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Master of Laws (LL.M) in Public International Law

Power of the African Union in ensuring Peaceful Resolution of Intra-State conflicts

A thesis submitted for the partial fulfillment of the requirements of Master of Laws Degree (LL.M) in Public International Law at School of Law, College of Law and Governance Studies, Addis Ababa University.

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Advisor: Zelalem Mogessie (Ph.D.)

June, 2024

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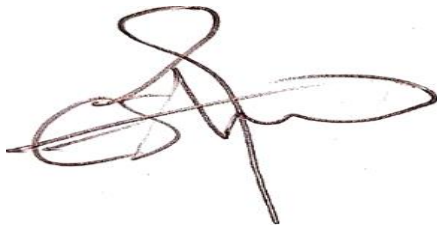
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Declaration

I, undersigned, hereby declare that the thesis 'Power of the African Union in ensuring Peaceful Resolution of Intrastate conflicts' is my original work and that it has not been submitted for any degree or examination in any other university. Whenever other sources are used or quoted, they have been duly acknowledged.

Eshetu Wogaso Moliso

A handwritten signature in dark ink, consisting of several loops and a long vertical stroke at the end, positioned to the right of the name 'Eshetu Wogaso Moliso'.

Signature:

Date: June 6, 2024

Dedicated to:

**My uncle, Micheal Moliso and my best friend,
Yofetahe Tekalign**

Acknowledgment

First of all, I thank God, for every blessing, and his mercy, because without his mercy I would not accomplish this thesis.

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Acronyms

AfSol.....	African-Centered Solutions
AMISOM.....	African Union Mission in Somalia
ATMIS	African Union Transition Mission in Somalia
AU	African Union
AUPSC	African Union Peace and Security Council
CoHA	Cessation of Hostilities Agreement
ECOWAS	Economic Community of West African State
ENDF	Ethiopian National Defense Forces
EU.....	European Union
IGAD	Inter-Governmental Authority on Development
NATO	North Atlantic Treaty Organization
OAU.....	Organization of African Unity
TCCs.....	Troop Contributing Countries
TPLF.....	Tigray Peoples Liberation Front
UN	United Nations
UNSC	United Nations Security Council
UNOSOM	United Nation operation in Somalia

Abstract

Intra-state conflicts have cast a long shadow over Africa, jeopardizing regional and global security. The post-Cold War era witnessed a shift from inter-state disputes to internal armed struggles, leaving the international community, including the UN, struggling to adapt peacekeeping strategies. This study investigates the African Union's (AU) capacity to address these intra-state conflicts. Unlike the UN, the AU possesses the legal authority to intervene in member states to prevent atrocities. However, the effectiveness of these interventions remains a contentious issue. Employing a doctrinal methodology, this research delves into the AU's legal framework and analyzes its use of military and diplomatic interventions in conflicts, specifically in Somalia and Ethiopia. It then critically examines the internal political dynamics, wavering member state commitment, resource constraints, and the complex role of regional economic communities that hinder the AU's effectiveness. Through this analysis, the study aims to assess the AU's potential as a guarantor of peace in Africa and identify areas for improvement. This research contributes to the ongoing debate by offering a better understanding of the AU's strengths, weaknesses, and the path towards a more peaceful Africa.

CHAPTER ONE

INTRODUCTION

1.1 Background of the study

After the Second World War (WW II), peace has become the primary agenda of world leaders, and different international and regional organizations have been created with a mandate to maintain world peace and security. If we see the preamble of the League of Nations (1919), the United Nations (UN) (1945), and other multiple international and regional organizations created post-World War II, their objectives have been the maintenance of global peace and security; in fact, their focus was avoiding inter-state conflicts. However, conflicts increased in number, and their nature changed from inter-state conflicts to intra-state conflicts in the aftermath of the Cold War. For instance, Nye mentioned that "of the 111 conflicts that occurred between the end of the Cold War and the beginning of the new [21st] century, 95 were purely intra-state conflicts.", and among these intra-state conflicts, most took place in Africa.

Africa as a continent has been suffering from the destructive effects of intra-state conflicts. After the era of colonialism, African states have been characterized by intra-state conflicts because of the failure of the ruling classes to maintain democratic institutions and the disruptive role of

foreign intervention. Intra-state conflicts are not only a threat to the unity of the states but also to regional and global peace and security.

International and regional organizations have adopted multiple laws to avert the threat of intra-state conflicts. However, all the efforts are inadequate to avert the occurrence of conflicts. In relation to this, especially, the UN methods of peacekeeping did not adequately respond to the increased number of intra-state conflicts. Specifically, the UN's failures to take actions to prevent the intra-state conflicts in Africa convinced the African leaders to create an institution considering the security challenges on the continent. For instance, before the AU, the OAU's strict adherence to the principle of non-interference in the internal affairs of member states failed to solve chronic conflicts on the continent. Peace and security have been a principal focus of the AU since the organization transitioned from the Organization of African Unity (OAU) in 2002.

Article 4(h) of the AU Constitutive Act provides that the AU has the right to intervene in order to stop war crimes, genocide, and crimes against humanity. This statutory proposition establishes, for the first time in the history of regional arrangements, the right to intervene in member states on the grounds of human rights. In order to streamline this, specific duties and powers are delegated to the African Union Peace and Security Council (AUPSC), which range from prevention endeavors to military intervention. So, it could be argued that, the AU is mandated to effectively get involved in intra-state conflicts to ensure peaceful resolutions. But the effectiveness of the AU's intervention regime is compounded by numerous challenges.

The first challenge is whether or not the AU possesses appropriate legal grounds for interfering in intra-state conflicts. This stems from the fact that the AU's measures of intervention under Article 4(h) of the Constitutive Act directly conflict with measures contemplated in the United Nations Charter, namely, Article 2(4) and Article 53. The UN Charter strictly prohibits the use of force against the territorial integrity of any state. The right to self-defense is one of the exceptions to the UN prohibition regarding the use of force against the territorial integrity of any state. Moreover, the other exception to regional arrangements to take enforcement measures without the authorization of the Security Council is measures against any enemy states. Its Constitutive Act empowers the AU to maintain peace and security in the conflict affected member states. The nature of matters dealt with by the regional arrangements must be appropriate for regional actions, and their activities must be consistent with the purposes and

principles of the United Nations. From this proposition of the United Nations Charter, Abdulqawi A. Yusuf asserted that the appropriateness of regional actions has been recognized by the United Nations and is consistent with the purposes and principles of the United Nations Charter. Regarding the scope of action by regional arrangements and the activities in contemplation under regional arrangements, the Security Council must be informed. After notification about the activities in contemplation, the regional arrangements must wait for authorization before embarking on an enforcement action. From this articulation of Article 53 of the United Nations, it seems that the only way for regional organizations like the AU to use force against the territorial integrity of any state is with the authorization of the Security Council for such measures. One scenario in which AU could intervene in a member state without UN authorization is if AU in advance secured the consent of the state being intervened.

It seems there is a conflict between the Constitutive Act of AU regarding AU's power of intervention and the UN Charter, because the Constitutive Act of AU is silent about whether AU must secure prior UN authorization or not before being able to intervene, while the UN Charter requires regional arrangements to secure authorization from the UN in advance before intervention.. The nature of the acts that warrant intervention as per Article 4(h) of the Constitutive Act of the AU are war crimes, genocide, and crimes against humanity. These acts, if measures of intervention by appropriate bodies did not take place immediately, would result in massive violations of human rights and would be a threat to the peace and security of the entire region. Article 53 of the UN Charter makes the appropriateness of the AU intervention incomplete, and it affects the effectiveness of the AU intervention if the UN, for any reason, fails to act in order to stop intra-state conflicts except for the inherent right of individual or collective self-defense as provided in Article 51 of the UN Charter. The legality of the AU's power to intervene in intra-state conflicts may be challenged as the Constitutive Act does not state whether or not the AU should request authorization from the Security Council before intervening. In this regard, Abdulqawi A. Yusuf asserted that "if the United Nations Security Council fails to act or to give authorization in time in grave circumstances, the AU is empowered to take military action, and in this circumstance, the AU may not be considered in breach of international law so long as its actions meet the conditions under Articles 52 and 54 of the United Nations Charter and it becomes eligible for an *ex post facto* endorsement by the United Nations Security Council.

Practically, from the reading of AU's Constitutive Act, one could understand that AU has avoided a prior request criterion from the UN for authorization of its intervention as per Article 4(h) of the Constitutive Act. This is probably because of historical reasons and pragmatic considerations. Its predecessor, the OAU, was established with the principle of non-intervention and did not give itself the means of using enforcement actions. The UN was the only international organization that could intervene to solve conflicts. However, when massive violations of human rights occurred in Uganda, the Central African Republic, and Rwanda, the UN did nothing to stop these conflicts through its enforcement actions. Then African leaders concluded that the rest of the world did not care about Africa's problems and decided not to subordinate their right to intervene to the UN. This means they stipulated the law that empowers the AU to intervene without authorization from the UN and according to the right of intervention enshrined under Article 4(h) of the Constitutive Act of the AU, the African Union no longer needs a United Nations Security Council determination of threat to peace and is empowered to determine and act by itself. Though, the legal framework to intervene is provided, its effectiveness is therefore debatable.

Moreover, regardless of the provided legal foundation, Africa is still suffering from intra-state conflicts in every corner. So, the effectiveness of AU intervention mechanisms must be re-examined in light of this prevailing reality. When we talk about effectiveness, it is about the factors expected to influence the success of peace operations. In simple words, it is about producing remarkable outcomes in relation to the objectives of the AU regarding its peace operations.

Since its creation, the AU has been involved in several intrastate conflicts, such as in Rwanda, Burundi, Comoros, the DRC, Togo, Mauritania, Zimbabwe, the Ivory Coast, Sudan and Somalia. Still, there are so many ongoing intra-state conflicts on the continent. Interventions to settle disputes could be made either militarily or diplomatically. In some cases, the AU has implemented military intervention in order to handle ongoing intra-state conflicts. For instance, in the Somalia conflict, the AU has been actively involved militarily through the African Union Mission in Somalia (AMISOM). When it comes to the recent conflict between the Federal Democratic Republic of Ethiopia and the Tigray Peoples Liberation Front (TPLF), the AU has been diplomatically involved in stopping the conflict.

With regard to the military involvement of the AU to settle intra-state conflict, the issues surrounding the conflict in Somalia and AMISOM are part of this study. AMISOM was created by the AU's Peace and Security Council on January 19, 2007. On February 20, 2007, the United Nations Security Council authorized the African Union to deploy a peacekeeping mission with a six-month mandate by replacing the Inter-Governmental Authority on Development (IGAD) Peace Support Mission to Somalia (IGASOM). Regarding the conflict in Somalia, sometimes being homogeneous in terms of ethnicity is not a guarantee to achieve lasting peace and security. For instance, Somalia is one of the few homogeneous African countries in terms of ethnicity; almost all share the same language, culture, and religion. However, the outbreaks of Somalia's civil war and its consequences have threatened not only Africa but also international peace and security. So, examining the AU's intervention following the conflict in Somalia is very essential to determining the effectiveness of the AU in managing intra-state conflicts.

There is no consensus among scholars regarding the effectiveness of AMISOM. Scholars like Andrews Holt (2007) and Franke (2007) asserted that AU's mission in Somalia has not been effective. On the other hand, Baker (2007) stated that AMISOM demonstrated that there is a gap in capabilities in managing internal wars in the continent. Deconing (2007) also stated that it was the financial problems and the limited mandate of the mission that prevented the AU from effectively managing the conflict in Somalia. Bogland (2008) argued that the AU had carried out an impressive number of diplomatic assignments, sent observers, and conducted several extensive peacekeeping operations in Somalia. Alongside the AU's effort to manage intra-state conflicts, the support of international and regional organizations and its impact on the effectiveness of the AU mission will be analyzed.

Regarding the diplomatic intervention of the African Union to stop and ensure peaceful resolution of intra-state conflict, the recent conflict in Ethiopia and the involvement of the AU will be discussed as a good case study to examine how the AU has been diplomatically involved in the case. Diplomatic intervention could be considered as measures such as good offices, mediation, recall of ambassadors, and conciliation.

The incident that took place on October 3, 2020, in the Tigray region totally changed the political atmosphere in Ethiopia. On that day, Tigray People's Liberation Front (TPLF) forces launched a self-styled preemptive attack on the Northern Command of the Ethiopian National Defense

Forces (ENDF). After the incident, the Ethiopian government announced the launch of a counterattack against the TPLF in order to safeguard the territorial integrity of the country and bring the perpetrators of the attack to justice. With this, the contestations over the balance of power between the federal government and the TPLF since the unpredicted coming into power of Prime Minister Abiy Ahmed turned into a catastrophic war and left the country in the dark shadow of the international diplomatic arena.

A power struggle, an election, and a push for political reform are among several factors that led to the crisis. The conflict with several pushing factors has caused lots of destruction, both in terms of human life and infrastructure. Furthermore, the conflict highly affected the whole economy of the country. However, two years later, the most destructive and devastating war was finally resolved through the diplomatic intervention of the AU, which culminated in the so-called Pretoria Peace Agreement, or the Cessation of Hostilities Agreement (CoHA).

The agreement was the result of several days of mediation talks led by the AU and facilitated by a team comprised of the AU High Representative for the Horn of Africa: former Nigerian President Olusegun Obasanjo, former Kenyan President Uhuru Kenyatta, and former Deputy President of South Africa, Phumzile Mlambo-Ngcuka. The U.S. Special Envoy to the Horn of Africa, Mike Hammer, and the EU Special Representative for the Horn of Africa, Annette Webber, carried out a shuttle diplomacy and played an important role in the realization of the mediation process. Even though it is difficult to attain lasting peace immediately, the developments in the conflict area in the aftermath of the peace agreement are promising, but it is still difficult to predict what will happen next day since all terms of the agreement have not been fully implemented by both parties.

