# National Defence College

# KENYA

## National Policy Papers

## YEARBOOK 2018

### Vol. 1

# National Policy Papers Yearbook 2018 Vol 1

## Contents

# Abbreviations

| | |
|---|---|
| **ACJ** | African Court of Justice |
| **ACRI** | African Crisis Response Initiative |
| **AMISOM** | African Union through African Union Mission in Somalia |
| **AMU** | Arab Maghreb Union |
| **AOG** | Armed Organized Groups |
| **APRM** | African Peer Review Mechanism |
| **APSA** | African Peace and Security Architecture |
| **AS** | Al Shabaab |
| **ASAL** | Arid and Semi-Arid Land |
| **ASF** | African Standby Forces |
| **AU** | African Union |
| **CAR** | Central African Republic |
| **CENSAD** | Community of Sahel, Saharan States |
| **CEWS** | Conflict Early Warning System |
| **COMESA** | Common Market for Eastern and Southern Africa |
| **CS** | Cabinet Secretary |
| **DRC** | Democratic Republic of Congo |
| **EAC** | East African Community |
| **EASF** | East Africa Standby Force |
| **ECCAS** | Economic Community of Central Africa States |
| **ECOWAS** | Economic Community of West African States |
| **FDI** | Foreign Direct Investment |
| **FIB** | Force Intervention Brigade |
| **GDP** | Gross Domestic Product |
| **GHG** | Green House Gases |
| **GLR** | Great Lakes Region |
| **ICGLR** | International Conference of the Great Lakes Region |
| **IDP** | Internally Displaced Persons |
| **IGAD** | Inter Governmental Authority on Development |
| **IIAG** | Ibrahim Index of African Governance |
| **IMF** | International Monetary Fund |
| **KCA** | Kikuyu Central Association |
| **MDG** | Millennium Development Goal |
| **MIF** | Mo Ibrahim Foundation |
| **MMLHA** | Minimum and Maximum Land Holding Acreage |
| **MNC** | Multi National Corporation |
| **NCR** | National Council of the Revolution |

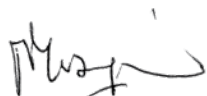| | |
|---|---|
| **NEPAD** | New Partnership for Africa's Development |
| **NLP** | National Land Policy |
| **NYS** | National Youth Service |
| **PSC** | Peace and Security Council |
| **RECs** | Regional Economic Communities |
| **RPF** | Rwandese Patriotic Front |
| **SADC** | Southern Africa Development Community |
| **SALW** | Small Arms and Light Weapons |
| **SME** | Small and Medium-Enterprise |
| **SSA** | Sub-Saharan Africa |
| **TI** | Transparency International |
| **TNCs** | Transnational Corporations |
| **UNHCR** | United Nations High Commissioner of Refugees |
| **UNSC** | United Nations Security Council |
| **UPDF** | Uganda Peoples Defence Forces |
| **YKA** | Young Kavirondo Association |

# Editorial Note

The creation of The *National Policy Yearbook* series of the National Defence College (Kenya) is an idea whose time has come. The series collects the research done by the participants during their one year course at the College. This research is normally presented in the form of a phase paper done collectively by the participants. The phase papers are presented to the Commandant of the College, and to a panel of experts on the subject matter. Critical comments on the presentation are then made by the experts, following which the participants revise the paper, and submit it formally to the College as a College document. Therefore all the papers have gone through this review process, by which quality is maintained.

The content of the inaugural yearbook is diverse, although all the papers address an aspect of national security. The first yearbook contains research papers on land use and national food security in Kenya; overcoming the crisis facing the African state; issues in Kenya's agriculture and food security; and conflict and civil war in the Great Lakes Region.

The highlight of the Yearbook is marked by the final paper that the participants present at the end of their one year course: The Grand Strategy of Kenya. This document is the most important of all the research papers presented during the year. Indeed it is true that all the papers presented during the year build up to the Grand Strategy of Kenya document. This paper examines the state of security in the country, and identifies the threats that face it. It also involves securitizing the national interests of the country, and highlighting those that are part of the Grand strategy. The paper is an exercise in the grand strategy making process, and in it the participants identify the problems and issues in grand strategy making. The Grand Strategy of Kenya is finally presented to top policy and decision makers of Kenya. It is a valuable document for these policy makers, and shapes some of the decisions about national security made subsequently.

The creation of *The National Policy Yearbook* series is important in various respects. It provides practitioners and scholars with a comparative account of the development of the issues that form the subject matter of the Yearbook. It also gives a pointer about areas and concerns of national security that have featured in the national security agenda over the years. In the case of the Grand Strategy of Kenya paper, practitioners and scholars are able to compare the changing – and continuing content of the Grand Strategy of Kenya over the years. The Grand Strategy as presented in the various Yearbooks will enable a comparative study and analysis of the changing content of the grand strategy. It will also permit a closer understanding of the issues that have remained part of the grand strategy over the years, and an appreciation of the issues that have featured in the strategy for a while, but which have been finally addressed.

The *National Policy Yearbook* series is also important because it is relevant to the national security issues of the year. It contains a contemporary commentary on these national security issues, and suggestions about how they should be addressed. In this way the *Yearbooks* will provide a running commentary about various national security issues. These commentaries will be useful for policy and decision makers – and to researchers in the national security field.
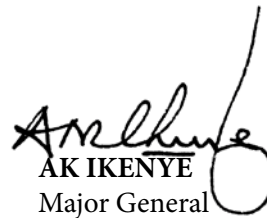
**Prof. Makumi Mwagiru**
**Editor**

# Foreword by The Commandant

It gives me great pleasure to give a foreword to the first edition of the National Defence College's (NDC) *Yearbook*. The *Yearbook* will join a list of other reputable publications produced by the College over the years. The object of the Yearbook is to provide a forum to consolidate, protect and share National Security Policy-Oriented research undertaken by Participants at the College.

This First Edition presents the output of Course 19 – 2016/17, which I hope will provide our readers with stimulating reading, and provoke further discussion and analysis. As readers will find out, the research focuses on topical issues on national, regional and international security studies.

The *Yearbook* reflects College's training mission of offering Participants an opportunity for reflective study and deep analysis of the ever evolving and shifting patterns of international political, economic and security occurrences and their implications on national, regional and global relations. The experience at the College goes a long way in meeting the main objective of the course, that of preparing Participants to take up higher responsibilities in the strategic formulation, direction and management of security and other related areas of public policy.

In conclusion, I wish to congratulate members of Course 19 – 2016/17 for their contributions to the *Yearbook* and express my deepest appreciation to the Editorial Board and administrative staff for their hard work and support towards the realization of the first *National Defence College Yearbook.*

**AK IKENYE**
Major General
Deputy Commandant (Military)

# Land Use and National Food Security

## Executive Summary

This paper exposes the key land use and environmental problems facing Kenya currently due to lack of an appropriate national land use policy. The air is increasingly being polluted, the water systems are diminishing in quantity and deteriorating in quality. The desertification process is threatening, soils are being eroded while the forests are being depleted with impunity thus destroying the water catchment areas. The savannas and grasslands are undergoing de-vegetation through overgrazing, charcoal burning and other poor land use practices leading to desertification.

For most Kenyans, land is the only means of subsistence. Kenya's economy is based primarily on land use in form of agriculture which contributes 30% of the Gross Domestic product (GDP). During pre-colonial days, land was owned and utilized on a communal basis under varied customs and traditions. Two types of land tenure system were introduced during the colonial era i.e. freehold and leasehold while trust land was introduced to accommodate the pastoral communities. The white settlers exclusively allocated themselves the fertile Kenya highlands where they planted tea, wheat, coffee, pyrethrum and maize.

The underlying causes of the deterioration of the life support systems is through poor land use practices i.e. deforestation, inappropriate irrigation techniques, overgrazing, fuel wood harvesting and charcoal burning. Others are pollution from industries, harmful agricultural practices and improper management of solid and liquid urban wastes. The ever-increasing population also exerts pressure on the natural resources and drives the misuse of the resources. The situation is exacerbated by the cyclic occurrence of disasters such as floods and the current drought.

Food security in Kenya is closely tied to agricultural production, the impact of poverty on access to food and basic services, population dynamics and changing climate patterns. The major factors affecting the key food security pillars are production, availability, access, utilization and stability. Kenya has one of the world's fastest population growth rate. Over the past 30 years, the population has more than tripled, greatly increasing pressure on food supplies, natural resources (arable land, water, pasture), basic services (education, health), infrastructure (housing, transportation) and employment opportunities. Urbanization is another key feature of food insecurity. Due to population growth and relative lack of development in rural areas, migration to urban areas is likely to increase in the coming decades.

The emerging conflicts and the consequences of unsustainable land use include scarcity of pastures and water for animals which fuel conflicts among pastoralist. Poor air and water quality increases health hazards in human beings and loss of biodiversity. Destruction of water catchment areas diminishes rivers and stream water flow thus affecting electricity supply necessitating rationing. Desertification reduces the productivity of land leading to food insecurity and reduced income.

# Introduction

Kenya has a total area of 582,646 square kilometres comprising 97.8% land and 2.2% water surface[1]. Only 20% of the land area is classified as medium to high potential land which is suitable for rain-fed agriculture while the rest of the land comprise grasslands, arid or semi-arid areas. Land use is the process of arranging the activities and inputs that people undertake in a certain land cover to produce, change or maintain it.2 Land resources are used for a variety of purposes which include the following; agriculture land use, reforestation, settlement, near-surface water and eco-tourism. Food security refers to the availability of food and one's access to it while food insecurity is the apparent inability of the population to be fed adequately and consistently. Improper land use threatens future food security in the country.

The Kenyan economy is dominated by agriculture even though only 20% of its total land area has sufficient fertility and rainfall for cultivation and only 7 to 8% can be classified as first-class agricultural land. The rest of the land representing 80% is either arid or semi-arid. These areas are highly productive with animal husbandry especially when the correct numbers of animals are stocked in a specified area to enable sustainable use of the land. The 7 to 8% which are classified as first class land face an economic challenge with their first choice being cash crops rather than food crops[3]. Agricultural sector directly contributes 24% of the Gross Domestic Product (GDP) and another 27% indirectly through linkages with manufacturing, distribution and other service related sectors. Approximately 45% of Government revenue is derived from agriculture and the sector contributes over 75% of industrial raw materials and more than 50% of the export earnings.

Land in Kenya means different things to different people. To farmers and pastoralists land is property to be owned and a source of livelihood, and access to land and controlling it are key concerns. The elites consider land as a marketable commodity from which to make windfall profits through market speculation mechanisms. As a nation, the public, politicians and administrators view land as a sovereign entity whose boundaries reflect a social, cultural and political identity. These perceptions roughly translate into different, and often competing interests in land in Kenya.

The different perceptions and varied interests in land translate into interest groups which influence land policy in the country. Ultimately, interest groups with political and economic power determine the shape of the land-use policy. For example, the colonial government reserved prime land throughout the country for British settlers and confined Africans to marginal reserves. Later, political agitation brought the elites, peasants and the landless into the white highlands through settlement schemes. After independence, the African elites took over the powerful roles of the settlers. The groups that included peasant farmers, the urban poor, pastoralists, the landless and squatters lost out.

Land is currently the most important resource from which the country generates goods and services for the people. The national economy is primarily agro-based. 90% of the population living in rural areas derives its livelihood directly from land. To these people, land resources are the means to a livelihood determining the levels of prosperity or poverty, fulfilling social obligations and also conferring social status and political power. Sustaining the livelihoods of such a high population with limited land resources places a high demand to access resources. This makes land ownership a fundamental issue in the socio-political and economic landscape of the country.

# Statement of the Research Problem

The use of land in Kenya has been a major area of concern. Problems of rapid urbanization, inadequate land use planning, unsustainable agricultural and industrial production methods, poor environmental management, poor cultural practices, inappropriate ecosystem protection

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[1] *National Atlas,* 2004.

[2] FAO (Food and Agricultural Organization of the United Nations) 1999. *Uganda Soil Fertility Initiative:* Concept Paper. Investment Centre Division Italy, Rome.

[3] FAO (Food and Agricultural Organization) 2009. *World Food Report:* Rome

and management require appropriate policy responses. The absence of a clearly defined land use policy since independence has resulted in a haphazard approach to managing land use practices and policy responses. In addition, land use issues continue to be addressed through many uncoordinated legal and policy frameworks that have done little to unravel the many issues that affect land use management in the country.

Economic, social and political stability is determined by the extent to which instruments of governance facilitate the productive and sustainable use of land. Despite Kenya's strides to promote productive and sustainable use of land, there are challenges which need to be addressed at policy level. The question of appropriate and beneficial use of land in Kenya has gained prominence in the face of growing population and mounting demand for land resources. This calls for prudent and participatory planning and utilization of these resources in an equitable, efficient and sustainable manner that maximizes on production.

The objective of this study is to produce a policy-oriented paper that will contribute to a policy on land use in Kenya. The study relied on secondary sources of literature from books, journals, periodicals, government of Kenya documents, papers presented at conferences, policy reports and online sources.

# Theoretical Framework

The Land Use Intensification Theory posits that "land use and land cover change" are central to sustainable development especially in agricultural land intensification. The theory considers different modeling approaches used in land use and land cover management. The modeling approaches assess changing levels of land intensification. These levels are dynamic with process based simulation models better placed "to predict changes in land use intensity as opposed to empirical or static optimization ones". Intensification then is defined as "a function of the management of physical resources within the context of the prevailing social and economic drivers". The theory recommends that the factors to be considered in developing land use change models should be the geographic socio-economic and the spatial scale and its influence. In developed regions, land use intensification involves linkages between the agricultural, forestry, energy and technological innovation and the impact of these on the environment. With regard to developing countries, this would involve the linkage between urbanization and its impact on land use changes involving rural-urban interfaces, transport infrastructure and related market changes.

Land use change and land cover have a wide impact on a range of environmental and landscape attributes that include water, air and land resources, ecosystem processes and the climate system through greenhouse gas emissions. Land use and land cover focus on land cover conversions like deforestation and urbanization. Land cover modification is caused by changes in the management of agricultural land use, inputs and their effects on profitability and periodicity of complex land use trajectories that involve such aspects as, fallow cycles, rotation systems or secondary forest growth. Land use change should take into account relationships between people and their management of land resources.

In this theory, land cover refers to the attributes of a part of the earth's land surface and immediate sub-surface including biota, soil, topography, surface and ground water and human structures. Land use refers to the purposes for which humans exploit land cover such as forests for such products as timber and wood fuel. Land cover conversion refers to the complete replacement of one cover type by another whereas land cover modification refers to more subtle changes that affect the character of the land without its overall classification.[4]

The concept of land intensification often refers to agriculture. Agricultural intensification has been defined by Brookfield "as the substitution of inputs of capital, labour and skills for land so as to gain more production from a given area, use it more frequently and hence make possible a greater concentration of production". In the application of land use models, care is taken to address the environmental and cultural variables that explain land cover changes, the areas affected by land cover changes.

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[4] Cited in Lamban E F et al, 'Agriculture Ecosystems and Environment,' Vol 82, 2000. pp 321-331.

# Geographical Features and Ecological Zones

Topographically, the country is divided into four distinct geographical and ecological regions or zones with different patterns of land use. These are the coastal plain, the arid low plateau, the highlands, and the lake basin. The rainfall patterns are extremely varied but generally follow those regions, with the Lake Victoria basin receiving the heaviest and most consistent rainfall. The different ecological/climatic zones and their general land uses are:

a. The tropical marine coastal climates with the ocean, forested islands and sandy beaches are ideal for deep sea fishing, prawn farming, horticulture and tourism. The inland lakes basins provide similar opportunities for subsistence and commercial fishing, irrigation, transport, communication, water sports and tourism.

b. The wild and expansive savannah grasslands host a rich diversity of flora and fauna providing scope for traditional livestock rearing by pastoral communities and safari adventure for tourists.

c. The rolling countryside interspersed by small hills with deep volcanic soils support crop and animal production using seasonal rains and micro irrigation along the major river basins. This zone hosts low to medium density human settlements.

d. The highlands around the mountains with rich agricultural land support food production by large and small scale farmers mainly using the rain fed system of agriculture. This zone hosts the largest concentration of human settlements.

e. The mountainous parts of the highlands with equatorial forests host the remaining forest cover which provides the only water catchments for the East Africa region and wildlife sanctuaries and are therefore suitable for conservation. These were out of bounds for human activity but have now been seriously encroached by small scale farmers resulting in wanton destruction of forest cover[5].

f. The temperate mountain tops are covered by tundra type vegetation and snowy weather around the year that are very attractive to mountain climbers and tourists looking for outdoor adventure and are also suitable for conservation.

g. The arid and semi-arid lands (ASALs) that cover more than 80% of the country's land mass where nomadic communities practice pastoralism raising over 50% of the livestock in the country and hosting a considerable proportion of the country's wildlife. The scarcity of water in these areas has a security aspect as people and animals compete for access to it and very often conflicts arise.[6]

# Development of Land Use System in Kenya

Land in Kenya is essential for commercial and subsistence purposes. It is used as a means to earn income and to sustain livelihood. Land ownership defines ethno-cultural identity where communities obtain a sense of belonging by virtue of the land that they occupy being associated with their ancestors (ancestral land). Land also grants individuals and communities a sense of social security.[7]

Of the 44.6 million hectares of land in Kenya, only about 43.62 million hectares are suitable for human settlement. About 75% of Kenya's population lives in the medium to high potential land (20%), most of which is dominated by small landholders. This has led to over population (estimated to grow to 50 million by 2050) in the arable land.[8]

