>
<td>Grazing fields</td>
</tr>
<tr>
<td></td>
<td>Malual Dinka</td>
<td></td>
</tr>
<tr>
<td>Abyei</td>
<td>Missiriya</td>
<td>Grazing fields &amp; Oil fields</td>
</tr>
<tr>
<td></td>
<td>Ngok Dinka</td>
<td></td>
</tr>
<tr>
<td>The Unity–South Kordofan border</td>
<td>Awlad Omran and Awlad Kamil (Both of the Humr Massiriya group)</td>
<td>Grazing fields &amp; Oil fields</td>
</tr>
<tr>
<td></td>
<td>Bul, Leik, Jikany Nuer, Rueng Dinka</td>
<td></td>
</tr>
<tr>
<td>The Upper Nile–South Kordofan border</td>
<td>Seleim</td>
<td>Transportation links and</td>
</tr>
<tr>
<td></td>
<td>Shilluk</td>
<td>agricultural lands</td>
</tr>
<tr>
<td>The Upper Nile state –White Nile border</td>
<td>Seleim and Rawat al Maganis</td>
<td>Grazing and agricultural</td>
</tr>
<tr>
<td></td>
<td>Abialang Dinka and Shilluk</td>
<td>lands</td>
</tr>
<tr>
<td>The Upper Nile–Blue Nile border</td>
<td>Fellata</td>
<td>Agricultural land, oil,</td>
</tr>
<tr>
<td></td>
<td>Mabaan, Uduk, Koma, Ingassana</td>
<td>refugees</td>
</tr>
</tbody>
</table>


### 4.6 SWOT Analysis

A SWOT analysis was conducted to identify the African Union Commission’s strengths and opportunities to be fully utilized, weakness that needs to be addressed in order to improve efficiency and effectiveness, as well as, threats for proper actions.
Table 4.4: SWOT Analysis on the African Union Commission

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weakness</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Mandate based on a binding instrument</td>
<td>- Administrative bottlenecks</td>
</tr>
<tr>
<td>- Has a team of 11 Commissioners and staff with human rights expertise and experiences from across Africa</td>
<td>- Institutional constraints, including inadequate human, material and financial resources.</td>
</tr>
<tr>
<td>- The creation of several new AU human rights institutions dealing with human and peoples’ rights, which creates room for complementary and unified efforts in enhancing human rights in Africa</td>
<td>- Inadequate information and outdated Communication Technologies (ICT)</td>
</tr>
<tr>
<td>- Established relationships with NGOs, NHRIs and some cooperating State Parties;</td>
<td>- Inadequate and outdated knowledge management system</td>
</tr>
<tr>
<td>- Established affiliation with UN Special Procedures and cooperation with other UN mechanisms</td>
<td>- Weaknesses in the evaluation and monitoring of the implementation of past plans</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Opportunities</th>
<th>Threats</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Broad mandate to promote, protect and interpret the Charter and formulate legal opinion</td>
<td>- Frequent non-adherence to the decisions and recommendations by State Parties</td>
</tr>
<tr>
<td>- Twenty-seven year history resulting in a rich African Human Rights jurisprudence</td>
<td>- Slow responses to state requests in respect of the performance of the Commission’s duties</td>
</tr>
<tr>
<td>- Increasing development of human and peoples’ rights norms, which gives material and wider room for interpretation and application</td>
<td>- Limited visibility of the Commission among ordinary African citizens and professionals</td>
</tr>
<tr>
<td>- Complementary relationship with the African Court is now operational</td>
<td>- Situations of armed conflicts in some African States which do not create conducive environments for the respect of human rights</td>
</tr>
<tr>
<td>- Formalized co-operations with other AU organs and processes with human rights mandates/dimensions are now operational, with the potential to complement the work of the African Commission</td>
<td>- Poverty and illiteracy, which exacerbate the poor knowledge or lack of awareness of the African Commission’s mechanisms and result in their underutilization</td>
</tr>
<tr>
<td>- Close cooperation with other human rights systems, such as the UN, which provides scope for widening the reach of the African Commission’s operations</td>
<td>- The creation of several new AU human rights institutions dealing with human and peoples’ rights which may lead to less funding for each individual institution including the commission</td>
</tr>
<tr>
<td>- African populations are showing increased interest in human rights issues</td>
<td></td>
</tr>
<tr>
<td>- Partners’ indication of willingness to provide increased financial and technical support</td>
<td></td>
</tr>
<tr>
<td>- AU Decision to declare the year 2016 as the African Year of Human Rights, with a focus on the Rights of Women</td>
<td></td>
</tr>
</tbody>
</table>