In this diplomatic intervention, the AU has demonstrated effective involvement and maintained a positive achievement in the peaceful resolution of intra-state conflicts in Ethiopia. The United Nations and other international stakeholders played supportive roles. This means that the mediation process was mainly AU-led because the United Nations mostly delegated conflict resolution to the AU as the lead regional actor with a mandate to pursue a peaceful settlement of the conflict.

Though there are arguments against and for a Pretoria Peace agreement from the political perspective, this particular study is mainly about examining the effort and effectiveness of the AU in ensuring a peaceful resolution of the Ethiopia-Tigray conflict through its diplomatic intervention. In addition to the effort of the AU, the support of international and regional organizations and its impact on the effectiveness of the AU mission will be analyzed.

1.2 Statement of the problem

Ensuring peaceful resolution of intra-state conflicts on the continent is one of the fundamental mandates of the African Union. This mandate is legally conferred on the AU by its Constitutive Act and by the Protocol relating to the Establishment of the Peace and Security Council of the AU. This power of intervention can be exercised provided that the conditions under Article 4(h) of the Constitutive Acts are met.

Bequeathing the legal mandate of ensuring peaceful resolution of intra-state conflicts, the AU has been involved in a number of intra-state conflicts. In all its involvements and interventions, the AU has endeavored to end the conflicts and ensure peaceful resolution of the root causes thereof.

Despite the efforts that have been undertaken by the AU, Africa is still besieged by many conflicts. Due to the continued conflicts on the continent, many authors have questioned the effectiveness of the AU's intervention to foster peaceful resolution of intra-state conflicts. The effectiveness of AU intervention is measured by matching the goal of peace operations and whether it has advanced peaceful resolution of intra-state conflicts within member states. With regard to effectiveness, many authors argue that the AU's interventions to end conflicts in member states are far from being a success story. Rather, many of its missions of intervention were ineffective due to various factors rooted in the internal processes, commitment of member states, finance and logistic shortages, the role of regional economic communities, and a lack of external support.

There are arguments set forth by some authors as to the fact that the AU is not effective and has not met the objectives of the Constitutive Act in ensuring peaceful resolution of intra-state conflicts through intervention. For instance, authors like, Andrews Holt (2007) and Franke (2007) claim that the AU's ineffectiveness emanates from multifaceted factors starting from the

process within the organization, mainly related to the AU's ability to respond rapidly to conflicts to the external factors that influence the outcome of the peace operations outside the organization. By evaluating these processes, they have concluded that the AU mission in Somalia was ineffective in terms of producing a remarkable outcome in relation to the goals of peace operations. It is also argued that in the Ethiopian context, the durability of the ceasefire and its prospects to ensure lasting peace in the Pretoria agreement are conditional on the goodwill of the parties, and its effectiveness is under question.

On the other hand, some authors like Bogland (2008) and Deconing (2007) argue that except for the financial impediments to undertaking its peace operations, the limited commitment of member states and limitations from external support, the AU has played a significant role in conflict resolution in a number of intra-state conflicts. It's claimed that the intervention efforts made by the AU are effective in bringing peace and stability to Somalia and in achieving relative peace in Ethiopia's Tigray Region.

This debate has inspired the researcher to study whether or not the AU has legal grounds for intervening in intra-state conflicts in member states and if there are challenges that constrict the AU's effectiveness in ensuring peaceful resolution of intra-state conflicts on the continent.

1.3 Objective of the Study

1.3.1 General Objective

The general objective of this research is to examine the power of the African Union, including the effectiveness of AU interventions in ensuring peaceful resolution of intra-state conflicts within member states.

1.3.2 Specific objectives

This research will also have specific objectives:-

- Exploring the legal grounds of AU for intervening in intra-state conflicts.
- Examining the appropriateness of the legal grounds of AU for intervening in intra-state conflicts.
- Studying the effectiveness of AU in peaceful resolution in fostering the peaceful resolution of intra-state conflicts within member states.

- Identifying the limitations of AU in peaceful resolution of intra-state conflicts.

1.4 Research Questions

The primary focus of this research revolves around investigating the capabilities and constraints of the African Union in facilitating the peaceful resolution of intra-state conflicts that pose threats to peace and security within its member states. In conjunction with this overarching theme, the research will explore the following specific research questions:

- *To what extent does the African Union possess legally sound justifications for intervening in intra-state conflicts?*
- *How efficacious are these legal foundations in promoting the peaceful resolution of such conflicts within the member states?*

1.5 Methodology of the Study

The methodology of this study, focusing on intra-state conflict resolution efforts by the African Union, employs the doctrinal method. To achieve the study's objectives, a combination of primary and secondary data sources has been utilized. Primary sources include international conventions, regional and sub-regional conventions, treaties, protocols, recommendations, and other jurisprudential instruments. The analysis heavily relies on secondary sources, emphasizing the examination of relevant literature on the subject. The researcher specifically delves into books and academic articles that bear relevance to the study, while also consulting various internet sites for additional data and information. This comprehensive approach ensures a thorough exploration of both legal and scholarly perspectives in understanding the intricacies of intra-state conflict resolutions within the African Union framework.

1.6. Significance of the study

This study holds significant importance as it has the potential to provide valuable insights into the causes of intra-state conflicts and effective intervention strategies. By offering informed perspectives, the research aims to empower decision-makers to craft policies that effectively address conflict dynamics within member states of the African Union. Additionally, it serves as a foundational resource for future researchers, contributing to a deeper understanding of intrastate conflicts in Africa. The practical implications of the findings are expected to guide policymakers, peacekeeping entities, and regional organizations in fostering peace and security. Furthermore,

by complementing existing literature, the study enhances the comprehensiveness of available information on intra-state conflicts, positioning itself as a valuable reference for readers, scholars, and researchers interested in understanding conflict dynamics in the African context.

1.7 Scope of the Study

The number of intra-state conflicts in Africa is increasing from time to time. This indicates that the continent needs strong institutions and organizations to handle the destructive impacts of intra-state conflicts. Under this single research project, it would not be possible to cover all the intra-state conflicts on the continent. The scope of the research paper is limited to exploring AMISOM in Somalia from the past experience of the AU with military intervention and examining the AU's efforts in the recent conflict in Ethiopia between the federal government and the TPLF through its diplomatic intervention. The core point of the study is to identify whether the AU has effectively engaged to ensure peaceful resolutions to the conflicts. This paper does not try to deal with each and every matter surrounding the conflicts; rather, it tries to deal with them based on exploring the legal grounds of the AU for intervening in the stated intra-state conflicts and whether or not its interventions were effective or not in winning peace.

1.8 Limitation of the Study

The study acknowledges certain limitations that may impact the scope and depth of the research findings. Firstly, the reliance on the doctrinal method and the analysis of existing literature may limit the exploration of real-time, dynamic aspects of intra-state conflict resolutions by the African Union. Additionally, the availability and accessibility of certain primary sources, such as international conventions and jurisprudential instruments, may pose constraints on the comprehensiveness of the legal analysis. Furthermore, the study's focus on English-language sources may result in a potential oversight of relevant perspectives and information presented in other languages. The researcher also recognizes that the evolving nature of conflicts and diplomatic initiatives may render some information outdated or subject to change. Despite these limitations, the study endeavors to provide a comprehensive understanding within the identified constraints.

1.9 Organization of the Study

As described above, the research tries to analyze the power of the AU to intervene in intra-state conflicts and the effectiveness of its intervention measures in fostering peaceful resolutions of conflicts. To this end, the research is divided into four chapters. The first chapter provides an

introduction and overview of the study. Chapter two deals with a literature review and give a brief explanation of the historical, conceptual, and factual analysis of issues related to the Africa Union, United Nations, and intra-state conflicts pertaining to the legitimacy of intervention in intra-state conflicts.

The Third Chapter discusses the African Union interventions in intra-state conflict. In this particular chapter, the military intervention of the AU in the Somalia intrastate conflict and AMISOM's experience, with due emphasis on efforts by the African Union, sub-regional efforts, and the United Nations in order to settle the conflict in Somalia, will be discussed. The effectiveness of AMISOM in line with factors that influenced its effectiveness will be examined. The African Union's diplomatic intervention in the recent intrastate conflict between the Federal Government of Ethiopia and Tigray regional states, with due emphasis on efforts by the African Union, sub-regional efforts, and the United Nations in order to settle the conflict in Ethiopia, will also be examined. The relevance of the AU's diplomatic intervention to stop the conflict in light of factors that influenced its effectiveness will be examined. Finally, Chapter four will conclude and forward the recommendations that should be taken to effectively ensure the peaceful resolution of intrastate conflicts in Africa.

CHAPTER TWO

Theoretical Framework and Literature Review

2.1 Conceptual and Theoretical Framework of Intrastate Conflict

Introduction

Peace and security have always been issues of great concern to any human society, but conflict is inevitable in social interactions. Conflicts are natural and historical, and hence they are everywhere, happen every time, and form part of the social phenomenon of human life. Their

difference lies in the magnitude, complexity, sequel, and repercussion. The very existence of conflicts is highly interlinked with humans' desire to fulfill their interests, whether they are political, social, or economic. Despite the variety of causes, armed ethnic conflicts or civil wars, violence, and the collapse of governments represent the greatest challenge to peace, security, and stability in Africa.

This chapter discusses issues that range from the definition of intra-state conflict to its theories, including the causes and consequences of intra-state conflicts in general and particularly in Africa. Then it will consider the AU's efforts to ensure peace and security in Africa and also address the intra-state conflicts in Somalia and Ethiopia. Finally, an attempt will be made to highlight the mandate and power of the AU PSC and address the nature of the relationship between the AU and the UN, as well as the role of the UN in an intervention made by the AU without its authorization.

2.1.1 Meaning of Intrastate Conflict

Before exploring the meaning of intra-state conflicts directly, it is significant to enumerate how international humanitarian law (IHL) recognizes conflict. There are two types of conflicts recognized by IHL, namely, international armed conflict and non-international armed conflicts.

International armed conflict is regarded as “all cases of declared war or of any armed conflict that may arise between two or more [states], even if the state of war is not recognized by [either of the parties], and [includes] all cases of partial or total occupation of the territory of [a state], even if the said occupation meets with no armed resistance.” An international armed conflict occurs when one or more states have recourse to armed force against another state, and for this type of conflict, IHL is applicable.

Another form of conflict recognized by the IHL is a non-international armed conflict. This kind of armed conflict is an internal hostility between a state and a non-state armed group or between two or more non-state armed groups and may be ‘internationalized’ if supported by international actors. According to Dietrich Schindler, different factors contributed to the development of internationalization of internal conflicts, among them the interdependence of states, in which every civil war will affect other states and the attitude of the other states may have an impact on the outcome of the civil war. The world's ideological cleavage is also another reason for the

internationalization of internal conflicts, which leads nations to intervene in the internal conflicts to safeguard their respective ideological leanings. The existence of military blocs and regional groupings with the interest of preventing the overthrow of regimes tends to encourage alternations. The other cause of the internationalization of internal conflict is the prohibition of the use of force in international relations. This indirectly changed the minds of states in that states considered indirect (proxy) interference in internal conflicts as the only way to protect their interests, and this kind of interference became a substitute for an international war. Some people contend that as a result of this, the international legal regime has failed to provide specific rules or provisions that regulate internationalized non-international armed conflicts and the issue is left to state practice and legal doctrine. However, despite the complications caused by internationalized conflicts, the IHL of non-international armed conflict is still capable of adequately regulating this type of conflict.

Having said these, defining the term intra-state conflict is worth having a broad understanding of the issues surrounding it. Among the armed conflicts, intra-state conflicts narrowly encompass non-international armed conflicts, which are known as internal armed conflicts that take place within the territory of a state and do not involve the armed forces of any other state.

Regarding the meaning of intra-state conflict, many scholars have used the term interchangeably with the term civil war. Small and Singer defined intra-state conflicts as "those civil wars that involve sustained combat involving organized armed forces capable of effective resistance, resulting in a minimum of 1000 battle-related combatant fatalities within a twelve-month period." Redie Bereketeab also defined civil conflict as "to clash or engage in fights, confrontation between two or more parties aspiring towards incompatible goals." On the other hand, Dennis J.D. Sandole defined civil war as "the expression of the heterogeneity of interest, values, and beliefs that arises as a new form of action generated by a social change, and conflict can be understood as "engagement in a fight or possible confrontation between two or more parties aspiring towards incompatible or competitive means or ends." The other scholar, Kristian Skrede, also defined civil war as "a violent conflict between a state and one or more organized non-state actors in the state's territory."

From these definitions, the main cause of intra-state conflict is the divergence of interests over certain issues between groups operating inside a sovereign state, between the government forces

on the one hand and other armed groups on the other. The definitions have equated intra-state conflict with civil war. So, intra-state conflict could be defined as a non-international armed conflict within a state territory between a state and one or more organized armed groups.

2.1.2 Theories of Intrastate Conflict

Theories that explain why intra-state conflict erupts recognize triggering factors as economic instability and scarcity endemic to the society. The relations of minority groups with those of majority groups and economic, social, psychological, and cultural mechanisms are also considered triggering factors for the outbreaks of intra-state conflicts. The ethnic, racial, or nationality group's aspiration to make revolutionary political or territorial claims is among the potential theoretical bases of intrastate conflicts.

Among the theoretical origins to understand intra-state conflicts (Kaplin, 1993), described "ancient ethnic hatreds." This approach contends that intrastate violence between factions erupts as a consequence of tribal and ethnic affiliations that have been suppressed but never truly removed from the hearts and minds of the warring parties. Basically, this theory assumes that ethnic group membership, boundaries, and identities are rigid, long-standing, and primordial, and they resist assimilation and erosion from education, secularization, and modernization. This theory explains that contentious issues and grievances are endemic in ethnic group relations because they are burdened with culturally transmitted memories of past violent conflicts, myths, fears, and hostile emotions.

