**COLLEGE OF ARTS, AND SOCIAL SCIENCES (CASS)**

**CENTRE FOR CONFLICT MANAGEMENT (CCM)**

**UNDERSTANDING THE AFRICAN UNION CONFLICT PREVENTION MECHANISMS CONSTRAINTS: "THE CASE OF EASTERN DEMOCRATIC REPUBLIC OF THE CONGO"**

A Thesis submitted to the University of Rwanda in partial fulfillment of the requirements for the award of Master's Degree of Arts in Peace Studies and Conflict Transformation.

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# Declaration

I, TWAGIRAYEZU Alain, hereby declare that this research thesis entitled "**Understanding the African Union conflict prevention mechanisms constraint: "The case of the Eastern Democratic Republic of the Congo"** is my individual work and to the greatest extentof my awareness, it comprises no resources beforehand published or written by another person, no material which, to a considerable degree has been recognized for the decoration of any other degree or diploma at UR or any other scholastic establishment, excluding where due acknowledgement is made.


Signed:…………………………………………..Date……………………………………….

## AUTHORISATION TO SUBMIT THE CORRECTED DISSERTATION

I, undersigned, **Dr**. **Furaha Umutoni Alida** member of the panel of examiners of the dissertation done by **Twagirayezu Alain** entitled: *"Understanding the African Union Conflict Prevention Mechanisms Constraints: "The case of theEastern Democratic Republic of the Congo".*

Hereby testify that, he successfully entered the suggested corrections by the panel of examiners and stands with authorization to submit required copies to the administration of CCM for administrative purpose.

Done at KIGALI, Date: 23/06/2021

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## Dedication

To TheAlmighty God;

To my family, especially my late father who invested so much to take me to this milestone but unfortunately passed on before sharing my joy of achieving it;

To all of you who motivate and encourage others to shine.