In contemporary Kenya, inequality in access to land, economic opportunity and political power are the dominant issues behind the country's politics. The issues grew out of the colonial era
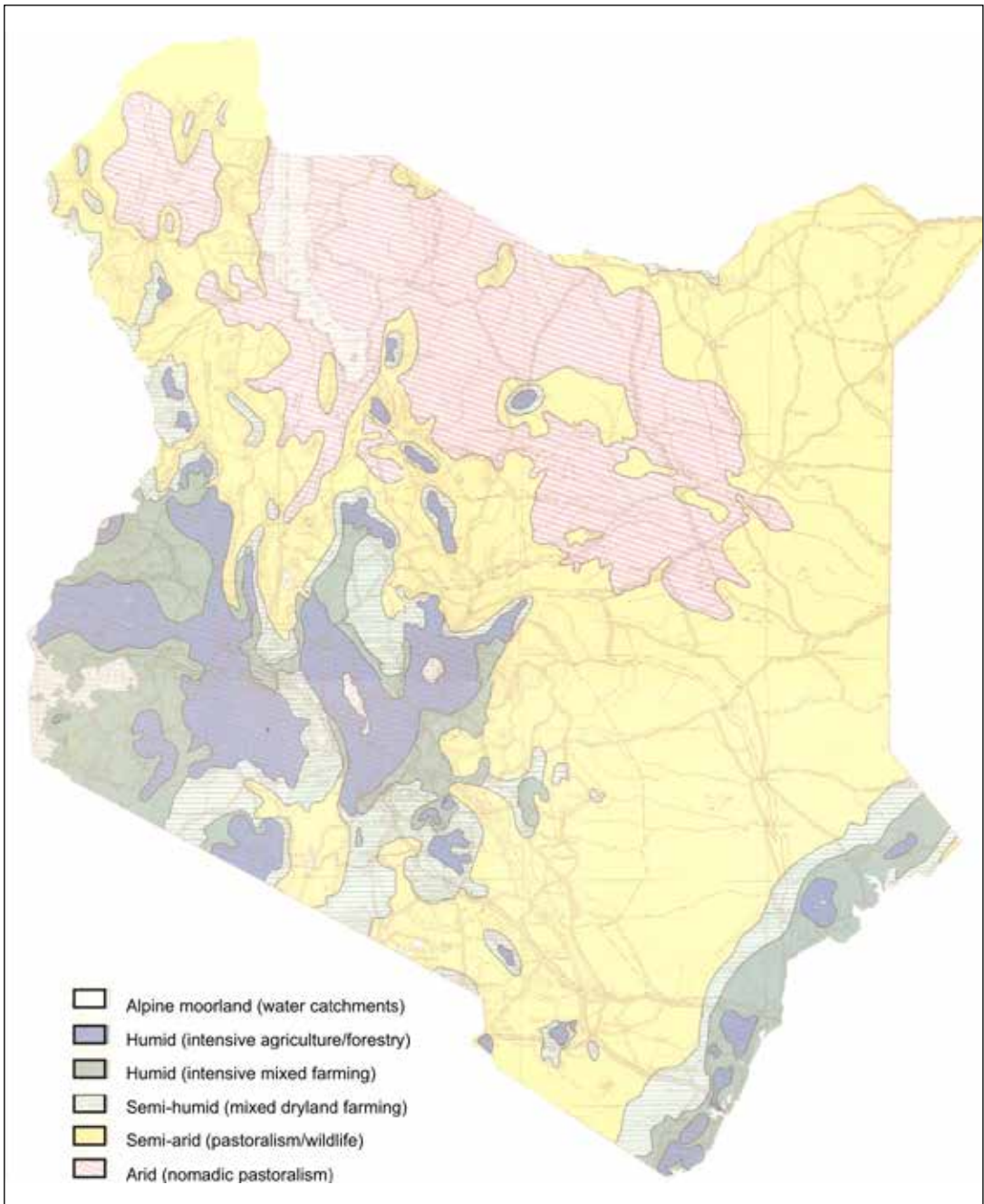
[5] Ndung'u Commission Report, 2004.
[6] Njonjo Commission Report, 2002.
[7] *Land Injustices in Kenya Impact of Colonial Land Policies,* http://www.politicalkenyan.com/colonial-policies-land-injustices-in-kenya/ accessed on 14 January 2017.
[8] ibid

**Figure 1.1: Geographical Features and Ecological Zones in Kenya**



Legend:
- Alpine moorland (water catchments)
- Humid (intensive agriculture/forestry)
- Humid (intensive mixed farming)
- Semi-humid (mixed dryland farming)
- Semi-arid (pastoralism/wildlife)
- Arid (nomadic pastoralism)

when European settlers took control of large areas of productive land in the Central Highlands and the Rift Valley. This completely altered the land use systems and way of life of the farmers and herders. This is because the colonial government introduced land title deeds in some communities, which allowed farmers to be individual owners of land. As a result, private property began to replace the traditional communal land ownership system. Also, the colonial policy changed the economic structure so that land replaced cattle as the customary measure of wealth, security and status. As the demand for land rose, the availability of highly productive farmland was reduced by colonial settlement.

Land use patterns in Kenya before the arrival of Europeans were as a result of several closely interwoven ways of making a living from the land, the lakes and the sea. Small populations of farmers, pastoralists and hunter-gatherers occupied lands over which they had control given that land was abundant and people lived uncrowded lives.[9] Trade, raiding of other people's animals and shared uses of land resulted in a lot of give-and-take between different communities. Because land was plentiful, specific pieces of land had little permanent social or economic value. If land became scarce in a particular area, a new settlement would be founded on empty land nearby. In some cases, a new settlement would grow in territory controlled by different groups of people. The newcomers would trade land in exchange for a gift (cattle) with the understanding that the original owners could reclaim the right to use the land on repayment of the gift. In this way, many areas in Kenya came under multiple land uses and a number of groups shared the land resources.

At this time, it was customary for people to show their wealth through the number of cattle they owned. Pastoralists, such as the Maasai and Turkana held economic power through their livestock and political power through their military organization. Farmers had to depend largely on trade in crops and ivory to acquire livestock, though raiding was a fruitful way of getting more animals.

The best time for trade from a farmer's point of view was during periods of drought when the price of livestock dropped as they were weak and unproductive and did not have enough grass to eat and water to drink. The price of grain increased because harvests were reduced. Farmers who had surplus ograin at such times could obtain animals cheaply and so enhance their status. To get a crop surplus, farmers had to work hard. The farm tasks such as breaking the soil to plant, weeding and harvesting were all done with hand tools. Large families were better equipped, with more helping hands, than small ones, hence farmers wanted large families. Those who could afford it married more than one wife and had many children. To marry, a man had to pay a dowry of cattle to the wife's family. As a result, there were close links between the size of the family and the availability of labour, crop production and the ownership of animals.

The land use systems of herders and farmers closely reflected the ecological conditions of the land they lived in. Herders occupied the ASAL but during the frequent droughts they had to find drought-retreat areas with reliable pasture and water for their animals. These people relied on their armies to control access to such areas, on mountains and around swamps. Farmers did better if they had a variety of environmental resources with which to grow crops and herd their animals. In river valleys, well-watered clay soils were good for growing sorghum and provided grass for the animals. On better-drained sandier soils, millet grew better. The top of the hills were left wooded for grazing, wood for firewood and building, and for collecting wild plants and honey. Some areas were also left fallow, for a number of years, to allow the soil to be replenished and to graze animals.

Colonization introduced European political, social and economic structures and policies in Kenya which were completely different from those practiced by the indigenous people. These practices included setting up of settlement schemes, introduction and promotion of cash crops, new varieties of food crops and new better yielding livestock breeds. The land tenure system was also completely altered by the creation of European large scale farmlands while natives were confined into secluded reserves.

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[9] ibid

# Land Tenure Changes

The creation of the European land settlement, alienation of native land reserves and the designation of protected forest areas brought an end to the indigenous communities' land use system thus altering the peoples' traditional ways of life and livelihood. However, some parts of the country mostly those who were practicing pastoralism were not very much affected since the colonialist did not invest heavily on those areas. They remain much the same today. The main effect of colonization on the pastoral communities was restriction in trade among herders of northern and southern Kenya. This was aimed at controlling the spread of diseases such as rinderpest.

Due to the colonial land tenure system, the farmers, particularly in the highlands of Kenya were adversely affected. Large tracts of land set aside for European settlement remained inaccessible to Kenyan farmers. They were only allowed to graze animals and plant crops in peripheral areas of these settlements. In exchange, they paid the Europeans by working on European farms. Later as colonization took root, the European farmers, supported by the colonial legal system, imposed restrictions on native activities around the most productive lands. These restrictions on access to land were the root cause to the struggle for independence since the indigenous people were denied the source of food and other means of livelihood.

After the struggle for and securing the independence of the country, people who had been evicted from their traditional land by the colonialists found on their return that the same legal system was being applied by those Africans who were familiar with it to deny traditional rights to the returnees. There were many court cases and much violence related to land disputes.

## Land Use and National Cohesion

From the country's colonial past to the present day, land has always been a very emotive issue and a source of conflict. Most of the white settlers established themselves in central Kenya and parts of the Rift Valley, displacing local communities. The colonial period brought with it new European-style political, social and economic policies, which completely altered the African pattern of land use and set in motion competition for land.

The political elites took the land from white settlers after independence; still at the expense of the landless original displaced owners. Today, 50% of the arable land in Kenya is in the hands of 20% of the population, while some 13% of Kenyans are landless. Land-related injustices can take many forms, including the illegal takeover of individual and community-owned land by public and private institutions. Members of specific ethnic groups are favoured to benefit from settlement schemes at the expense of others. There is also forceful eviction and land grabbing by government officials. In the past 10 years or so, violence has been witnessed in many parts of the country, including the Coast province, Rift Valley, Western and Northern provinces.[10]

The 2007/8 post-election violence was the worst, where more than 1330 people were killed and thousands fled their homes. Lack of employment among the youth was always seen as a catalyst for their induction into organized criminal gangs. However, land issues have been identified as a significant factor contributing to the formation of these groups. Some of the criminal gangs include the defunct Sabaot Land Defence Force and Mombasa Republican Council, both of which have land at the centre of their grievances.

From the colonial period to present day Kenya, land related conflicts continue to undermine National cohesion among Kenya's different communities and among family members. The 2010 Constitution has established mechanisms to address the land issue, but total national cohesion still remains a dream.[11]

## Land Use and Land Policy

A land policy is a set of socio-economic, legal, technical and political measures that dictate the manner in which land, and benefits accruing from it are allocated, distributed and utilized. A National Land Policy promotes and ensures

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[10] http://www.kenyamoja.com/tjrc-report Accessed on 11 January 2017.
[11] http://www.frank-cs.org/cms/pdfs/KE/NCRC/NCRC_Organized_Crime_Kenya_30.8.13.pdf

a secure land tenure system, encourages the optimal use of land resources and facilitates broad-based social and economic development without upsetting or endangering the ecological balance of the environment. It further ensures that land is made available in sufficient quantities, in appropriate locations and at acceptable costs for different users.

Before colonialism, land in Kenya was owned communally and governed by customary law. An individual did not own the land. The whole community owned the land with each individual having a right to use it in a manner acceptable to the others. The most important new concept introduced by the colonial rulers in land law was individual ownership of land, which means that an individual person owns a piece of land to the total exclusion of all others. English land law also introduced the concept of land tenure (freehold and leasehold) to define the kind of interest owned.

While the concept of individual ownership and the land tenure systems is beneficial for economic development, it has also created some problems. Individualization of tenure has in some instances resulted in landlessness especially in areas where land adjudication and/or consolidation has been implemented. Individualization of tenure may not be suitable in certain parts of the country such as the pastoralist areas, due to ecological and socio-cultural factors. There is also no clear policy on the security of the leasehold interest granted by the Government from the point of view of granting an extension or renewal of lease.

Land is critical to the economic, social and cultural development of a nation as it is a factor of production for agricultural goods and food security, provision of housing services and basic sources of livelihood providing employment. Kenya heavily relies on agriculture as evidenced by its contribution to the GDP, exports and employment. The Kenya Constitution (2010) dedicated Chapter Five to matters relating to land and the environment and specifically Article 60 deals with the principles of land policy. The

principles listed include how land resources shall be used in an effective and sustainable way. These principles call for legislations which shall guide, among others, on the minimum and maximum land holding acreages in respect of private land as specified in Article 68 (c) (i) of the Constitution. Article 69 (b) of the Constitution emphasizes the need to conserve the environment including restoring the tree cover to ten per cent (10%)[12].

The current '*National Land Policy*' provides that the government shall put in place a system to determine economically viable land sizes in various zones and promote conformity of land subdivisions with the set minimums. The maximum provision is meant to encourage equity and the offloading of excess land that is not currently in productive use to the market for exploitation by the citizens. The minimum provision will ensure high returns, activities and innovations that require fairly small pieces of land.

Kenya requires an elaborate land policy to guide the country now and future generations so as to dictate how the land is to be allocated, distributed, utilized and owned, and also provide a lasting solution to the long-inherited land problems in the different parts of the country. The inherited land has been subdivided into small holdings of up to less than an acre which are uneconomically viable. Currently, Kenya does not have a clearly articulated national land policy that spells out the relationship between the people, the state and the land. Aspects of land policy are currently found in various sections of the Constitution of Kenya, Presidential decrees, administrative circulars among others.

Problem of Land Fragmentation in Kenya

The demand for land in Kenya has resulted in excessive fragmentation of land into small units. For instance, Western, Nyanza, Central and parts of Eastern Kenya that are the country's major food basket are being fragmented into excessively small units. In addition, the pastoral zones of the Rift Valley like Kajiado and Narok counties, group ranches, company and cooperative farms are also being subdivided into portions that may

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[12] The Constitution of Kenya 2010.

Figure 2. Sample of Kisii land pattern. (Institution of Surveyors of Kenya, February 2012)

sustain neither agricultural nor livestock farming.[13] The major cause of the haphazard manner of land administration may be attributed to the following:

a. Changes in land use and the increase in human population since independence have increased the demand for land especially in and around the major urban centres.

b. Increased urbanization requiring more land for settlements, industries and commerce, and the need to preserve valuable agricultural land, has increased the pressure on the limited stock of land.

c. Increasing awareness amongst the population of the value of land and property has led to an upsurge in the number of people wishing to acquire land, especially in the major urban centres. This has led to more competition for the limited number of plots available for allocation by the relevant authorities.

d. For many Kenyans, land remains the core of their existence since the majority still depend on the produce from the soil for food and other needs of life.

e. The current categories of land came about as a direct result of the colonial history when land was categorized on racial grounds and that the categories of land have contributed partly to the problems in the management and administration of land.[14]

## Proposed Land Holdings

A study conducted in Kisii, Kajiado and Trans Nzoia in 2012 by the Institution of Surveyors of Kenya found out that 22% of the people interviewed preferred to own economically viable land holdings measuring five to ten acres while public opinion on the minimum size of land that one should own at any one time is one (1) acre.[15] The study further found out that the issue of parcel size control was well perceived in all counties. For instance, in Kisii, 22% supported a minimum of 1 acre while

[13] Sammy M Musyoka and Faith N Karanja. *Minimum and Maximum Land holdings.* Institution of Surveyors of Kenya Research to inform Advocacy on Land Reforms Implementation. February, 2012.http://www.isk.or.ke/userfiles/MIN_MAX%20POLICY%20BRIEF.pdf Accessed on 14 January 2017.

[14] Ibid.

[15] Ibid.

15% supported a maximum of 3 acres. In Kajiado 30% supported 200 acres for both minimum and maximum land size while in Trans Nzoia, 26% supported 5 acres as both minimum and maximum land size.

## Land Bill to Cap Minimum and Maximum Land Holding Acreage (MMLHA)

The Bill is meant to effect Article 68 (c) (i) of the Constitution to provide for minimum and maximum land holding acreage in respect to private land. It seeks to cap minimum and maximum land ownership across all the 47 counties. The Bill proposes land limits based on agro-climatic zones. It suggests that the land in all the counties be divided into seven zones; humid, sub-humid, semi-humid, semi-humid to semi-arid, semi-arid, arid and very arid. Ten counties - Uasin Gishu, Nandi, Bomet, Bungoma, Trans Nzoia, Vihiga, Kisii, Nyamira, Kericho and Kakamega are considered to fall under the first three zones and it is proposed that they have a minimum of 2.5 acres and a maximum of 25 acres per parcel. A number of those counties, including Nandi, Kericho, Bomet, Kisii and Nyamira, are home to tea and coffee multinational farms that run into hundreds of acres. Some wheat and maize growers in Uasin Gishu and Trans Nzoia have fields that are beyond of 5,000 acres.

Of the remaining counties, some, will have limits varying from the 2.5 acres to 25 acres in areas considered to fall under the first three zones, but also 6.25 acres to a maximum of 62.5 acres in areas considered semi-arid. These counties include Kwale, Baringo, Busia, Elgeyo Marakwet, Embu, Kiambu, Homa Bay, Kajiado, Kilifi, Kisumu, Kitui, Laikipia, Machakos, Lamu, Makueni, Meru, Migori, Muranga and Nakuru. Others in the same category are Nyeri, Narok, Nyandarua, Samburu, Siaya, Taita Taveta, West Pokot, Kwale and Tharaka Nithi.[16]

The MMLHA Bill has not laid out guidelines on how individuals owning large chunks of land are to cede it to the public. Likewise, it does not provide the way forward for those owning land holdings less than those provided in the Bill. Once passed, this bill is likely to occasion disharmony and discontent among the members of the public. Some of the people who own large chunks of land worked hard to acquire them through a process of 'willing-buyer willing-seller' basis.

## Effects of Land Matters on the Society

The emotive issue of land played a part in the rejection of the Wako draft in the 2005 Referendum and also affected voting on the new constitution in 2010. Under the Bill, the Lands Cabinet Secretary (CS) will have sweeping powers to decide if one can still keep extra land beyond the maximum. The CS will issue guidelines on the use of private land and require that 10 per cent of the land be put under trees and determine the number of livestock one can keep based on the land carrying capacity. Furthermore, the CS will have powers to exempt land that could be used for large scale farming, wild life conservancies and cattle ranches in arid areas, forestry and any major investment. The CS will also issue guidelines on land holding among married couples, family members and determine land holding by non-citizens.[17]

## Enacting of the Bill

There should be caution in enacting a legislation determining the minimum land holding for private land. This is because, many of the factors involved are themselves a multifaceted concept which are not easily operationalized. Matters relating to land issues tend to be complex and sensitive and therefore a detailed study is necessary to formulate County specific procedures. One approach that can be pursued to deal with the fragmentation of land is in the formation of a land bank which is necessary to regain uneconomical land parcels. In addition, a well articulated national land policy needs to be formulated first before repealing and/or amending any existing land laws, or before the enactment of any new land laws.

[16] Jacob Ngetich. 'Land Bill limits on acreage cause anxiety among property owners'. *Standard Digital.* 12 July 2015. https://www.standardmedia.co.ke/article/2000168900/land-bill-limits-on-acreage-cause-anxiety-among-property-owners. Accessed on 14 January 2017.

[17] Ibid.

The land policy should be the result of a national political process, and its basic tenets should be as enshrined in the Constitution. The tenets should include:

a.  The land policy should recognize and reaffirm the rights of all Kenyans to own land as a basic resource in order to enhance social and economic equity.

b.  The policy should encourage the private ownership of land but at the same time discourage the speculative holding of land and ensure that land is put to its most productive use to promote rapid social and economic development of the country. A land tax on idle land should be established.

c.  The policy should be investment friendly and not discourage the ownership of freehold land by investors irrespective of the land use.

# Land Use and Industrialization

## Industrialization and Easing Pressure on Land Tenure

The level of industrialization in Kenya is less than desirable yet it is critical for the country's growth and to ease pressure on land. The Industrial sector in Kenya include manufacturing which is currently at 11% of GDP, Mining and Quarrying at 0.7%, Building and Construction at 4.1%, and electricity and water at 0.9%.[18] There have been a number of interventions to stimulate industrialization in Kenya. The success or failure of these strategies lies in examining policies, structure, productivity and issues.

In order to realize the desired Vision 2030 GDP growth rate of 10% per annum, and to enhance Foreign Direct Investments (FDIs), the flagship projects planned under the manufacturing sub-sector included the following: development of SME Parks, development of Special Economic Zones (SEZs), industrial parks, industrial and manufacturing clusters, inputs cost reduction, value addition and market access development, financial services deepening and development of livestock disease free zones for production of premium quality beef and other livestock products.[19]

## Industrialization Strategy Policies

Kenya's industrialization strategy covers 10 years and focuses on strengthening key sectors such as agro-processing, textile, leather, construction, ICT, hydrocarbons and mining. To achieve this, the government is seeking to reduce the cost of doing business, create a large pool of skilled workforce and empower small and medium enterprises. In mid-December 2012, *Kenya's Industrialization* Sessional Paper No. 10 of 2012 and *Kenya Vision 2030* was passed.[20] The present policy framework considers industry as the leading sector for addressing the development challenges the country faces.[21] It proposes to provide selected industries at various stages of the industrialization programme with the support that will enable them to grow and become exporters of their products. The new policy focuses on food value addition which is informed by the fact that agriculture accounts for slightly more than a quarter of Kenya's gross domestic product and over half its exports.