The other theory to analyze the cause of intra-state conflict is structuralism, which describes the social, political, and economic factors that are asserted to ignite internal conflict. Under this theory, four main factors that can lead to conflict are identified. These factors are "inclusive of weak state's composition, security concerns, ethnic geography; political factors such as discriminatory political institutions, exclusionary national ideologies, inter-group politics, and elite politics; economic or social factors such as widespread economic problems, unequal economic distribution systems, modernization; and cultural or perceptual factors such as patterns of cultural discrimination and previously antagonistic group histories." However, structuralism fails to provide reasons why similar societies that share the same structural features are most commonly associated with conflict. Moreover, this theory only explains the role of actors in the

outbreak and escalation of violence, but it does not explain the intent behind those who perpetrate intra-state conflicts.

The so called rational choice theory explains that violence is the result of the actor's utility-maximizing strategy. This theory assumes that internal conflict is the result of an actor's rational activity in pursuit of widespread interests such as prosperity, power, and security. The insight offered by the rational choice theory is that there is the observation that elites may use ethnicity instrumentally to further their own interests, but the idea that this happens merely based on rational calculation and material interests seems difficult to substantiate.

Psychological theory also introduces an emotional motivation for ethnic war. According to this theory, people tend to choose maximizing the difference between their group and another rather than maximizing the benefits of their own group. Competition for greater benefit always exists among the ethnic groups, and consequently, the competition fights for dominance of the state to show their group's status of superiority compared to the other group, and thus, the competition legitimizes the group's pursuit of a superiority status objective. This theory explains that intrastate conflict is a contest for dominance, and decisions are often motivated by emotional concerns.

The other theory developed by scholars is constructivism theory. The constructivist approach " to internal war draws attention to several key identity-related factors: the historical construction and maintenance of exclusive identities by colonial and postcolonial ruling elites for the purposes of political and social control; the perceptions of insecurity between identity groups in situations of emergent anarchy or state failure; and the role of language, history, symbols, and culture in fomenting inter-group rivalry."

2.1.3 Causes and Consequences of Intra-state conflicts

The causes of intra-state conflicts are somehow related to the theories of intra-state conflicts, and the causes of intra-state conflicts are highly rooted in different socio-economic, cultural, and political factors. For instance, African states after colonialism have been characterized by intra-state conflicts, mainly for reasons highly related to the deficiency of ruling classes to maintain democratic institutions through legitimacy and the role of foreign disruptive intervention.

In Africa, the inherited weak state structures, the weakness of African states to provide security for individuals and groups, and ethnic heterogeneity in weak states expose ethnic minorities to conflicts as the main structural factors explaining intra-state conflicts on the continent. According to Hermengilde (2001), there are four factors contributing to intra-state conflicts in Africa: discriminatory political institutions, exclusionary national ideologies, inter-group politics, and elite politics.

He further argued that the type and fairness of the political systems of the country in question could be a prospect for intra-state conflicts. Regarding economic factors of intra-state conflicts, unemployment, inflation, uneven growth, resource competitions, and a discriminatory economic system have been identified as the breeding grounds for intra-state conflicts. Cultural discrimination against minorities' group histories and group perceptions of themselves and others has been identified as a source of intra-state conflicts.

In general, we can conclude that four main reasons may strongly explain why intra-state conflicts erupt. Firstly, structural causes explain the reason why conflicts erupt is due to weak state institutions, national security concerns, and ethnic geography. Secondly, political causes are mainly related to discriminatory political institutions and exclusive national ideologies. Thirdly, economic and social causes explain the causes of economic problems, discriminatory economic systems, and poor economic development. In the fourth place, intra-state conflicts mainly erupt due to cultural and perceptive causes; this explanation is related to cultural discrimination and problematic history.

The consequences of intra-state conflicts are more visible than the factors causing them; intra-state conflicts entail human's deaths, bring material destruction, cause social disorder, force people to flee their homes in search of safety, exacerbate humanitarian crises, ripple already fragile economies, and, more than anything else, make people lose their hope and faith in their future. The impacts of intra-state conflicts are multi-faceted, ranging from the abruption of the day-to-day lives of societies to protracted political crises, in many cases causing an inter-generational gap in all respects of communal lives.

In an economic scenario, the scarce resources of the state would be used for fighting when intra-state conflict erupts. The economic resources of a state would be diverted from productive

activities to destruction. Furthermore, the social consequences of intra-state conflict are even more destructive than those of economic destruction. Socially, the aftermath of intra-state conflict is usually followed by civilian fatalities, population displacements, forced migrations, and people fleeing to avoid violence, recruitment, or looting of family assets.

2.2 Intrastate Conflict in Africa

In the post-1945 period, particularly the 1948 Universal Declaration of Human Rights, it fueled the rise of movements in favor of emancipation from colonial rule but also galvanized people's aspirations for equal participation and for egalitarian access to education, employment, and economic wellbeing. But the mismanagement of these aspirations created a sense of discrimination that is prone to resentment and civil strife, and consequently, intra-state group conflicts and violence have become a worldwide phenomenon.

All African countries have experienced some form of conflict in relation to their fragile nature and transitions, from independence struggles to post-independence conflict. Moreover, African countries experienced violent transitions after independence, which included civil wars and mass killings. The post-colonial states in Africa exhibited non-inclusive political settlements, governance failures, and natural catastrophe. Subsequently, internal disputes emerged as the predominant form of violence in Africa.

Particularly, the driving forces of intra-state conflicts in Africa are highly interlinked with weak state structures. The weakness of state structure could be explained as the weakness of African states to provide security for individuals and groups. Ethnic heterogeneity in weak states also exposes ethnic minorities to conflicts, as the main structural factors explaining conflicts in Africa. In addition to the weak political system and weak state structure, the discriminatory economic system and cultural discrimination are the fertile breeding grounds for the destructive intra-state conflicts in Africa. Author Raymond Gilpin stated that "weak governance, historical animosities, exclusionary politics, contested legitimacy, resource competition, external factors, globalized conflicts, and extremist ideologies have combined to create various episodes of violent conflict across the African continent."

The intra-state conflict has left African countries in a difficult situation, as a result of which the continent has forgone economic gains. Even though the continent experienced initial rapid

economic growth after independence and then underwent a period of general decline and decay due to chronic instability, poverty, and marginal importance to the global economy. Seven substantially correlated indicators with the incidence of intrastate disputes were identified by Jakkie Cilliers and Julia Schünemann (2013). First, there is instability and poverty. They maintained that weak governance, exclusive political structures, and high levels of corruption are characteristics of poor countries, which also suffer from more frequent episodes of instability. Conflict results from them, which exacerbate poverty and jeopardize progress. The second is that unfavorable regime changes or the shift from autocracy to democracy are frequently violent and chaotic. Thirdly, there is a risk of instability due to a significant democratic deficit. Fourthly, violent tendencies are more common in nations with sizable young populations who experience pervasive marginalization. The fifth has a high propensity for violent recurrence. War cycles frequently recur in the same nations; for example, the DRC, the CAR, Chad, and many other nations seem to be caught in a never-ending cycle of bloodshed from which there is no chance of escape. Persistent violence exacerbates poverty and makes breaking the cycle of underdevelopment, instability, and poverty more difficult. The sixth element related to intra-state conflict in a nation is the "bad-neighbor" effect, which arises from a country's proximity to or bordering other nations that are experiencing war. The seventh one is associated with poor governance, self-serving leadership, and the impact of excessive dependence on commodity exports.

In Africa, according to Raymond Gilpin, "the immediate post-independence years were characterized by liberation struggles and contested legitimacy; the Cold War years were characterized by proxy wars; the post-Cold War transition years were characterized by recurring conflicts that were fuelled by economic and political exclusion; and the era of non-state actors was characterized by extremist groups and globalized violence." African nations, including then-Zaire, saw bloody battles in the early post-independence era (1960–1974) as factions disputed the legitimacy of governments. In addition, Angola fought a bloody war for independence, and outside forces—essentially, former colonial powers—had financial stakes in Africa, which fueled unrest and bloodshed there. Geopolitics, oil crises, and African violence in the late 1970s all contributed to the comeback of violent conflict during the Cold War era (1975–1992). The type of conflict also moved from low to high intensity, prolonging the bloodshed for extended periods of time. During the post-Cold War period (1993–2005), a number of African countries

remained unstable. For instance, the conflict in Rwanda and the cross-border violence by rebel groups in the DRC, Liberia, and Sierra Leone erupted during this period. Conflicts involving the misuse and control of natural resources were prevalent during this time. Between 2006 and 2013, the continent of Africa became more unstable due to non-state violence; this was made worse by the actions of extremist groups with international reach, such as Al-Qaeda and al-Shabaab. For instance, extremist organizations had an impact on the crises in Mali, South Sudan, and Sudan. Furthermore, the main organizations supporting the fuel riots in Nigeria (2012) and the food riots in Egypt (2008, 2011) are those calling for accountability and defending fundamental human rights.

In general, intra-state wars in Africa have been detrimental and have placed the continent in a challenging position. The current fighting in Ethiopia between the TPLF and the national government, as well as the intra-state strife in Somalia, has engulfed the region and the continent in a profound crisis.

2.3 AU's Efforts in Peace and Security in Africa

As was highlighted earlier, Africa, after colonialism, suffered more from the negative consequences of intra-state conflicts. The OAU, which was established on May 25, 1963, in Addis Ababa, was empowered primarily with the responsibility of freeing the continent from European colonialism, racism, and apartheid. After decolonization, the OAU was confronted with numerous interstate and intrastate conflicts. The OAU became unable to curb violent conflict, poor governance, economic mismanagement, gender inequality, human rights abuse, and poverty in the region. The desire for the establishment of the AU basically to address the conflicts on the continent and to promote peace in Africa. Even though the OAU established a mechanism for conflict prevention, management, and resolution, for instance, Murithi (2012) asserted that the OAU was ineffective in stopping Rwanda genocide through its conflict resolution mechanisms and also failed to curb conflict that led to the collapse of Somalia and violent conflicts that led to the deaths of millions of Africans in Angola, the DRC, Liberia, and Sierra Leone. The OAU was ineffective in its conflict resolution mechanism because of its commitment to the principles of sovereignty, non-interference, respect for established borders, and territorial integrity of member states.

In order to tackle the peace and security challenges under the OAU regime, the AU was empowered to play a critical role in resolving African conflicts. The evolution of the OAU to the AU shows a change from the principle and norm of 'non-interference' in armed conflicts to a new posture of 'non-indifference' to member states' internal affairs. The evolution conferred conflict resolution as a major function of the AU, including the option of recourse to military intervention.

To this end, the AU Constitutional Act provides that the Union has the right to intervene in order to stop war crimes, genocide, and crimes against humanity, and the prohibition of unconstitutional changes of government. The AU's intervention aims to put a stop to the conflict and promote amicable intra-state conflict resolution. The AU has the legal authority to intervene in intra-state conflicts and guarantee their peaceful resolution; yet, given the increasing number of conflicts on the continent, it is necessary to evaluate the AU's efficacy in practice.

AU, through its conflict management instruments, has made efforts to avert the conflicts on the continent. The AU's core conflict management instruments include sanctions regimes, mediation initiatives, minimizing the occurrence of conflicts via peace-making, peacekeeping operations, peaceful negotiations and consensual interventions, and maintenance of peace.

For instance, the AU has deployed its missions to conflict zones. For example, the AU deployed its missions in Burundi (2003–2004), Sudan, Darfur (2004–2007), the Democratic Republic of the Congo, Cote d'Ivoire, and Somalia. As was mentioned earlier, the AU recently diplomatically involved in resolving the conflict in Ethiopia. With regard to the peace operation of the AU, troops for AU missions are collected from very few countries. Ghana, Rwanda, Senegal, South Africa, Ethiopia, Benin, Nigeria, and Egypt are the major contributing countries. South Africa, for example, supplied the majority of the troops used in the missions in Burundi (2003–2004) and the Comoros (2006–2008); Uganda supplied all the troops used in the AMISOM-supported peace operation in Somalia (2007–2012); and Senegal, Rwanda, Nigeria, and South Africa supplied the majority of the troops used in the African Union's operation in Sudan (2004–2007). This demonstrates how the AU's peace efforts could not have operated effectively without the assistance of governments. In addition to peace operations, the AU has taken up security measures for demobilization centers, integrated former militias into society, protected returning

politicians taking part in the transitional government, and protected demobilization centers that supervise the process of disarmament, demobilization, and reintegration (DDR).

The AU's Constitutive Act provides a legal foundation, but among the main challenges it has faced in its pursuit of ensuring peaceful resolution of conflicts are: lack of institutional and human resources; limited force generation and logistical support; lack of military equipment; lack of expertise with mediation capacity; the length of time it takes the Peace and Security Council (PSC) to make decisions once a crisis has been identified; Africa's financial weakness; reliance on foreign funding for peace operations; and the AU's inability to protect civilians during peace operations. These difficulties have weakened Africa's ability to respond quickly to crises and impacted the efficacy of AU peacekeeping efforts in promoting the peaceful settlement of intrastate conflicts.

2.3.1 Intervention as a Conflict Resolution Mechanism in Africa

After World War I, under the system of the League of Nations, regional arrangements were totally excluded in order to prevent the repetition of war, but actually many regional organizations were created. On the other hand, under the United Nations system, the question of whether regional arrangements existed was settled; instead, the focus shifted to defining the UN's relationship with regional arrangements and the role that these arrangements would play inside the UN system. Article 52 of the United Nations Charter, for example, supports regional agreements for amicable resolutions.

The legal framework of the AU Constitutive Act clearly permits AU's intervention, whether it's militarily or diplomatic, as a mechanism to resolve intra-state conflicts on the continent. The AU has introduced two forms of intervention: the first is unilateral intervention by the decision of the AU General Assembly without a request from the concerned state, and the second is intervention made at the request of the concerned state. There are arguments that are for the former form of intervention AU must secure authorization from Security Council as per Article 53 of the UN Charter, the intervention in form of the latter case, the criteria of authorization from Security Council is not needed because the intervention is requested and the host state consented. In such a case, there is no clash with article 2(4) of the UN Charter.