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**TWAGIRAYEZU Alain**

## List of acronyms and abbreviations

**ACCORD** : African Centre for Constructive Resolution of Disputes

**ADF** : Allied Democratic Forces

**ADFL** : Alliance of Democratic Forces for the Liberation of Congo-Zaire

**APSA** : African Peace and Security Architecture

**AU** : African Union

**AUC** : African Union Commission

**CEWS** : Continental Early Warning System

**CNDP** : Congrès National pour la Défense du Peuple

**COMESA** : Common Market for Eastern and Southern Africa

**DRC** : Democratic Republic ofthe Congo

**ECCAS** : Economic Communities of Central African States

**ECOWAS** : Economic Community of West African States

**EU** : European Union

**FARDC** : Armed Forces of the Democratic Republic of Congo

**FDLR** : Democratic Forces for the Liberation of Rwanda

**FEWER** : Forum on Early Warning and Early Response

**FIB** : United Nations Force Intervention Brigade

**ICG** : International Crisis Group

**ICGLR** : International Conference on Great Lakes Region

**IPI** : International Peace Institute

**IRSEM** : Institut de Recherche Stratégique de l'École Militaire

**LRA** : Lord's Resistance Army

**MARAC** : The Central African Early Warning System

**MLC** : Movement for the Liberation of the Congo

**MONUC** : United Nations Organization Mission in the Democratic Republic of the Congo

**MONUSCO** : United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

**MoU** : Memorandum of Understanding

**NDC–R** :Nduma Defense of Congo-Renovated

**OAU** : Organization of the African Unity

**OECD** : Organization for Economic Co-operation and Development

**PoW** : Panel of the Wise

**PSC** : Peace and Security Council

**RECs** : Regional Economic Communities

**RMs** : Regional Mechanisms

**RCD** : Rally for Congolese Democracy

**SADC** : Southern Africa Development Community

**UK** : United Kingdom

**UN** : United Nations

**UNHCR** : United Nations High Commissioner for Refugees

**UNSC** : United Nations Security Council

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## Abstract

This study entitled "**Understanding the African Union Conflict Prevention Mechanisms Constraints: "The case of theEastern Democratic Republic of the Congo"** has the general objective of understanding the African Union conflict prevention mechanisms constraints in the special case of the EasternDRC. Specifically, the research intended to discourse on the constraints of the collecting and analyzing of the information related to preventing conflicts before they erupt in Eastern Democratic Republic of the Congo; and to also discourse on the constraints of the preventive diplomacy in preventing violent conflicts in EasternDRC. The research design was that of qualitative research adopting the desk review for data collection. The findings showed that conflict prevention entails a systematic and interconnected methodology from gathering of information on the signs of an impending conflict to response strategy. The steps are so interdependent that a failure in one step undermines the success in all the others. For harnessing conflict early warning system in Eastern DRC, more efforts need to be put into helping policy makers and implementers to understand conflict history, context, nature, issues and dynamics. Early hybrid response mechanisms would be appropriate in this situation. It was found that before a conflict erupts; members of the local community know about it, the indicators of conflict are foreseen in the region. The displays of overt conflict in Eastern DRC are mainly repeated assaults and propagation of hate speeches and guns within the communities. There is no prescriptive or easy answer to when is the best time for preventative intervention. Knowing "how early is early" remains a constraint for stakeholders involved. Within what timeframe do you issue a warning is a constraint. The conversion of early warning into early response persists to be the main challenge of the AU conflict early warning systems on the continent. Difficulties in resource mobilization for anticipating violent conflicts usually slow down early action to be taken in order to prevent the eruptionof violent and armed conflicts. Basically, the early response for prevention is hindered by the collection of necessary means for preventing an impendingconflict, but again the persons with information about the early signs of a risk of a conflict are often accused of being alarmists and causing unnecessary uncertainty about the future.

**KEY WORDS:**

Conflict Prevention Mechanisms, Early Warning System

# CHAPTER I: GENERAL INTRODUCTION

## 1.1. Background to the study

On the 9th July 2002, a Summit of African Heads of State held in Durban, South Africa, dissolved the Organisation of African Unity (OAU) and replaced it by the African Union (AU) with the broad objective of building an Africa that is integrated, peaceful and prosperous.

The ambition of convertingthe OAU to AU was to strengthen the pan African institution to be able, in particular to confront the instability and the persistence of violent conflicts on the continent, including political uncertainties and external interferences.

The move from the non-interferencein to non-detachment from internal undertakings of a member state of the African Union was anticipated to be one of the major changes at the AU. The African Union's privilege of intervention begins from the ideal of Pan-Africanism and the theory of non-lack of concern (Murithi, 2009). Those theories posit that African nations should not stay unconcerned with suffering and pain of the people of other African nations, and that African nations have commitmentto creating and maintaining the harmony,peace and security on the continent.

The formation of the African Union in 2002 and the succeeding Protocol that created the PSC in 2003 shaped a variety of tools that may be used inside the African Peace and Security Architecture (APSA) framework to deal with harmony and safety matters in Africa. The APSA was created with the expectation that it would assist in conflict prevention, management, and resolution, mainly by supporting theongoing peace securityprocesses or organizing new peace intervention operations as the situation would warrant.

To reinforce the African Union purpose for promotion of harmony and peace in Africa, African Peace and Security Architecture (APSA) is composed of the following main pillars, which are expected to jointly work together to ensure that APSA successfully delivers harmony and peace on the continent:the Peace and Security Council (PSC), the Panel of the Wise (PoW), and the Continental Early Warning System (CEWS).

In 2006, an agenda for operationalizing the Continental Early Warning System (CEWS) was developed. According to this agenda CEWS is expected to mainly collect and analyze conflict information on the continent; produce effective early-warning reports for decision makers enabling them to get involved in conflict prevention. To achieve this CEWS was to undertake coordination and joint effort with significant partners including the RECs, the UN (explicitly the Security Council and Secretariat), civil society associations, academic institutions and the Committee of Intelligence and Security Services of Africa(art. 12 of the PSC protocol).

The operationalization of the CEWS was reinforced by a 2008 Memorandum of Understanding with the Regional Economic Communities and Regional Mechanisms, which expanded the African Union's participation with other regional early-warning and reaction systems. CEWS started organizing conferences, seminars and meetings bringing together continental, regional, national and local early-warning specialists to exchange experiences on collection and analysis of conflict information as well as production of early-warning reports. Furthermore, the AU and the RECs early-warning and reaction components utilize official governments' institutions for collection of data about conflict triggers and peace and security agreements, and they have started publishing a joint newsletter on conflict prevention.