Table 4.5: Negotiations over Border Conflicts

<table>
<thead>
<tr>
<th>BORDER</th>
<th>NEGOTIATION AGREEMENT</th>
<th>PERCENTAGE EFFECTIVENESS</th>
<th>REASONS FOR SCORE</th>
</tr>
</thead>
</table>
| The Northern Bahr el Ghazal–East Darfur border | Grazing agreements between the Rizeigat and the Malual Dinka | 15%                      | • Rizeigat refuse to participate in negotiations with the host (Malual Dinka).  
• The Malual Dinka are not keen on acknowledging the grazing rights of the Rizeigat.  
• Historical relationship between the border communities. |

| Abyei                         | Divide Abyei into two halves through a referendum | 10%                      | • Strained relations between the Missiriya and the Ngok Dinka.  
• The Ngok Dinka fear of political marginalization.  
• The Missiriya fear of loss of grazing land |

| The Unity–South Kordofan border | Grazing agreement between the Missiriya and the people of Mayom county. | 17%                      | • The militarization of the border.  
• The anger of Rueng Dinka following raiding by SAF aided militia.  
• Mistrust between the communities in Mayom County and the nomads. |

| The Upper Nile–South Kordofan border | Negotiations over land rights | 40%                      | • The Shilluk were afraid of losing their rights to land east of the Nile.  
• Settlement of Disputes was amicable.  
• The marginalization of the Shilluk. |

| The Upper Nile state – White Nile border | Grazing agreements | 70%                      | • Good relationship between the Abialang Dinka and the Seleim.  
• The governments’ effort to end the harmonious relationship.  
• Land tenure bills. |

| The Upper Nile–Blue Nile border | Refugees | 35%                      | • High number of refugees  
• High animal mortality rate  
• SPLA harassment. |

**Figure 4.3: Effectiveness of Negotiations between Border Tribes**


Key

<table>
<thead>
<tr>
<th></th>
<th>Border Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The Northern Bahr el Ghazal–East Darfur border</td>
</tr>
<tr>
<td>2</td>
<td>Abyei</td>
</tr>
<tr>
<td>3</td>
<td>The Unity–South Kordofan border</td>
</tr>
<tr>
<td>4</td>
<td>The Upper Nile–South Kordofan border</td>
</tr>
<tr>
<td>5</td>
<td>The Upper Nile state –White Nile border</td>
</tr>
<tr>
<td>6</td>
<td>The Upper Nile–Blue Nile border</td>
</tr>
</tbody>
</table>

**4.7 Developments in the Border Zones and their Implications**

a. The Safe Demilitarized Border Zone (SDBZ)

b. Joint Political and Security Mechanism (JPSM)

c. Joint Border Verification and Monitoring Mechanism (JBVMM)

d. African Union High-Level Implementation Panel (AUHIP)

e. Joint Security Committee (JSC)
4.8 The Future

The following statements describe the future of the political relationship between Sudan and South Sudan:

a. The matter of the disputed border areas can become a cause for instability in the future.

b. The Protocol on resolving the conflict in Abyei stipulated that, the residents shall decide if the region remains within the north or it becomes part of the South.

c. The Abyei referendum was supposed to lead to the confirmation of borders between Sudan and South Sudan.

d. IGAD and AU will play a major role in the future relationship between the two countries.

e. The CPA will be an important reference for future conflict.

f. The AU will involve other partners and the international Community in shaping the fate of the two countries.

4.9 Reasons for the Conflict

The reasons for the Sudan and South Sudan border conflicts. The movement of cattle in search of grazing fields by communities from the North, the raiding of cattle between the communities, the competition for resources and especially water and agricultural land, discrimination by the authorities and Identity politics (Small Arms Survey, 2013).

At the centre of all these reasons for conflict is the presence of rich oil fields around the border areas. This fueled the interest of authorities on both sides. The discovery of oil in the rich fields of Bentiu and Heglig were a real catalyst for the scale up of the conflict between the North and the South (Cordaid, 2014). The central government of the then united Sudan in Khartoum was hell bent to control the oil fields as soon as they were
discovered. The Khartoum government moved to establish the Unity Province in 1980. This move was intentionally aiming to take away the oil regions from the South and integrating them to be part of the north.

Following the Ethnic Security Dilemma theory, the leaders of the South, and specifically Colonel John Garang, moved to form the Sudan Peoples’ Liberation Army (SPLA), which attacked the oil installations (Rands, 2010). The introduction of sharia laws in 1983 made it to be such that the fighting against the South was like a Jihad under the leadership of then Brigadier and now President Omar Al Bashir. So many Sudanese had lost their lives by 1994, mostly in the South.

Oil was a major contributor to the economy of the country. This makes it understandable that the two regions would go to such extreme lengths to try and secure its benefits. The annual GDP of Sudan started to take a dive in 2007 when and fell further in 2012 when South Sudan made the decision to shut down oil production completely indefinitely. It was predicted by the World Bank that if the production shutdown continued, then South Sudan would not be able to fund their expenditure even if they tripled the revenue from the non-oil sectors of the economy (The World Bank, 2019).