The aim of AU intervention is to be responsive as soon as possible to the circumstances, namely war crimes, genocide, and crime against humanity. In this way, the statutory notion of Article

4(h) of the AU Constitutive Act manifests the AU's member states commitment to solve the chronic intrastate conflicts on the continent through intervention.

2.3.1.1. Intrastate conflict in Somalia and AMISOM

The civil war in Somalia was very different from the conflict in Sudan and stemmed from the comprehensive collapse of state institutions. The conflict was fought between a number of warlords, militia groups, and other clan-based extremists for natural resources, political power, and dominance. Somalia has been a safe haven for Al-Qaida and Al-Shabab, which are responsible for the deaths of many civilians and other humanitarian damages. This intra-state conflict has made Somalia one of the most failed and dangerous states in the world. The effects of the Somalia conflicts are not only domestically felt but have drawn regional and global attention, and bilateral and multilateral efforts have been initiated aimed at restoring order in Somalia.

One of the military intervention efforts made by the AU was its intervention in Somalia under the umbrella of AMISOM, which was launched in early 2007. On February 20, 2007, the UNSC authorized the African Union to deploy a peacekeeping mission. AMISOM was said to be “the only peace operation launched under AU command and control” and the “biggest and most complex peace operation ever conducted by the AU.” The AU mission in Somalia was to control the protracted intra-state conflict in Somalia. Moreover, facilitating the re-establishment of the Somalia security forces was among its tasks.

One of the success stories of AMISOM was that it enabled the Transitional Federal Government (TFG) to govern the country in 2008, prior to which it was known as a failed state since 1991. The mission also underscored the success in reconstruction of Somalia's security force, which did not exist before the AMISOM training. It also restored peace and security, repulsing al-Shabaab from their strongholds. Sebastiano Rwengabo argued that AMISOM's remarkable successes that are rooted in AfSol (“African-Centered Solutions) indicate Africa's need to further develop and test its peace and security capabilities.

However, the AU mission was surrounded by many challenges, including a shortage of mandated troop strength and the need for adequate equipment. For instance, during its initial period, it's argued that it had limitations with regard to troop commitment, suffered many

personnel, and exposed the AU's material, financial, and bureaucratic limitations. The most critical setback was the reluctance of African states to contribute troops and the budgetary constraint to undertake their mission. Moreover, it was reported that AMISOM was in need of tactical helicopters and other equipment, and UNSC, in its resolution, urged member states to provide financial resources, personnel, equipment, and services to the operation. Lack of logistics and equipment was one of the challenges that hindered AMISOM's efforts to achieving its intended goals. Deconing (2007) asserted that it is the financial problems and the limited mandate of the mission that prevented AU from effectively managing the conflict in Somalia.

2.3.1.2 Diplomatic Intervention of AU in the conflict between Ethiopia federal government and TPLF

Diplomatic intervention is an instrument that helps to halt continued conflict. Usually, diplomatic intervention takes the form of mediation, encourages conflict resolution by engaging both parties in dialogue, and also serves as a more ethically acceptable alternative action of states. The most common form of diplomatic intervention is third-party mediation efforts in intrastate conflicts, and it is expected to alter both the duration and outcome of civil wars.

Kidane Mengisteab argued that it is almost unmanageable or hard to deal with intrastate conflicts in Africa through diplomatic intervention, and he further argued that diplomatic efforts have been the least successful in settling African conflicts. This is because the parties to the conflict do not want to conclude or stop the conflict through the efforts of diplomacy; they see military victory as the only way to conclude the conflict between them. But ending intrastate conflict only through military means will permanently put countries in difficult situations and will not lead to permanent peace and a successful state-building process.

Diplomacy, or diplomatic intervention, has been used as one of the African continent's conflict resolution strategies, despite the AU's ongoing deficit in its mediation competence. The Article 6 of the Protocol on the Establishment of the African Union Peace and Security Council states that the Council's duty is to carry out peacemaking, which includes the use of good offices, mediation, conciliation, and inquiry. It follows that the best course of action for resolving conflicts in Africa may be diplomatic intervention or diplomacy. In order to promote amicable resolutions, the AU Commission Chairperson may designate and send out humanitarian observers, fact-finding and political teams, and prominent individuals to act as AU

representatives, such as senior leadership teams for peace operations and Special Envoys for specific crises or issues.

If the law is provided with regard to procedures and means of diplomatic intervention under the AU system, the success or failure story of the AU regarding how it diplomatically handled the conflict is mostly related to its mediation capability. Persons appointed as mediation agents lack the experience and expertise to analyze conflict for the right cause and take appropriate mediation initiatives. Moreover, the divergence in the interests of parties to the conflict may have a negative impact on the outcome of diplomatic intervention. For example, in Libya, the AU was involved in settling the conflict through diplomacy and provided political negotiation to end the crisis. But the opposition rebels rejected the AU's political roadmap, while Gadhafi accepted it. Then AU-arranged negotiations failed due to divergence of parties' interests in the conflict, and the war continued until foreign intervention by the UN and NATO led to the overthrow of the Gadhafi regime.

The recent AU diplomatic involvement to put an end to the almost two-year intra-state conflict in Ethiopia could be seen as a success story of AU diplomatic intervention. If the diplomatic intervention succeeds in ending the fighting, it does save lives and creates an opportunity for post-conflict resolution of the fundamental problems of state-building. The military conflict that exploded on November 4 in the Tigray region of Ethiopia was the culmination of serious tensions between the TPLF and the federal government led by PM Abiy Ahmed. The Ethiopian government labeled the war a "law enforcement operation," while the TPLF called it an invasion. The attack on federal army camps in Tigray by the TPLF and the military response by the federal government changed the peace and security situation in the county. The federal government announced the response as a swift law enforcement operation, but the conflict developed into a protracted intra-state conflict.

In the first phase of the conflict, the government of Ethiopia rejected any form of dialogue for peaceful resolution of the conflict, including calls for peace talks from the AU and other international organizations. Doors were closed for diplomatic resolution from the side of the Ethiopian government because the diplomatic pressure from the AU and the international community was seen by many Ethiopians as interference in internal affairs. Defining the crisis as

an internal matter, therefore, rendered diplomatic intervention an unwarranted breach of sovereignty.

However, on November 2, 2022, two parties to the conflict—the Ethiopian government and regional forces from Tigray—signed an agreement on a permanent cessation of hostilities following peace talks mediated by the African Union. This came after the conflict had continued, claimed many lives, and caused enormous destructions. The following were the primary characteristics of the peace deal that the warring parties came to after it was primarily mediated by the AU and supported by other regional and global partners like the United States, the European Union (EU), and IGAD: First, a truce and the restoration of constitutional order were agreed upon by both parties. The TPLF consented to disarm after realizing Ethiopia has a single line of defense. A new temporary administration will be created to rule Tigray until elections are held at an undisclosed date and the accord also acknowledged the illegality of the last regional poll held in Tigray. The accord also addressed human rights and humanitarian assistance, and the government committed to collaborating with humanitarian agencies.

2.4 African Union Peace and Security Council

In order to achieve its objective of peace and security throughout the continent, the AU has set up a permanent decision making organ for the prevention, management, and resolution of conflict, i.e., the Peace and Security Council of the African Union (PSC). PSC is a collective security and early warning system with the aim of allowing a rapid and effective response to conflict and crisis situations in Africa.

According to Article 3 of the PSC Protocol, the main objectives or mandates of the PSC are to promote peace, security, and stability in Africa; anticipate and prevent conflicts; promote and implement peace building and post-conflict reconstruction activities; coordinate and harmonize continental efforts in the prevention and combating of international terrorism; develop a common defense policy for the Union; and promote democratic practices, good governance, and rule of law, as well as protect human rights and fundamental freedoms.

In relation to military intervention when necessary, pursuant to Article 4(h) of the AU Constitutive Act, the PSC assesses potential crisis situations; sends fact-finding missions to trouble spots, and authorizes and legitimizes intervention. Under the AU system, for every

intervention, assessments of the intensity of the conflicts and authorization of intervention to curb the situation have been made by the PSC to the Assembly of the AU.

Nonetheless, the PSC lacks adequate resources to carry out its responsibilities, and this directly hampers the ability of AU peace operations. To achieve its objectives, it must therefore solve the problem of its limited resources and lack of trained manpower, without which there remains a pivotal divergence between its aspiration and actual implementation.

2.5 Africa Union and United Nations Cooperation in Conflict Resolution

The UN Charter's Chapter VIII outlines the mandates of regional organizations and their applicability in addressing issues related to maintaining global peace and security that call for regional action in ways that align with the goals and tenets of the UN. The African Union is designated as a regional body under Article 52(1) of the UN Charter, with the authority to address issues pertaining to the upkeep of global peace and security that are suitable for regional action.

The United Nations is the only international organization with the right to decide on enforcement action. Enforcement actions in cases of a threat to or breach of international peace and security were only allowed by the Security Council under the UN Charter. Contrary to this, as discussed earlier, the Constitutive Act of the AU conferred on the AU the right to intervene outside the internationally recognized UN framework. The Protocol of the AU PSC determined the role of the UN in an intervention made by the AU and established a parameter for the relationship that should exist between the AU and the United Nations.

With regard to the UN and AU relationship, Article 17 of the Protocol recognizes that the UNSC has the primary responsibility for maintaining international peace, including in Africa. It also stated that in the fulfillment of its mandate in the promotion and maintenance of peace, security, and stability in Africa, the AU PSC shall cooperate and work closely with the United Nations Security Council. Therefore, from the reading of Article 17 of the Protocol of the AU PSC and Article 52 of the UN Charter, the AU's right to intervene in member states would involve close consultation, cooperation, and coordination with the UNSC. According to Article 17(2) of the Protocol of the AU PSC, "in keeping with the provisions of Chapter VIII of the UN Charter on the role of regional organizations in the maintenance of international peace and security, where

necessary, recourse will be made to the UN to provide the necessary financial, logistical, and military support for the African Union's activities in the promotion and maintenance of peace, security, and stability in Africa." The AU is empowered to intervene in member states as per Article 4(h) without the authorization of the UNSC, and at the same time, for the effectiveness of its intervention, it must work in cooperation with the UN to secure financial, logistical, and military support necessary for its peace operations. The role of the UN in an intervention made by the AU as per its Constitutive Act is determined by the PSC Protocol, which provides financial, logistical, and military support for the AU to perform its intervention effectively.

CHAPTER THREE

African Union Interventions in Intrastate Conflicts

3.1 African Union Military Intervention in Somalia

Introduction

One of the states in the Horn of Africa to achieve independence in 1960 is Somalia. However, the nation hasn't been able to establish long-lasting peace and stability since gaining its independence. From small-scale turmoil to widespread bloodshed and anarchy, the armed opposition eventually led to the government's collapse in 1991. According to some accounts, the

intrastate violence in Somalia is among the longest-lasting and most catastrophic in Africa's recent history.

Several efforts to address the situation have been undertaken by multifaceted stakeholders. The AU, as one of the regional organizations, has also been one of the actors involved in curbing the situation in Somalia. The AU intervened in Somalia through a mission called AMISOM. The AU also diplomatically intervened to curb the recent intrastate conflict in Ethiopia.

This chapter will discuss the AU's ability to intervene in Somalia and Ethiopia. Further discuss measures undertaken by the AU and their effectiveness after defining the objectives, mandates, and roles of the AMISOM and its intervention in the recent Ethiopian conflict. As part of this endeavor, the factors that influenced the effectiveness of the mission and the roles of external actors that helped or hindered the effectiveness of the missions will be considered.

3.1.1 Intrastate Conflict in Somalia

In post-colonial Somalia, the effort to build a conventional state in a society where traditional structures dominate social and political life has often tended to devolve into repression, which leads to humanitarian crises, rampant piracy, and crime. Certain clans in Somalia have faced discrimination and exclusion, which gradually morphed into violence. Due to increased grievances and divisions, from 1988 to 1992, large-scale clan-based killings and forced displacement took place, leaving the country in an intrastate conflict. Lack of inclusion, structural inequalities towards social and economic opportunities, marginalization of certain clans, and causing them to feel excluded from rights, resources, power, and politics have had a particularly profound effect on the genesis of conflict.

In the aftermath of independence in October 1969, Mohammad Siad Barre came to power in a military coup following the assassination of President Shermarke. He was initially popular because of his effort to modernize and unify Somalia, but gradually, Barre's rhetoric became deeply involved in clan politics.

Clans not represented by Barre's administration have launched movements; in 1982, for example, a group of Isaaq dissidents in London founded the Somalia National Movement (SNM), which subsequently launched a guerilla campaign against Barre's army. The important towns of

Hargeisa and Burao were entirely destroyed in the 1988 conflict, and Hargeisa's devastation signaled the beginning of Barre's demise.

In 1989, a coalition of rebel groups formed among the United Somalia Congress (USC) of General Mohamed Farah and the Somali Patriotic Movement (SPM) of Colonel Ahmed Omar by joining the Somali National Movement (SNM) and ultimately defeated Barre in January 1991.

The downfall of Barre's government did not bring peace and unity to Somalia because the rebel forces that defeated Barre were disunited and began to fight each other. Hull and Svensson (2008) asserted that the overthrow of Barre's regime in 1991 triggered other armed conflicts between the armed groups, which were eager to take control of the country's political leadership. For instance, Ahmed and Green (1999) drew the conclusion that the conflict in Somalia was mainly a conflict of power, which emerged as a result of the desire of many clans to rule the country.

One of the factors that led to the intrastate strife in Somalia was colonialism, which saw the country divided into Italian, British, and French colonies, giving different colonial powers jurisdiction over different portions of Somalia. The internal boundaries they drew had an impact on Somalia's economic, social, and political spheres. For example, they split Somalia into British Somaliland and Italian Somaliland, which had a detrimental effect on the country's unity. As previously mentioned, another factor contributing to the protracted intrastate conflict in Somalia was the autocratic role played by Barre, who assumed power through a military coup and outlawed all associations, both political and professional. Moreover, the other factor was the regional intervention in the country's internal affairs, particularly by Ethiopia, which had conflicting overland issues that led to armed clashes between the two countries.