In 2007, the Peace and Security Council also operationalised the Panel of the Wise to advise the African Commission in peace and security promotion agenda of the AU. The Panel of the Wise (PoW) is one of the mainstays of the Peace and Security Architecture of the African Union (APSA). Article 11 of the Protocol establishing the Peace and Security Council (PSC), sets up a five-man board of highly esteemed African personalities from different segments of society who have made remarkable commitments to promoting and building for harmony, peace and security on the African Continent, charged with the responsibility of supporting the endeavours of the Peace and Security Council and those of the Chairperson of the Commission in avoiding conflicts on the continent. The PoW's high credentials facilitate it to talk to conflicting parties and lead them to agreeingto nonaggression treaties between.

Despite the fact that appreciable progress in operationalizing the CEWS has been made, the AU Situation Room has faced and is still facing limitations in terms of staff capabilities and infrastructure, especially specialized information communication technologies that have

adversary affected the achievements of the CEWS. The AU Situation Roomis staffed by five early-warning experts among its thirteen staff. This number is small compared with eleven specialists inthe similar units at the Economic Community of West African States (ECOWAS) and Southern African Development Community (SADC) separately. Accordingly, such limitation of human and material capacity impacts negatively the ability of CEWS to timely gather and analyse conflict-related information and to provide solid suggestions to AU on handling the situation.

Aside from the above issues at the PSC, AU Commission also needs an efficient and effective administration staffed with well trained and experienced human resource including academic expertsin peace and security issues. Furthermore, the AU Commission needs to improve its credibility in the eyes of member States as well as its regulatory framework and enforcement mechanisms of AU agreements and resolutions if it is to play a productive conflict prevention, management and resolution role(AU Commission, 2009). The non-implication of peace and security academic experts in the work of the AU Commission limits its capacity to quickly understand and react to emergencies and sabotages in capacity to prevent the conflicts from getting complicated as was the case in Mali (AU, 2013).

The African Union conflict prevention system is additionally compromised by the lack of sufficient number of specialists in peace-making.Because of this lack of specialists in peace-making with practical intervention ability on ground, quite often the people selected by the AU as peace talks facilitation specialists, however highly respected as politicians or cultural figures, do not have the needed experience and skill to investigate the roots causes and factors influencing conflicts and to propose or undertake proper intervention activity. As Nathan (2009) stated, in most conflict prevention interventions, the parties involved are influenced by different personalities in mediation processes.

Another test that AU faces is the lengthy consultations it takes the PSC to settle on choices of action whenan emergency situation has erupted and acknowledged (Toga, 2016). One of the explanations for this situation is the pitiable political gaming by Africanpoliticians and diplomats and the absence of priority put on African Union matters by African governments. To Baker (2007), the above matters have made AU's reactions to emergent conflicts generally either

moderate or inadequate or simply strategically ungainly. Additionally, the African Union has proven unfit to successfully take solid sanctions and actions against member states for the infringement of common liberties and intense assaults on regular citizens during low intensity conflicts, regardless of the early warning reports produced Continental Early Warning System (CEWS) about the flare-up of contention in Guinea-Bissau and Mali in 2012.The PSC didn't make any preventive moves against the contention. It is as if the AU has misconstrued it activities in terms of conflict avoidance to only what is stipulated in its article 4(h) of its Constitutive Act which provides that is has the right to intervene in member State in respect of grave circumstances, i.e. war crimes, genocide and crimes against humanity.  Actually short of intervening timely due to the lengthy and often unending debates at the PSC, wastes valuable time and creates conditions for a light conflict to evolve towards a more serious conflict in which serious crimes such as war crimes, crimes against humanity and even genocide may eventually be committed. These illustrate that the African union still lacks robust and compelling intervention mechanism for conflict prevention, management and resolution that would timely prevent simmering conflicts to evolve into violent and devastating conflicts.  The African Union needs to collaborate with member States to between such a strong mechanism if it is to achieve one of its objectives of building a stable and peaceful continent.