Prior to the independence of the Republic of South Sudan, the sharing of the revenue from oil was guided by the Comprehensive Peace Agreement (Mamdani, 2018). The producing states were entitled to 2% of the proceeds while the remaining was shared equally between the North and the South. This arrangement was not at all pleasing to the South given that most of the oil came from their area. It was natural for them to recede from the agreement as soon as they gained their independence. This change resulted in a great loss of revenue for Khartoum. The IMF estimated this loss to about $7.77 billion for the period between 2011 and 2015. In an attempt to make up for the loss, the North raised
the cost of transport to $32/barrel which was unrealistic and in bad faith since the actual fair price would be $2–3/barrel.

4. 10 Involvement of AU

The African Union has been greatly involved in the resolution process of the Sudan conflict. Efforts by the AU always require a great need for partnerships and consultations with other regional organizations and the international community (United Nations, 2016). The result is that, the involvement of the AU in solving the conflict between The Sudan and South Sudan can hardly be separated from the involvement of the UN a major player in the Sudan conflict resolution and IGAD.

The Sudan conflict is considerably one of the largest and longest engagement of the African Union. The AU has held a number of meetings with the presidents of both countries in an attempt to cool tensions and return the two countries to peace. In the year 2012 the AU gave Sudan and the Republic of South Sudan a three-month deadline within which they should reach an agreement on the issues that were adversely impeding their relationship (Conflict Risk Network, 2012). This decision was supported by the United Nations Security Council.

The UN Security Council adopted the UN Resolution 2046 on May 2, 2012, as a response to the intensifying tension between the two countries (United Nations, 2015). The resolution placed a roadmap for negotiations and included additional sanctions if the countries did not make significant progress on the outstanding issues by the end of the August 2 deadline. Both countries gave proposals and counter proposals that could resolve the oil stalemate. The South was clear that the only thing they wanted was to pay the fee for transporting the oil through the North. The North however wanted a way they can get as much as they got before the independence of the South equal share. This is when the North asked for $36/barrel as a counter to the South’s offer of $0.40/barrel.
Despite the efforts, including The Agreement on Friendly Relations and Cooperation (AFRC) between the Republic of South Sudan and the Republic of Sudan which was proposed by South Sudan, the August 2nd deadline expired without any form of agreement having been reached. The then chief negotiator of the AU - Thabo Mbeki, made the decision to extend the deadline the 22nd of September (Security Council Report, 2012).

The Addis Ababa meeting of 1st January 2014 by the AU hoped to put a ceasefire (Addis Ababa, 2014). The two leaders agreed to the ceasefire but they failed to end the ongoing wars at the time. Other meetings and treaties were proposed to the warring parties to help end hostilities but every attempt would either fail or provide a temporary solution. When the situation was getting out of hand, with heightened tensions and fighting, the AU insisted on dialogue. It called upon the Security Council of the United Nations to declare disarmament on the two countries and also to impose sanctions on the parties and the facilitators of the conflict.

The AU also developed IGAD as a regional solution to help in the strategies of building and keeping peace in the horn of Africa (IGAD, 2019). IGAD’s involvement in the resolution of the Sudan conflict seemed to bring hope to the entire process. The AU provided resources to facilitate the efforts put in place by IGAD to bring peace to Sudan and South Sudan. This was effective as it led to the development of the CPA.

Since both countries were accusing each other of supporting militia groups to cause harm and destroy property, an agreement on security arrangements between the Republic of South Sudan and the Republic of Sudan was signed. This agreement committed the two countries to stop supporting rebel groups. It also proposed the creation and observation of a demilitarized border zone. While this had been agreed on earlier on principle, it had not been implemented due to the disagreements about where exactly the border is. Countries
had to pull away troops from the zone and a Joint Border Verification and Monitoring Mission (JBVMM) be put in place (Relief web, 2013). The JBVMM consisted of representatives from the two countries and other independent monitors.

On 25 April 2012, the African Union condemned Sudan's bombing of parts of South Sudan, and called on both sides to cease all hostilities (United Nations, 2012). The Peace and Security Council also put forth a 7-point roadmap in which the two sides would be given two weeks to restart negotiations. The AU urged both sides to refrain from "inflammatory statements and propaganda that could fuel the conflict.

The increasingly assertive AU has begun to flex its muscles in its latest intervention in the Sudanese conflict between Khartoum and Juba after the Comprehensive Peace Agreement (CPA) of 2005 eventually resulted in the creation of a new state of South Sudan on 9 July 2011 (Rupiya, 2012). Months into the establishment of the two-state solution, fighting has erupted yet again following the occupation of the disputed Heglig oil-producing town located on the border with the two.

Heglig produces about 75% of Sudan’s oil at the moment, quantities that represent over 98% of state revenues (Human Rights Watch, 2003). Threatened with the disintegration of the new state and outbreak of yet again protracted war in the Sudan, the AU launched itself into the matter, positioning itself above the two states. Clear on how the parties are known for their reluctance to engage in negotiating talks unless coerced and compelled, the first shots that were fired by the AU was through issuing an ultimatum, compelling both states to reach a negotiated agreement within three months from 25 April 2012.