## Development of SME Parks

Small and Medium-Enterprise (SME) Industrial parks are planned for development in key urban centres in Nairobi, Nakuru, Mombasa, Eldoret and Kisumu. To align the implementation of *Vision 2030* and the Kenya Constitution 2010, the approach has been reviewed to develop the SME Parks in the 47 counties. Land has been identified and acquired for two SME parks in Taveta and Eldoret. Other outstanding activities

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[18] Jacob Chege, Diana M. Ngui & Peter Kimuyu, *Industrialization in Kenya: What Went Wrong and Why?* UNU-WIDER Conference Helsinki, Finland 24-25 June 2013

[19] Republic of Kenya, Ministry of Industrialization and Enterprise Development, *Draft Strategic Plan (2013 – 2017),* Sept 2013

[20] African Business Magazine, *Kenya: Industrialization is the future*, 20 March 2013

[21] Eric E. Ronge and Hezron O. Nyangito *A Review of Kenya's Current Industrialization Policy,* (KIPPRA: Kenya Institute for Public Policy Research and Analysis *Discussion Paper* No. 3), March 2000

being undertaken include feasibility studies, development of master plans and architectural designs. Governance and management structures of the SME Parks will be established through the Private Public Partnership (PPP) approach. Funds mobilization for both horizontal and vertical development of the parks will be initiated.

# Development of Special Economic Zones (SEZs)

Special Economic Zones (SEZs) are designated geographical areas with liberal economic laws, and developed infrastructure. They play an important role in catalyzing economic and social development and increasing competitiveness. Execution of the plan is set to start with the creation of a local processing hub at Mombasa's Dongo Kundu special economic zone followed by another hub at the one million-acre Galana-Kulalu irrigation scheme in Tana River and Lamu counties. Under the arrangement, the special zones will process both locally sourced and imported raw materials for re-export. The country looks to develop other industrial parks around geothermal fields in Naivasha and Nakuru that will see firms incur lower power costs due to reduced transmission distance.[22]

# Industrial and Manufacturing Clusters

Industrial and Manufacturing Clusters were identified as powerful tools for promoting productivity and competitiveness. During the first Medium Term Plan (MTP) of Vision 2030, identification of land for industrial and manufacturing clusters to improve the competitiveness of the sector was a priority. A study was conducted by Kenya Institute of Policy, Planning and Research Analysis (KIPPRA) which identified priority sectors for implementation of the cluster strategy to enhance regional and national competitiveness. The study identified meat and leather, fisheries and dairy cluster as having high potential for value addition. Informed by this study, the Ministry of Industrialization and Enterprise Development

together with other stakeholders embarked on promoting development of the fisheries cluster in Kisumu and Meat and leather cluster in Garissa and Kajiado.

# Industrial and Technology Parks

Industrial parks are planned for development in Mombasa and Kisumu within the Special Economic Zones (SEZ). Resources to support development of the parks will be mobilized through a Public, Private Partnership (PPP) approach. Land for development of a third industrial and Technology Park was identified at Jomo Kenyatta University of Agriculture and Technology (JKUAT) in Juja. This will enhance science and technology which is key to industrialization.

# Integrated Iron and Steel Mills

Iron and steel are key ingredients in the industrialization of any country. However, with the change of policy and other developments in the sector, the new approach will be to establish an Integrated Iron and Steel Mill. The main activities during the planning period will be to undertake a comprehensive study to determine the quantity and quality of iron ore in the country. The Iron and Steel Bill has been prepared in order to have a legal and institutional framework created to promote development of the sector.

# Resource Implications and Trade-Offs

Credit subsidies are a major input due to related heavy industrial investments. The industrialization policy for foreign direct investment targets minimum cost while taking into account the country's resource configurations. It encourages joint venture deals with foreign companies which lead to the expansion of light industries such as steel mills and the development of micro enterprises which will be boosted by collaboration between the Ministry of Industrialization and local universities. The proposed solutions to

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[22] Neville Otuki, 'Kenya unveils grand Industrialization roadmap', *Daily Nation,* Posted Thursday, 17 September 2015 AT 0405.

easing the finance constraint facing small and medium scale enterprises are inadequate. To increase funding to small and medium scale enterprises, investors will have access to a Kshs 10.5 billion ($100 million) state-backed fund aimed at accelerating industrial investment, especially among financially challenged firms.

The country needs to take into consideration developments in other countries in the region when it is setting its strategy for industrialization. A starting point would be to establish, within existing research institutes, a department charged with researching or collating research and data on developments in the region.

# Land Use and Food Security

## Measures for Achieving Optimum Land Use

The majority of Kenyans live in rural areas. In order to achieve optimum land use in the country, it is critical to address agricultural and livestock development. Agricultural production is found mainly in the medium to high potential areas of the country and on irrigated land in the ASAL. The major agricultural activities in the country include grain production, coffee, tea, sugar-cane, pyrethrum, cotton, cashew nuts, coconuts and horticulture.

Livestock development, which is responsible for the country's dairy and beef requirements, is carried out in all agro-ecological zones. Over 50% of the country's livestock is however reared in the ASALs.

Rural land use is inundated with laws, institutions and bureaucratic agencies all concerned with one aspect or another of agriculture or livestock development. Despite these instruments, many problems peculiar to rural land use still remain. These include uncontrolled subdivision of agricultural land, overstocking in the rangelands, mismanagement of water resources and destruction of catchment areas, limited extension services, shortage of agricultural finances and inputs and poor management generally.

In order to improve rural land use, the following measures are critical:

a. Establish an enabling environment for agriculture and livestock development, especially in research, extension services, finance and infrastructure including marketing, agro-processing, rural electrification and farmers training.

b. Establish mechanisms designed to induce land owners to put their land to productive use through appropriate incentives and sanctions. People holding large parcels of land should use it for food production. This could be done through taxation of idle land and limiting the maximum land holding per individual.

c. Encourage the application of efficient technology for the intensification of land use.

d. Encourage consolidation of holdings and re-organization of rural settlement as a method of controlling fragmentation of rural land.

e. Encourage the application of cost effective irrigation methods in areas of low agricultural potential.

g. Continued education and creation of awareness among farmers in farming practices that sustain productivity.

j. Increase investment in agricultural and livestock production to realize full potential.

k. Build adequate capacity on quality and standardization of land use technology.

l. Increase the land under irrigation to reduce reliance on rain fed agriculture. Increase water harvesting and storage in arid and semi-arid regions. Increase abstraction of underground water sources which can be used for irrigation.

In order to improve urban land use in Kenya, there is a need to:

a. Design a comprehensive national plan for low income and high density housing with well-defined targets and financing mechanism as a strategy for minimizing informal settlements and maximise land use.

b. Provide funding and mobilize resources for upgrading of informal settlements.

c. Harmonize urban plans with the long term national development plans so as to synchronize the urban centres and rural areas.

d. Undertake the development of secondary towns, including provision of infrastructure and utilities as a means of stimulating agro-industrial development to ease pressure on demand for urban services.

f. Protect agricultural land from indiscriminate extension of urban boundaries and other encroachments, and re-planning peri-urban areas for agricultural or pastoral communities.

g. Manage spatial growth of areas in order to generate an economic and social environment for urban development.

g. Consider the re-conceptualization of zoning and sub-division control as a tool for creation of integrated viable urban communities sharing common services.

h. Encourage sustainable urban agriculture.

On land cover, there has been consistent loss of vegetation cover to other competing land uses such as real estate development, agriculture, infrastructure development, industrial and commercial developments and energy requirements. In order to address the low vegetation cover with other competing land uses, there is a need to:

a. Carry out an inventory of all land cover classifications.

b. Establish mechanisms to ensure protection and improvement of vegetation cover over time.

c. Incorporate multi-stakeholder participation in afforestation programmes and initiatives.

d. Develop a framework for incentives to encourage maintenance of forest cover.

e. Promote the use of alternatives and efficient production methods to reduce demand on forest products.

# Land Use and the Environment
## Population Increase

At independence, Kenya had a total population of about 7 million people. By 1979 the population had risen to 15.5 million people. In 1989, it shot to almost 21.5 million people. By 1999, the population had reached 29 million. As at 2008, over the same period, the Kenyan economy performed poorly with no remarkable industrialization to cope with the demands of the population. The population trend has inevitably resulted in intense pressure on the available natural resources.

The pressure in many parts of Kenya has triggered the cycle of degradation of forests, wildlife, water and mineral resources. The increased number of people searching for economic security has led to intensification of cultivation, expansion of cultivated land, overgrazing of rangelands and harvesting of trees for firewood has led to deforestation as well as loss of biological diversity such as forest ecosystem, fresh water system, marine wildlife, soil erosion, desertification and climate change.

Global climate changes have triggered erratic weather patterns across the country. The unpredictable weather patterns have led to current drought, floods, famines, low water levels and melting of snow from mountain tops. The situation is aggravated by the lack of an adequate, systematized information for long term predictions and planning to deal with the challenge of climate change catastrophes.

# Land Use and Pollution

The major sources of air pollution are industrial emissions, agricultural practices and vehicle emissions which is a cause of global warming. Chemical fertilizers, pesticides and fungicides are important in agriculture. However, their improper use has poisoned and compacted the soils. Fertilizer is the dominant farm input in Kenya. The principal sources of water pollution in Kenya include sediments and agrochemical residues; industrial waste and other effluents. Kenya experiences minor droughts every 2 to

3 years, and major droughts after 8 to 10 years. Drought decimates 30–40% of the wildlife and livestock, 30–40% of crop yields, destroys forests. It decimates the natural germination capacity of grasslands by 50%. Livestock and wildlife concentration around a few water points leads to serious vegetation and soil degradation.

# Government Institutional Framework

## National Land Commission

The Constitution of Kenya established the National Land Commission under Article 6723 to act as the lead agency in land matters, working with the Ministry of Lands, Housing and Urban Development (MLHUD) and county-level institutions. The functions of the Commission are to:

a. Manage public land on behalf of the national and county governments.
b. Recommend a national land policy to the national government.
c. Advise the national government on a comprehensive programme for the registration of title in land throughout Kenya.
d. Conduct research related to land and the use of natural resources, and make recommendations to appropriate authorities.
e. Initiate investigations, on its own initiative or on a complaint, into present or historical land injustices, and recommend appropriate redress.
f. Encourage the application of traditional dispute resolution mechanisms in land conflicts.
g. Assess tax on land and premiums on immovable property in any area designated by law.
h. Monitor and have oversight responsibilities over land use planning throughout the country.
i. On behalf of, and with the consent of the national and county governments, alienate public land.
j. Monitor the registration of all rights and interests in land.
k. Ensure that public land under the management of the designated state agencies is sustainably managed for the intended purposes.
l. May develop and maintain an effective land information system for the management of public land[24].

The fundamental achievements of the National Land Comission include:
a. The establishment of operationalization of field offices and County Land Management Boards.
b. Mediating in counties and communities land disputes.

The challenges facing the NLC include:
a. Issues related to land administration and registration.
b. Incidences related to the social injustices in the colonial and independence era.
c. Low funding allocation by the government.
d. Staff indiscipline among the land officers coupled with bureaucratic processes.
e. Inadequate knowledge in the County Government concerning the land issues.
f. Conflicts amongst stakeholders i.e. individuals, communities, ministry, NLC among others.

In addition, other government initiatives to address land use planning in Kenya include Sessional Paper No 10. of 1965, Sessional Paper No. 1 of 1986 on economic management which emphasized the importance of agriculture as the Economic Recovery Strategy. The country adopted a Constitution in 2010 which includes a chapter on Land and Environment, anchoring many of the NLP's key provisions in law. Other relevant documents include the National Land Commission Act of 2012, the Land Act of 2012, the Land Registration Act of 2012 and the Marriage Act of 2014.

[23] The Constitution of Kenya, 2010.
[24] Ibid.

# Conclusions and Recommendations

Land-use problems facing Kenya today are due to the lack of an appropriate national land-use policy. Pollution has increasingly become an issue of major concern with air, water and soils systems polluted by emissions from industries and poor agricultural practices. As a result, this has affected agricultural production, livestock and marine life. The ever-increasing population exerts pressure on the natural resources leading to exhaustion of available resources worsened by the cyclic occurrence of natural disasters such as droughts and floods.

Destruction of water catchments causes shortage of water and electricity supply necessitating rationing. Desertification reduces the productivity of land leading to food insecurity, reduced income and non accumulation of economic assets. Eventually millions of families end up living below the poverty line. The current trend of deterioration will lead to a gloomy future for Kenya if the *status quo* is maintained. Striking a balance between satisfying the human livelihood requires wise use of resources to ensure conservation for future generations is the biggest challenge

The following recommendations are suggested:

a. Develop appropriate policies and legislation to ensure optimum land use at all levels.
b. Lease out large portions of unutilized/underutilized land to commercial farming for a specific period of time.
c. Need to sensitize Kenyans from the cultural mindset and to view land as a factor of production and not just an asset.
d. Optimize land use to ensure maximum yields through crop rotation, diversification and use of modern agriculture.
e. Develop a maximum acreage land ceiling per household.
f. Need to develop policies that address the challenge of urbanization.
g. Develop the most appropriate land use strategy in ASALs areas by identifying the right agricultural activity.
h. Develop disaster awareness programmes to sensitize Kenyans on the best land use practices that incorporate disaster mitigation, incorporate climate change, adaptation and preparedness.
i. Prohibit settlement and other incompatible activities within water towers.
j. Provide incentives for community participation in conservation of natural resource and environment.
k. Promote disaster preparedness by developing an integrated, improved early warning and response system for climate change and associated disasters.
l. Ensure that all land uses and practices under pastoral tenure conform to the principles of sustainable resource management.
m. There should be a guarantee on the continued security of tenure in leasehold titles through the replacement of extension of leases with renewal of leases.
n. The renewal of leases, however, should not be automatic. Leaseholder should submit an application for renewal of leases so that physical planning authorities may have an opportunity to impose development conditions.

# Overcoming the Crisis Facing the African State

## Introduction

In his presentation to the United Nations General Assembly, Second Committee Panel Discussion on Globalization and the State 2 November 2001, His excellency Mr. Apolo Nsibambi, the Prime Minister of Uganda presented a paper "The Effects of Globalization on the State in Africa: Harnessing the Benefits and Minimizing the Costs". He described globalization as a process of advancement and increase in interaction among the world's countries and peoples facilitated by progressive technological changes in locomotion, communication, political and military power, knowledge and skills, and interfacing of cultural and value systems and practices. Globalization is not a value-free, innocent, self determining process. It is an international socio-politico-economic and cultural permeation process facilitated by policies of governments, private corporations, international agencies and civil society organizations. It essentially seeks to enhance and deploy economic, political, technological, ideological and military power and influence of a country, a society or an organization for competitive domination in the world. In his presentation, he described globalization as a two sided coin[1].

As a phenomenon globalization come creeping through man's history only to recently gain speed and cover the entire world like in one sweep. Some countries are taking it as a big problem, and therefore missing the opportunities it offers, while others have seen it as a movement offering development potential and used it to advance their growth and development and their self-interest, whether it be national or personal. While some are taking it as a dangerous process of exploitation where rich countries and big international corporations are getting bigger and richer at the expense of the poor ones and a sort of fulfillment of "man to man is a wolf", others are seeing it as the final pin in the process of positive socio-politico-economic, mutually beneficial, global integration.

Globalization has attracted enough world attention to warrant intensive discussion at the world's governing body (the United Nations General Assembly) which, in its resolution 55/102, recognized "globalization and its impact on the full enjoyment of all human rights" and expressed the "need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction". Globalization offers great opportunities. However, it is probably more important to be clear about the negative aspects of globalization and the fact that its benefits are very unevenly shared and its costs are unevenly distributed among, across and within countries. This is true especially when seen in the light of African countries. Both in concept and practice, for every positive aspect of globalization, there is negative side while has positive, innovative, dynamic aspects, it also has negative, disruptive, marginalizing aspects". (page 25).

# Positive Aspects of Globalization

The positive side of globalization are:
a. It opens people's lives to other cultures and all their creativity and to the flow of ideas and values.
b. Information and communication technologies have eased interaction among countries and peoples.
c. It has eased international trade and commerce, facilitated foreign investment and the flow of capital .
d. It has freed labour across boundaries and facilitated "brain trade".
e. It has set new rules that are integrating global markets.
f. It is creating a global village out of a wide and diverse world.

# Negative Aspects of Globalization

The negative effects of globalization are:
a. As cultures interact, some cultures are being diluted and/or destroyed at the expense of others and negative values are being spread all over the world with relative ease.
b. The world is now divided between the connected, who know and who have a monopoly on almost everything, and the isolated, who do not know and who practically have nothing.
c. Globalization has encouraged illicit trade in drugs, prostitution, pornography, human smuggling, dumping of dangerous waste and depletion of the environment by unscrupulous entrepreneurs.
d. Globalization has facilitated the "brain drain" in developing countries, thus reducing further their human capacity.
e. Globalization has set new global rules that have further marginalized Africa's poor countries and people, especially in areas of trade.
f. Globalization has created a global village of privileged people whose borders are impenetrable to the poor, unconnected and unskilled. The citizens of the global village are very few.

# Pre-Colonial Africa

The African continent contains more than fifty countries, which have exhibited wide variation on "big" issues that motivate political scientists: issues of war and peace, dictatorship and democracy, poverty and development, and sovereignty and interdependence. Major studies of state collapse, ethnic politics, democratization, the political economy of development, and international humanitarian intervention reflect serious engagement with African experiences. The theoretical orientation of much of the field is broadly "institutionalist" in its attention to the organization of political life, informed by two (not necessarily incompatible) "institutionalisms." One derives from rational-choice political economy and treats institutions as products of and constraints on goal-oriented actors. The other derives from political sociology and treats institutions as social constructions embedded in their cultural settings. Institutions are unusually important in African politics because they are unusually fragile and because the stakes of institution building and institutional failure are unusually high. The methodological orientation of the field is becoming more pluralistic, with studies that employ familiar qualitative methods joined by a growing body of quantitative and mixed-method work. More than ever, a versatile methodological tool kit comes in handy on the research frontier.[2]

Before Africa was colonized, it was characterized by a large degree of pluralism and flexibility. The continent consisted not of closed reproducing entities, equipped with unique unchanging cultures, but of more fluid units that would readily incorporate outsiders (even whites) into the community as long as they accepted its customs, and where the sense of obligation and solidarity went beyond that of the nuclear family. An example of such inclusiveness was the

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[2] Rod Alence. *Political Science and the Study of Africa.* Oxford Bibliographies, July 30, 2015. http://www.oxfordbibliographies.com/view/document/obo-9780199846733/obo-9780199846733-0082.xml. Accessed on 21 February 2017.