The AU comes up short on the required personnel and institutional ability to direct successful activities aimed at either maintaining or causing harmony, peace and security on the Continent. For example, the internal appraisal directed by the AU uncovered that the PSC itself experiences shortage of work force. The PSC needs interpreters and devoted recognized specialists in peace and security matters. It has only one secretary, four expert staff and a clerical specialist (APSC, 2010).

The Peace Fund was established with the purpose of being a vehicle for raising the financial resources required by the AU's APSA to be able to execute its mandate by undertaking all needed peace and security promotion activities.  However, this Fund has been seriously underfunded.  Most of its funding has been from countries and organisations out of Africa which are often constrained. Most African governments have neglected have not prioritized contribution to the Peace Fund and consequently the AU's mechanisms for peace and security promotion have not been adequately funded. They rather prioritize the preparation of their

peacekeepers without enabling the AU's central peacekeeping mechanism to acquire capacity to manage peacekeeping operations(Malan, 2013).

Because of the financial shortcomings of the Africa Union (AU) and its dependence on foreign subsidies for the running its affairs, especially peace and security ones, these foreign benefactors have disrupted the AU's way of dealing with conflicts on the Continent, particularly the need for finding African solutions to African problems.

Also, relyingtoo much onforeign guidance and support could be a hindrance to the AU's freedom in handling conflicts on the continent. The APSA Assessment Report 2016 notes that in spite of the fact that the Panel of the Wise has a decent working relationship with the PSC, its job is operationally muddled since it isn't clear what the Peace and Security Council expects from the Panel of Wise. Thus; the APSA Assessment Report supportsthe impression of different specialists, who recommend that the Panel of the Wise has been institutionally confined and its job has been restricted and has gotten little consideration.

One of the significant setbacks of the Panel of the Wise is the way that its members are named by the AUAdministration. This is possibly risky as it could weaken their unprejudiced nature. Up until now, the Southern African Development Community (SADC) has decided not to have a standing organ that is identical to the Panel of the Wise or comparable structures in different RECs. The troika of the organ would order evident characters from the area to either fence a continuous intervention exertion or to set out on other preventive endeavours.Under this approach, SADC has deployed mediators and Special Envoys to some of its member states to deal with conflicts situations. Just as other RECs, there was limited indication of cooperation between SADC and the AU's Panel of the Wise in their respective activities.

Aside from inside coordination, there is additionally an absence of boundary between the Panel and different partners and stakeholdersfrom outside the AU, pertinent to its work. For example, as communicated above, most RECs have set up or are presently building up structures like the Panel of the Wise which are assigned mediation ability. Harmonisation of work between the AU's Panel of the Wise and their equivalent in the RECs is critical to avoidunnecessary and often confusing duplication of endeavours in addressing a given conflict situation.

The Great Lakes Region is more affected by the occurrence of unending cross border and internal disputes. Countries like Burundi, Soudan, and DRC, especially in the Eastern region (South and North Kivu) including their neighboring countries have been involved in recurrent and seemingly unending violent conflicts crossing their respective borders.

According to UNHCR report (2020), between 2017 and 2019, the Democratic Republic of the Congo counted approximately 5 million internally displaced peopleand more than 918,000 refugees and asylum-seekers accommodated in various African countries (as of 29 February 2020).

The Eastern Democratic Republic of the Congo (North and South Kivu) continues to suffer from massive human rights violations resulting in high number of refugees and internally displaced persons. Between June 2017 and June 2019, the Kivu Security Tracker recorded 3,015 occurrences of battling and maltreatments with 6,555 casualties in the following classifications: Violent demise: 1,041 episodes with 1,897 casualties; Mass assault: 24 occurrences with 100 casualties; Abduction: 848 episodes with 3,316 casualties; Destruction of property: 148 episodes; Political restraint: 106 episodes; Clash: 1,290 occurrences.

Conflict continues to affect the lives of millions in Eastern Democratic Republic of the Congo. According to a variety of humanitarian measures, overall conditions in the country have not improved much in recent years. In 2018, 1.8 million people were newly displaced by violence, more than anywhere else in the world, and an estimated 12.8millionof people are in need of humanitarian aid and safeguard in 2019, 10 percent of the total worldwide humanitarian caseload (Kivu Security Tracker report, 2020).