Since 1991, Somalia has not had an effective central government and has experienced continuous warfare as different clans compete for power. The continued intrastate conflict has caused unspeakable atrocities due to the fight between opposing warlords and militia groups for natural resources, political power, and dominance.

3.1.2 Efforts to Resolve the Conflict in Somalia

The efforts to curb and resolve the most devastating intrastate conflict in Somalia have begun by regional and international organizations.

3.1.2.1 Sub-regional Efforts to Resolve the Conflict in Somalia

The conflict in Somalia threatened not only the peace and security of the country but also the Horn of Africa in general. As a result, neighboring countries and the sub-regional organization have attempted to put an end to the conflict.

Among the countries in the sub-region, Djibouti has undertaken the first effort to reconcile and to establish a Somalia government, but the initiatives and proposals were unsuccessful and rejected by the parties to the conflict. From 1991 to 1999 several meetings and agreements were made but not respected, and the fighting continued and Somalia continued without a government to control the country.

Again, in 2000, Djibouti and the sub-regional organization IGAD took the initiative to hold a peace conference aimed at forming a Somalia administration. This effort by Djibouti and IGAD was productive in that it led to a peace agreement that provided for the establishment of a Transitional National Assembly (TNA) and a Transitional National Government (TNG) mandated for three years. Due to opposition from several warlords, the new TNG did not control the whole of Somalia except Mogadishu.

The military alliance from different parts of Somalia appeared as a contender to TNG. This military alliance, composed of different members, called the Somalia Reconciliation and Restoration Council (SRRC) formed with the purpose of overthrowing the TNG. In 2001, as the sub-regional organ responsible for peace and security in the Horn, IGAD continued its effort to negotiate a solution to the conflict between the TNG and SRRC and did reach an agreement to form the Transitional Federal Government (TFG) with a five year interim mandate to prepare Somalia for elections to be held in 2009.

Again, the Union of Islamic of Courts (UIC) formed in Mogadishu as a rivalry of the TFG. The conflict continued between the UIC and TFG in the contest to control the country.

In 2005, IGAD decided to deploy a peace support mission (IGASOM) to Somalia. IGASOM was not materialized due to the lack of financial resources and the absence of some parties to the dispute, and the composition of the mission in terms of the neutrality of troops posed a challenge for the deployment. Due to these challenges, the IGAD initiative failed to resolve the conflict.

In 2006, while the UIC was making military advancements, peace talks referred to as the Khartoum negotiations, led by the League of Arab States, were held between the TFG and the UIC, but the fighting continued and the UIC controlled most of Somalia. Ethiopia, at the request of the TFG and backed by America, intervened militarily to strengthen the TFG against the dominant UIC. With the support of Ethiopia, TFG took military advancement, and TFG remained in Somalia.

The sub-regional effort to resolve the conflict has been undertaken by countries located in the Horn and IGAD. But the national interests of the countries that supported either of the parties to the conflict affected the proposals and the outcomes of negotiations, not comprehensively ending the conflict. In addition to the peace discussion process, IGAD made an effort to send soldiers from member countries. But due to capacity concerns and dispute over the composition of the force, the deployment of IGASOM was postponed, and the mission never materialized. Due to the conflict parties' negative role in rejecting the peace initiatives, the sub regional efforts failed to result in enduring peace. Furthermore, insufficient resources and manpower were additional obstacles that hindered the sub-regional effort to resolve the intrastate conflict in Somalia.

3.1.2.2 International Efforts to Resolve the Conflict in Somalia

The international community has been criticized for its reluctance with regard to the conflict in Somalia. It was argued that despite the continuation of the devastating conflict, Somalia received scant international attention. The first reaction of the international community to the conflict was the adoption of UNSC resolution imposing an arms embargo on Somalia. But due to inadequate implementation, the resolution did not bring a solution to the ground.

In April 1992, after mediating the ceasefire agreement, UNSC, under its resolution 752, established UN operations in Somalia (UNOSOM). UNOSOM was mandated to supervise the ceasefire agreement and to protect relief effort. Despite UNOSOM presence, militias and armed groups continued to attack and loot humanitarian convoys. The UNOSOM effort failed due to small numbers of troops and the opposition from some of the parties to the conflict.

Following the failure of UNOSOM, the US decided to militarily intervene with other states to create a safe environment to provide humanitarian aid. Although there was an improvement in the provision of relief, the mission was not successful in disarming bandits and militias. The

United Task Force (UNITAF) carried out the mission, which was authorized by UN Charter Chapter VII. Following the deaths of US soldiers, the US government decided to withdraw its troops from Somalia by asking the UN to replace UNITAF.

In 1993, the UNSC, according to Chapter VII of the UN Charter, authorized UNOSOM II to use force to sustain and expand the humanitarian access secured by UNITAF while expanding its mandate to include disarmament, national reconciliation, and support for the creation of a national government. In Addis Ababa, leaders of 15 armed factions agreed to hand over their weapons to UNOSOM II at a Conference on National Reconciliation in Somalia on March 27, 1993. But, again, UNOSOM II failed due to a lack of logistics, troops, and the members' attitude towards their safety rather than that of the civilian Somalia's. Due to the deaths of peacekeepers and disagreements between the armed factions in 1995, the UN withdrew its mission from Somalia without achieving peace and security in the country.

In sum, international efforts to resolve the intrastate conflict in Somalia have faced numerous challenges, ultimately resulting in limited success. Factors such as logistical constraints, insufficient troop deployment, and a lack of commitment from the conflicting parties have hindered the effectiveness of these efforts. Despite initial attempts by the international community to intervene, including the presence of UN and US forces, the withdrawal of these forces exacerbated the security situation in Somalia. This withdrawal left a power vacuum that was exploited by various warlords, leading to continued violence and instability across the country.

It can be argued that the international community's response to the conflict in Somalia was initially hesitant, and subsequent efforts failed to adequately address the root causes of the conflict. Despite the devastating consequences of the conflict, including widespread destruction and loss of life, the interventions made by the international community were unable to achieve meaningful resolution.

In essence, the international community's response to the intrastate conflict in Somalia has been marked by challenges and shortcomings, highlighting the complexities of addressing such conflicts effectively.

3.1.3 The Legal Basis of African Union's Intervention in Somalia

AU was created because OAU was unable to cope with the new social, economic, and political challenges after the end of the Cold War, particularly the spread of intra-state conflicts on the continent. In the era of globalization, the OAU system failed to adequately address the emerging social, economic, and political concerns despite the establishment of the Mechanism for Conflict Prevention, Management, and Resolution (MCPMR) in 1990. The failures of the OAU in the areas of peace and security caused the birth of the AU and the institutional framework with the primary objectives of attaining peace and security on the continent.

The doctrine of non-intervention led the OAU to become a silent observer of intrastate conflicts in Africa, but the AU fundamentally changed this circumstance by adopting its legal framework in an interventionist stance. The underlining difference between AU and its predecessor is the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide, and crimes against humanity. This right to intervene has been conferred on the AU in order to help the Union achieve its goal of creating peace and security in Africa.

Beyond Somalia, the international climate was marked by the AU's various attempts to play more of a leadership role in addressing peace and security challenges on the continent. The United States was also pushing hard for an African mission to lead the international response in Somalia. Then the UN Security Council authorized IGAD and AU member states to 'establish a protection and training mission in Somalia.'

As was discussed above, efforts made by international and sub-regional stakeholders were not effective enough to resolve the most protracted intrastate conflict in Somalia. Moreover, they were failed to establish a central government in Somalia. In the aftermath of its formation the burden of stabilizing Somalia left in the shoulder of the AU.

The African Union since its formation in 2002, involved in Somalia conflict to find out the way to resolve the conflict peacefully. AU first started supporting the IGAD-led National Reconciliation Conference held in Kenya. To support the implementation of the agreement between the parties following the Kenya Conference, the AU and IGAD sent a joint technical fact-finding mission to Somalia. Then the fact-finding mission found that there was a formal

request from the population of Somalia to the AU to send to the country a military force to disarm military militias and armed groups. To this end, at the end of January 2005, a decision was made within IGAD to deploy a Peace Support Operation (PSO) (IGASOM) to Somalia. But the IGAD mission did not materialize due to the resistance met by non-government factions within Somalia and a lack of financial resources and logistics.

The AU PSC decided to authorize the deployment of AMISOM on January 19, 2007, following the inability of IGASOM to deploy its mission. AMISOM was mandated for an initial period of six months. With this, it came to an end to the long and complex process of finding an organization that could deploy a peace supporting operations (PSO) to Somalia. The AMISOM mission deployment was authorized by the UNSC on February 20 2007.

3.1.4 The Mandates and Tasks of AMISOM

AUPSC under its communiqué provided three clear mandates for AMISOM, namely:

- Supporting the Transitional Federal Institutions (TFIs) in their effort of stabilizing the country and the furtherance of dialogue and reconciliation;
- Facilitating the provision of humanitarian assistance; and
- Creating conducive conditions for long-term stabilization, reconstruction and development in Somalia.

To achieve the above mentioned objectives AMISOM required performing the following tasks:

- Support dialogue and reconciliation, working with all stakeholders;
- Provide, as appropriate, protection to TFIs and their key infrastructure to enable them to carry out their functions;
- Assist in implementing NSSP, particularly the reestablishment and training of Somali security forces;
- Provide, within capabilities and as appropriate, technical and other support to the disarmament and stabilization efforts;
- Monitor, in areas of deployment, the security situation;

- Facilitate, as may be required and within capabilities, humanitarian operations, including the repatriation and reintegration of refugees and the resettlement of IDPs; and
- Protect its personnel, installations and equipment, including the right to self- defense.

In addition the above mandate and tasks, in February 2007, the UN Security Council authorized AMISOM to take all necessary measures as appropriate to carry out the following mandate:

- Support dialogue and reconciliation in Somalia by assisting with the free movement, safe Passage, and protection of all those involved with the process;
- Provide, as appropriate, protection to the TFIs to help them carry out their functions of government, and security for key infrastructure;
- Assist, within its capabilities, and in coordination with other parties, with the implementation of the National Security and Stabilization Plan, in particular the effective re-establishment and training of all-inclusive Somali security forces;
- Contribute, as may be requested and within capabilities, to the creation of the necessary security conditions for the provision of humanitarian assistance; and
- Protect its personnel, facilities, installations, equipment and mission, and to ensure the security and freedom of movement of its personnel.

The initial mandate of AMISOM was renewed so many times after the arrival of the AU's first mission in Somalia. For instance, the UN peacekeeping operation did not take over AMISOM after its initial mandate lapsed because conditions on the ground in Somalia were repeatedly deemed insecure for such a UN deployment. The African Union and the UN Security Council have many times changed and expanded the initial mandates of AMISOM, which have increased the tasks of the mission.

It has been argued that the initial mandate of AMISOM omitted or did not include the protection of civilians, and this makes it difficult for the AU forces to have an actual impact on the ground regarding the protection of civilians. Hull and Svensson, (2008) claimed that because of its inadequate mandate, which excludes the protection of civilians in areas where it is desperately

required in Somalia, armed militias have been able to subject residents to sexual assault, harassment, and looting. From a legal perspective, since intervention is meant primarily to protect civilians, if the mandate does not include the protection of civilians as its primary task, the AU would not be able to apply the norm of intervention, despite the fact that crimes against humanity were really witnessed and recorded in Somalia.

3.1.5 The African Union Troops in Somalia and Tasks Undertaken by the Mission

The AU military intervention to stop the most protracted intrastate conflict in the continent materialized through the deployment of AMISOM in Somalia. The deployment of the AU troops in Somalia was the outcome of the continued effort of the AU to maintain peace and security through intervention.

For the initial stabilization phase in Somalia, AUPSC decided that AMISOM shall comprise 9 infantry battalions of 850 personnel, each supported by maritime and air components, as well as an appropriate civilian component, including a police training team. The logistic support for AMISOM shall be based on self-sustenance by the troop-contributing countries (TCCs).

The UNSC authorized the AU and urged "member states of the AU to contribute to AMISOM in order to create the conditions for the withdrawal of all other foreign forces from Somalia," in response to the AU's request for the international community to provide the required financial, logistical, and technical support. Resolution 733 (1992) and Resolution 1425 (2002) of the Security Council extended the arms embargo in a way that allowed for an exemption. In addition to encouraging member states to contribute financial resources to AMISOM, the Security Council mandated that African governments supply AMISOM with staff, supplies, and services, as needed."

The AU planned to deploy troops under the mission, which consisted of both military and civilian components, amounting to up to 8,000 peacekeepers. States such as Uganda, Nigeria, Ghana, and Burundi have stated their willingness to contribute troops. Regarding the number of troops' contribution and the role of countries in the mission, "Uganda's 1,600 troops, Burundi have promised 1,500-1,600 soldiers; Nigeria 850; Ghana 350; and Malawi an unknown number. Algeria is helping to airlift the Ugandans, while the United States is providing cash and logistics to Uganda, and France will help the Burundians." But African states commitment did not

materialize, especially in the early stages of the mission. Due to resource limitations at the initial stages of the deployment, the AMISOM suffered from an acute lack of resources and basic logistics, until the troop contribution increased in 2011 and led the mission to achieve noticeable developments in political and security issues in Somalia..

According to the report of the Chairperson of the AU Commission on the situation in Somalia, the deployment of the two Ugandan battalions of AMISOM under the leadership of Major General Levy Karuhanga, Force Commander, began on March 5 2007, with the direct support of the US Government, which provided assistance in terms of airlifting, equipment, and logistical support in the mission area. Uganda also benefited from support from Algeria, which provided airlifts for the Ugandan contingent to Somalia. Even though the performance of the Ugandan troops has been remarkable, from the beginning of the deployment, Ugandan troops faced challenges like casualties involving attacks by armed elements; two of the aircraft carrying equipment and some troops were attacked, the absence of the envisaged maritime and air components, as well as the lack of sufficient and adequate communication equipment.