Continued fighting in the Sudan has caused the AU and other international bodies to step in and be responsible for huge humanitarian concerns while the political elite and militaries continued to fight (International Crisis Group, 2017). Next, in a demonstration
of ‘ownership’ of the resolution of the crisis, the AU submitted its 7 Point Plan for adoption by the UNSC, specifically and significantly securing the endorsement of the USA and China, under Article 41 of the UN Chapter 7, which will allow the UN to impose sanctions if the deadline is not respected.

The UNSC has since voted in favour of the AU Road Map and time lines, compelling the two parties to stop fighting and return to the negotiating table within the stipulated time if they are to avoid automatic sanctions (Relief web, 2018). Significantly, at the height of the conflict, the South Sudanese leader, President Salvir Kirr, undertook an official visit to Beijing, China, a country that is already working very closely with President Al Bashir in North Sudan.

During the visit, Kiir has been able to secure a US$ 8 billion loan to build hydro-electric dams, roads, hospitals in most of the provinces and universities and to fund other development programmes. This demonstrates the extent of the involvement and leverage of the Chinese in the South Sudanese economy and political decision making (Pate, 2017). Recovery of the loans is obviously based on expected oil revenue in the future. The history of the US as part of the key players that propelled the adoption and implementation of the CPA of 2005 has been well documented. Moving in a fast-forward mode to April–May 2012, the AU’s strategic positioning on the resolution of the crisis in Sudan becomes apparent. Addis Ababa has taken effective steps to own the process and remain the sole arbiter and has appropriated to itself the certification of when and how the crisis is ended.

4.11 African Union Mission in Sudan

The African Union Mission in Sudan (AMIS) was established in 2004 (World Peace Foundation, 2017). The mission was to reduce the outcome of the battle between government forces, militias and rebel groups on civilian populations in Darfur as well as
to secure the environment for political interventions aimed at finding peace agreements among key political actors. Fought mostly through proxy forces like militia and armed bandits, this conflict in western Darfur descended into deadly ethnic conflict and banditry putting indigenous Africans against Arabic Africans.

The news of mass assassinations and the displacement of two million people from western Darfur led to the AU involvement through President Idris Deby of Chad in September 2003 (Hassan, 2010). This led to the Abeche Agreement signed by the main rebel group, Sudanese Liberation Movement (SLM) and the government that agreed to observe a ceasefire, to disarm irregular armed groups and to offer a safe path for humanitarian aid.

From March 2004, the AU became fully involved in attempts to reduce the conflict through a series of political negotiations seeking to ensure that all insurgents and armed groups were involved in the peace agreements. It was also involved in confidence-building actions like facilitated dialogues among affected societies in the region. To give even more weight to this pressure for a peace agreement as centre for a structured AU peace mission, the then Chairperson of the AU Commission, President Alpha Konare, became openly involved in facilitating dialogue alongside other peace envoys (United Nations Secretary General, 2008). But this led only to another piecemeal agreement involving some and not all key players in the conflict: the Humanitarian Ceasefire Agreement signed by SLM, the Justice and Equality Movement and the government. The terms agreed were similar to earlier peace agreements mentioned above.

At last, the AU was able to ensure that peace agreements permitted humanitarian corridors, observer missions and peace envoys to explore comprehensive and inclusive agreements. Thus, the AMIS was born with the confidence that it would implement the AU peacebuilding method (Relief web, 2017). But this approach has been of inadequate
influence on conditions on the ground because the government remains reluctant to actively support the AU or UN interventions and because there are many fragment militias left outside the multifaceted peace agreements.

The AU was vital in peace negotiations designed to bring earlier excepted actors within the fold of peace agreements, as in the talks that took place in Abuja, Nigeria (Zondi, 2017). Each round concluded with a declaration of principles, which resulted in five agreements from five rounds of Abuja negotiations, showcasing the AU guarantee to a patient nurturing of shared understanding and vision as the foundation for agreements in circumstances where the situation was not on its own ripe for an agreement. The last round that took five months of facilitated negotiations culminated in the Darfur Agreement of May 2006 (Waal, 2017). But it turned out that the contract included only one faction of the SLM and omitted the JEM because both and a few others still believed that a military triumph was more necessary and possible. Under such conditions, the AU model on peacebuilding just does not work.

The first three phases of AMIS (April–September 2004; October 2004–March 2005; and April 2005 onwards) confronted challenges relating to operative unreadiness, poor planning, and delays in deployment, weak supplies and logistical shortages. Insufficient financing of the mission meant that it depended on Western funding for its essential abilities, thus undermining the pan-African ideal of self-reliance. The dependence on North Atlantic Treaty Organization (NATO) to transport AU troops to Darfur between 2005 and 2007 meant that this Western military alliance was given legitimate presence on African soil (Segell, 2008).

Thereafter NATO would not depart from the African space and played a noticeable role in the Western military campaigns against the government in Libya in 2011 that led to the murder of Muammar Qadaffi and undermined African diplomacy. The AU peacebuilding
approach has this serious weakness: it is one of those great African thoughts that Africans cannot fund (Powell, 2005). They have to look to the West for finance and this obviously brings different political visions, peace orientations and priorities which weaken the AU model to the point of failure.