According to Jason (2018) there are over 130 rebel groups in just North Kivu and South Kivu provinces, fighting for countless reasons. That is an increase from 70 in 2015 and 120 in 2017.

## 1.2. Problem statement

The AU has been working on peace and security promotion and conflict prevention from its inception in 2002, but it has not been successful in the Eastern Democratic Republic of the Congo.

The implementation of the peace and security promotion agenda of the African Union on the continent has generated the design of several organs. The APSA has been designed as a framework to implement the prevention, the management and the resolution mechanisms of violent conflict and also to avoid the reoccurrence of conflict.

The APSA has deployed the Continental Early Warning Systems and the Panel of the Wise organs to facilitate the collection and the analyses of information on violent crises for early preventive action; and to facilitate the preventive diplomacy using the good offices and mediation activities respectively.

The Memorandum of Understanding was signed between the African Union and Regional Economic Communities (RECs) and the Regional Mechanisms (RMs) to facilitate the coordination and to avoid the overlapping of strategies to avert the potential crises in the regions.

Despites the operationalized strategies and mechanisms of the African Union and the Regional Economic Communities in preventing the violent conflicts, the Eastern DRC population is continuing to live under violent conflicts which produces many displaced people, human rights violations, sexual abuses, kidnapping, *etc*.

Therefore, this study will seek to understand the constraints of the African Union conflict prevention strategies in Eastern Democratic Republic of the Congo.

## 1.3. Research questions

a) What are the constraints of the collection and analyses of information for conflict prevention in Eastern Democratic Republic of the Congo?
b) What are the constraints of the preventive diplomacy in preventing the conflict in Eastern Democratic Republic of the Congo?

## 1.4. Research objectives

### 1.4.1. General objective

The general objective of this research is to understand the African Union conflict prevention mechanisms constraints in Eastern Democratic Republic of the Congo.

### 1.4.2. Specific objectives

a) To highlights the constraints of the collection and analyzing of the information in preventing the conflicts before they erupt in Eastern Democratic Republic of the Congo;

b) To address the constraints of the preventive diplomacy in preventing violent conflict in EasternDemocratic Republic of the Congo.

### 1.5. Scope of the study

This research covers the Eastern DRC, the region most disputed by dozens of violent armed groups.The research starts with the beginning of the African Union and the operationalization of the African Peace and Security Architecture (APSA) and its organs. This work focuses only on the analyses of the constraints of African Union conflict prevention in Eastern Democratic Republic of the Congo.

### 1.6. Significance of the study

This research will contribute to the awareness of the implementation of African Union conflict prevention mechanisms.

This study will highlight the challenges of continental early warning systems in collecting and analyzing the data on conflict prevention.

This study will further highlight the challenges of the panel of wise in preventive diplomacy and mediation activities in conflict prevention.

The academic community will be able to proceed with other researches on how to efficiently and effectively move from early warning system to early response system.

### 1.7. Outline of the thesis

This dissertation is structured and organized into five chapters. Chapter one covers the general introduction which focuses on the background, problem statement; research questions, research objectives, scope of the study, significance of the study and organization of the study.

In the second chapter, different related literatures are presented to create deep understanding of the study. Chapter three presents the research methodology that was followed in this study. Chapter four deals with the presentation, analysis and interpretation of findings. The fifth chapter outlines the summary, conclusion and recommendations.

**1.8. Conclusion**

This chapter talks about the background of the shift from the Organization of the African Unity (OAU) to the African Union (AU) with the main agenda of the AU of promoting peace and security on the African continent. In addition, several organs have been installed to support the AU agenda of crisis prevention but the Eastern DRC continues to experience human rights violation. Therefore, the chapter was based on the fact that in the Eastern DRC population is continuing to live under violent conflicts which makes many displaced people, human rights violations, sexual abuses, kidnapping, the research questions and objectives were described to guide this study to explore the fissure in AU conflict prevention mechanisms in Eastern DRC.

# CHAPTER II: LITERATURE REVIEW

This literature review will emphasis on the understanding of African Union conflictanticipation mechanisms in Democratic Republic of the Congo.

Therefore, literature review undertaken in this research does not comprehensively look at the AU's conflict mechanisms on the whole continent, but is limited to selected texts (book chapters, reports, etc.) and published articles on Eastern DRC which discuss the conflict prevention mechanisms with specific focus onEastern DRC.