Xhosa who limited Xhosadom not along ethnic or geographical lines but along political ones. All persons or groups who accepted the rule of the paramount chief became Xhosa.[3]

Pre-colonial African societies were highly varied. They could be either stateless, state run or kingdoms, but most were founded on the principles of communalism in that they were self-governing, autonomous entities, where all members took part, directly or indirectly, in the daily running of the tribe. Land was held commonly and could not be bought or sold, although other things such as cattle were owned individually. In those societies that were not stateless, the chiefs ran the daily affairs of the tribe together with one or more councils. These councils simultaneously informed the chief, checked his powers and made policy by reaching unanimous decisions. If unanimity was not reached, a village assembly would be called to debate the issue and the majority ruling would apply. The chief would listen silently to all queries during such meetings and every male adult was free to criticize him.[4]

The role of the chief during such meetings was to sum up what had been said and attempt to form some consensus among the diverse opinions. Hence the chief did not rule or dictate but led by consensus. Many tribes, especially those that were stateless, had no central authority and no class system, and many of those that did could depose a chief that was thought to have abused his power.

An overarching feature of pre-colonial Africa was that its societies were not designed to be the all-powerful entities that they are today, hence the abundance of confederation-type societies. One reason for this was that the villages and tribes commonly owned the land, a fact that undermined the basis for a market economy and a landed aristocracy. Another was an abundance of available land to which dissatisfied individuals or groups could move. The creation of a market economy in Southern Africa was further undermined by the area lacking the regular markets and trade fairs that flourished elsewhere in Africa, and in medieval Europe, and thus the potential for continuous economic development.

Pre-colonial communities were never completely isolated. Interaction between neighbors, across regions, and even outside the continent were common. Societies interacted with one another through commerce, marriage, migration, diplomacy and warfare. Their fertile land, trade routes, or cattle forced interaction with other communities. East Africa was in contact with Chinese, Middle Eastern, and Indian traders. Portugal established Elmina (in modern day Ghana), its first African trading outpost, in 1482.[5] Commerce was instrumental in state formation. Trade offered the ability to exchange local surpluses for rare foods and goods. Across the Saharan desert and along the Swahili coastline of East Africa, vast trade networks developed. World renowned marketplaces and massive cities emerged at trade crossroads, such as Zanzibar and Timbuktu. For instance, it is estimated that Kumbi, a large city in the Western Sudan, possessed a population of 15,000 to 20,000 by the eleventh century. Kings and leaders, such as those of Ghana, controlled their areas' local markets and received tributes from traders. Camels and donkeys connected distant societies, and allowed trade to occur across the Sahara. Areas with mineral wealth, such as Great Zimbabwe, developed mining capabilities and traded these for manufactured goods from overseas.[6]

There were more than 10,000 states and kingdoms before the arrival of the Europeans, and African civilizations varied greatly in size and structure. The structure can be divided into centralized and decentralized societies. In centralized societies often run by monarchs or rulers, authority was in the hands of an elite few that decided laws and collected taxes. These societies tended to develop in areas conducive to agriculture or trade. The degree of power possessed by the emperor or monarch varied from group to group with some societies bestowing over-riding decision making responsibilities to the monarch

[3] Kenworthy News Media. *Pre-colonial Africa*. August 13, 2010. https://stiffkitten.wordpress.com/2010/08/13/pre-colonial-africa/. Accessed on 19 February 2017.

[4] Ibid.

[5] Toyin Falola and Tyler Fleming. *African Civilization: From the Pre-colonial to the modern Day.* Department of History, university of Texas at Austin, USA.http://www.eolss.net/Sample-Chapters/C04/E6-97-09.pdf. Accessed on February 21, 2017.

[6] Ibid.

while other leaders possessed more of a symbolic status. The creation of divine rulers did not lead to the formation of structured states. Instead it was often the establishment of strong states that craved stronger governmental structures that necessitated the use of the monarchs as leaders.

In decentralized civilizations, such as the Igbo of modern day Nigeria and Kikuyu of Kenya, these societies were often broken up into age group systems, and power was dispersed throughout the entire community with local elders providing leadership but with input from the population at large. Some groups, such as the San of Southern Africa and the Pygmy of Central Africa, formed small, mobile groups of hunter-gathers that rarely ever grew larger than a handful of families. Hunting and gathering, herding cattle and goats, and agriculture were the primary means of food production throughout pre-colonial Africa. The earliest societies were hunter-gatherers. These groups often consisted of small kinship units that moved to follow animal herds or search for sources of water. However, with advancements in technology, civilizations developed ways to domesticate both animals and crops, and these advancements produced more regular levels of food. Food surpluses were more common and larger populations could be better supported, and thus, agriculture and herding soon became the dominant means of food production. As arable land came at a premium, farming or herding societies often pushed hunter-gatherers off of their land. Consequently, hunter-gatherers lost out on the best land, and such lifestyles became more difficult to maintain as time wore on. Even though agricultural societies could produce greater surpluses of food, farming was far from simple in most regions. These civilizations usually relied heavily on human manpower and metal tools. In many parts of Africa plow animals were susceptible to the tsetse fly, and thus it was nearly impossible for farmers to maintain needed numbers of plow animals. As in most societies throughout the world, African diets centered around a staple crop, such as maize, yams or bananas. Certain foods, such as cassava and banana, were not native to Africa but instead were introduced by European and Asian traders, flourished in Africa, and even replaced local foodstuffs as the staple of local diets in some cultures. In most African societies, all of the people were looked after and taken care of in some manner. Unemployment and homelessness were rare.

Successful families traditionally allowed poorer ones to use portions of their land or lent them cattle in exchange for a portion of a crop or other goods. Concepts of wealth and entitlement, however, varied a great deal. In West and Central Africa, it was not uncommon for nobles, royalty, and political leaders to amass great fortunes, own slaves, and live in large family compounds. The Dinka of today's Southern Sudan, on the other hand, functioned in a society that held little regard for personal ownership over land or material things. They lived a lifestyle where flooding prevented wealth from being transferred from generation to generation, and thus the accumulation of wealth was unimportant. By 1500, essentially all of Africa was controlled by indigenous inhabitants. Later European explorers and settlers often argued that the territories were unsettled upon their arrival and thus were ripe for the taking. But these assumptions were misguided. Often land had been abandoned due to poor soil quality, infrequent rainfall, or had been claimed for future use.

In many parts of Africa, especially in the British colonies where indirect rule was the norm, the indigenous system of government survived and was used by the colonial powers alongside the colonial system. This is one of the reasons why the structures of such political institutions still exist in Africa today, although mostly in a more fixed and static form, due to the colonial powers having rearranged the tribal landscape and employed chiefs as virtual colonial administrators that served as buffers between themselves and the masses.

British indirect rule in countries such as South Africa thereby reduced chiefs to salaried officials, responsible to white magistrates and corrupted by the control of an unsympathetic white government. Where there were elements of participatory democracy and a lack of rigid ethnicity in pre-colonial Africa, these were less likely to be found in post-independence Africa where only Botswana built its society and government on indigenous institutions, and where the rigidities of colonial "invented tradition" and centralized government became dominant.

While pre-colonial indigenous African systems had many appealing qualities, something that has been widely advocated, if not practiced, by many post-independence African leaders and Africans generally, they have some obvious weaknesses when attempting to build a centralized state around them. The fact that chieftaincy is mostly based on kinship, for instance, a problem because of the exclusive nature of leadership that this entails, which is especially problematic in countries with ethnic antagonisms. Secondly, some of the customs of indigenous African society might have been effective in relatively smaller-scale societies but are less likely to be so in the larger states of present day Africa. An example of this is that of consensus which in a large-scale modern African state would make the political process invariably slow, and prone to conformity and authoritarianism that could effectively silence dissent and result in controversial and un-enlightened decisions. Professor Ngugi wa Thiongo, in claiming that Africa's pre-colonial peasant cultures had "oppressive reactionary tendencies" that were "only slightly less grave than the racist colonial culture" might be overstating the case, but he nevertheless strikes a chord.

The relevance and usefulness of traditional or pre-colonial African institutions and customs depend on whether one views African culture, or any culture for that matter, as static, or whether African culture is deemed to have evolved and changed, to some extent because of outside influence and colonialism. Culture must be seen as dynamic, and pre-colonial African cultures seen to be historical manifestations that are relevant in their entirety only to that specific period of time. Otherwise, they are useless as sources of inspiration for contemporary societies.

# African Civilization

Unlike most Euro-Asian civilizations, African societies favored oral tradition and few possessed written languages. Stories and oral histories documented the past, and were handed down from generation to generation. The oral-based linguistic past of Africa remains promising and problematic in documenting Africa's pre-colonial past, as many of these oral histories have either been forgotten or distorted after being retold by each passing generation. Without the luxury of written sources, Africa's scholars of this era have had to be creative in discovering new sources to document the continent's pre-colonial past.

Pre-colonial Africa had generally everywhere progressed beyond the stage of primitive communism. Bands of individuals grouped together and lived by hunting and gathering, sharing the common booty or common finds equitably. The very uncertainty of the condition of life necessitated total solidarity resting on an almost total egalitarianism.

In his study 'Les socits traditionelles en Afrique tropicale et le concept de mode de production asiatique', Jean Suret-Canale argues that many precolonial African societies belonged in the family of the Asiatic mode of production. Broadly speaking, he distinguishes two main types among tropical African societies existing at that time: tribal or tribo-patriarchal societies and class societies. He sees the former simply as societies in transition between the primitive community and class societies. As a result, there is the possibility of forming a surplus and hence too the possibility of exploitation. It seems that these societies persisted above all in regions with low agricultural productivity, as was the case, for example, in the dense forest zones where difficulties in clearing land considerably reduced productivity. In addition, the very nature of the products (plantation crops more difficult to conserve) did not make it easy to accumulate a surplus.[7]

It followed that the need for the exploitation of man by man was less marked, and society tended to remain more egalitarian. The families of the first occupants of the land would levy tributes from other incoming families which would form the village. But in general, these tributes were only compensations for the responsibilities that had fallen on them, religious responsibilities or responsibilities for distributing land. Even in the event of war, the captured enemy was simply incorporated into the family where he contributed to the common production. But the seeds of class exploitation existed already since the chiefs of the land (the first occupants) who were sometimes also war chiefs could, by conquest, extend their

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[7] Suret-Canale, J. *Afrique Noire: l'Ere Coloniale* (Editions Sociales, Paris, 1971); Eng. translation, *French Colonialism in Tropical Africa,* 19001945 (New York, 1971).

Figure 2.0: Pre-colonial Africa Civilization Map: Various Pre-colonial empires and Kingdoms that existed *Source: City data.com. http://www.city-data.com/forum/africa/1947587-what-pre-colonial-africa-really-like.html*

rule and domination over other villages from which they would also levy tribute. That could lead to the exploitation of a whole set of village communities opening the way to the appearance of true exploiting classes.

In short, these were stateless societies, because in them classes were not truly formed - in which the surplus product and productivity were extremely low and in which the level of productive forces was still very low, and the division of labour still embryonic. The consequence of all this was that there was little exploitation of man by man, with even prisoners of war not being true slaves, that is men who had the right to live only in order to work for others. This type of social organization is said to have existed among the

Fang in Cameroon, the Manssangou in Gabon, the Kissi in Guinea and others.

# Political System

Prior to European colonization in the late 19th century, Africa had a very long history of state building and a rich variety of social formations that were decentralized or stateless. Some of the first examples of state formation in human history developed in the Nile River valley in the 4th millennium BCE. Nevertheless, during most of Africa's pre-colonial history, a significant portion of African people lived in small-scale, egalitarian societies in which government was

more a matter of consensus among the entire adult population than rule by an elite few. One of the major contributions that historians of pre-colonial Africa have made is to demonstrate the enormous variety and complexity of pre-colonial African political systems and to challenge the notion that political complexity only exists in centralized states.[8]

# Effects of Colonization in Africa

Africa was under colonial control for less than 100 years but the effects of colonialization can still be felt today. Massive changes took place in the continent that not only established the immediate context of African politics but also continue to constrain and shape its future. Colonialism impacted the African continent socially, politically and economically both positively and negatively.

Some of the positive social, economic and political impacts included the introduction of Christianity which promoted literacy and health care through the work of missionaries. Most of the missionaries introduced education in Africa by establishing mission schools. The Europeans also brought new technologies to Africa, tools for farming and new crops like maize from the New World. They built transport and communication networks, medical facilities, schools and established plantations for the growing of cash crops like cocoa, coffee, tea, rubber and cotton. Many Africans learnt new languages such as English, French and Portuguese which have enabled them to communicate and interact in a globalized world.

However colonialism also had negative consequences on state building and the economic development of Africa. Europeans seized land from the Africans to establish plantations for the growing of cash crops and forced the people to work on these plantations under forced labour. The African culture was adulterated resulting in the destruction of their traditions and ways of life. The traditional African religion was also destroyed by the introduction of Christianity. Furthermore, the Africans were made to feel inferior and therefore had to adopt the European way of life, their food, and dress which destroyed the fabric of African societies. Families were torn apart by the partition of Africa which created new boundaries leading to conflicts in independent African states.

More specifically, there were other impacts of colonialism on state building in Africa. The political boundaries inherited by new states of Africa were based on the expedient economic and political strategies of imperial Europe. These boundaries distorted the traditional social and economic patterns of Africans and confined them to states which were artificial. Some of the states were huge in size, such as Sudan, Democratic Republic of Congo, and Algeria while others were small such as Djibouti and Gambia. In addition, some states were populous such as Nigeria while others had low population like Equatorial Guinea. Further, some of the states were landlocked or contained few if any resources. With the creation of the artificial boundaries, cohesive social groups were separated and logical and well established trading areas were divided. As a result of these and other circumstances, the political boundaries inherited at independence created huge differences among the various African countries in their potential for nation-building, economic development and stability.

Despite having similar strategies and goals, colonialism took different forms. Amin[9] argues that regional differences in colonial political and economic policies were determined by the nature of exploitative resources. For example, in the coastal territories of the French and British West Africa, which Amin categorised as Africa of the colonial trade economy, the colonial state attempted to meet its costs and satisfy the needs of European industry by promoting cash cropping among indigenous population. In Senegal, Cote d'Ivoire, Ghana and Nigeria, many traditional subsistence farmers switched to producing such export crops as palm oil, rubber, cotton, cocoa and peanuts. The next category was Africa of the labour reserves which described such colonial territories as Malawi, Mozambique, and

[8] Rebecca Shumway. *Pre-colonial Political Systems.* Oxford Bibliographies, July 30, 2015. http://www.oxfordbibliographies. com/view/document/obo-9780199846733/obo-9780199846733-0100.xml. Accessed on 21 February 2017.

[9] Donald L. Gordon, African Politics, in: April A Gordon & Donald L Gordon (eds), *Understanding Contemporary Africa,* 3rd edition, Colorado:2001, Lynne Rienner Publishers, pp 58-59

Burkina Faso which had few resources to tap or limited potential for peasant or settler produced agricultural exports. As a result, these colonies became reservoirs of labour migrants, primarily for the mines in DRC, Zambia, and South Africa and for white settler plantations of sections of Kenya, Tanzania and Zimbabwe.

The former French colonies of Gabon, Congo Central African Republic and DRC were categorised as Africa of the concessions owning companies. Environmental constraints and low population densities that prohibited profitable cash cropping led to the transfer of most of these areas to concessionary companies. Exploitation of available resources in the concession areas was characterised by low investment and brutality.

A fourth macro region was the white settler Africa which included parts of Kenya, Tanzania and Zimbabwe which were characterised by colonial concentration on the production of agricultural exports. Aided by colonial authorities, Europeans expropriated most of the regions fertile land, displacing traditional African farming groups such as the Kikuyu in Kenya, the Chagga in Tanzania and Shona in Zimbabwe. Peasant farmers were either legally shut off from growing mostcash crops as in Kenya, or deprived of suitable land.

Despite this differentiation, the colonies were made politically and economically subordinate to European needs as Europe, particularly Britain and Francerequired cheap raw materials and captive markets for manufactured goods. As a result, African states were integrated into the international capitalist system where they supplied inexpensively produced agricultural commodities such as palm oil, rubber and cotton and minerals and metals such as copper and gold to the industries in Europe and provided markets for manufactured goods such as textiles, household goods and farm implements.

The profit centred activities of European industrial and commercial firms, settlers, and supportive colonial administrators therefore disregarded Africa's development which in turn served to handicap independent Africa's economic policies. At independence the colonial administration left Africa with weak, unintegrated and severely distorted economies. These realities placed most of Africa intodependency relationships with developed world. The decisions, strategies and even the sovereignty of emergent Africa were therefore reliant on foreign markets, industry, finance and expertise.

Furthermore, the political structures inherited by African states at independence were authoritarian which were heavily tied to colonial rule. Colonial rule expropriated political power and was not concerned with the needs and wishes of the people. The colonial powers therefore created a governing apparatus which was primarily intended to control the people, exploit natural resources and maintain the colonial empire. Power was vested in the colonial state which was centralized and hierarchical. African leaders inherited this political structure intact resulting in authoritarian rule which has adversely affected national cohesion and nation building.

Last but not least, the future of independent African states was shaped by at least four[10] societal factors that were set in motion during the colonial period. Firstly, virtually all colonial territories experienced growing inequalities between social classes as a result of actions of colonial administration which created opportunities for some and obstacles for others. Secondly, most colonies particularly those under the British model of indirect rule heightened identity and competition among ethnic groups which negatively affected social integration after independence. Thirdly, colonialism resulted in dramatic shifts in population from rural areas to the urban areas. Fourthly, as a result of discriminatory colonial educational policies that provided little money for or access to education for most Africans, African countries entered independence ill-equipped to staff either the agencies of government or private businesses and development organizations thereby affecting nation building.

# Vision of the Freedom Fighters

The freedom fighters or those who led the struggle for the attainment of independence from colonialism are alternatively called nationalists who propagated the struggle through Pan-

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[10] Donald Gordon op.cit, p61

Africanism as a rallying call. Pan-Africanism which is the perceived need to mobilize peoples of Africa against racism andcolonialism is the political philosophy behind the current effort to achieve political unity in Africa through the instrumentality of the African Union. In this way, Pan-Africanism has in the twenty first century, transformed into a mobilizing ideology and a development blueprint. [11]

This philosophy of African unity underpins Africa's relations with itself and with the rest of the world. Guided by this philosophy, and despite the great diversities on the Continent and the many societies and peoples of Africa, it has endeavored to sustain a sense of unity, common purpose and solidarity among African states. The philosophy had its genesis in the Pan-Africanist movement which goes back to the 19th century and its original objective which was a uniting theme in the continental struggle was total support for freedom and independence from colonial rule and now for economic liberation.

The Pan African movement was initially a "return to Africa movement" essentially born outside the continent and driven by the black intellectuals of African descent in the diaspora – in the USA, the Caribbean and Europe. It began as a protest movement of descendants of the slave people of African descent, against their experience of exploitation, racism and denial of basic human rights. The movement was led by middle class intellectuals based in the USA and the Caribbean such as W.E.B Du Bois (African-American) and George Padmore (Caribbean).

The first Pan African conference was held in London in 1900 and was followed by others in Paris and New York. However the most important and significant meeting was the fifth Pan African Congress which took place in 1945 in Manchester, UK. This Congress was the pinnacle of the movement. It was different from the previous meetings and congresses in three fundamental ways:

A large cross section of Pan African activists & scholars, attended this congress – over 200 persons from the US, Europe and Africa; Also for the first time leading African nationalists (such as Kenyatta and Nkrumah) took active

and prominent part in the Congress – Nkrumah was Secretary of the Congress & W.E.B. Du Bois was Chairperson. The Congress underscored, as Nkrumah put it: "the necessity for a well-organised, firmly-knit movement as a primary condition for the success of the national liberation struggle in Africa". Hence Pan-Africanism was thus no longer simply a protest movement by the African diaspora in the Caribbean and the US. It was becoming a weapon with which African nationalists could fight colonial rule.