The generation of troops has been a slow process due to financial and logistical constraints, making it difficult for the TCCs to deploy. For instance, despite its promise and willingness, Burundi delayed its deployment several months due to a lack of equipment and deployed a full battalion of 850 in January 2008. At this time, the total number of troops in Somalia was only 2,613, far from the 8,000 that the mandate needed. The need to complete pre-deployment training and the wait for deployment equipment were the reasons for the delay of Burundian troops.

Hull and Svensson (2008) argued that due to the reluctance amongst the TCCs to deploy the promised number of troops, a lack of resources and logistics support, the security situation in Somalia deteriorated after the authorization of AMISOM. The attacks targeted against the deployed troops were also worsening the situation for the mission. Moreover, the mission is totally dependent on foreign finance, logistics, and equipment support to undertake its mission. For instance, the United Kingdom provided financial support for Burundian troops; France conducted training for the Burundian troops; the US facilitated the deployment of AMISOM; Italy; the European Union; and the League of Arab States provided financial assistance.

In addition to financial and logistical problems that hampered the effectiveness of AMISOM, factors like the volatile security environment in Somalia, ongoing conflict, a slow reconciliation process, and delays in deploying limited the effectiveness of the mission.

Nevertheless, the mission has some success stories. For instance, the Ugandan battalions conducted security tasks in and around the airfield and began patrolling activities in other parts of Mogadishu with the arrival of needed equipment. On the arrival of Burundian troops, AMISOM extended its tasks to include the protection of the seaport. AMISOM also provided limited humanitarian support to the local population. In this regard, Bogland (2008) asserted that AMISOM was effective, and under its mission, the AU has carried out an impressive number of diplomatic assignments, sent observers, and conducted several extensive peacekeeping operations in Somalia.

Regarding the current status of AMISOM in the press release on April 9, 2022, on the situation in Somalia, AMISOM is currently comprised of troops drawn from Uganda, Burundi, Djibouti, Kenya, and Ethiopia who are deployed in six sectors covering south and central Somalia. It is said that the mission has created a relatively secure environment that has allowed the Somalia peace process to take root and given the local population the opportunity to begin establishing accountable local governance institutions that can begin to deliver services as well as rebuild the local economy and create linkages to the national economy and government.

3.1.6 Factors that Influenced the Effectiveness of the Mission

The objectives and tasks that the mission would undertake in Somalia were provided by the AUPSC. It is argued that a significant number of tasks renewed at different times caused mandate overload and affected the mission's effectiveness. Moreover, the multiplicity of objectives in the shadow of limited resources and a small number of troops did affect the clarity and feasibility of the AMISOM's mandate. In the presence of a lack of necessary resources such as supplies and equipment, the overloaded and multiple tasks negatively affected the management and effectiveness of the mission, particularly in its first four years.

The other factor that influenced the effectiveness of AMISOM was the difference between the aspiration to stand together for peace and security on the continent and the actual commitment of African states. For instance, for its mission in Somalia, the AU requested member states for troop

contributions, and only nine states out of fifty-four states showed their willingness. Even among these nine states, only Uganda and Burundi have deployed their troops in support of the AU during the first four years of the mission. Sofi Ali (2014) stated that the reasons for the reluctance of AU member states emanate from skepticism about the success of the peace processes, the thought that the enmity of the armed groups towards AMISOM might provoke casualties, the previous failure of the UN, and influential states like the US, fragility of the ceasefire and the continuation of the armed conflict. Due to this reluctance, the mission lacked troops, equipment, and financial resources, and which in turn highly affected the effectiveness of the mission.

The other factor that influenced the AU mission was economic constraint. The willingness of the AU member states has been highly affected by the financial shortfall of the AU. For this reason, states contributing troops were dependent on the logistical and economic support of external actors. So, it could be strongly argued that arranging the means or foundations to resolve the intrastate conflict on the continent does not maintain peace and security on the continent without being committed to fulfilling the logistics and economic issues that are important for the actualization of peace and security. Otherwise, the effectiveness of the AU's interventions to ensure peace and security will always be in question.

The other factor that influenced the effectiveness of AMISOM was the intervention of neighboring countries specifically Ethiopia and Eritrea, by supporting one party against the other in the conflict. For instance, Ethiopia had militarily intervened in Somalia in order to strengthen the TFG against the dominant UIC, and Eritrea backed the UIC and other armed groups against the TFG. The non-impartial and politically motivated intervention of Ethiopia, and Eritrea in the conflict negatively affected the peace process.

The other factor that undermined the effectiveness of AMISOM was the biased stance held by the parties to the conflict regarding AMISOM. Some parties to the conflict, like the UIC and SRRC, considered the AMISOM's mandate was to protect the TFG members, and this created skepticism about the impartiality of the mission, and the troops of the mission were not welcomed as neutral peacekeeping soldiers supporting the general reconciliation and peace process. Securing the consent and convincing parties to the conflict before actually intervening in it is a very important step to ensuring peaceful resolution to the conflict.

With regard to what was expected from it as the principal organ to safeguard international peace and security, the role that the UN played to resolve the conflict in Somalia also influenced the effectiveness of AMISOM. The primary responsibility for maintaining international peace and security relies on the UN. To this end, before authorizing the AU by adopting Resolution 1744, in 1992 and 1993, the UN attempted to intervene in Somalia but was not able to ensure peace and withdrew its mission in 1995. After its withdrawal, even though it was requested by the AU to commence its fundamental international responsibility, its role has been limited to providing political, financial, and logistical support to the AU. After its enhancement of the AU by adopting Resolution 1744, it did not respond positively to the request of the AU to take over the mission when the AU period for the mandate lapsed. In the initial years of the mission, UN political, financial, and logistical support were insufficient. Despite this, logistics and financial support increased in 2009, but the UN refused to take over the mission. The reason behind the refusal of the UN to take over the mission was the reluctance of member states to contribute troops for peacekeeping. Finally, the UN decided not to take over AMISOM and limited its role as logistical support to the AMISOM. The reluctance and the on- and off approach of the UN and its member states to respond to the conflict has their own influence on the effectiveness of the AMISOM.

The African Union's ability to execute its mission in Somalia has been extremely dependent on external funding. For instance, on January 19, 2007, the AU asked the European Union (EU) to provide financial support to facilitate the deployment of AMISOM. To see how AU peace initiatives are dependent on and influenced by external financial support, from 2007 to 2012, AU received \$411 million from the EU for AMISOM. The contribution of the EU to the AU mission makes the EU an important partner to the AU, but the important point that should not be missed is that the support makes the AU highly dependent on external actors, without which its initiatives to resolve intrastate conflict in a peaceful manner would not be realized throughout the continent. The relationship between the AU and EU has also influenced the effectiveness of the AMISOM because what other stakeholders other than the AU members do is fill the commitment gap that was left by the reluctance of AU member states.

3.1.7 The Effectiveness and Ineffectiveness of AMISOM

Following the deployment of AMISOM in Somalia in March 2007, the mission became the Union's longest running, largest, most costly, and most deadly operation. Paul D. Williams argued that AMISOM required the coordination of three international organizations to operate effectively; it required the AU to provide the troops, the EU to pay them, the UN to provide logistical support, and key bilateral partners, notably the United States and the United Kingdom, to provide equipment, training, and other forms of security assistance to the troop-contributing countries.

The parameters for the measurement of the outcome of the mission are the objectives and the tasks provided by AU when it was mandated.

Having legal authority to intervene is not enough to be an effective peacekeeping institution; beside a legal foundation, the institution must have institutional capacity to undertake the missions effectively, i.e., trained manpower and financial capacity that enable it to execute its missions effectively. Otherwise, a mission that is dependent on external support for its financial and logistical needs would not be effective for a long time.

AMISOM became effective as the financial and troop's generations increase; as the financial support and troops generation increases by different actors the level of effectiveness of the mission positively changed, save the fact that most of the financial, logistics and even peace operation trainings were provided by external actors, AU member states limited their commitments only to the troop generations.

AMISOM's sources of funding included AU Member States, the AU Peace Fund, AMISOM partner countries and institutions, the UN Trust Fund for AMISOM, the UN Trust Fund for Somalia Transitional Security Institutions, and UN-assessed peacekeeping contributions. Almost AMISOM was relied on funding of external actors because the AU's official system of financing peace operations did not work, owing to a lack of financial contributions from the Union's member states. Paul D. Williams (2018) asserted that the AMISOM's long duration and subsequent size would have made it impossible for the AU alone to fund. For instance, AMISOM, has approximately 22,000 troops deployed in addition to a civilian component, costs an estimated \$1.2 billion per annum. For this reason AU looked after so many external actors to

support its peace operations. For instance, the USA supported AMISOM by providing over \$1.2 billion worth of bilateral security assistance from 2006 to mid-2015. Moreover, the EU provided the allowances for AMISOM's uniformed personnel; with this initiative the EU, by the end of 2017 approximately provided €1.5 billion to support AU mission in Somalia. AMISOM also received financial support for its logistics package from the UN's assessed contributions for peacekeeping.

From the above facts, one could easily determine that AU is a highly dependent regional organization that could not undertake its PSO without the financial support of external actors. This financial dependency of the AU for its peace and security mission must be one of the priorities on the agenda of the Union to be solved as soon as possible. But I don't think that AU is working on this issue by considering it a serious issue that tackles the effectiveness of AU PSO. For instance, the decision by the AU Assembly of Heads of State and Government in 2015 to take financial responsibility for 25% of peace activities by 2020. This shows that the AU is still planning to collect 75% of the financing for peace initiatives from external actors. If the AU did not get support from external actors, what would happen to the intrastate conflict in Africa? The tragedy of human loss and destruction would be immense, and the AU could not be able to stop the atrocities. Even the provided legal foundation as per Article 4(h) of the Constitutive Act would not be grounded and even not thinkable without the financial support of the external actors. So, to avert the adverse consequences that Africa might face because of the lack of funds for its PSO, Africa must arrange strong financial capacity to support its own peace and security activities.

In the talk of the ineffectiveness of the AMISOM, it's argued that the first three years performance of the mission was ineffective due to the reluctance of member states in the generation of troops for the peacekeeping operations, the reluctance of the international organizations for the provision of financial, logistics, and equipment support for the AU mission in Somalia, the continued armed conflict between the parties to the conflict, and the misunderstanding of the AMISOM as only intervening in Somalia to protect the interests of the TFG, which also affected the effectiveness of the mission. Furthermore, the inability of the African Union to support its vision and mission, and the budgetary involvement of the external organs made the AMISOM ineffective in its first three-year operation in Somalia. The budgetary

dependence of the AU on external actors was still the main problem of the AU and its peacekeeping missions. Moreover, the politically motivated positions and involvement of neighboring states like Ethiopia and Eritrea adversely affected the effectiveness of the mission in Somalia.

For the aforementioned reasons, AMISOM, in its first three years of operation in Somalia, did not manage to attain the objectives and tasks as mandated by the AU PSC. Due to this, AMISOM failed to reduce the severity of the conflict in Somalia, and it also failed to prevent the spread of the conflict to other regions and limit the involvement of new actors in the dispute. Further, AMISOM was not able to bring all antagonistic parties to the negotiating table. Hence, AMISOM was ineffective during its initial stay in Somalia, except for certain achievements like the AU's first intervention as per the new norm of the AU Constitutional Act to curb the grave human atrocities in Somalia. Furthermore, AMISOM was vital in protecting the transitional government; it also played an important role in the capacity building of the Somali Police Force (SPF) and providing security services for some federal institutions were some of the success stories of the mission in the first three years.

AMISOM's performance has been positively changed since 2010. Scholar Sofi Ali (2014) asserted that AMISOM has, since 2010, through conflict abatement and conflict containment, had a positive influence on the effectiveness of the conflict settlement. He further provided reasons for the change in AMISOM performance, such as the increased troop's contribution by African member states and financial support by international and regional organizations and the adoption of an enforcement approach by the AU forces against some parties who do not stop fighting and refuse to join the political process, such as the UIC and the Al Shabab movement.

Due to these positive factors, it was argued that since 2010, the AU has effectively implemented Article 4(h) of its Constitutive Act. Somalia has made remarkable progress, which is attributed to the presence of AMISOM. For instance, AMISOM conducted operations leading to the liberation of Mogadishu City in 2011; Al-Shabaab and other armed opposition groups were degraded; it also provided security for two election processes in 2012 and 2016/17 and the completion of the state formation process. Furthermore, the presence of AMISOM in Somalia has ushered in a period of stability on the political, security, and socio-economic fronts. International institutions came back to Somalia, and state institutions were built in Somalia. AMISOM also engaged in the

protection of civilians and in opening and securing the main supply routes to ensure the free movement of goods and services. AMISOM enhanced the Somali security forces, and gradually the security forces took over the security of key installations in the country. It further supported the implementation of the Somalia political process, including through creating space for dialogue, reconciliation, and negotiations and, most importantly, facilitating the state formation process across Somalia. AMISOM also supported and secured electoral processes in 2012, 2016, and 2021.

Currently, it seems that the long stay of AMISOM in Somalia is reaching its end following UNSC Resolution 2628, which authorized the African Union Peace and Security Council to reconfigure AMISOM and replace it with the [AU Transition Mission in Somalia \(ATMIS\)](#), with effect from April 1, 2022. On March 8, 2022, the AUPSC reconfigured the ATMIS mission to support the development of able, affordable, and accountable Somalia security forces and state institutions. ATMIS will operate until the end of 2024, after which all responsibilities will be handed to the Somalia Security Forces.

Generally speaking, Somalia's political and security landscape has improved since AMISOM began to provide help in 2010. Since 2010, AMISOM's presence in Somalia has been beneficial, and the AU has emerged as a capable player in managing intrastate violence in the country by overcoming several obstacles that initially limited the AU's efficacy over time.