## 2.1. An overview of the Eastern DRC conflict

The existing ferocious  armed conflicts in DRC, classified as one of the world's most horrible active humanitarian catastrophes, has its geneses in the huge  refugee calamity that stemmed from the 1994 genocide in Rwanda. After Rwanda's genocidal government was defeated in July 1994, more than 2 million Hutus escaped to DRC fearing retribution for their starring role in the 1994 genocide against Tutsi. They associated themselves to Mobutu Sese Seko, former President of the then Zaire (now Democratic Republic of the Congo), and continued their genocidal enterprise byattacking the Tutsi population who had been living in the country for generations and to also launch incursions into Rwanda.

Consequently, as indicated by Marcucci (2019), Rwanda government began to back an armed rebel movement, called Alliance of Democratic Forces for the Liberation of Congo (AFDL), led by Laurent Kabila, aimed at toppling Mobutu from power and putting an end to the support the Rwandan genocidal forces were receiving from his government.  This started what was dubbed the First Congo War (1996–1997). The AFDL mobilized the help from neighboring nations of Uganda, Rwanda, Burundi and Angola, permitting it to lead a full-scale defiance to President Mobutu. In war against Mobutu progressed rapidly and by December 1996, most of the towns in the Eastern DRC had been conquered.  The AFDL together with its external supporters advanced to Kinshasa and captured it on 17[th]May 1997, toppling Mobutu's administration and introducing Laurent Kabila as the new President of Zaire, now baptized Democratic Republic of the Congo (DRC).

Unfortunately, Kabila did not understand that the support he received from his foreign supporters was intended to put an end to the support that the genocidal forces were receiving from the government of DRC. He started flirting with the genocidal forces and providing them support to attack Rwanda and he requested the few Rwandan soldiers that had stayed in DRC to help him create a new army to go home. Within one year, many Congolese had already been disappointed by his authoritarian and reckless rule and opted to create new rebel movements to topple him from power. Rwanda supported the Rally for Congolese Democracy (RCD) while the Movement for the Liberation of Congo (MLC) was sponsored by the Government of Uganda. Kabila, managed to mobilize various countries (Angola, Zimbabwe and Namibia) from the Southern Africa Development Community (SADC), which DRC had just joined to send armed forces to rescue his regime. The ensuing 4-year war that brought in confrontation the armies of more than 7 nations has been dubbed second Congo War (1998-2002).

In addition to the official armies of various nations, there were at least 16 various armed rebel armies and armed militias. The confrontation between the Armed Forces of the Democratic Republic of the Congo (FARDC) with support from the Angolan, Zimbabwean and Namibian as well as the Rwandan genocidal forces and the Burundian CNDD/FDD forces and various Congolese militias on hand and the RCD and MLC with support from the Rwandan, Ugandan and Burundian forces on the other hand. However, a misunderstanding developed between the Rwandan and Ugandan forces which led to clashes in Kisangani and weakened a bit the forces that were fighting against President Kabila.

In July 1999, the African nations associated with the conflict together with the rebel movements of RCD and MLC signed in Lusaka, Zambia, a ceasefire agreement that was to be followed with political negotiations, the deployment of a UN peacekeeping force to monitor the ceasefire and withdrawal of all foreign forces. By 2000, the UN approved a peacekeeping force of 5,537 soldiers, known by the French acronym MONUC (Mission de l'Organisation des Nations Unies pour le Congo), to monitor the respect of the ceasefire.However, the ceasefire was not adhered to by the warring parties and fighting continued between the government forces and their backers on one hand andrebel forces and their backers on the other hand. Unfortunately, the conflict between Rwandan and Ugandan forces which had erupted in skirmishes in August 1999 relapsed twice in 2000. On the top of the conflict, in January 2001, Kabila was shot dead by one of his

escort and was replaced by his son, Major General Joseph Kabila, as the new President of the DRC.