The Pan-African movement was strengthened when Ghana gained its independence in 1957, and as an independent state, it organised the All Africa Conference in Accra in 1958 when most African countries were still struggling against colonial rule. Right at the dawn of independence, Kwame Nkurumah made a passionate call for African unity. He recognised that the fragile nation-state born out of the accidents of history that colonialism had bequeathed to Africa, would be too weak , too poor, too politically vulnereable to serve the needs of its peoples after the heroic struggle for independence.[12] The Accra Meeting, for the first time, brought together on African soil, nationalists from all over Africa where the issue of solidarity and unity in the struggle against colonialism was the central theme of the meeting. The Accra Meeting provided an important psychological, political and practical boost to the nationalist movements within the framework of Pan African unity, which Nkrumah strongly advocated. It also became apparent to all the leaders who came to Accra, that the role of an independent African state (as exemplified by the role the Ghana government played in organising the Conference) was key to the struggle against colonialism and in promoting economic development and political unity.

In 1963, four years after the Accra Congress, the Organisation of African Unity (OAU) was formed in Addis Ababa by those African countries which had achieved independence. The philosophy and the spirit of Pan-Africanism ignited the nationalist struggles for independence and the OAU provided the platform for the struggle against the remaining vestiges of colonialism in southern Africa and of consolidation of

[11] Stephen Okhonmina, 'The African Union: Pan-Africanist Aspirations and the Challenge of African Unity'. *The Journal of Pan African Studies*, vol.3, no.4, December 2009

[12] Nyong'o Anyang P. *Regional Integration in Africa: An Unfinished Agenda*. African Academy of Sciences (AAS). Nairobi 1990. p.3

continental unity.

# Ideological Challenges to Pan Africanism

From the 1958 Accra All Africa Conference to the 1963 Addis Ababa founding summit of the OAU, there was a serious ideological struggle throughout the continent. This was centred on whether full continental political unity should be established immediately – at the founding of the OAU, or whether it should be achieved gradually through a building block approach, by first strengthening the new states and then establishing sub-regional economic blocks; Kwame Nkrumah was the main proponent of the 'radicals' while Julius Nyererewho argued for first, the building of regional unions and then improvement on these to create theUnited States of Africa, represented the doyen of the gradualists. It was also centred on whether development should be carried through social and economic planning driven by the state, or whether it should be based and driven by free and open market with foreign investment playing a major role.

These two ideological approaches on the future of the continent and the development model of the new states were passionately debated and discussed throughout Africa. Consequently, two ideologically opposed blocks of countries emerged: the Casablanca and Monrovia blocks - one stood for development based on state controlled social planning and the other market driven development. The Casablanca group, which included Algeria, Egypt, Ghana and Morocco, represented radical attitudes and the Monrovia group, of which Nigeria and Liberia were the key players, was composed of moderates. The Casablanca group distrusted the Monrovia group, considering the latter to be composed of "lackeys of imperialism". The Casablanca group, led by Ghana's Kwame Nkrumah emphasized the formation of a United States of Africa with a continental army to liberate African territories still under colonialism or white minority rule.

The Monrovia group debunked this approach, as they feared that the proposed united army of Africa could be used by Nkrumah and his radical friends to oust them from power. The OAU and its Charter and a Liberation Committee based in Dar-es Salaam, Tanzania, was the compromise that emerged from this ideological polarization. The OAU Charter thus adopted the gradual approach of strengthening the new states, but retained the aspirations for continental unity as a driving ideology of the OAU. This resolved the first issue but denied the OAU any powers over the sovereignty of individual: it could not impose on its member states what development approach they should adopt.

The decade of the 1970s was marked by the fierce politics of the Cold War, which seriously affected African countries, many of which were forced to take sides in the ideological war between the 'East' and 'West'. Thus, in the 1970s the divisive politics of blocism in Africa shifted from Monrovia and Casablanca, to that of globally inspired alignment between Socialist/Marxist and the "Capitalist" blocs. The Casablanca and Monrovia blocs soon dissipated, but ideological differences remained: For example Egypt, Ghana, Tanzania, and Guinea adopted the social planning development model.

The OAU Charter was thus essentially designed to protect the fragile sovereignty of the new African states, & to help those still under colonial or racist rule to achieve sovereign independence. Strengthening of the sovereignty of the new states was the paramount objective of the OAU. This was done by stressing the principle of non-interference in activities of member states by the OAU.

During this period, the issue of economic development was low on the OAU agenda. The OAU was mainly concerned with any inter-state conflicts that took place at the time, and with providing political support to the struggle for political liberation of the entire Continent.

# National Sovereignty vs. Pan Africanism

Sovereignty became idolized and subjected to abuse. In the famous words of the late President Nyerere, the OAU became essentially "a talking Club of Heads of States". Perhaps because of this concern, Nyerere organised the 6th Pan African Congress in Dar-es Salaam in 1976 in an attempt to energize pan-Africanism as a mass movement and perhaps strengthen its link with the various liberation movements of Southern Africa.The

theme of the Congress was the liberation of Southern Africa.

In adopting the gradual approach for strengthening the new states, the OAU retained aspirations for continental unity as a driving ideology of the OAU. The Pan-Africanism spirit essentially focussed on protecting the fragile sovereignty of African states, and helping those still under colonial or racist rule to achieve independence- very limited goals for a continent with so many challenges.

# Pan Africanism and Africa's Economic Crisis

On the attainment of close to total political independence in Africa, the pursuit for economic independence was proving difficult and its prospects were summarized by Adebayo Adedeji in 1979 through his prediction and warning on Africa's economic prospects:

"Africa, more than the other Third World Regions, is faced with a development crises of great portent….. If past trends were to persist………the African region as a whole will be worse off relatively to the rest of the world at the end of this century than it was in 1960".

Three years later, in its 1981 BERG report, the World Bank was also making similar predictions where it noted that Africa was facing a "dim economic prospect" in the 1980s with virtually no growth in per capita income. These crisis situations were attributed to both external and internal factors which were well articulated by late Prime Minister Meles Zinawi of Ethiopia(2002), when he stated that:-

"African states---are systems of patronage and are closely associated with rent-seeking activities. Their external relationship is designed to generate funds that oil this network of patronage. Their trading system is designed to collect revenue to oil the system. Much of the productive activity is mired in a system of irrational licenses and protection that is designed to augment the possibilities of rent collection. Much of the private sector in the continent is an active and central element of this network of patronage and rent-seeking activity".

# Pan Africanist Strategy for Overcoming the Crisis

From the late 1970s, UNECA in collaboration with the OAU mobilised African intellectual and political resources to discuss the crises and emerged with a vision and a plan of action for getting Africa out of the crises and towards a better future. This effort resulted in key Pan-african policy blue prints: Monrovia Declaration (1979), the Lagos Plan of Action (LPA), and the Final Act of Lagos (1980). *The Lagos Plan of Action for the Economic Development of Africa, 1980–2000,* was an OAU plan to increase Africa's self-sufficiency.

It was characterized as the collective response/alternative of African states and peoples to the World Bank's Berg report. The plan blamed Africa's economic crisis on the SAPs of the WB and IMF and the vulnerability of African economies to worldwide economic shocks, such as the 1973 oil crisis.

These three documents contained respectively the most clearly articulated vision of Africa's future. They outlined a practical plan of action on how to achieve faster development towards that vision, and political decisions supporting the vision and the plan of action as well as achieving effective economic cooperation and integration. Thus since 1980, all African initiatives (from the OAU and from the UNECA, accepted the vision, framework, strategies and principles enshrined in the LPA. According to Salim Salim a former OAU Secretary General, the OAU had to change direction from 1990 onwards because of the changing African and international environment.

# Independent States and Treatment of African Communities

Africa as a continent has borne the blunt of slave trade in 18th and 19th centuries, and the effects of colonization by European colonies between 1870s and 1900. The two World Wars, the cold war between 1945 and 1989, the effects of globalization and the post cold war era which has had a tremendous impact on social, political, economic development of the continent.

The African economy was significantly

shaped and changed by the trans- Atlantic slave trade through the process of imperialism and the economic policies advanced by the imperialists. The establishment of the infrastructure was mainly to support the export the extracted raw natural resources, the newly introduced cash crops like tea, coffee and cocoa among other crops to the sea ports. The development of roads and railways was only concentrated in areas where white settlers had an interest in exploiting our natural resources to the European markets through Africa's coastal ports. The hinterland was left undeveloped to support any meaningful economic growth.

Independence ushered in African rulers  as heads of states using negotiated constitutions with outgoing colonial masters, which conditionally guaranteed the protection of their properties and other interests. The newly elected African Leaders advanced their own interests and those of a few cronies around them by developing only the geographical areas of the place of origin. The Budget allocation for economic and infrastructure development was mainly concentrated in areas where leaders came from. This led to the isolation of leaders from their subjects, who were frustrated and in some countries in Africa what followed were numerous coups.

The poor leadership set by some of the founding African presidents informed the subsequent leaders, to believe in following in the footsteps of former presidents in advancing their selfish interests towards in socio-economic development of the country. Today the African communities believe that for a region to economically develop, then a leader should come from that region. The cases of negative ethnicity are also common in most of African countries where a leader in a political position is not willing to let it go as he has to appease his cronies by providing employment opportunities and other forms of favor. The accumulation of wealth through corrupt means by people in authority is meant to sustain them in power by buying off voters under the guise of democracy.

The belief that people in power in Africa have unlimited access to the country's wealth, job opportunities  and natural resources, has led to a highly etherized competition for elective  political power that in some cases lead to ethnic violence that is politically instigated. The effective and transparent servant leadership is lacking in most of African countries, where corruption is the order of the day. Under extreme cases, this has led to demonstrations by citizens and non government organizations.

## Conclusions and Recommendations

The boundaries of many African states were altered during the scramble for partition of Africa continent in the Berlin conference of 1814/15 without taking into consideration of African peoples interests and socio- cultural aspects some tribes some of whom were placed into two different countries thereby distorting their cultural cohesion. Different heterogeneous groups with different languages, ethencity were lumped together leading to the disintegration of well knit societal cultures. States have propelled the African communities into numerous conflicts and national security challenges on control of immigration issues across borders.

Dr. Edem Khojo in *Africa Tomorrow* represents Africa as a continent 'torn away from the past, propelled into a universe fashioned from outside that suppressed his values and dumb founded by a cultural invasion that marginalized and deformed the image of its former self and her people. The original African indigenous languages were corrupted and have been mixed with other alien/foreign languages, for instance, the original *mijikenda* languages at coastal region of Kenya were corrupted with the Arabic language to produce the Kiswahili language.

The concept of domination and imposition of incoming new culture over Africa's traditional values, by force accelerated the black population's descent to western culture including introducing English language in the school curriculum. The social fabric was completely devoured and a new culture of violence was implanted into African cultures. The traditional African systems of conflict resolution were destroyed, and in place the use of courts through the civil case system which is very expensive to poor Africans was introduced.

The African democratic system though rudimentary encompassed the entire family members in solving civil  and marital issues among the clan, that really enhanced community cohesion among the

African society. This was brutally uprooted and replaced with authoritarian structures and institutions to arbitrate on family and matters which they understood. This has led to the destruction of the social fabric leading to rise of individualism. The dismantling of indigenous African political institutions and cultures by instilling foreign rule and the introduction of liberal democracy has not worked in some of African countries

African religions were very practical in the sense that, elders gathered to pray to their god and appease the spirits through offering sacrifices in case calamities befell the communities. The introduction of new religions in the Africa continent has led to social fragmentation of societies/ communities based on different ideologies advanced by different religions. Today, the different strong ideological stand taken by some religions have been a major cause conflicts and civil was in Africa. In some cases violent extremism and youth radicalization in Africa is attributed to the foreign religions introduced to the country.

Many countries in Africa are currently facing myriads of crises ranging from corruption, poor governance, negative ethnicity, civil strife, poverty and food insecurity, trans-national organized crimes, terrorism and the list is long.  All these have become endemic and subsequently impede economic growth and development and socio-cultural degradation.  Corruption among the African leaders has become endemic to the extent that hinders development.

The colonial experience and later dependence on the developed countries has weakened advancement of our economies. This is coupled with globalization which has curtailed African countries from international competitive world.

Africa is rich in human and natural resources and should exploit these resources to better the living standards of their people rather than being exploited by developed countries. It is envisaged that proper implementation of APRM and Agenda 2063 will address the numerous challenges facing Africa.

The study make the following recommendations to overcome the crises facing African States:

a. **Good leadership and governance**. African countries should promote the values of good leadership and governance by electing inspirational, visionary and accountable leaders who respect the country's constitution and adopt the democratic practices during periodic elections.

b. Implementation and enforcement of the rule of law by all.

c. The society which elects the leaders should be socialized to be able to elect quality leaders.

d. **Equitable distribution of resources**. The leaders should channel the abundant resources towards development of the states in an equitable distribution among its people. Strong social institutions should be developed to deal with corruption issues effectively.

e. **Regional Cooperation**. The African countries are encouraged to join, support and strengthen regional bodies to help prevent and manage conflicts. They should also put in place regulations and conditions that encourage member states to trade between themselves.

f. **Policy formulation and implementation**. States should embrace democratic principles by enhancing equity and gender parity in policy formulation and implementation. Institutions of governance like Judiciary and parliament should be strengthened to check and control each other.

g. African states should mobilize the abundant human and natural resources to speed up development in Africa rather than being exploited by developed countries.

# Conflict and Civil War in the Great Lakes Region: The Way Forward

## Executive Summary

Over the years, the Great Lakes Region (GLR) has been characterized by bad governance and leadership, weak institutions, state collapses, genocide and conflicts. Despite abundant natural resources ranging from water, minerals, forests and good farmlands, the people lack basic services, infrastructure and an environment that can consistently guarantee basic needs. In early 1994, the international community was shocked by the genocide in Rwanda that claimed the lives of almost a million people, the devastating rebellion in Northern Uganda and the death of more than 4 million victims of the conflict in the DRC. However, despite this history, positive steps have been taken towards the restoration of justice, peace and democratic rule. In 2006, successful elections were held in Burundi, Uganda and the DRC.

The Summit of the GLR in Nairobi in mid December 2006 was attended by 11 Heads of State and Government to sign a landmark regional pact on peace, security and development. The Pact aimed to disarm the rebel groups, commit regional leaders to non-aggression and mutual defence protocol and prescribe a long list of governance, humanitarian and economic programmes. It also committed governments to embrace the responsibility of protecting their population from acts of genocide, war crime, ethnic cleansing, crimes against humanity and gross violation of human rights.

The GLR faces many challenges ranging from the more than two decades war in Northern Uganda, the fragile young African State of South Sudan, peace building and reconstruction in the DRC and Burundi, termination of terrorism and extremism in East Africa region, termination of violent conflict in Darfur, recruitment and use of child soldiers and exploitation of sexual violence asaweapon of war in armed conflict in the DRC and Sudan, resettlement of millions of refugees and displaced persons who are scattered in the region living in bad conditions and the restoration of justice, rule of law and durable peace.

Millions of people have lost their lives as a direct result of these conflicts and many others have been forcibly displaced as refugees and IDPs. Peace could be elusive in the region if the root causes of the conflict and suffering are not addressed conclusively. Despite various resolution efforts by the UN, AU, regional organizations and other actors, the conflicts persist with profound effects on the human security of communities and the stability of the region. The regional dimensions of conflict in the GLR and the emerging dynamics call for a continued collaborative analysis by regional stakeholders in order to inform the implementation of strategies towards sustainable peace in the region.

The humanitarian assistance involved the protection and assistance of civilians in such areas as property rights of returning populations, the maintenance of the civilian nature of refugee camps and settlements, humanitarian access and the safety of humanitarian workers, environmental restoration and human settlements but also natural and man-made disaster prevention and preparedness and contingency planning.

# Introduction

'Africa is shaped like a gun, and Congo is the trigger. If that explosive trigger bursts, it's the whole Africa that will explode' (Franz Fanon, Afro-Caribbean philosopher.)

The Great Lakes Region (GLR) is defined in the context of the regional entity known as the International Conference of the Great Lakes Region (ICGLR). The International Conference of the Great Lakes Region (ICGLR) formed in 2003 is an intergovernmental organization of 12 countries in the GLR in collaboration with the UN and AU that seeks to explore and implement creative and collective approaches for the prevention, management and resolution of disputes in the region. In the ICGLR context, the area of focus is the following countries: Rwanda, Angola, Burundi, Democratic Republic of the Congo (DRC), Zambia, Republic of Congo, Uganda, Tanzania, Central African Republic (CAR), South Sudan, Kenya and the Sudan[1]. The name 'Great Lakes Region'was derived from a number of fresh lakes and river basins within the Central and Eastern Africa namely Lakes Victoria, Tanganyika, Albert and Edward. Thus, the Great Lakes Region constitutes a complex network of political and economic interactions with significant implications for peace, security and governance[2]. It is also a region with interlinked conflicts and common fundamental problems that emanate from post-colonial challenges to state and nation-building.

This paper will centre on Rwanda, Burundi, the DRC and Uganda. It is informed by the genocide in Rwanda, the Lord's Resistance Army in Uganda, how the Democratic Republic of Congo has been ravaged from the inside and the outside and we are seeing this sporadic violence in Burundi. It is cognizant of the thousands of refugees both in this region and those who are trying to leave the continent in other regions. The justification for the choice of these this area is because they are combined complex features summarizing all aspects of conflicts that have taken place in the region as awhole. The conflicts in all these countries are interlinked.

The international community should work with the African Union (AU) regional entities and with all of its member states and non-state actors to ensure that democracy is not suppressed, human rights violations are not perpetrated and stand together against the perpetrators of violence. Women should be engaged and be included in the political process not only through quotas but through the acceptance and delegation of authority in societies, and the commensurate funding of their integration in these processes.

Due to the unprecedented interest and concern about the Great Lakes Region, while having great opportunities for economic advancement on the one hand, these countries have been caught up in endless cycle of violence brought on by internal and interlinked conflicts. There have been gross human rights violations, sexual-based violence, extreme poverty, arms trafficking, and huge ungoverned and unprotected spaces.UN efforts and interventions became difficult due to their peculiarities and complexities therein.

# Statement of the Research Problem

Despite various conflict resolution initiatives, the GLR security situation remains unstable and unpredictable. Conflicts started by a country do not remain limited to the country directly involved in the conflict, but progressively draw in many other countries and actors within and even beyond the immediate region.The various initiatives and strategies employed towards peace building have failed to bring forth the expected results and a lasting peace hence the need for alternative approaches in managing conflicts in the region.

The objective of this research is to help in sensitising policy makers especially the ICGLR leadership on the causes of the protracted conflicts and suggest possible management mechanisms. It will also contribute to the body of knowledge and augment works done by other scholars and students of the social science field.

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[1] Patrick Kanyangara, *The International Conference on the Great Lakes Region as a Peacebuilding Instrument for Civil society organizations,* (2016), ACCORD.

[2] Khadiagala, G. *Security Dynamics in Africa's Great Lake Region*. (2006) London: Lynne Rienner.

# Conceptual Framework

In this case study, the transcend theories which comprise the critical constructivist peace theory, conflict theory and civilizational theory will be used to analyze the complex situation in the Great Lakes Region. This is a one stop shop or hybrid theory by Johan Galtung.