AMIS over time grew into a big military contingent made up by Nigeria (3 infantry battalions), Rwanda (3 infantry battalions), South Africa (1 infantry battalion, FHQ (Force Headquarters) Reserve, 1 engineer company), Senegal (1 infantry battalion), Kenya (1 Military Police Detachment) and Gambia (1 FHQ company). Late in 2007, a hybrid mission between the AU and UN, called United Nations-African Union Hybrid Operation in Darfur (UNAMID), replaced AMIS, further reinforcing this military force (United Nation, 2008). This force proved vital for the implementation and protection of humanitarian interventions, including the return of refugees in some areas, the resumption of economic activities in some villages and the prevention of further rise of the conflict.

It also provided extensive training and capability support for national security and policing, but given the vital role of government in the conflict this formula was ill-advised and could not ensure better security for all and harmony for the population. The United Nations- African Union Mission in Darfur (UNAMID) became a greater optimism for the people affected by war than government (United Nations, 2019). But in the process, the mission turned into amity implementation rather than peacebuilding as defined by the AU. With peacekeepers dying regularly in battles with armed groups that continue to aggravate in Darfur, United Nations–African Union Mission in Darfur (UNAMID) has become entwined in the no peace-no war stand-off in Darfur (Reeves, 2018). Though, the holistic nature of the AU-UN approach in this case means that the mission is still of value for facilitating to avoid a further collapse of security in this area.
However, UNAMID has attained in seven years not much more than AMIS did before it. This is because the conditions for peacebuilding simply did not change much under UNAMID’s guard. The government remained reactant and rebel groups continued to hope for greater benefit in military confrontation than in peace dialogue. If avoiding a decline of the security state is an accomplishment, then AMIS and UNAMID have been a relative success (Mickler, 2013).

Otherwise, there has been no actual advancement on the conflict resolution and post-conflict peacebuilding fronts. Prolonged mediated dialogues with numerous parties to the battle have also been harmed by poor organisation between Western actors imposing sanctions and an arms embargo on the government and African actors trying to find a political settlement on the ground (The East African, 2018). If sanctions are the proverbial rod needed to support the diplomatic measures on the ground, then the two must be undertaken in a coordinated fashion.

4.12. The Heglig Oil Dispute

Heglig is an oil-rich town that lies alongside the border between Sudan and South Sudan in the Abyei region (Cordaid, 2014). The area’s ownership is disputed, with both nations claiming it as their own. Heglig is under battle not only for its rich oil reserves, but also amongst ethnic groups who have been disputing the land for decades. It is a war of identity as well as resources.

Because of the complex conflict between identity and oil, the Abyei region was omitted in the division within the Comprehensive Peace Agreement. The Comprehensive Peace Agreement designated a referendum that would be held to determine the possession of the region, but this referendum never occurred, therefore leaving the area disputed (Zapata, 2011). On April 10, 2012, South Sudan sent nearly 5,000 soldiers into Heglig and occupied it for 10 days. A few weeks prior, South Sudan stopped manufacturing oil in
protest of the high fees Sudan imposed on oil transportation. Following the split, South Sudan was given an estimated 75% more oil reserves than Sudan, even though South Sudan is geographically smaller.

Though South Sudan has more oil, most of the transportation infrastructure runs through Sudan as the regions were linked for so long and northern Sudan was more economically stable. Sudan, in attempts to make up for their loss of oil profit and ongoing hatred towards the new country, charges excessive transportation fees amounting to nearly 80% of the South’s oil revenues (Dumo, 2016).

The production closure and occupation of Heglig was South Sudan’s means of showing their displeasure with Sudan’s fees and proving their independence and martial power (International Training Programme for Conflict Management, 2012). Because of the shutdown, Sudan lost a key source of revenue, which had a main effect on the country because it came at the same time as revolt in Sudan’s Darfur, South Kordofan and Blue Nile regions.

The Heglig Crisis was not just a fight over oil halts and high-priced fees; the conflict became equipped and fierce quite fast. South Sudan claimed that Sudan was bombing South Sudanese oil-rich towns beside the border, including Heglig and its oil fields, however Sudan denied these assertions (Al Jazeera, 2012). The air strikes continued, murdering and hurting several people, even after South Sudan pulled out from Heglig.

South Sudan also claimed that the fierceness broke out in armed hand-to-hand ground struggle instigated by Sudan. Sudan contended that these actions were taken as a counter attack against the South for confronting its possession of Heglig by inhabiting the area with their militia (Human Rights Watch, 2003). Sudan reasoned that South Sudan deliberately damaged their main pipeline, but South Sudan contended that it was Sudan
that bombed the pipeline. At the time of the violence, people were afraid of that it would renew the years of civil conflict and spark a new conflict between the two countries. However, this never occurred, for the republics came to a provisional resolution on September 26, 2012.