3.2 African Union Diplomatic Intervention in the Intrastate Conflict between the Ethiopian Government and TPLF

3.2.1 The Legality of Diplomatic Intervention in Africa

Resolving conflicts peacefully has been internationally recognized as one of the most effective conflict management methods because diplomatic interventions facilitate the end of conflicts. Diplomacy is sometimes synonymized with the term negotiation, especially when the effort is towards the resolution of a conflict, and indeed, negotiations remain central to most diplomatic overtures. The outcomes of diplomatic conflict management efforts were categorized as ceasefires, partial settlements, full settlements, or failures. The goal of diplomatic interventions is to credibly provide information leading to settlements that end violence. Sometimes diplomatic intervention is interchangeably used as preventive diplomacy, which comprises interventions that

seek to prevent conflicts from arising, avoid their intensification and escalation into violent conflicts, and respond to a violent conflict when it arises and intensifies, or spreads.

Due to the inability of diplomatic intervention to end the conflicts on the continent, military intervention was adopted as the new standard of conflict management in Africa. As an example, the AU Commission and Peace and Security Council attempted a novel kind of military intervention by utilizing Article 4(h) of the Union's Constitutive Act following the failure of their standard arsenal of conflict management instruments to address the Burundian crisis.

Diplomacy, or the non-use of force or the peaceful settlement of disputes, is the preferred method of handling disputes in Africa. The PSC of the AU is one that plays a central role in almost all decisions related to peace and security on the continent. If we see the objectives of the PSC, one of its objectives enshrined under Article 3(b) of its establishing protocol is anticipating and preventing conflicts with this mandate. The Council has the responsibility to undertake peace-making and peace-building functions for the resolution of these conflicts. Moreover, one of the core principles of the AU PSC is the peaceful settlement of disputes and conflicts. Again, one of the main functions of the AU PSC is peacemaking, including the use of good offices, mediation, conciliation, and inquiry, in addition to promoting peace, security, and stability in Africa. From the reading of the above articles of the AU PSC protocol, the diplomatic intervention has a legal foundation as it is primarily implemented as a method of conflict management by the AU PSC.

The Chairperson of the AU Commission may choose and send political and fact-finding missions, humanitarian observers, and high-profile individuals to act as AU representatives in order to facilitate diplomatic intervention. These individuals may include senior leadership teams for peace operations and Special Envoys for specific crises or thematic issues.

Though the legal foundation for diplomatic intervention is there under the AU PSC, the AU's scarcity of capable and experienced individuals and its mediation capacity have been a persistent weakness of its diplomatic intervention. According to John Akokpari (2016), the continent's lack of clout in the international system and the absence of sufficient financial and human resources for diplomacy are major contributing factors to the failure of diplomacy.

3.2.2 Efforts to Resolve the Conflict between Federal Government and TPLF

The intensification of fighting between the conflicting parties necessitated the involvement of different stakeholders, both international and regional, to call warring parties to end the fighting. To support the peaceful resolution of the conflict in Ethiopia, as the primarily responsible international organ, the United Nations Security Council held meetings multiple times to call the conflict parties to a negotiation table and end fighting. For instance, Council members have discussed the situation in northern Ethiopia 14 times since the conflict erupted in November 2020. Most of these meetings have been held under “any other business,” a standing item in closed consultations. The UNSC has been criticized for not having meetings for eight months publicly on Ethiopia-Tigray. It held its first open meeting only on July 2, 2021, except for an informal interactive dialogue (IID) on the humanitarian situation in the Tigray region of Ethiopia on June 15, 2021. Then, following the meeting, the UNSC called for the first time called for an end to hostilities in Ethiopia, urging the warring sides to negotiate a “lasting ceasefire”. After the meeting, the UNSC, in its joint press statement, “expressed deep concern about the expansion and intensification of military clashes in northern Ethiopia.” To de-escalate the clashes, the UNSC called on all parties to refrain “from inflammatory hate speech and incitement to violence and divisiveness” and urged them “to put an end to hostilities.” The Council members also called for unhindered access to humanitarian aid and the re-establishment of public services, among others. The UNSC further called for the creation of conditions for the start of an inclusive Ethiopian national dialogue to resolve the crisis and create the foundation for peace and stability throughout the country. Finally, the UNSC limited its efforts to support the initiatives of the sub-regional organ IGAD and the AU for peaceful resolution of the conflict.

One of the principles of the sub-regional organization IGAD is the peaceful settlement of intrastate conflicts through dialogue and the maintenance of regional peace and stability. Specifically regarding conflict resolution, article 18A(b) urges member states to establish an effective mechanism of consultation and cooperation for the pacific settlement of differences and disputes. For instance, having this legal responsibility, IGAD mediated the South Sudanese conflict, which led to the signing of the Agreement in August 2015.

From the legal mandates conferred on it and its past experience, IGAD was expected to effectively handle the Ethiopian-Tigray conflict, too. Nevertheless, the effort of IGAD to find a

peaceful resolution to the Ethiopia-Tigray conflict was criticized for its inadequate role. IGAD was unable to contribute to promoting peace and stability. According to Theodros Fisseha Admassu (2022), the institutional inadequacy of IGAD prevented it from mediating the Ethiopia-Tigray war and starting peace negotiations. He pointed out that the effectiveness, efficiency, and performance of IGAD are compromised by its structure, reliance on outside funding, and human capacity issue. IGAD generally failed to fulfill its duty, even though the legal frameworks are in place to support the peaceful settlement of intrastate conflicts in the Horn of Africa.

3.2.3 African Union Diplomatic Intervention in Ethiopia

The African Union has intervened diplomatically in an effort to end the continent's numerous conflicts. For example, the African Union has served as the primary mediator in the majority of conflicts in the Great Lakes and Central African regions. Furthermore, Nigeria in West Africa has led ECOWAS mediation efforts in conflict resolution, as was manifested by Nigeria's role in the conflicts in Liberia and Sierra Leone. In the conflicts in central Africa, South Africa has played a leading role in mediation to resolve conflicts on the continent, including in Burundi, Zimbabwe, the CAR, the DRC, and Lesotho, acting on behalf of the AU. In East Africa, IGAD has, for instance, played an important mediator role in the South Sudanese conflict on behalf of the AU.

The AU actively took up the matter of the recent intrastate conflict between the federal government and the TPLF, ending international efforts by the UN, EU, USA, and other powerful states to influence or interfere in the conflict between the warring parties. After then, they confined their involvement to aiding the AU-led peace initiative aimed at bringing the violence to an end. For instance, the UNSC stated that it supports the African Union and other regional organizations' roles in maintaining peace and security in the region and resolving crises. More specifically, it endorsed Olusegun Obasanjo, the African Union's High Representative for the Horn of Africa, and his approach and work for a peaceful transition of power.

Subsequently, the AU declared that the peace negotiations spearheaded by the AU between the Ethiopian federal government and the TPLF would take place in South Africa with the aim of resolving the crisis through political means. In order to assist the warring parties in resolving their differences through political means, the Chairperson of the African Union Commission

declared on October 25, 2022, that the first round of direct discussions between them would take place in South Africa.

H.E. Olusegun Obasanjo, the African Union's High Representative for the Horn of Africa and a former president of the Federal Republic of Nigeria, along with former Kenyan President Uhuru Kenyatta and former South African Deputy President Dr. Phumzile Mlambo-Ngcuka, facilitated the peace talks. IGAD, UN, and USA representatives were taking part in the peace process led by the AU as observers. The Chairperson of the AU Commission, Moussa Faki Mahamat, expressed that the peace talks in the spirit of pan-African solidarity were aimed at finding African solutions to African problems, and it was an Ethiopian-owned and AU-led process to silence the guns towards a united, stable, peaceful, and resilient Ethiopia. The Commission invited the warring parties to an African Union-sponsored peace conference scheduled for October 8 in South Africa. In response to the invitation, each of the conflicting parties stated that they would accept it from the AU. However, the first planned conference was canceled because of unclear details regarding the nature of the peace negotiations, the involvement of other countries, and a constrained timetable.

Once again inviting the parties to resume discussions on October 24 in South Africa, the AU then completed all the required arrangements for the start of the postponed peace talks in collaboration with other relevant parties. After weeks of heated talks, the parties were able to come to an understanding. The deal "marks an important step in efforts to silence the guns and provides a solid foundation for the preservation of Ethiopia's sovereignty and territorial integrity, the immediate cessation of hostilities, the resumption of unhindered humanitarian access, the restoration of services, as well as healing and reconciliation," according to a press release from the AU.

After a number of peace and mediation proposals, the so-called Pretoria Agreement, or the Cessation of Hostilities Agreement (CoHA), between the Ethiopian government and the TPLF agreed to a cessation of hostilities and also agreed on "orderly, smooth, and coordinated disarmament."

Though the AU has been criticized for not actively and immediately responding to the intrastate conflict, the diplomatic intervention it eventually made ended the two year-long conflict, and this could be registered as a success record for the AU.

3.2.4 The Effectiveness of African Union Diplomatic Intervention in Ethiopia

The connection between Ethiopia and the AU, the severity of the war there, and pressure from other international stakeholders have all had an impact on how effective the AU's diplomatic intervention has been in Ethiopia. The AU was given a broad mandate to act immediately to preserve peace and security in the continent, but it took two years to get the parties to hold negotiations. Hence, it would have been highly consequential had the AU moved right away to establish a negotiated settlement in accordance with the Constitutive Act's mission.

Furthermore, it's said that the federal side's military triumph compelled the TPLF side to engage in talks. It was contended that since the TPLF side was losing the fight on the ground, they were forced to accept AU's offer of mediation. This is due to the fact that, as per Zartman (2001), when parties are worn out from fighting, they occasionally also ask for outside intervention. Therefore, the parties were actually persuaded to discuss a settlement to the problem by the actual state of the conflict. In addition, there has been pressure on both sides of the dispute from the start to put an end to hostilities and work toward a peaceful resolution of their differences.

In conclusion, despite the delayed timing of the AU's diplomatic intervention in Ethiopia, its effectiveness in bringing an end to the most devastating intrastate conflict between the warring parties cannot be denied. While the AU's intervention came after a significant duration of the conflict, it underscored the importance of timely action by regional organizations mandated to secure peace and security on the continent. Ideally, such interventions should occur at the onset of conflicts, when the prospects of resolution by the conflicting parties themselves are slim. The AU's delayed involvement notwithstanding, its efforts proved instrumental in achieving lasting peace in the conflict-affected region over the past year. Without the AU's intervention, the conflict might have ceased, but the attainment of enduring peace could have remained elusive. Thus, despite the shortcomings in timing, the AU's diplomatic intervention yielded positive outcomes by ending the conflict between the federal government of Ethiopia and the TPLF, paving the way for peaceful resolution after two years of war.

CHAPTER FOUR

Conclusions and Recommendations

4.1 Conclusions

This study has revealed that the root causes of intrastate conflict in Somalia primarily stem from struggles for power, control over resources, and the economy, as well as inter-clan rivalries seeking dominance over one another. Over time, this conflict has posed significant threats to international peace and security, exacerbating humanitarian crises.

Moreover, the study highlights the initial non-interventionist stance of the OAU in the internal affairs of its member states, which delayed effective responses to halt intrastate conflict in Somalia. Despite subsequent regional and international efforts, timely intervention was lacking, leading to ineffective outcomes in resolving the conflict.

The African Union, however, empowered by a new norm of interventionism, militarily intervened in Somalia through AMISOM, with authorization from both the AUPSC and UNSC. Although legal debates surround AU's intervention under Article 4(h) of its Constitutive Act, the study argues that ex post facto endorsement by the UN Charter's provisions justifies AU's actions.

While AU intervention in Somalia was legally supported, AMISOM faced numerous challenges, rendering its effectiveness mixed. Initial ineffectiveness was attributed to factors such as mandate expansion without corresponding resource allocation as well as reluctance from member states and other stakeholders to contribute adequately.

However, increased troop generation, financial support, and logistical provision post-2010 positively impacted AMISOM's effectiveness, enabling it to achieve its objectives.

In conclusion, the study affirms the AU's authority to intervene in intrastate conflicts to ensure peaceful resolutions, despite limitations stemming from its institutional capacity to fund peace support operations adequately.

Additionally, the study underscored the devastating impact of the two-year intrastate conflict in Ethiopia between the federal government and the TPLF, resulting in significant humanitarian and economic crises.

The AU's diplomatic intervention in Ethiopia, though belated, proved effective in ending the conflict and facilitating a peaceful resolution. While timing was a critical factor in evaluating the intervention's effectiveness, its eventual success demonstrates the importance, efficacy, and cost-effectiveness of diplomatic interventions in managing intrastate conflicts.

Furthermore, the study affirmed the AU's legal framework for diplomatic interventions in conflict resolution but suggests that the timing of the initiation of peace talks must be carefully considered for optimal effectiveness.

Overall, despite challenges and shortcomings, the AU's interventions, both military and diplomatic, play crucial roles in resolving intrastate conflicts and fostering peace and stability in Africa.

4.2 Recommendations

The conclusions drawn from the preceding discussion highlight the significant role of the African Union (AU) in intervening to end ongoing intrastate conflicts, underpinned by its legal right to intervene with or without UN authorization. However, possessing a legal foundation alone does not suffice to ensure the effectiveness of interventions in resolving intrastate conflicts.

It is imperative to acknowledge that AU Peace Support Operations (PSOs) heavily rely on external financial and logistical support. To bolster the effectiveness of interventions, member states must commit to providing troops and funding for AU PSOs. This entails strengthening the union's institutional capacity to raise and allocate funds for its PSOs.

Member states that have ratified laws permitting intervention in intrastate conflicts must honor their commitment by contributing troops and financial resources to AU PSOs. Without adequate support from member states, the AU's intervention efforts will remain hampered.

Diplomatic interventions, when timely and accepted by conflicting parties, are both more economical and effective than military interventions. The success of the AU's diplomatic intervention in ending the two-year conflict between the Ethiopian government and the TPLF underscores this point. Therefore, the AU should prioritize and enhance its capacity for early diplomatic interventions to mitigate the adverse consequences of intrastate conflicts.