The Peace Theory's basis is a tri-dimensional theory of violence whose tenets are direct, structural and cultural violence. It defines violence, its underlying causes and perspectives for peaceful solution, conflict transformation and peace building. The violence in the GLR is a series of events. To understand the events, Galtung argues that there is the need to understand the process that led to the events or violence. Direct violence is self-explanatory. Structural violence is the difference between the potential violence and the actual. In other words, the issue is what caused the metamorphoses from potential to actual. The theory posits that cultural violence which is deep-rooted and the hardest to change, legitimizes structural and direct violence, especially if there is reaction by victims, hence spiraling into a cycle of violence in the GLR.

The Conflict Theory looks at three components namely attitudes, behaviours and contradictions. By considering these three items, Galtung's conflict theory enables the interrogation of the attitudes, behaviours and contradictions of all the actors in the GLR: internal and external actors. The theory maintains that the actors could choose to be creative, constructive and peaceful; or they can choose to be violent and destructive, which they did and continue to do. All this mutual destruction depends on behaviour and is influenced by attitudes. The theory underlines the contradiction of incompatible goals of the actors, and notes that change in attitudes and behaviours can open opportunities for ending violence.

The Civilizational Theory, which is the third component of the Trascend Theory, is the deeper dimension of conflict comprising unconscious behaviour to fulfill basic needs of each actor and in the process deny the basic needs of others causing a reaction of the deep latent (dormant) structure and the deep or implicit culture to gravitate to conflict. Human needs in this theory are in four categories namely survival, economic wellbeing, freedom, and identity needs[3]. Deep structures refer to patterns of relations between segments of society, between the old and young, men and women, between races, ethnicities, the powerful and the powerless, along every social cleavage and again leading to structural violence. Violent deep structures include slavery, colonialism and neo-colonialism and patriarchy which are manifest in the GLR.

The three theories complement each other as shown in Figure 1.

# Historical Background and Characteristics of the Conflict

The Great Lakes Region is home to some of Africa`s most intractable and turbulent conflicts. Over a 20-year period, this region has experienced genocide in Rwanda, civil war in Burundi and cross-border conflict in the Democratic Republic of Congo (DRC), exacerbated by internal and external illegal armed groups.[4] Significant crosscutting themes that have dominated the conflicts in the region include the illegal exploitation and trafficking of natural resources, proliferation of small arms and light weapons, illegal armed groups, sexual/gender-based violence and forced population displacement.

Despite various resolution efforts, the conflicts persisted with profound effects on the human security of communities and the stability of the region. The regional dimensions of conflict in the GLR and the emerging dynamics call for a continued collaborative analysis by regional stakeholders in order to inform the implementation of strategies towards sustainable peace and security in the region.

The GLR sometimes refers to former Belgian colonies i.e. Rwanda, Burundi and Democratic Republic of the Congo (DRC)while the ICGLR includes Angola, Burundi, Central Africa Republic, Congo Republic, DRC, Kenya, Rwanda,

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[3] Charles Webel and Johan Galtung, *Handbook of Peace and Conflict Studies,* Routeledge, New York , USA, 2007 p 131, p188, p 17

[4] Van Leeuwen, M. (2008) 'Imagining the Great Lakes Region: Discourses and Practices of Civil Society Regional Approaches for Peacebuilding in Rwanda, Burundi and DR Congo'. *The Journal of Modern African Studies,* 46(3), pp. 393–426.
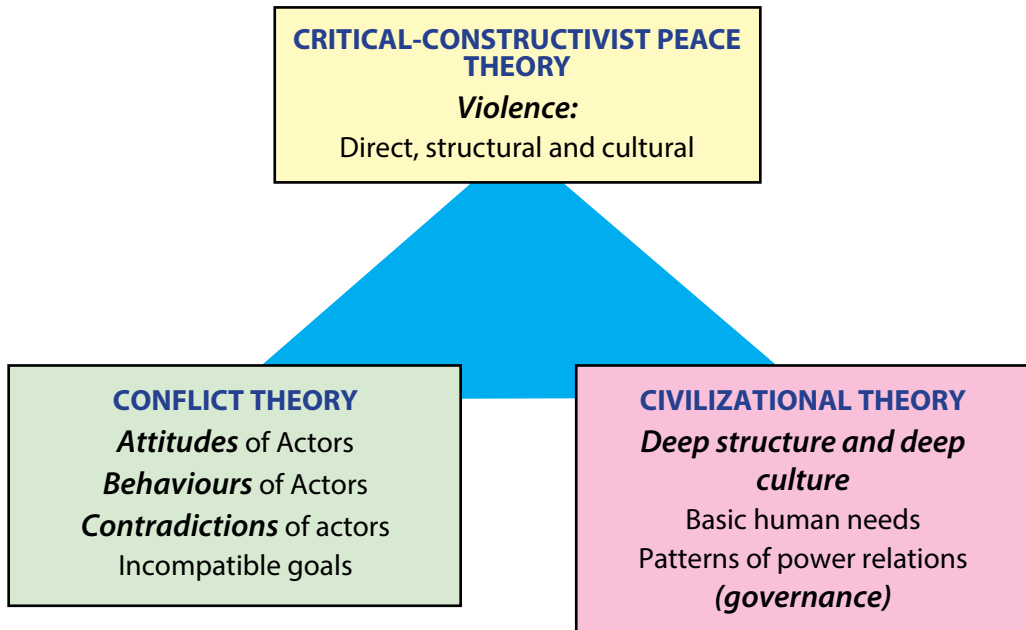
**Figure 1: Trascend Theory**

Sudan, Tanzania, Uganda and Zambia. The study will focus on the most affected by violent conflicts in the last few decades namely: Burundi, DR Congo, Rwanda and Uganda.[5] The epicentre is considered to be the DRC.

The GLR forms a complex network of political and economic interactions with implications for peace issues, security and governance. However, the term now refers to a region with interlinked conflicts and common fundamental problems that emanate from post-colonial challenges to state and nation-building. Given the interrelationship between the conflicts within the region, it is a comparatively confined geographical area, with high population density and a history of interdependence. There are regional dynamics, and direct and indirect interactions between the conflicts in the region. A clear regional analysis is necessary as a basis for action in the different countries in the region.[6] It is necessary to analyze how the situation or intervention in one country affects the neighbours.

The GLR countries especially the DRC, Rwanda and Burundi partly differ in terms of their history, extent of war and levels of development, but they have some similarities that may explain their interconnected endemic violent conflicts. In terms of democracy and governance, they have been struggling to establish a consensual electoral system which would guarantee a peaceful transfer of power. They also seem to have failed to establish inclusive political institutions, thus resulting in unequal representation in decision-making and access to land and natural resources.[7] They are polarized along identity and ethnic dimensions that are regionalized and manifest in political violence.

Transnational ethnic groups and porous boundaries facilitate the 'inter-contamination' of violent conflict. For example, the genocide in Rwanda increased cross-border ethnic affiliations between it, the DRC and regional ethnic-based rebel groups. It further resulted in a significant number of 'warrior' refugees, who destabilized Rwanda and the eastern part of the DRC at the same time. The instability in the eastern DRC then gave Burundian armed groups the opportunity and a rear base to attack their country. Furthermore, the availability of land and mineral resources in the DRC resulted in

[5] Lind, J. and Sturman, K. (eds) (2002) *Scarcity and Surfeit: The Ecology of Africa's Conflicts.*

[6] Thompson, N. (2003) 'Access to Land in Post-Conflict Situations: An Analytical Paper.' Rome:    FAO.

[7] Mwagiru, Makumi, (2001), *Conflict Management in Africa: Lessons Learnt and Future Strategies;* Nairobi: Centre for Conflict Research (CCR) and Friedrich Ebert Stifling (FES).

enormous economic interests for neighbouring and other countries, who benefit from the illegal trade of minerals during civil wars. Similarly, massive displacements and refugee flows across borders in each country also spreads the effects of the conflicts within and across neighbouring countries.

Another factor that plays a crucial role in spreading conflict from one country to another is forced migration flows. At one time or another, every country in the region has received refugees from its neighbouring countries. For example, Burundi has received Rwandan and DRC refugees, the DRC has received Rwandan and Burundian refugees and Rwanda has received Burundian and DRC refugees. Since all these refugees fled conflicts with a strong ethnic background, it was very easy to see how these conflicts spread into the host countries since there are similar ethnic groups and dynamics across borders.[8]

Once in the host country, refugees pose a threat to local stability by fueling competition over resources such as food, land and jobs. However, the GLR has experienced situations where refugees were able to trigger conflict significantly by impacting directly on ethnic relations in their host countries, or by building a base for rebel group mobilization and operations.[9] Although the factors that have been identified as root causes of conflicts are important and tap into broader processes generally recognized in conflict literature to be conflict-generating, other factors such as extreme poverty, climate change and historical and colonial legacy would also be major sources of conflict in the GLR.

The classic categorization of conflicts as interstate and intrastate in the GLRis inapplicable, since the conflicts tend to expand geographically and their epicentre shifts from one location to another. Furthermore, conflicts in the GLR are dynamic and complex, as they involve multiple and interlocking regional and international actors. However, these conflicts have common features relating to governance issues, identity division, structural violence, exploitation and equal access to natural resources. The inability of the governments of the day to manage multi-ethnic societies by ensuring equitable access to natural resources, rule of law and political inclusion creates a ripe context for conflict, as social and political elites play on ethnic divisions and prevailing stereotypes. The difficulties in addressing basic needs for various ethnic groups equitably can be seen within the context of state policies that have been weakened by conflicts and whose ability to guarantee security of the life and property of its citizens is diminished.

Additionally, conflicts in GLR countries have always been interconnected. Although conflicts tend to be intrastate in the beginning, due to strong cross-border dimensions and transnational ethnic identities these conflicts have spread to destabilize the whole region. Many Armed Organized Groups (AOG) including child soldiers, are coerced and driven across borders to fight. Exploitation and the illicit trade of natural resources fuel conflict at a regional level. Proliferation of small arms and financial resources flow across borders and people are forced to flee their homes and criss cross the region to escape violence, starvation and injustice.

Two stepping-stones for the maintenance of peace are on the one hand, "to reduce structural violence", and, on the other, "to contribute to cognitive reintegration". The building of institutions and the reconstitution of the social contract between state and citizens, and the social trust among citizens are steps in order to achieve a successful post-conflict transformation. Helping the people of a war-torn country to rehabilitate and reconstruct their society is a politically delicate process, which requires financial commitment and programmatic coherence from the international community.[10] It requires a multifaceted, coordinated effort to rebuild the economic, social and political institutions, and legitimacy and trust, now devastated by war and violence.

Mwagiru states that conflict resolution and peace building are issues which have become very topical in debates and discussions on Africa. This is not only because Africa is characterized

[8] Ikejiaku, B. (2009). 'The Relationship between Poverty: Conflict and Development'. *Canadian Journal of Sustainable Development,* 2(1): 15– 28.

[9] Ewald, J., Nilsson, A., Närman, A. and Stålgren, P. (2004) *A Strategic Conflict Analysis for the Great Lakes Region.* Stockholm: Swedish International Development Cooperation Agency (SIDA) (Department for Africa).

[10] Ansorg, N. (2011) 'How Does Militant Violence Diffuse in Regions? Regional Conflict System' *International Journal of Conflict and Violence*, 5(1), pp. 173–187.

by many conflicts, but also due to the realization that in most cases the conflicts have negative impacts on Africa's socio-economic and political development.[11] Therefore conflict resolution have become very essential in solving the problems of conflicts in Africa. The intrinsic nature of conflicts in sub-Saharan Africa, have accumulatively claimed millions lives, others created refugees and displaced persons. During the 1994 genocide against Tutsi in Rwanda, up to over one million people perished and as many as 250,000 women were raped, leaving the country's population traumatized and its infrastructure decimated.[12]

The genocide resulted in refugee flows to the neighbouring countries. Extremist militia groups in refugee camps and former Rwandan military officers attacked Rwanda and Burundi, while the DRC forces, with the support of President Kabila of DRC, launched an evacuation of refugees from the DRC that led to an attack from Rwanda and Uganda. These actions attracted the involvement and interest of other governments in the region namely Uganda, Burundi, DRC, Zimbabwe, Angola, Namibia, Chad and Sudan who supported sides of the conflict. Given the shifting interests of various governments and rebel groups, the fighting in the Congo, Rwanda and Uganda continued for over 15 years with only some short breaks of peace. Such instability is exemplified by violent rebel groups and militias that are active across the ICGLR such as the LRA in Uganda, the Democratic Forces for the Liberation of Rwanda (DFLR) and the National Liberation Front in Burundi.The ongoing conflict in Darfur has been considered genocide, still on-going are the conflict in Somalia, DRC, CAR, Mali, South Sudan and many others.[13]

# The Rwanda Conflict (Hutu/Tutsi)

Historically and ideologically Rwanda and Burundi were divided into three social identity groups namely Twa, Hutu and the Tutsi. Different regions were attributed to these identity groups. According to some sources the same groups occupied the territory by successive waves of migration at different times. The Tutsi are believed to have migrated from the east and the Hutu are believed to be of Bantu origin. What traditionally distinguished Tutsi and Hutu were their occupational differences as Tutsi tended to be cattle herders and Hutu were generally farmers. Before westerners arrived and intruded, Burundi was ruled by a princely oligarchy, known as the *ganwa,* a clan traditionally viewed as ethnically distinct from Hutu and Tutsi and which provided a unifying point of reference.

The history of conflict in the GLR goes back to colonial times. The policies of the colonial governments in Rwanda and Burundi resulted in formalized hatred and discrimination between Hutu and Tutsi ethnic communities, causing brutal violence after the end of colonialism. In the pre-colonial and post independent periods, Rwanda has been characterized by conflict attributed to seclusion and the struggle for power. Of all the contradictions that occurred in different eras, those that saw the elite the Hutu/Tutsi identity categories in direct opposition marked the social-political dynamics of Rwanda from the advent of the Belgian colonial rule in 1916 until the 1994 genocide antagonism between the Hutu and the Tutsis. This was related to the inequality of conditions and social-economic and political benefits left behind by decades of colonization.

During the early 1990s in Rwanda, failed negotiations for the repatriation of the Rwandese refugees led to guerrilla intrusions by the Rwandese Patriotic Front (RPF). In 1994, following the assassination of the President of Rwanda, Juvenal Habyarimana, a Hutu, who had favoured his ethnic group within Rwanda and Burundi, brutal violence led to the Rwandan genocide where over 800,000 primarily Tutsi victims were killed.

The conflict between Tutsi and Hutu today is thus best understood as resulting from the manipulation of ethnic identities by members of Rwanda and Burundi political classes in the struggle for control of the post-colonial state. The nature of the Tutsi – Hutu conflict is the long and tortured path to peace.  Phase I was UN steps

[11] Bøås, M. and Jennings, K.M. (2014), *War in the Great Lakes Region and Ugandan Conflict Zones: Micro-Regionalisms and Meta-Narratives,* p.16.

[12] Outreach Program (1994) G*enocide Against Tutsi in Rwanda.* The United Nations.

[13] Mwagiru, Makumi, (2001), **Conflict Management in Africa: Lessons Learnt and Future Strategies;** Nairobi: Centre for Conflict Research (CCR).

in 1993 -1995. Phase II was Mwalimu Nyerere as facilitation from 1996 - 1999. In Phase III Mandela took from 1999 - 2001. After the accord of 2002 to the present there have been remaining challenges for lesson learning from society within the regions and African countries. The nature of the Tutsi - Hutu conflict in the GLR is unique to the African continent as it is the only instance of inter communal violence among Africans.[14]

# Causes of the Conflict

There is no single cause of conflict in the GLR. The conflict is a complex web of inter-connected needs, interests and grievances that exist not only domestically but also internationally with countries that have been involved in influencing politics, economics and security to protect their own perceived interests in the region.  The conflicts in the GLR are complex in terms of the nature, scope and magnitude of their causes. The primary causes of the conflicts in the GLR can be broken down into over-arching categories: political, economic and social (ethnic). These factors have played a key role whether as underlying, proximate or trigger causes of the conflicts.

# Political Causes of the Conflicts

### Bad Governance and Systemic Institutional Failure.

Leading up to the conflicts, the states had failed to perform its fundamental functions of delivering services, securing law and order and defending the country's interests at the regional and global levels. They had failed to establish and maintain institutions at national and local levels that could manage conflicts among groups. In contrast, the state had enacted rules and laws that undermined peaceful cohabitation among ethnic groups. The most blatant example is the use of nationality and immigration laws to transform targeted members of society (e.g. the Rwandophones) into stateless communities. Poor leadership and bad governance have led to different types of conflicts on the region. They include, elite conflicts,

factional conflicts, communal conflicts and mass conflicts.[15] Rwanda, Burundi, Uganda and DRC have been home at different times to a mixture of these types of conflicts.The recent wars occurred in an environment marked by the collusion of public and private mercantilist interests in a resource-rich but institutionally weak state. It was an environment characterized by the resurgence of global security with threats of terrorism, while at the regional level the DRC's relationships were compromised by critical national and cross-border security threats to its neighbours. Thus, the conflicts in the region have always had both internal and external dimensions.Partly as a result of this tragic history, the region experienced a difficult and unstable post-independence era, marked by rebellions and secessionist wars.

### Democratization Issues.

The current sociopolitical dynamics show that generally, political leaders in the GLR have noticed that the application of universal democracy was passively correlated to violence and conflicts. They appear to have decided to define democracy in their own way, which is then adapted to the structure, history and development of their societies and people. Therefore, in GLR countries, there is a tendency to restrict some democratic rights – such as the freedom of speech and free political activity – in the name of national security, peace and stability. Most importantly, there is also an increasing tendency to change the constitution to remove presidential term limits.[24] These moves seek to allow leaders another opportunity to compete and possibly stay in power, so as to sustain the relative security and peace their countries have been enjoying during their political mandate. In some cases, citizens are allowed to vote for or against the change of the constitution through a referendum. Though consultation with citizens before any constitutional change is always considered as the application of a core democratic principle, its validity depends on the context and conditions in which the referendum vote is organized. The remaining crucial question is whether the new way of defining democracy in GLR countries will be another significant underlying cause of further conflict, either in the near future or in the

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[14] http://www.theelders.org/article/towards-peace-great-lakes-framework-hope accessed on 23 September 2016.
[15] Chazan, N. et al, *Politics and Society in Contemporary Africa,* (1999), Lynne Rienner Publishers, Colorado.

long run. In later years, the war was regionalized, pulling in Angola, Uganda, and Zimbabwe. The key motive for these countries' involvement in the war was the protection of their national security. For example, Angola's motivation was to protect its oil and diamond fields in the Kabinda oil fields, which are split by Congolese territory. Angola was also concerned about the threat of an alleged coalition between the AFDL and Savimbi's UNITA, and the risk of the DRC becoming a rear base for anti-government rebellions. The second DRC war or "the anti-Kabila war", which broke out in 1998, was driven by the disappointment of Rwanda, Uganda and Burundi over Kabila's failure to take control and restore security in eastern DRC. The other factor was Kabila's desire and domestic pressure to curtail the dominance of his external backers, namely Uganda and Rwanda.