Despite the resolution, some minor vehemence continued with both Sudan and South Sudan claiming that the other breached the resolution. In the time being, countless people escaped the region, taking refuge in neighbouring regions like Uganda, Kenya and Rwanda.

4.13 Successes and Failures of AU

For the most part, the AU has maintained that a martial solution cannot terminate the enmity between the Republic of South Sudan and the Republic of Sudan. A peaceful negotiation through constructive talks has been the approach that the AU hopes to use to reach a permanent solution to the Sudan and South Sudan conflict.

There has been a number of efforts to resolve the clearly several problems such as the oil crisis, unclear border demarcation between the two countries and between the communities around the border regions. These have led to the state where proposals and counter proposals to solve problems are either forbidden by both or one of the parties. At best, provisional solutions have been found to some problems for example the cease fires and the Safe Demilitarized Border Zone (Spittaels & Weyns, 2014). But, their temporary nature and the absence of a comprehensive solution to these long-lasting concerns continue to hamper the relationship of the two countries continuously meaning it is a matter of when and not if the countries will go back to battle.

One of the greatest achievements of the AU in the Sudan boundary conflict is obviously the independence of the South (Aalen, 2016). The new country in Africa that was born
out of a very deep battle that has claimed millions of lives. The independence of South Sudan was applauded with mixed feelings. Most of the global community wished them well and offered support as they begun building themselves from scratch.

The AU and other independent parties involved in the peace process however failed to deal with the hatred that the North felt as an effect of the independence of the South. Actions that the Republic of Sudan took to express their frustration with the independence of the South were regularly provocative and would lead to more battle. An example is the capture of over six million barrels of oil from the South (Kamau & Schneidman, 2012). The oil was valued at over $800 million. The government in Khartoum said that they did not steal, that they seized the oil as a payment for transport fees that the South had failed to pay. South Sudan responded to this by closing oil production totally, a move that upset both countries economically.

More than 5 years since the independence of the Republic of South Sudan, border concerns have not been solved. The border issue between Sudan and South Sudan has not been decided yet. The AU should have prioritized border demarcation as it continues to impede long-lasting harmony between the two countries.

Post-independence, the two countries have been experiencing power fights within their respective borders which could be an indication of how the separation was handled. The Darfur conflict in the North and the various uprisings and interlocking tribal and political partitions in the South have made the region very insecure (Ottaway & Sadany, 2012).

The classification of Heglig as an undisputed area which is claimed by both the South and the North is also a major failure of the AU in solving border conflict between the two countries (The East African, 2019). Leaders in South Sudan have continued to express their disillusionment in the way that the global community is failing to address vital
concerns mainly with this persistence of the AU together with the UN that Heglig is not a disputed area.

With continued AU engagement with Member States on conflict prevention, management, resolution and post conflict reconstruction and development as well as peace-building initiatives, advancement is being made in the signing and implementation of peace agreements between nations not at peace or those evolving from years of battle and insecurity (United Nations, 2019). The human and economic expenses of these wars had adverse national and cross-border effects: Increased numbers of refugees and internally displaced persons; the production of small arms and light weapons and many more.

The AU fell short on Darfur, the problem in Sudan is that has led to thousands of deaths and millions of internally displaced persons and refugees, internal war and a spill over of chaos into neighbouring Chad and the Central African Republic (Blade, 2005).

African Union Mission in Somalia (AMISOM) has failed to establish a peacekeeping force for Somalia. Ethiopia invaded Somalia, ousted its Islamic Courts government by military force and substituted it with one that it favours. The Ethiopians now want to pull out their forces (Jeffrey, 2016). The Somali government they installed want to see an AU force sent to Somalia to guard it and keep it in power.

A continued strong engagement in support of enactment of peace agreements in Member States emerging from war and the battle against terrorism, will remain the main concern for the AU (African Union Organization, 2019). Somalia could be sighted as an illustration that has made important progress against Al Shabaab with support from the African Union Mission in Somalia (AMISOM). On its part, AMISOM continues to provide guidance on capability building, and sensitisation of communities on countering
violent radicalism, as part of its comprehensive plan for reviving policing undertakings in Somalia.

In the context of post-conflict reconstruction and support of republics, the Commission deploys missions to evaluate the significant necessities of the country in need. These include identification of joint activities in support of implementation of peace agreements in Member States emerging from war; conducting needs assessment missions; consolidating and scaling up security sector reform and disarmament, demobilization and reintegration initiatives; technical and operational support to control the illegal production of small arms and light weapons and sustained cooperation with RECs/RMs and civil society organizations (Cutillo, 2006). The engagements have also been geared towards developing and implementing Quick Impact Projects (QIPs) and Peace Strengthening Projects (PSPs) in areas of deployment of AU Peace Support Operations and through the AU Liaison Offices. Furthermore, the AU took a number of initiatives to stop the post-electoral situation from deteriorating into a widespread disaster through the deployment of observers.

