

THE HISTORICAL BACKGROUND TO REGIONAL ORGANISATIONS IN THE RESOLUTION OF REGIONAL CONFLICTS

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The end of the Cold War ushered in an age of uniquely contradictory trends in global conflict and security. With the termination of super-power rivalries that had been a defining feature of the international system since the 1950s, the threat of a superpower-driven Third World War receded. But this was accompanied also by the eruption of several conflicts and thus a trend towards greater insecurity in many parts of the developing world. In 1994, for instance, the Stockholm International Peace Research Institute (SIPRI) recorded thirty one major armed conflicts in twenty-seven different locations around the world **(Sollenberg and Wallenstein, 1995:27)**. This number represented only a slight decrease from the 1993 figure of 33 conflicts in 28 different locations. Indeed, starting from the 1990s to the early 21st century, the insecurity of the Cold War Era has been supplanted by the proliferation of conflicts in diverse areas of the world.

The conflicts that have erupted since the end of the Cold War have been dichotomized into two basic types **(Ogaba, 2000:509)**.

The first type consists of conflicts arising from contested and incompatible claims to territory between nations (e.g. Iraq and Kuwait, Eritrea and Ethiopia). In the second category are those conflicts that have been generated by struggles over the control of the government machinery within a given country, ethnic irredentism, demands for group autonomy, secession and the right to independent government. On the basis of this dichotomy, it has been observed that the fundamental incompatibilities that have fuelled most post-Cold War conflicts did not revolve around inter-state territorial claims, but arose from disputes between two or more groups within a single state. In other words, the predominant mode of post-Cold War conflicts has been intra-state rather than inter-state. In many of these conflicts, however, there were also inter-state components, such as the use of the territory of neighbouring states as staging bases by warring groups by their latent and manifest supporters.

This proliferation of internal strife and intra-state conflicts, poses a set of challenges that are significantly different from those that had usually been associated with “traditional” conflicts between states. Among the distinctive features of those conflicts are the following:

- a. They have frequently erupted in “failed states”, in situations of anarchy or near anarchy, where there is little or no source of authority;
- b. They often involve, not two conventional armies, but a number of parties and insurgent groups with varying degrees of strength and control over territory;

- c. The chain of command within such groups is often unclear, thus complicating and often thwarting third party humanitarian or mediatory initiatives.
- d. Complex cultural, economic and social causes make such conflicts seem intractable;
- e. Such conflicts, largely waged with small arms and light weapons, involves a significant proportion of child soldiers;
- f. Such conflicts are frequently linked to ethnic divisions or other markers of identity, and often feature “conflict entrepreneurs” who derive personal or group gain from continually fermenting strife;
- g. Human rights law and international humanitarian law are often ignored to an even greater extent than in international armed conflicts; and
- h. The traditionally-honoured distinction between combatants and non-combatants is usually completely ignored, the civilian population is often directly targeted, and the resulting human suffering is boundless **(Jan, 1999:74-75)**.

The disturbing reality of these trends in most contemporary armed conflicts has added new challenges and complexities to efforts towards conflict prevention, management and resolution.

Since the end of the Second World War, the United Nations has been seen as the pre-eminent actor in the prevention, management and resolution of conflicts worldwide. The UN Charter of 1948 clearly underscored the need to “save succeeding generations from the scourge of war and to ensure the acceptance of principles and the institution of methods that

armed forces shall not be used, save in the common interest...” **(UN Charter and Statute of ICJ 1993)**; Thus in the period from 1945 to 1987, the UN undertook 13 peacekeeping operations around the world **(Evans and Newnham 1998:426)** and also engaged in countless efforts in preventive diplomacy and mediation, aimed at achieving negotiated settlement of disputes between nations. Although other Regional Organisations (ROs) also known as International Organisations (IOs) such as the Commonwealth, the Organisation of American States (OAS), then Organisation of African Unity (OAU), now African Union (AU) and the Non-Aligned Movement (NAM) also undertook similar engagements, the pre-eminence of the United Nations as the principal arbiter in international or regional conflicts was never debatable.

In the face of the post-Cold War proliferation of conflicts around the world, the UN has had to undertake greater responsibility for global security than was hitherto the case. From 1988 to 1997, it mounted 28 new peacekeeping operations **(Evans and Newnham, 1998:430)**, addressing what are primarily intra-state rather than inter-state conflicts and assuming new operational tasks, including the protection of humanitarian convoys, repatriation of refugees, conducting of elections and provision of civil administration. Even so, given that most post-cold war conflicts have been intra-state rather than inter-state in character, the debate has been on as to whether some of these conflicts would not be better managed and resolved by regional organisations.

The case for a greater role for regional organisations in the management of intra-state conflicts rests on 3 main planks. The first argument is based on the recognition of the limitations of the UN. The United Nations may be so preoccupied with prevailing conflicts and other issues that it cannot possibly pay attention to every new outbreak of domestic, regional or international conflict. Even if the UN was to be engaged in every conflict situation, its efforts in some cases, could be hampered by lack of the necessary consensus within the UN Security Council or General Assembly to enable it to take decisive and effective action.

The UN may also be constrained operationally by resource limitations. Under such circumstances, it has become imperative that regional organisations take on some of the responsibilities for the maintenance of peace and security in situations where UN intervention may not be immediately forthcoming.

Secondly, the active involvement of regional organisations in conflict prevention, management and resolution had in fact been anticipated by the authors of the UN Charter. ***Article 52 of the UN Charter endorses such efforts at regional peacekeeping and conflict resolution, where it provides that:***

- a. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the purposes and principles of the United Nations.