Because of the disagreement between Uganda and Rwanda, Uganda undertook to facilitate a rapprochement between the Uganda-supported rebel movement, MLC and the Government of DRC with the objectives of weakening the Rwanda-supported rebel movement, RCD. In April 2002, under the sponsorship of South Africa, an agreement between DRC government and MLC was reached that would keep Joseph Kabila as President and make Jean-Pierre Bemba, the leader of MLC as Prime Minister. This agreement was leaving the RCD in the cold with the hope that it would either give up its armed struggle or accept to be accommodated in the new arrangement receiving unimportant role in the government. As expected, RCD rejected this arrangement between the Government and MLC and vowed to continue its armed struggle until an agreement that addressed the root causes of the conflict is addressed.

In July 2002, under the mediation of South Africa and the UN, Rwanda and the DRC signed an agreementin Pretoria through which Rwanda committed to withdraw all its forces from DRC and the government of DRC committed to track-down, disarm and dismantle the genocidal forces (EX-FAR and Interahamwe militias). In September 2002, under the mediation of Angola, an agreement between DRC and Uganda was also signed providing for the withdrawal of Ugandan forces from DRC. The implementation of these agreements together with the commitment of the withdrawal of the armed forces of Angola, Zimbabwe and Namibia that had come into DRC marked the end of the of the Second Congo War as far as the involvement of foreign forces was concerned. It is worth noting that though Burundi had sent in DRC forces to fight against the CNDD/FDD forces that were aligned with DRC forces, it never publically acknowledged its presence in DRC and therefore, there was no separate agreement betweenDRC and Burundi on the withdrawal of Burundian forces.

In April 2003, in Sun-City under the mediation of Pretoria and UN and after months of protracted inter-Congolese negotiations, the DRC government and the rebel movements of RCD and MLC, the main political parties as well as the representatives of the Forces Vives of the DRC, the Congolese Rally for Democracy-Liberation Movement, The Congolese Rally for Democracy-National and the Mai-Mai signed the famous Sun-City Peace Agreement through which an interim administration was set up and the country reunified.

Nevertheless, the Eastern part of the country, especially the North and South Kivu, remained unstable because of the continued presence of the Rwandan genocidal forces as well as many dozens of armed Mai-Mai. As far as accountability is concerned, the Government of DRC opted to refer to the International Criminal Court (ICC) in April 2004, the need to bring to book the perpetrators of various crimes.

As per Polgreen (2008), with the continued presence of the Rwandan genocidal forces in the South and North Kivu which aimed not only to recapture power in Rwanda and finish of the genocide against the Tutsi in Rwanda, but was also targeting Tutsi populations of South and North Kivu, some officers and troops of the RCD refused to integrate into the FARDC fearing to be deployed far from home and being unable to protect their families. They formed a political-military movement called National Congress for the Defense of the People (CNDP) under the leadership of Gen. Laurent Nkunda. In December 2008, an agreement signed between the governments of DRC andRwandan provided for joint forceful disarmamentof the genocidal forces and on March 23rd, 2009, the Government of DRC and the CNDP signed a peace agreement in Goma through which CNDP was to transform into a political party and integrate its police and armed units into the National Police and Armed forces of DRC and seeks solutions to its concerns through political means.

In 2010, the UNSC decided to extend the mandate of MONUC and to change its name to UN Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) to take into consideration of the new phase that the country has reached. MONUSCO was to concentrate most of its 19,815 military personnel, 760 military observers, 391 police personnel and 1,050 civilian personnel in the Eastern DRC to contribute to bringing peace to that region which had suffered tremendously.

The delay for implementation of the agreement between DRC government and CNDP led in 2012to the creation of a new politico-military movement called M-23 in reference to the Accord signed on March, 23rd, 2009 which launched attacks on government forces and even captured the city of Goma. In 2013, the UNSC resolution 2098 created an Intervention Force Brigade which intervened in Eastern DRC forced M-23 out of Goma City and all the territory it had conquered.On 12th December 2013, in Nairobi, Kenya, the Government of DRC andM-23 signed a peace agreement through which M-23 committed to end its rebellion and transform itself into a

legitimate political party and all its members receive amnesty for acts of war and insurgency and demobilized and socially re-integrated.