The AU also has experience in deploying liaison offices and special political missions in countries in danger or emerging from battle (African Union, 2017). The Commission has focused on operational conflict avoidance with regular Horizon Scanning briefings provided to the Peace and Security Council of the African Union (AUPSC) on possible threats and emerging peace and security challenges on the continent; production of initial warning reports and the conduct of preventive diplomacy missions in Member States at risk of war. The Commission has also continued to deliver technical assistance to Member States in the formation and strengthening of nation-wide infrastructures for peace, including early warning systems and situation rooms.
In the context of post-conflict reconstruction and support of republics, the Commission deploys missions to evaluate the significant necessities of the country in need. These include identification of joint activities in support of implementation of peace agreements in Member States emerging from war; conducting needs assessment missions; consolidating and scaling up security sector reform and disarmament, demobilization and reintegration initiatives; technical and operational support to control the illegal production of small arms and light weapons and sustained cooperation with RECs/RMs and civil society organizations (Cutillo, 2006). The engagements have also been geared towards developing and implementing Quick Impact Projects (QIPs) and Peace Strengthening Projects (PSPs) in areas of deployment of AU Peace Support Operations, and through the AU Liaison Offices. Furthermore, the AU took a number of initiatives to stop the post-electoral situation from deteriorating into a widespread disaster through the deployment of observers.

The AU Commission also offers strategic, political, technical and planning support to operations approved by the Peace and Security Council and carried out by regional coalitions of Member States, Regional Economic Communities (RECs) or Regional Mechanisms for Conflict Prevention, Management and Resolution (RMs). Such support includes: The Regional Cooperation Initiative against the Lord’s Resistance Army (RCI-LRA) and the operation against Boko Haram undertaken by the Lake Chad Basin Commission and Benin- the Multinational Joint Task Force (MNJTF).

It is significant to highlight the critical nature of the partnerships the AU has advanced within the framework of (APSA) The African Peace and Security Architecture (United Nations, 2016). The European Union (EU), United Nations (UN) and bilateral partners have all played an important role. There has been momentous innovation and creative
problem solving, which has been essential in meeting the continent’s peace and security challenges.

The AU now pays more consideration to global development cooperation and relationship with universal partners than has previously been the case. This is most obvious in the case of China’s ever growing existence in Africa, which the AU seems to regard as a progressive factor. The headquarters of the AU is now housed in an outstanding multi-million dollar multifaceted in Addis Ababa that has been provided by the China as a gift to Africa (Smith, 2012). Africa’s traditional partners in the West tend to view its relationship with China with some concern and skepticism regarding intention and effect.

The AU’s unique voluntary ‘Peer Review Mechanism’ by which individual member states approve to be evaluated by a team of experts drawn from other states is intended to boost democracy and good governance (Chene, 2009). AU observer missions are now sent as a matter of routine to cover elections in all member states, in accordance with the African Charter on Democracy, Elections and Governance (2007).

4.14 The Nine Agreements that form the Comprehensive peace agreement (CPA)

- Agreement on Security Arrangements between the Republic of the Sudan and the Republic of South Sudan.

- Agreement between the Government of the Republic of South Sudan and the Government of the Republic of the Sudan on Oil and Related Economic Matters.


• Agreement on Trade and Trade Related Issues between the Republic of the Sudan and the Republic of South Sudan.

• The Cooperation Agreement between the Republic of the Sudan and the Republic of South Sudan.

• Agreement on a Framework for Cooperation on Central Banking Issues between the Republic of the Sudan and the Republic of South Sudan.

• Framework Agreement to Facilitate Payment of Post Service benefits between the Republic of the Sudan and The Republic of South Sudan.

• Framework Agreement on the Status of Nationals of the other State and Related Matters between the Republic of the Sudan and the Republic of South Sudan.
CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Conclusion

The research concludes that the state of war between North and South Sudan, the powerlessness of the two sides to resolve the oil transit issue and the ineffectiveness of both states to bring safety to their own territories are a disheartened consequence of years of dialogues, arbitration and arrangements that wanted to help Sudan, whether as a distinct or alienated entity, discover a degree of stability (Ottaway & Sadany, 2012). AU has played a very significant role in conflict resolution through mediations and peacekeeping operations in the region. At least AU raises the alarm for global community to arbitrate. AU also has a trivial involvement of African troops and police. African engagement has also functioned as a catalyst for intercontinental support and the return of UN peacekeepers to Africa for example MONUC in Congo, UNMISS in Southern Sudan and UNAMID in Darfur) after the catastrophes of Somalia and Rwanda in the early 1990s.

But, AU faces fiscal barriers stimulated by life-threatening scarcity among its members as well as demise of practical capacity. AU profoundly depends on the radical and financial provision from the regional organizations and the universal community who also have inadequate resources and is repeatedly too sluggish in decision-making. AU’s peace and security apparatus cannot focus efficiently on more than one trouble spot at a time. For example, with battles in Cote D’Ivoire, the Democratic Republic of Congo, Chad and most recently Somalia started to take a relative back seat. Hence, practically all AU missions were later engaged over by the UN.
In a nutshell an organization’s peacemaking effectiveness is determined by predominantly on whether its participants need the organization to be operative and on whether they have the party-political confidence and unison that are compulsory to create it effective in the realm of peace and security.