### Ideological differences.

The ideological antagonism between the pro-socialist proponents against the pro-capitalists was the key cause of the Eastern rebellion of 1964-1966. The ideological disputes caused political chaos following independence. These events dramatically changed the regions's destiny, sowed the seeds of regional and ethnic antagonism, and instituted the long reign of dictatorial and autocratic regimes.

### Personality /leadership styles.

Regime evolution in post colonial Africa portrays cases of mismanagement, official pillaging, dictatorships, irresponsibility, vacillation and confrontation. Rwanda, Burundi, the DRC and Uganda are among the "top champions" of this disappointment on the continent. The colonial legacy as a source of conflict is still a problem, mainly because postcolonial states have been characterized by bad leadership and bad governance. Corruption, nepotism, exclusion, injustice and unequal distribution of national resources have become the primary indicators of the sort of governance found in these countries. This has not only exacerbated poverty and state weaknesses, but it has also destroyed social cohesion, hence fueling violent conflicts. The typology of regimes in

Sub Saharan African indicates that in the four countries under study, four types of regime forms dominated: hegemonic, populist, personal coercive and the regime breakdown. All these four countries have experienced total or partial regime breakdown: DRC in 1990's, Uganda between 1981 and 1986; Burundi between 1993 and 1996 and Rwanda in 1994. For many years, tyrannical and patriarchal leadership styles dominated political centers in this region.[16]

## Economic Causes

### Natural Resources.

The massive economic potential in region has not been effectively harnessed to meet the needs of the people and to transform the region into a true engine of economic integration and development. Instead, the natural resources ranging from various minerals and forest products in DRC, oil in South Sudan, grazing land in Darfur among others have been used to cause and finance the conflicts in the region with dire consequences on the populations. The poor economic performance is related to the causes of the conflicts in several ways. The DRC is literally a geographic and potential economic giant in Africa. It is sparsely populated with about 28 inhabitants per square kilometer, which is the 20th lowest density on the continent. It has a large and dense forest cover due to its geographical location on the equator. It has high fertility and abundant water. The notable disadvantage is the poor infrastructure resulting in difficulty connecting various parts of the country by transport infrastructure. The country has massive endowment in natural resources, including minerals, oil, water, forestry and agricultural land. The DRC is a world leading producer of copper and cobalt, coltan, diamonds, silver and petroleum. According to the most recent estimates, the DRC accounts for 55 % of the world's cobalt production (45 % of world's reserves), 21% of industrial diamonds and 12 % of tantalum*. The east has gold, tungsten, uranium, oil, natural gas and coltan are enough minerals to keep the global technology and defense industries humming. The massive water reserves constitute an important asset for transport and hydropower generation. The country has the potential to

[16] Chazan, N., Lewis, P., Mortimer, R., Rothchild, D. and Stedman,S.J. (editors), (1999), *Politics and Society in Contemporary Africa,* Lynne Rienner Publishers, Colorado.

generate electricity that can feed the entire GLR and beyond.

### External Actors/Influence.

Conflict is driven by the governments, rebel groups and external actors for control over the regions' vast natural resources and the world's largest strategic mineral reserves. After independence, the leaders of these regions advocated secession with a view to controlling resources. Natural resources abundance, or resource dependence is a characteristic of the conflicts in the region. It could be argued that the region has experienced the worst case of the so-called 'resource curse'. Another distinguishing feature of recent conflicts in the DRC relative to post-independence conflicts is the heavy presence of Multi-National Corporations (MNCs) and other private operators that take advantage of the country's natural resources and weakness of the regulatory system. Rather than scaring off private capital, conflicts have made the country the magnet of private resource-seeking capital. The conflicts have been an illustration of the negative side of globalization, notably the immense powers of unregulated private global enterprises. The dominance of MNCs has serious implications for conflict and economic development. It is linked to the abusive exploitation of natural resources with negative effects on society and the environment. MNCs operating in the context of weak regulation are also notorious for engaging in various forms of corruption and unethical business practices including tax evasion and avoidance, transfer pricing and abuse of workers' rights. Global capital has both benefited from a weak regulatory system to exploit natural resources and to weakening institutions by undermining governance reforms. These, in turn, contributed to raising the risk of conflicts and to prolonging instability.

### Inequitable Access to Land.

Land use and land access are significant factors in a number of high-intensity conflicts in the GLR. In Rwanda, unequal access to land is one of the structural causes of poverty that was exploited by the organizers of the genocide.

Limited access to land, exacerbated by its inequitable distribution and similarly insecurity brought about by frequent episodes of population displacement and subsequent redistribution of land by the state, have been described as patterns of economic domination and exclusion that create deprivation and social tension and prepare the way for violence. Land claim and redistribution was one of the reasons for the failure of the Arusha Agreement of 1993, which was supposed to end a four-year war between the government and the Rwandan Patriotic Front (RPF) rebels, and perhaps even prevent the 1994 genocide. Many researchers also consider land disputes to be at the heart of most conflicts in communities. It is estimated that in Rwanda, at district level, at least 80% of disputes reported to administrators are on land and in certain areas, the figure is as high as 95%.[17] The National Unity and Reconciliation Committee, which conducted consultations across the country, found that land disputes are "the greatest factor hindering sustainable peace".

Inequitable access to land has long been one of several structural causes of conflict in Burundi and contributes to poverty and grievances against the government and elite groups. In 1993, land disputes related to the return of refugees significantly contributed to the deterioration of the political situation, which culminated in a *coup d'état* and the assassination of President Melchior Ndandaye. Peace in Burundi is still being threatened by inadequate preparation to receive returning refugees and ineffective institutions for addressing land disputes, and the fact that grievances related to land are manipulated for political purposes.[12] In the DRC, land remains important for several reasons. First, insufficient access to land in many parts of the east is a significant factor in the impoverishment of thousands of rural people, and is a 'structural' cause of conflict. Secondly, in the case of the Ituri territory, contested purchase and the expansion of agricultural and ranching concessions have been identified as some of the proximate causes of violence.[18] Thirdly, the present conflict has radically changed land access patterns through a number of mechanisms, including forced displacement and shifts in the level of authority

[17] Thompson, N. (2003) *Access to Land in Post-Conflict Situations: An Analytical Paper.* Rome: FAO.

[18] Lobho Lwa Djugudjugu, J.P. (2002) *La problématique du conflit ethnique Hema-Lendu en Ituri. Mouvements et Enjeux Sociaux*, 7, pp. 43–77.

enjoyed by different customary and administrative leaders. Conflict is producing new competition for land, as part of a wider renegotiation of the local economic space and redrawing of ethnic, class and other 'boundaries' between groups.[19]

# Social Causes

### Ethnicity.

Ethnicity played an important role in the conflicts at and after independence and it continues to be central to modern day conflicts. Ethnicity became politicized as a result of the combination of the divide-and-rule agenda of the colonial administration, which was exploited by members of the national elites seeking convenient means of mobilizing political support. To understand the regional dimension of ethnicity in the GLR, one first has to understand that the ethnic distribution of Hutus and Tutsis is not confined within political boundaries. More than two million Hutus and Tutsis are located across the boundaries of Rwanda and Burundi in neighbouring countries.[20] A trigger of the 1996-97 conflict was the influx of more than one million Rwanda Hutu refugees in Eastern Congo in June 1994 following the genocide and the victory by the Rwandan Patriotic Front (RPF). The arrival of such large numbers of Hutu disturbed the delicate balance among ethnic groups in the region and it especially increased the marginalization of the Banyamulenge who were associated with the Rwandan Tutsi ethnic group. A key underlying factor in the intervention of DRC's eastern neighbours was the issue of nationality and identity. Specifically, the war was an illustration of alienation of the Congolese of Burundian and Rwandan origins continued to haunt the DRC's political system. It explains why certain rebel groups keep turning east for support. The GLR has suffered greatly in terms of the human death toll, political instability and the negative effects on the economy. No region of the African continent has known as much political strife, loss of life and social dislocation as the GLR.

### Migration.

Another factor that plays a crucial role in spreading conflict from one country to another is forced migration flows. At one time or another, every country in GLR has received refugees from its neighbouring countries. As all these refugees fled conflicts with a strong ethnic background, it was very easy to see how these conflicts spread into the host countries, since there are similar ethnic groups and dynamics across borders. Once in the host country, refugees pose a threat to local stability by fueling competition over resources such as food, land and jobs. However, the GLR has experienced situations where refugees were able to trigger significantly more destabilizing dynamics by impacting directly on ethnic relations in their host countries, or by building a base for rebel group mobilization and operations. Some refugee situations have created new conflicts in host countries, while worsening the conflict in their country of origin through cross-border attacks. The 1994 Tutsi genocide in Rwanda can be used as an example. Following the genocide, Hutus fled to the DRC and crossed the border with their arms. From refugee camps, they perpetrated attacks in Rwanda and later on created an armed group, the Democratic Forces for the Liberation of Rwanda (FDLR), which has been destabilizing the eastern DRC. FDLR activities have also been a source of tension and conflict between Rwanda and the DRC and between Rwanda and Burundi.

### Proliferation of Small Arms.

Small arms and light weapons (SALW) have many uses beyond their primary function as weapons of war. As a consequence, the effects of their proliferation are widespread. The first cluster of effects is connected with conflict and insecurity, and includes both the direct costs (deaths and injuries in conflicts) and the indirect costs (post-conflict insecurity, inter-communal tensions, etc.) of SALW proliferation and use. Although the proliferation of small arms and light weapons does not cause the conflicts that are evident around the world, they contribute to the level of violence, and generally make the resolution of these conflicts more difficult. The second cluster

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[19] Le Billon, P. 'The Political Ecology of War: Natural Resources and Armed Conflict'. *Political Geography*, (2001 20, pp.) 561–584.

[20] Amici, R. *Conflict Resolution in the Great Lakes Region*. (1999) Conference Report. London: The Council of the Democratic Federal Republic of Congo.

relates to development and governance issues. Investments of time and moneyby governments, the international development community, major international aid agencies and NGOs have little impact in conflict-affected environments because gains are undermined by violence and insecurity. SALW misuse is one of the factors that cause insecure situations and therefore undermines development. At the same time, a lack of development and a state that does not provide security to its people are some of the factors causing people to have weapons. For this reason, international focus on SALW issues has often been cast more broadly to address the roots of conflict and strengthen security provision through processes like security sector reforms. Earlier wars in the 19th and 20th centuries already involved the use of rifles, carbines, machine guns and similar weapons, but the range and frequency at which such weapons have been used in recent conflicts suggests that modern SALW are both increasing in numbers and becoming more prevalent in armed conflicts. For example, armed conflicts in Sierra Leone, Sudan, the DRC and Uganda all witnessed child combatants using small arms with ease. SALW are used both by government forces (military and police) and by non-state actors (guerrillas, militias, self-defence units and violent criminals engaged in conflicts against each other or against the state, or in violent criminal activities.

# Main Actors in the Conflict
## State Actors

The major state actors in the GLR conflict include:

a. Angola got involved to rout rebels and secure their common border with DRC.
b. Burundi was involved in the spill over of civil war by routing out the rebels and secure border.
c. Namibia joined the conflict in DRC under SADC.
d. Uganda got involved in neutralizing the Western Nile Basin Front (WNBF)and the LRA who fled to DRC and CAR.
e. Rwanda got involved in neutralizing Ex-FAR & Hutu Interahamwe who had fled to DRC and attack Rwanda from DRC.

f. Zimbabwe provided logistics to the DRC troops.
g. Kenya facilitated trade to Eastern Congo.
h. South Africa had strong investment in DRC and political influence and technical support.
i. France, Belgium, USA funded the mediation process. They were accused of fueling the crisis and exploitation of natural resources in DRC.

## Non State Actors

The non-state actors mad of armed groups involved in the GLR conflict include:

Democratic Forces for the Liberation of Rwanda (DFLR) is made of Rwandan Hutu extremists and accused of attacks on civilians and child soldiers' recruitment.

Maï-Maï Sheka formed in 2006 by mineral businessmen in DRC and accused of rape and attacks civilians including the UN peacekeepers.

Allied Democratic Forces (ADF) is a Ugandan-led and has existed since 1990s. They were accused of abduction and links with *Al-Qaeda* and *Al-Shabaab*.

Lord's Resistance Army (LRA) is accused of recruitment of child soldiers and indiscriminate killings of civilians.

March 23 Movement (M23) is a former rebel group that was to be integrated into FARDC, but was not. They fought government of DRC and took control of part of the country.

# Conflict Management and Intervention
## Intervention by External Actors

Peacebuilding is a full range of initiatives, strategies and activities that prevent, reduce and transform conflicts and develop institutions, attitudes and relationships that lead to a just and

sustainable harmonious human environment. Peacebuilding activities do not only aim to end violence, but also create structures that contribute to a just and sustainable peace. This is creatively done through the coordination of resources and approaches to accomplish multiple goals and address multiple issues for the long-term. In examining the GLR conflict, it is important to pay attention to the nature of institutions and peacebuilding initiatives involved. Examining at the actors, issues and institutions that have animated and propelled economic and the security relationships in the region may point out some challenges and gaps in the peacebuilding initiatives in the region.

The external actors to the GLR are the USA and France on one side and Belgium and the EU on the other. The USA and France since the 1960s, have had geo-political interests in the GLR and helped to install in power and strongly supported the autocratic regime of President Mobutu between 1965 and the early 1990s. France and Belgium, the former colonial powers of the DRC, Rwanda and Burundi also strongly supported Mobutu's regime, sending troops to protect it from invasions from Shaba Province in 1977 and 1978. During the Cold War, the GLR becomes a centre of competition rivalry between the two super powers and their allies. The removal of Mobutu from power in 1997, after four decades of misrule, sparked a rebellion that has engulfed the entire GLR. The USA has increased its economic and military assistance to many countries in the region including Uganda and Rwanda. The USA trained soldiers from Rwanda and Uganda as part of its 1996 African Crisis Response Initiative (ACRI) to strengthen the military capabilities of African states for regional peacekeeping. The USA military support for Rwanda, Uganda, Ethiopia and Eritrea was also part of its anti-Sudan policy in the region.

The EU has also recently taken a more active role in the peacemaking efforts in the region. In 2003, France deployed the first soldiers of a 1,400 strong largely European force mandated to protect civilians in Bunia until the expected arrival of 3,000 Bangladeshi peacekeepers by September 2003. Belgium with its long and complicated relation to the region, also plays an active role.

Regional and international organizations, mainly the UN, AU, EAC, SADC have been on the front lines in responding to the cycle of conflict in the GLR. Regional peacekeeping strategies included policy formulation by participating nations and heads of state meeting to support stability, control of small arms, refugee flows and economic development. Such strategies have been partly useful, especially after the 2004 Dar-es-Salaam meeting, in which heads of states committed to promote peace in the region.

# Conflict Intervention by the United Nations

The UN intervened in East DRC after realizing the atrocities directed on civilians by M 23. The UN created a joint military response known as United Nations Force Intervention Brigade (UNIFIB) with the mandate of bringing stability in the region. It was feared that instability in the region could adversely impact negatively on the political and economic stability of the neighbouring countries. After the defeat of M 23, a new environment of peace and reconstruction took place. Emergency project came to assist in the establishment of Eastern Region Stabilization and Peace (ERSP). Special attention was given to those hardest hit groups like IDPs, the host countries, youth and women with the support from the World Bank.

# Mandate of MONUSCO and the tasks of the Intervention Brigade

United Nations Security Council Resolution (UNSC) 2098 determined that the situation in the DRC constitutes a threat to international peace and security in the region. A situation that amounts to a threat to international peace and security is a prerequisite for the UNSC to authorize the use of force. Acting under Chapter VII of the UN Charter, the UNSC authorized the Intervention brigade to operate under MONUSCO in 2013 in addition to other UN regular forces. MONUSCO's military component was authorized to use force in the pursuit of all the objectives, and operates within International Humanitarian Law. The intervention brigade was delegated different tasks as well as its regular

forces in order to fulfill the overall mandate. According to the mandate, the expected results include contributing to the objective of reducing the threat posed by armed groups on state authority and civilian security in eastern DRC and to making for stabilizing activities.

## Review of the UN Mission in the Democratic Republic of the Congo (MONUSCO).

In 1996, a rebellion began in eastern DRC pitting the forces led by the late Laurent Désiré Kabila against the army of the late President Mobutu Sese Seko. Kabila's forces, aided by Rwanda and Uganda, took the capital city of Kinshasa in 1997 and renamed the country the DRC. In 1998, another rebellion against the Kabila government started in the Kivu regions. Within weeks, the rebels had seized large areas of the country. Angola, Chad, Namibia and Zimbabwe promised President Kabila military support, but the rebels maintained their grip on the eastern regions. Rwanda and Uganda supported the rebel movement, the Congolese Rally for Democracy (RCD). The Security Council called for a ceasefire and the withdrawal of foreign forces, and urged states not to interfere in the country's internal affairs. The countries involved obliged and a cease fire agreement was signed in Lusaka, Zambia.

Following the signing of the Lusaka Ceasefire Agreement in July 1999 between the DRC and five regional States (Angola, Namibia, Rwanda, Uganda and Zimbabwe) in July 1999, the Security Council established the United Nations Mission in the DRC in November 1999, initially for the observation of the ceasefire and disengagement of forces and maintain liaison with all parties to the Ceasefire Agreement.

On 1 July 2010, the Security Council, renamed United Nations Organization Mission in the DRC (MONUC) as the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) to reflect the phase of peace and security reached since the deployment of the UN mission in DRC in 1999. The new mission was authorized to use all necessary means to carry out its mandate relating, among other things, to the protection of civilians, humanitarian personnel and human rights defenders under imminent threat of physical violence and to support the Government of the DRC in its stabilization and peace consolidation efforts.

MONUSCO would comprise the appropriate civilian, judiciary and correction components, a maximum of 19,815 military personnel, 760 military observers, 391 police personnel and 1,050 members of formed police units. Future reconfigurations of MONUSCO would be determined as the situation evolved on the ground. MONUSCO role and performance has been criticized by the regions neighboring countries and the Congolese civil society.

## African Union Intervention

Since 1995, the AU has continued to pursue solutions in the GLR though the regional mechanism, ICGLR, Economic Community of Central African States (ECCAS) and EAC in close cooperation with the UN. They were reinforced by MONUSCO which continue to play an important role until stability in the region is assured. The AU has established the African Standby Brigades which were declared operational in 2015.

## Economic Community of Central African States (ECCAS)

The lessons from of years of conflict and crises made it clear that regional economic cooperation could not succeed without regional peace and security. As a result, ECCAS's mandate was broadened to include the joint promotion of peace, security and stability in the region. At the 10th HoS summit in Malabo, Equatorial Guinea in June 2002, the development of capacities to maintain peace, security and stability as essential prerequisites for economic and social development were listed among ECCAS's new priorities.

## Central African Peace and Security Architecture

The establishment of joint regional security institutions, mechanisms and operations and the conduct of peace and security activities in Central Africa reflect a general trend in the approach to

security on the African continent. This trend was mainly prompted by the growing unwillingness of the international community during the 1990s to intervene actively in international conflicts. The major reasons for this reluctance can be found in changing global interests and a new focus by the international community on developments in Asia and Eastern Europe.