To optimize its effectiveness, the AU must develop a practice of early intervention in intrastate conflicts. By promptly engaging in conflicts when they emerge, the AU can leverage its potential to end conflicts and facilitate peaceful resolutions. Additionally, the Union should invest in building institutional capacity for mediation and negotiation to enhance its ability to foster peaceful resolutions through diplomatic interventions.

In conclusion, while the AU's legal right to intervene provides a solid foundation for its peace and security efforts, addressing financial and logistical deficiencies, ensuring member state commitment, promoting diplomatic interventions, and enhancing institutional capacity are essential steps towards effectively resolving intrastate conflicts and advancing peace and stability in Africa.

References

Books, Journal and Articles, websites, reports, Charters, Conventions and protocols

- **Books**

- Abdullahi Shi-Mohamed Hussein, International Community Intervention In Somalia's conflict to promote peace and security: Amisom case;
- Abdulqawi A, Yusuf, The right of forcible intervention in certain conflicts:(2003) 11 African yearbook of international law;
- Andrews, K. and Holt, V. (2007). 'United Nations-African Union coordination on peace and security in Africa', Issue brief, Washington, DC: Stimson Centre;
- Alasdair McKay, the Study of Modern intrastate war (2011);
- Brown, Michael 1996. The Causes and Regional Dimensions of Internal Conflict, (573);
- Cecilia Hull, Emma Svensson, African Union Mission in Somalia (AMISOM), 2008;
- Chol, J. D. (2020). "You don't own peace": The coward state, South Sudan, and IGAD Relations. In Regional Economic Communities and Peace building in Africa;
- Dan Smith, Trends and Causes of Armed Conflict (2001);
- Dennis, J.D. Sandole, Conflict Resolution Theory and Practice: Integration and application (1993);
- D. Schindler, "International humanitarian law and internationalized internal armed conflicts", International Review of the Red Cross, No. 230,1982;
- Dobkowski, Michael N. and Wallimann, Isidor, "The Coming Age of Scarcity : Preventing Mass Death and Genocide in the Twenty-first Century" (1998), and Waltraud

Queiser Morales(Contributor) intrastate conflict and sustainable development, Lessons from Bosnia, Somalia, and Haiti(1998);

- Eva Maria Bruchhaus and Monika M. Sommer (eds), Hot Spot Horn of Africa; Approaches to make Sense of Conflicts, (2008);
- Fearon, James D. “Rationalist Explanations for War.” International Organization 49, No. 3 (1995);
- Fergusson, J. (2013). The World’s Most Dangerous Place: Inside the Outlaw State of Somalia. Boston: Da Capo Press;
- Hermengilde Rwantabagu, Explaining intra-state conflicts in Africa; the case of Burundi, (2001);
- Horowitz, Donald. Ethnic Groups in Conflict. Berkeley, and Los Angeles: California, University of California Press, 1985;
- John Akokpari, the challenges of diplomatic practice in Africa;
- Kaplan, R. 1993 Balkan Ghosts: A Journey through History (New York): Random House;
- Kristian Skrede, CIVIL WAR
- Ismail I Ahmed, Reginald Herbold Green, The Heritage of War and State Collapse in Somalia and Somaliland: Local Level Effects, External Interventions and Governance Reconstitution, July 1998;
- Michael Keating and Matt Waldman (Eds), War and Peace in Somalia Grievance, Local Conflict and Al-shabaab, (2018);
- Nina Wilen & Paul D. Williams, The African Union and coercive diplomacy: The case of Burundi, (2005);
- Nye,J.(2005), Understanding international conflicts; an introduction to Theory and History, (Harvard university);

- Olumide Adetokunbo Fafare, *The African Union and Peace and Security in Central Africa*;
- Paul D. Williams, *the Peace and Security Council of the African Union: Evaluating an Embryonic International Institution*;
- Paul D. Williams, 'From non-intervention to non-indifference: the origins and development of the African Union's security culture', *African Affairs*, 106: 423;
- Paul D. Williams, *fighting for peace in Somalia, a history and analysis of the AMISOM, 2007-2017*, (2018);
- Paul D. Williams, *Assessing the effectiveness of the African Union Mission in Somalia (AMISOM)*;
- Powell, K. (2005). *The African Union's emerging peace and security regime opportunities and challenges for delivering on the responsibility to protect (ISS Monograph Series No. 119)*. Pretoria: Institute for Security Studies;
- Redie Bereketeab (ed.), *The Horn of Africa; Intra-state and Inter-state Conflicts and Security* (2012);
- Raymond Gilpin, *Understanding the nature and origins of Violent conflict in Africa*;
- Robert D. Kaplan, "the Coming Anarchy: how Scarcity, Crime, Overpopulation, Tribalism, and Disease are rapidly Destroying the Social Fabric of Our Planet", *the Atlantic Daily* (1994);
- Sally Healy, *seeking peace and security in the Horn of Africa: the contribution of Inter-governmental Authority on Development*;
- Stewart, G.S. (2003), *Towards a single definition of armed conflict in international humanitarian law: A critique of internationalized armed conflict* (2003);
- Segun Joshua and Faith Olanrewaju, *The AU's Progress and Achievements in the Realm of Peace and Security*(2017);

- Siyan Chen et al, *The Aftermath of Civil War* (2008);
- Theodoros Fisseha Admassu, *IGAD and the Mediation of Conflict in the Horn of Africa*;
- Vite, S. , “Typology of armed conflicts in international humanitarian law: legal concepts and actual situations”, *International Review of the Red Cross*, Vol. 91, Issue 873 (2009);

B. Journal and Articles

- Adem K. Abebe, *A blue print of peace in Ethiopia*, December 14, 2021;
- Alexann Sandberd, *Diplomatic intervention and the effects of third-party state power on intrastate war outcome* (2020);
- Arinze Nguwube, *The African Union and its Conflict Resolution Apparatus*, *Arabian Journal of Business and Management Review (OMAN Chapter)*, vol,2, No.8, (2013);
- Baker, D. (2007). ‘The AU Standby Force and the Challenge of Somalia’, *African Security Review*;
- Bogland, K., Egnell, R. and Lagerström, M. (2008). ‘The African Union-A Study Focusing on Conflict Management’. Stockholm: Swedish Defence Research Agency;
- Bruton, B.E. and P.D. Williams (2014). *Counter insurgency in Somalia: Lessons from the African Union Mission in Somalia, 2007-2013*;
- Cosuke Imai and Jeremy Weinstein, “Measuring the Economic Impact of Civil War”, *CID Working Paper No. 51* (2000), PP. 19-20 and Paulo Osvaldo et al, “An Analysis of the Effects of Civil War and Prospects for Development in Mozambique: the Case of Frelimo-Renamo in Chokwe District”, *International Journal of Humanities and Social Science Invention*, (2013), Vol. 2, No. 61;
- De Coning, C, (2007). ‘Peace operations in Africa in next decade’, *Norwegian Institute of International Affairs*;

- Franke, B. (2007). 'Competing Regionalisms in Africa and the Continent's Emerging Security Architecture', African Studies Quarterly;
- Gabriel Amvane, Intervention Pursuant to article 4(h) of the Constitutive Act of the African Union without United Nations Security Council authorizations, African Human rights Journal, vol.15n.2 Pretoria 2015;
- Hisham Aidi, The Tigray War and the African Union(2021);
- Israel Nyaburi Nyadera and Census Osedo, Civil War between the Ethiopian Government and the Tigray People's Liberation Front: A Challenge to Implement the Responsibility to Protect Doctrine;
- Jakkie Cilliers and Julias Chünemann, The future of intrastate conflict in Africa, ISS paper 246 (2013);
- J. A. Goldstone, R. H. Bates, D. L. Epstein, T. R. Gurr et al., A global model for forecasting political instability, American Journal of Political Science;
- Kidane Mengisteab, Africa's Intrastate Conflicts: Relevance and Limitations of Diplomacy(2003/2004);
- Lund, M. (2001), Preventing Violent Conflicts. Washington, D.C.: United States Institute of Peace Press;
- Mercy K. Kaburu, Regional Organizations and Conflict Management in Africa: A Contextual Assessment of the Inter-Governmental Authority on Development (IGAD) in Somalia, Journal of language, technology & entrepreneurship in Africa vol. 9. No. 2. 2018;
- Murithi, T. (2012). Proactive interventionism: The African Union, Peace and Security Councils engagement in the Horn of Africa. Journal of Conflict Resolution;
- Murithi, T. (2007). 'Institutionalizing Pan-Africanism: transforming African Union values and principles into Policy and practice', Institute for Security Studies;

- Rattan, J. (2019). Changing Dimensions of Intervention under International Law: A Critical Analysis. SAGE Open;
- Rebeka Glubegovic, types of conflict in Africa, how do the (APRM) reports address conflict, EISA occasional paper (2016);
- Redie Bereketeab, The TPLF Crisis in Ethiopia: When Diplomatic Involvement is Perceived as Offensive (2021);
- Williams, P. D. (2011). The African Union's conflict management capabilities (Working Paper). International Institution and Global Governance Program, New York;
- Sabastiano Rwengabo, AMISOM and African-Centered Solutions to Peace and Security Challenges, AfSol Journal Volume 1;
- Paterson, M. (2012). The African Union at Ten: Problems, progress and prospects, Paper presented at the International Colloquium;
- Sofi, Ali(2014) Managing intra-state conflicts in Africa: The African Union as an effective security actor;
- Zartman, William (2001). The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments. Global Review of Ethno politics;

C. Websites

- <https://amisom-au.org/amisom-background;>
- <https://www.bbc.com/news/world-africa-54964378;>
- <https://www.wilsoncenter.org/blog-post/ethiopias-tigray-conflict-peace-deal-african-union;>
- <http://www.inquiriesjournal.com/articles/1697/defining-armed-conflict-in-international-humanitarian-law;>
- [https://amisom-au.org/sierra-leone-police/;](https://amisom-au.org/sierra-leone-police/)

- https://casebook.icrc.org/a_to_z/glossary/international-armed-conflict;
- <http://www.inquiriesjournal.com/articles/1697/defining-armed-conflict-in-international-humanitarian-law>;
- <https://www.britannica.com/topic/civil-war>;
- <http://www.csm-fpn.org/wp-content/uploads/2011/12/TPRS-Intra-State-Conflicts.pdf>;
- <https://lordslibrary.parliament.uk/conflict-in-the-tigray-region-of-ethiopia>;
- <file:///C:/Users/User/Desktop/au%20research%20docs/somalia/Somalia-brief.pdf>;
- <https://reliefweb.int/report/somalia/report-secretary-general-situation-somalia-s2003987>;
- <https://reliefweb.int/report/somalia/somalia-tortuous-road-ahead-search-peace>;
- <https://amisom-au.org/mission-profile/military-component/>;
- <https://amisom-au.org/ethiopia-endf/>;
- <http://www.peaceau.org/uploads/auhr-progress-report-final-020916-with>;
- <https://reliefweb.int/report/somalia/exit-amisom-consolidating-gains-and-charting-new-trajectories-african-union>;
- <https://www.hrw.org/news/2021/07/02/un-security-council-end-inaction-ethiopia>;
- <https://www.securitycouncilreport.org/whatsinblue/2021/06/ethiopia-tigray-informal-interactive-dialogue-on-the-humanitarian-situation.php>;
- <https://www.aljazeera.com/news/2021/11/5/un-security-council-calls-for-an-end-to-ethiopia-hostilities>,
- <https://press.un.org/en/2021/sc14691.doc.htm>
- <https://african.business/2021/03/technology-information/horn-diplomacy-breaks-down-as-igad-loses-relevance>;
- <https://www.securitycouncilreport.org/un-documents/document/sc-14691.php>;

- <https://au.int/en/pressreleases/20221025/au-launches-peace-talks-end-conflict-tigray-region-ethiopia>;
 - ; <https://amaniafrica-et.org/briefing-on-the-au-led-peace-process-for-ethiopia>;
 - <https://www.peaceau.org/uploads/press-release-cessation-of-hostilities-pretoria-2-11-2022.pdf>;
27. https://en.wikipedia.org/wiki/Tigray_War#Peace_process;

D. Reports

- AU. (2014), Report of the Chairperson of the Commission on the Situation in Somalia. PSC/PR/2.(CDLXII), Addis Ababa;
- IGAD, ‘Communiqué on Somalia’. 31 January 2005;
- Peace and Security Council, ‘Report of the Chairperson’, PSC/PR/2(LXIX), 19 January 2007;
- Peace and Security Council, ‘Report of the Chairperson’, PSC/PR/2 (LXXX) 18 July 2007;
- Report of the Chairperson of AUC on the Situation in Somalia PSC/PR/2(CV), the 105th Meeting, 8 January;
- AUPSC Communiqué, PSC/PR/BR (CCCXXXI), 331th meeting 29 August;
- AMISOM Through the years in pictures;
- AUPSC Communiqué, PSC/PR/COMM.1068(2022);

E. Charters, Conventions and Protocols

- UN Charter, Adopted on 26 June 1945, entered into force on 24 October 1945;
- AU Constitutive Act, Adopted on 11 July 2000, entered into force in 2002;

- Charter of the League of Nations, signed on 28 June 1919, entered into force on 10 January 1920;
- Protocol relating to the Establishment of the Peace and Security Council of the AU, adopted on July 2002, entered into force in December 2003;
- Geneva Convention, 1949
- United Nations Security Council Resolution 1744(2007)13;
- ICTY, Prosecutor v. Tadic, Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction, above note 10, para 70;
- UN Security Council resolution 733, 23 January 1992;
- UN Security Council resolution 751, 24 April 1992;
- UN Security Council resolution 794, 3 December 1992
- UN Security Council resolution 814, 26 March 1993;
- UN Security Council resolution 1725, 6 December 2006;
- Peace and Security Council, 'Communiqué', PSC/PR/Comm. (LXIX), 19 January 2007;
- Security Council's Res 1872, S/RES/1872, 26 May 2009;