The study concludes that despite having been involved in the conflict resolution process, the AU has faced a number of challenges that it most likely did not anticipate during its formative years. The study agrees with Hettne & Soderbaum, (2006) on the multiplicity of interventions where the UN, the AU, IGAD and other international players appear to be placing too much pressure on the warring parties so that they end up signing agreements that they do not intend to abide.

The study also agrees with Hengari (2013) on the financial challenges of the AU and how they make it difficult for the organization to cover its logistical challenges. The organization also lacks enough troops to deploy in the different conflict areas in the continent and this makes their missions have less impact than intended.

While there are other causes for conflict between border communities, on the boundary conflict between the two countries, the study concludes that the oil in the south is a major driving factor. Before separation, oil contributed to a great part of the revenue of the former “greater” Sudan. On separation, insecurity developed over the loss of this source of revenue by the North. About 80% to 90% of the oil initially came from areas in the South. On separation, the South has had to deal with the reality that the oil must pass through the North and this continues to be a point of contention.

The study also concludes that the absence of clear demarcation at the border between the two countries is a major cause and excuse for conflict. With about 20% of the border
between Sudan and South Sudan not determined and with the region of Abyei not clearly defined to be belonging on which side, there is bound to be a confrontation.

On the role of the AU in ending the conflict between the two sides, the study concludes that the AU has a very central role in ending this conflict. The contribution of the AU in the conflict resolution process, however slow it is, it is clearly momentous. The number of agreements signed between the two sides, the temporary cease fires were all as a consequence of the intervention of the AU and other global players.

The AU’s persistence on nonviolent talks as opposed to armed resolutions is a sign that it is dedicated to end the dispute between The Republic of Sudan and The Republic of South Sudan.

5.2 Recommendations

The question of the effectiveness of the AU in solving the conflict between the two countries can be answered by addressing the challenges that the AU faces in its interventions and the reasons that the particular conflict occurred in the first place. Understanding the nature of the conflict and pegging it on the legal and political limitations of the AU will provide a better understanding on how effective the organization is.

On the case of Sudan and South Sudan, the African Union has played a great role in attempting to resolve the conflict with a few successes and failures in equal measure. The challenges notwithstanding, there has been some progress. A study should however be conducted to assess how individual member states contribute to the success and failures of an organization like the AU. Giving it more or less legal and political mandate would affect its effectiveness.
African Union also should guarantee efficiency and importance of cease-fire treaties. The African Union should ensure that reconciliation contracts are geared towards addressing the fundamental questions in battle other than the instant war problems.

African Union should encourage inventive peace making processes. Peace making or peacekeeping is a global phenomenon applied to reestablish a country in battle back to tranquility. It has intercontinental consistent operating measures which are generally employed in any war condition.

The African Union should encourage unity practitioners to be original grounded on battle condition on ground. For example, the truth and justice commission process of Gacaca courts in Rwanda could not be simulated and employed in Kenya after the 2007/2008 post-election violence. This is because, the Kenyan viewers and atmosphere is distinctive equated to that in Rwanda.

African Union should increase post-conflict reconstruction. Post-conflict reconstruction initiatives should be improved to implement ceasefire contracts. This will permit suitable understanding and elucidation of the armistice treaty for instance understanding Burundi, South Sudan, Mali and DRC war. This is because parties to a fight are expected to influence a condition which best suites their interests founded on a specific period and necessity. Thus a well heightened and effective post-conflict reconstruction process will help in bringing a republic back into supportable harmony and expansion.
REFERENCES


BBC (2014). Does Abyei Threaten the Future of South Sudan?


Conflict Risk Network (2012). The Sudan- South Sudan Agreements: A long way to go.


European External Action Service (2016). ASEAN and the EU.


Gower, C. (2015). What is the African Union and has it proven to be successful.


Jaffer, F. (2016). Libya and Egypt’s Unique Relationship.


Kioko, B. (2003). The right of intervention under the African Union’s Constitutive Act: From non-interference to non-intervention


Somalia: *Refusal to Withdraw Troops Following Conflict with Djibouti*.


in the Horn of Africa.

UNIDO and the African Union: A longstanding partnership for poverty reduction
and green growth.

Organizations ‘Mainstay’ of International Relations, Security Council Hears
throughout Day-long Debate.

L. Luk, *Integrating Africa: Perspectives on Regional Integration and Development*
(pp. 1-9). UNU Press.


Woodrow Wilson Center fo Scholars: Africa Program (2008). *Africa Regional and Sub-
Regional Organizations: Assessing their contribution to economic integration and


Zyck, A. S (2013). Regional organizations and humanitarian action. Published by Overseas Development Institute, 2013.