As a consequence of this 'intervention fatigue' the international community, the UN emphasized the important role and responsibility of regional organizations in conflict management and promoted

## Role of SADC in the Conflict

The role of SADC in the GLR conflict is more evident when examined through the participation of some of its member countries. The main actors were South Africa and Tanzania. South Africa played a key role in peace keeping in the Democratic Republic of Congo:

   a. The inter-Congolese dialogue which was held in Sun City, South Africa between February and April 2002.
   b. In July 2002, Mbeki brokered the Pretoria Accord between Kinshasa and Kigali which led to the withdrawal of Rwandese troops from Congo. In exchange, Joseph Kabila agreed to track down and disarm the Interahamwe militia.
   c. In December 2003, all parties that had participated in the Inter-Congolese dialogue signed the All Inclusive Agreement on the transition in DRC done in Pretoria.
   d. South Africa provided troops for the UN Peace Keeping force in DRC.

## Role of the East African Community (EAC)

The EAC facilitated the negotiations that led to the Arusha Peace and Reconciliation Agreement for Burundi on 28 August 2000. This was preceded by an earlier round of negotiations in Arusha facilitated by the late President of Tanzania, Mwalimu Julius Nyerere which culminated in the Declaration of 21 June 1998. The talks

were continued under the leadership of the late President of South Africa, Nelson Mandela.

## The International Conference of the Great Lakes Region (ICGLR)

The ICGLR is an inter-governmental organization of the countries in the GLR. Its establishment was based on the recognition that political instability and conflicts in these countries have a considerable regional dimension and thus require a concerted effort in order to promote sustainable peace and development. Most notable among the conflicts that have had cross-border impacts include the 1994 Rwandan genocide that led to the loss of more than 800,000 lives, and the political instability in the DRC. These conflicts constituted a major threat to international peace and security.

The organization is composed of twelve member states. The member states conceived the strategy of deploying a military force to offensively engage with the rebel groups in the eastern part of the DRC in July 2012. These were a result of the government of DRC and United Nation Mission in the DRC failure to clear rebel groups from eastern DRC that were having regional implications. The organization agreed to develop and deploy a 3,500 strong neutral Intervention Force mostly from SADC. To avoid parallel force deployment in the DRC, the United Nations adopted the ICGLR proposal and incorporated the neutral intervention force into MONUSCO as Force Intervention Brigade (FIB). The FIB was mandated to carry out offensive operations against armed groups in eastern DRC. The first major victory for the FIB was the defeat of March 23 Movement (M23) which had taken control of eastern DRC and had committed mass violation of human rights and displaced thousands into the neighboring counties.

Sustainable efforts towards civil society-government cooperation in consolidation of the regional and national peace and reconciliation agenda has been reflected in an inclusive consultative process involving 13 countries of the GLR. In its evolution, dialogue, discussions, debates, research and ultimate formulations and establishment, the consultative process

that resulted in the ICGLR had as its principal objectives, inclusiveness, ownership and partnership. The ICGLR member states and six co-opted countries Botswana, Zimbabwe, Mozambique, Namibia, Ethiopia and Egypt, civil society, the private sector, youth, women, the AU and the UN as key international institutions. Similarly, the Group of Friends co-chaired by Canada and the Netherlands offered substantial diplomatic, political, technical and financial contributions and support and the regional economic communities of EAC, SADC, COMESA, ECOWAS and IGAD form the team.

During the all-inclusive consultative process involving governments and society, two key documents were adopted and signed by the region's Heads of State and Government that is the Dar-es-Salaam Declaration on Peace, Security, Democracy and Development and the Pact on Security, Stability and Development for the GLR. The two documents are the key working tools of the ICGLR. For both governments and civil society, these documents provided the framework within which the four main themes, the 33 Priority Projects and 10 Protocols would be implemented. This framework and the contents of the work agenda for the region, were supported by civil society in the region. It is a unique regional initiative through partnership to identify, analyze and synthesize the problems and challenges of security and development and agree on a way forward in solving them.

In November 2004, the Declaration of Dar-es-Salaam was signed at the First Summit of Heads of State and Government in Tanzania. This was the first official result of the ICGLR process. In this Declaration, the heads of state confirmed their political will to resolve the conflicts in the GLR. The Declaration also provided for the creation of a special fund for reconstruction and development in the GLR. The Declaration showed a strong commitment to peace in the region. It laid down four priority lines of action including: peace and security, democracy and good governance, economic development and regional integration and humanitarian and social matters.

## Security, Stability and Development Pact for the GLR

The Declaration of Dar-es-Salaam established

the framework for the ICGLR's Summit of Heads of State and Government, held in Nairobi (Kenya), where the Pact on Security, Stability and Development in the GLR was signed on 15 December 2006. The Nairobi Pact came into effect on 21 June 2008 after its ratification by eight of the 12 member states' parliaments. The pact embodies the desire of the leaders to solve the region's problems and its objectives include: carrying out the proposals in the Declaration, the agreements, the action programmes, the regional follow-up mechanism and the special fund for reconstruction and development and creation of conditions of security, stability and sustainable development between the member states. The Summit of Heads of State and Government meets every two years and oversees the implementation of the pact.

Furthermore, the Nairobi Pact proposed a regional follow-up mechanism for the ICGLR. This mechanism includes the Summit of Heads of State and Government, the Inter-Ministerial Regional Committee, the Secretariat and national mechanisms for coordination and cooperation. At the time of its creation, the ICGLR was chaired by the Special Representative of the UN Secretary-General in the GLR and coordinated by a UN/AU joint secretariat based in Nairobi, Kenya. Since the signing of the Nairobi Pact, the leaders have taken turns to chair the body. The Nairobi Pact contains 10 protocols, action programmes and projects. It places special emphasis on non-aggression and mutual defence in the GLR (Protocol 5):

'The member states commit themselves to maintaining peace and security and, in particular to cooperate to disarm and break up existing rebel groups. The illegal exploitation of natural resources is recognized as a violation of sovereignty and a serious cause of conflict and insecurity in the region'.

## Peace, Security and Cooperation Framework for the Region

Recognizing the recurring cycles of conflict and violence in the eastern DRC, 11 countries signed the Peace, Security and Cooperation Framework on 24 February 2013 in Ethiopia for the DRC and the Region known as the 'Framework of Hope'. This agreement represents an avenue of hope for the people of the region to build stability

by addressing the root causes of conflict and by fostering trust between neighbours.The DRC government, in particular, committed itself to: deepen security sector reform, consolidate state authority, particularly in the eastern DRC, make progress in decentralization and further economic development, further the structural reform of public institutions and further reconciliation[21].

The rest of the ICGLR member states pledged to respect the sovereignty of neighbouring countries in terms of international affairs and territorial integrity, neither tolerate nor provide assistance to armed groups, strengthen regional cooperation, including economic integration and judicial cooperation, and neither harbour nor provide protection to any person accused of war crimes or crimes against humanity.

The pacts and framework have led to some progress, especially in the monitoring of security at shared borders and disarming some negative forces operating in the DRC, resulting in the improvement of security in some areas. The states in the GLR have also maintained regular and close cooperation to address the regional challenges. However, ongoing and worsening tensions and conflicts within the region point to the limited impact of the ICGLR initiatives.

## Effects of the Conflicts

Violent conflicts in the GLR countries impacted negatively and severely on civilians. They also had a huge emotional cost for survivors and perpetrators and further facilitate the perpetuation of the cycle of violence by provoking reprisals and counter-reprisals. Some of the resultant effects are:

a. Forced migration emerged making the GLR one of the highest refugee producing as well as hosting region making host nations struggle on 'diminishing resources'. Some of the refugees caused wars between host countries and those of origin e.g. Uganda and Rwanda in 1990. The recent political crisis in Burundi relating to disputes over the 2015 election-related outcomes and respect of the constitution and the Arusha Agreement has already claimed about 400 lives and resulted in 175,000 refugees.

b. Pressure on limited resources on states hosting the refugees.

c. Damage to the environment.

d. Deterioration of economic and social infrastructure especially public and private infrastructure.

e. Constituted a massive burden on the economy, where national economies are already too weak and fragile to meet production requirements and support the institutions of a modern state. Over burdening of services including health and water.

f. Political implications when host states use them as scape goat for political gains.

The effects on the refugees included loss of lives and property. Since 1996, the eastern part of the DRC has been the scene of violent conflicts perpetrated by internal and external armed groups, which claimed about 6,000,000 lives and forced more than 2,000,000 people to flee their homes. In Rwanda, the genocide claimed more than 800,000 victims and resulted in more than 2,000,000 refugees. There were also rape and other violations of human rights (incest and psychological trauma), shortage of basic needs like food, water, and medical services, overcrowding and poor shelter, and disruption of social fabric and family unit. Besides these there has also been discontinued social economic life, emergence of orphaned families and effects on political stability in the region These have also been accompanied by the criminalization of the regional economy, drug and mineral trafficking, money laundering, the proliferation of small arms weapons, and the use of mercenaries and armed groups to destabilize neighbouring weak states with fragile institutions.

## Humanitarian Assistance to the Great Lakes Region

The conflicts in the GLR especially the DRC, Rwanda, Uganda, Burundi and South Sudan were mainly a struggle for power or an intra state conflict. The conflicts have had a lot of effects on non-combatants because most of the conflicts escalated into intense fighting either between

[21] African Union Peace and Security Council. 2013. *Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region,* at Addis Ababa, 24 February 2013.

tribes, rebels and armed groups and government forces. These conflicts caused a lot of suffering to the locals ranging from deaths, displacements leading to emergence of refugees and IDPs in the region. Displacement of persons is a dominant feature of the regional landscape since the 1960s due to the problem of struggle for power between leaders. The highest magnitude of refugees arose in 1990.

The non-governmental agencies operating in Burundi, Rwanda and DRC where the Catholic church who discussed peace, order, human rights and citizenship on the sidelines.The Protestant Women Association in DRC did rehabilitation of children affected by war. The Uganda Human Rights Commission assisted ex-combatants who took advantage of Amnesty Act 1999. GUSCO helped in the resettlement and social reintegration of children who had been abducted by rebels and turned into killing machines and sex slaves.In Uganda women and CBOs cooked for refugees and children who had been trapped in transit camps.

## Challenges of the Conflict

Challenges faced by intervention include the following:

    a. Most failures of peace negotiations in the GLR have been attributed to a lack of political will and the existence of spoilers within the region. Spoilers benefit economically and politically from continuous cycle of conflict and would do whatever it takes to keep the conflict heated. Illegal exploitation of mineral resources is still ongoing and is used as a source of funds groups perpetuating the conflict in the region.

    b. Strained relationships between states

    c. Lack of proper coordination of ongoing intervention.

    d. Inability to evaluate impact of some interventions.

    e. Active militia straddling the porous region. The AU and UN should protect territorial integrity of the countries in the GLR like what was done to Iraq when they invaded Kuwait.

    f. Those who have committed crimes ranging from crimes against humanity and war crimes still operate with impunity instead of issuing arrest warrant and prosecuting them in the ICC to make good.

## Preventive Issues in the Conflict and the Worst Case Scenario

This paper has addressed the number of factors that allows one to understand why a series of warsfrequently occurred in the GLR, and why it unraveled the way it did. While this analysis has an explanatory function, it may also offerclues as to future developments. Indeed, these factors are still present and one can conclude that a context favourable to new wars continues to prevail. Although some steps have been made toward state reconstruction in the DRC, Rwanda, Uganda and Burundi, the state remains very fragile, particularly in the East part of DRC, where earlier conflicts started. Territorial integrity and control is limited, private taxation continues and the illegal exploitation and the smuggling of natural resources is very vibrant.

The regimes of the countries in the GLR must endeavour to address the country's severe problems of political governance. The ICGLR initiated and got involved in high-level diplomacy and multilateral dialogue between member states during the Burundi crisis. The Burundi crisis saw a broad range of actors including the UN in attempting to play an intervening role. They took a central role in trying to facilitate dialogue among all parties and building on its longstanding involvement in Burundi through its various missions and envoys.

## *Gacaca* Courts for Justice

In traditionally social setting, the elders and community leaders would sit in the Gacaca courts as in Rwanda in 2003confirmed that offenders and the offended can be brought together to address the conflict thus establish the truth in order to reconcile the group. The elders would hear both

parties and arbitratein a way that is acceptable to all parties.[22]

The humanitarian consequences of the conflicts in the GLR over the past twenty years have been disastrous. Millions have died since 1990, of which over a million were the victims of direct violence. Those responsible for crimes against humanity, war crimes, and even genocide have remained unpunished. The only justice at work in the region has been victor's justice meted out to the authors of the genocide in Rwanda, MLC leader Jean-Pierre Bemba and a few Ituri warlords. However, the RPF, was not held accountable for the crimes it committed in Rwanda before, during, and after the genocide or for those perpetrated in Zaire/DRC, particularly in 1996 and 1997. While these crimes were well documented, no prosecutions took place before the International Criminal Tribunal for Rwanda (ICTR), before Rwandan or Congolese courts, or before courts in third countries on the basis of universal jurisdiction.[23]

## AU and EASF Scenarios

The following are the scenarios and reaction times prescribed by the AU that EASF need to be able to contend with in case of any eventuality:

a. **Scenario 1**: African Union/Regional Brigade Military Advice to a Political Mission and deploy within 30 days.

b. **Scenario 2**: African Union/Regional Brigade Observer Mission Co-Deployed with a United Nations Mission should deploy within 30 days.

c. **Scenario 3**: Provision of Stand-Alone African Union or Regional Observer Missions should deploy within 30 days.

d. **Scenario 4**: Deployment of an African Union or Regional Peacekeeping Force for Chapter VI and Preventative Deployment Missions as well as Peace Building Missions should deploy within 30 days.

e. **Scenario 5**: African Union Peacekeeping Force for Complex and Multidimensional Peacekeeping missions, including those involved in Low Level Operations. ASF completed deployment required within 90 days from an AU mandate resolution, with the military component being able to deploy in 30 days.

f. **Scenario 6**: African Union Intervention, that is, in genocide situations where the international community does not act promptly should deploy within 14 days.

# Conclusions and Recommendations

The GLR is classified as one of the world's top ten most unstable regions. The continuing conflicts in the eastern part of the DRC, the shaky peace agreement in Burundi and the cross-border activities of the LRA in Uganda, north eastern DRC and South Sudan are the major destabilizing factors of the region in the post-Rwandan genocide era. All these countries differ in terms of their history, extent of war and levels of development, but they have some similarities that explain their interconnected endemic violent conflicts. The epicentre of the conflict has been rotating from Uganda to Rwanda in 1990 to genocide in 1994, Burundi civil war in 1993 the into the DRC and CAR and South Sudan. The latest round of violence in the DRC took place last week where about 50 civilians were killed sparked by the ongoing political crisis. Elections are due this year and we hope that it will be transparent and free.

The countries in the GLR in terms of democracy and governance have been struggling to establish a consensual electoral system which would guarantee a peaceful transfer of power. They also seem to have failed to establish inclusive political institutions, thus resulting in unequal representation in decision-making and access to land and natural resources. They are polarized along identity and ethnic dimensions

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[22] Anne Kubai. Institute of Security Studies Volume 16 No 1 of 2007, African Security Review, p 55.
[23] V. Peskin, "Victor's Justice Revisited: Rwandan Patriotic Front Crimes and the Prosecutorial Endgame at the ICTR," in *Remaking Rwanda: State Building and Human Rights After Mass Violence, ed.* (2011), S. Straus and L. Waldorf, Madison: University of Wisconsin Press, pp. 173–183.

that are regionalized and manifested in political violence[24].

Transnational ethnic groups and porous boundaries facilitate the 'inter-contamination' of violent conflict. For example, the genocide in Rwanda increased cross-border ethnic affiliations between it, the DRC and regional ethnic-based rebel groups. It further resulted in a significant number of 'warrior' refugees, who destabilized Rwanda and the eastern part of the DRC at the same time. The instability in the eastern DRC then gave Burundian armed groups the opportunity and a rear base to attack their country. The Ugandan AlliedDemocratic Forces continue to operate on both sides of the Congo-Uganda border in the Ruwenzori region. The LRA is no longer active inside Uganda, but it operates in the DRC, though many of its fighters have relocated to the Central African Republic. The porous region straddling the DRC, the Central African Republic and South Sudan remains particularly open to insurgent activities. While peace seems to have returned in Rwanda, this is apparent.

The availability of land, forest and mineral resources in the DRC resulted in enormous economic interests for neighbouring and other countries from the region, who benefitted from the illegal trade of minerals during civil wars. Similarly, massive displacements of people and refugee flows across borders in each GLR country also spreads the effects of the conflicts within and across neighbouring countries25.

Finally, the analysis in this article is incomplete in explaining all possible root causes and dynamics of conflicts in the GLR. Although the factors that have been identified as root causes of conflicts are important others factors such as extreme poverty, climatic change and historical and colonial legacy would also contribute to the conflict in the region. All these are informed by the tri-dimensional Trascend Theory which incorporate the constructive peace theory, conflict theory and civilization theory.

The main challenges facing regional peacebuilding have been identified as the inadequate participation of local actors and civil society in the peace process, failure to address historical injustices, issues of land distribution, negative ethnicity and lack of commitment to the implementation of peace agreements and institutional reforms. Currently the ICGLR, AU and the Peace and Security framework are working together to give the region peace.

The following recommendations are suggested to enable the creation of conditions for lasting peace in the GLR:

a. A new paradigm is needed is for sustainable regional peace and security. Home grown peace imperatives must prevail over geopolitical interests of foreign powers. Internal and regional intervention mechanism should identify critical actors and ascertain their relationship with the conflict in GLR.Peacebuilding approaches has to focus more on regional cooperation and integration. Involving the civil society and local interest groups in the conflict transformation processes is also necessary.

b. Peaceful political change in the Great Lakes countries should be given higher priority in the national and regional security architecture and proper management of the political processes should adhere to the constitutions and democratic processes. The legal and political institutions should be strengthened to enhance good governance.

c. The root causes of the conflict mainly issues of land, historical injustices and resettlement of refugeesshould be addressed.Those responsible for crimes against humanity, war crimes, and even genocide who have remained unpunished should be held accountable.Grass roots initiatives like introduction of court similar to Gacaca court should be usedto address injustices.The Conflict theory canenable us to interrogate the attitudes, behaviours and contradictions of all the actors in the conflict. The actors could choose to be creative, constructive and peaceful and the GLR can be peaceful. If they choose to be violent and destructive, which they did and continue to do in DRC as late as last week, then there can be no opportunity for peace.

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[24] Van Leeuwen, M. (2008), Imagining the GLR: Discourses and Practices of Civil Society Regional Approaches for Peacebuilding in Rwanda, Burundi and DR Congo. *The Journal of Modern African Studies*, 46(3), pp. 430-432.

[25] http://www.accord.org.za/conflict-trends/conflict-great-lakes-region/ accessed on 18 September 2016.

d. Need to focus on healing and reconciliation to restore harmonious relationships within all the communities and repatriation and re-integrating the militia after disarming and demobilizing. Protection of the vulnerable and marginalized groups should be guaranteed.

e. Need to enhance the management, regulations and exploitation of the abundant natural resources in the DRC.

f. The African Standby Brigades need to be resourced, activated and operationalized to be able to intervene as a crisis response team.

g. The Peacekeeping Force MONUSCO should be granted a more robust mandate be multi-dimensional in nature and continue to work together with the Intervention Brigade.

These initiatives can address hostility, insecurity and increase fair political transitions, resettlement of internally displaced persons and refugees, reparation for victims of civil war, and focus on healing and reconciliation resulting in healthy relationships and a just peace.

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