- b. The members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve ***pacific settlement of local disputes*** through such regional arrangements or by such regional agencies before referring them to the Security Council.
- c. The Security Council shall encourage the development of pacific settlement of local disputes through such regional agencies either on the initiative of states concerned or by reference from the Security Council (***UN Charter 1993***).

Thirdly, the trend towards regional engagement in intra-state conflict resolution has been informed by the argument that a regional organisation is more likely to be intensely interested in resolving a local conflict, and would therefore engage itself more actively than the United Nations, in the effort required to resolve the conflict.

Fourthly, given the limitations of UN resources, there has also been a growing contention that Peace-Keeping Operations (PKO) also known as Peace Support Operations (PSO) in particular, can best – or more cheaply and easily – be devolved to contingents drawn from states within the region concerned.

The last, but by no means the least argument for regional engagements, is the continuing pressure from the Western Powers for Third World Countries, particularly in Africa, to undertake ***their “own” peacekeeping***, particularly in areas where no major power interests are at stake and where quick solutions are unlikely (***Cawthra 1996:39-40***). Alongside these pressures from the Western world, is also the growing realisation

among member-states of regional organisations that intra-state conflicts if not properly managed and resolved, could in fact endanger regional security. **As Berman and Sams (2000:19) have observed:**

The inability of states to put their own houses in order is not simply an internal matter. The proliferation of rebel movements, small arms and refugees all adversely affect a State's ability to govern, and they threaten regional security. Intra-state conflicts are spilling over national borders with greater frequency and assuming regional dimensions.

The convergence of all these arguments has been the emergence of regional organisations as more significant actors in the prevention, management and resolution of conflicts, not only between but, perhaps even more importantly, within their member states.

However, the African continent has recorded some wars and conflicts which have impeded its developmental efforts. From 1960 to 2007, over 98 intra ethnic, religious or politically motivated wars were fought (**Human Security Brief (HSB), 2007:5**), (**International Peace and Security (IPS), 2011:3**). In addition, it has been estimated that some 26 armed conflicts erupted in the continent from 1963 to 1998 affecting 464 million people, which is equivalent to 61 percent of the continents population (**HSB, 2007:9; IPS, 2011:12**). At the regional level, 79 percent of East African population, 73 percent of Central Africa, 46 percent of West Africa, 51 percent in North Africa and 29 percent in Southern Africa were affected by conflicts (**HSB, 2007; IPS, 2011**) especially in the West African sub region and

the North Eastern regions of Kenya where violent conflicts involving pastoralists is widespread and increasingly severe **(Mckay, 2009:22)**.

In West Africa, The Economic Community of West African States (ECOWAS) which was founded in 1975 is considered one of the most successful of all the regional integration organisations on the continent **(Alli and Ogwu, 2009:61)**. The successes have been the result of ECOWAS resilience and achievements in conflict resolutions among others. This is against the background of escalating and largely intra-state conflicts in the region since the end of the 1980s. A number of countries have been devastated by the conflicts so much that the core objectives underlying the establishment ECOWAS, the regional economic body have been questioned, shaken and threatened.

ECOWAS at inception in May, 1975 did not envisage the nature of threats and conflicts which engulfed the region. Priority was given to issues of economic cooperation and integration to the detriment of peace building and conflict management.

The increasing incidence of conflicts in the region with its catastrophic consequences however, made the regional body to include conflict resolution agenda to its original goal with the full realisation that there can never be empirical economic integration and development without peace and security. The intervention of ECOWAS in Liberia and subsequently in Sierra Leone opened up new opportunities for the regional body to re-focus and re-strategise. This is to enable it become relevant to

the people of West Africa and the international community (**Alli and Ogwu, 2009**).

Other countries in the region that have experienced conflicts attracting the attention of ECOMOG under ECOWAS are Sierra Leone, Guinea Bissau, Ivory Coast also known as Cote d'Ivoire, Mali and Gambia. ECOWAS intervention and the management of conflicts in these countries brought to focus the effectiveness of the body's mechanisms for conflict resolution. The conflict resolution efforts were aimed at providing stable environment for economic development and integration within the region. In spite of ECOWAS efforts, West Africa continues to experience violent conflicts, leading to waste of human and material resources, thereby affecting the attainment of regional integration. ECOWAS has, however, remained undaunted to its commitment to effective conflict management and resolution.

Over time, however, in realisation of the fact that regional peace and security constitutes the essential platform for any meaningful economic development, the regional economic organisation in West Africa popularly known as ECOWAS has assumed confidence, peace and security "**building**" roles in the sub-region and has specifically undertaken conflict resolution missions in Liberia, Sierra Leone, Guinea Bissau, Ivory Coast, Mali and Gambia with a view to achieving relative peace and security. In other words, this is a key ingredient for regional integration and economic development in the West African sub region.

The interventions of this regional organisation called ECOWAS using their regional peace-keeping force known as ECOMOG in conflict management and resolution within the above mentioned ECOWAS member states, recorded varying degrees of success and have been greeted with various responses by governments and scholars around the world, with reactions ranging from commendation and acclaim to criticism and cynicism.

However, the involvement of ECOWAS led ECOMOG in the management and resolution of conflicts in the West African sub-region is important for several reasons. These reasons derive from the **“uniqueness”** of the operations that ECOMOG conducted in Liberia and Sierra Leone, to a lesser extent in Guinea Bissau, Cote d’Ivoire, Mali and Gambia where ECOMOG forces under strict supervision of ECOWAS forced former President Yaya Jammeh of Gambia to exile when he militantly refused to accept his defeat at the polls via the Gambian Presidential Elections.

Indeed, Economic Community of West African States (ECOWAS) was the first ever regional organisation that intervened in a regional conflict, deploying a regional peace-keeping force called ECOMOG, thereby making ECOWAS led ECOMOG a rare and the first experiment in the practice of regional conflict resolution.