Late savagery was for the most part connected to the nation's faltering political emergency and disorder. As indicated by the Human Right Watch report (2018), in December 2016, Kabila was moving toward the end of his second and last five-year term; however he delayed the holding of the elections until December 2018, hoping to find ways by which he could be allowed to stand for a third term even though the constitution did not provide for that. The opposition parties together with the civil society resisted this delay of elections and Kabila's maneuvers to get a third term by organizing demonstrations which were violently repressed. Under the mediation of the powerful Catholic Church, on 31[st]December 2016 an agreement dubbed the Saint Sylvester Agreement to hold elections by the end of 2017 was reached. The Saint Sylvester Agreement included a series of measures aimed at pacifyingthe political atmosphere so as to organize peaceful, transparent and fair elections.  These included the liberation of political detainees, allowing politicians who had been forced into exile for opposing Kabila's desire for a third term and the allowing of political rallies and free media activities. Nevertheless, in November 2017, theIndependent National Electoral Commission of DRC decided to postponed the elections to 23[rd]December 2018, hence expanding Kabila's term for additional  one more year. The extension caused more dissatisfaction on the part of opposition politicalparties and civil society who became more resolute to unite their forces to ensure the defeat of Kabila's political system.

The continued delay of elections resulted in more demonstrations against Kabila's administration which were met by unnecessary excessive repressive force by the security forces (national police, army and intelligence services) causing a lot of human rights violations. The end of 2017, coinciding with the first anniversary of the Saint Sylvester Agreement was marked with demonstrations that were particularly brutally quelled by the police.In 2018, the police alsobrutally dispersed a demonstration rally in BENI,organized by la LUCHA (The Struggle for Change), a youth civil society movement struggling for change in DRC. The police arrested 42 individuals and injured 4 others. A couple of days later, 27 activists were captured during another LUCHA rally in Goma. As indicated by Human Rights Watch, the ruling party authorities deployed 100 young people into places of worship and arrested Church Ministers who

were suspected of preparing and coordinating protest walks, as a way of delegitimizing Church authorities (HRW, 2018).

The Eastern DRC continued to be a conflict area with more armed groups being formed along various interests, some defending their ethnic groups, other protecting mining fields, still other racketing the population as a way of living and yet others such as Alliance of Democratic Forces (ADF) fighting to impose an Islamist ideology in Uganda but using DRC as its rear base. Some of these armed groups, especially ADF and FDLR launched attacks on FARDC and UN positions and establishments. In April 2018, 20 individuals were murdered in a combined assault of ADF and Mai Mai armed groups. The killings were not carried only by the armed groups. The FARDC also was murdering people suspected of being sympathizers of the armed groups.

In June 2018, the FARDC deployed massive forces in North Kivu, in and around Beni, to try fight and destroy the ADF which had been attacking its positions and killing countless number of civilians. Consequently, many of the armed groups strengthened their collaboration and partnership with ADF. A new armed group called NDC–R showed up in the region south of Beni purportedly to help the FARDC and ensure Kabila's homestead in Kabasha. However, in August, the dynamic changed as the FARDC dispatched a hostile force against the NDC–R in the region of Lubero.

As Burke (2018) noted, strains increased as the memorable and much awaited elections at the end 2008 drew near. . In the start of December 2018, a fire devastated around 7,000 of the 10,000 electoral machines that were to be used in Kinshasa during the scheduled elections of 23 December 2018. The incident was blamedby the opposition forces on Kabila's system accusing him of trying to reschedule the vote and gain additional time as President of the Republic.

## 2.2. African Union and conflict prevention mechanisms

One of the center motivations behind the creation of African Union (AU) is the advancement of harmony, security, stability and prosperity on the Continent, as spelt out in article 3 (f) of the AU Constitutive Act. To reinforce the AU's ability in conflict avoidance, management and resolution member States adopted, in July 2002, in Durban, South Africa, the Protocol Relating to the Establishment of the Peace and Security Council (PSC), which went into effect in December 2003, after being ratified by a majority of member States. The Protocol, in article 2 (1), states

that the PSC shall be "a collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa".

The African Union installed the Peace and Security Council organ with the purpose of anticipating conflicts and crises and avoiding their reoccurrence. The AU's PSC must work in harmony with its sister organ in the United Nations. According to (Kristiana, 2005), the AU's PSC is vested with powers that allows it to take all measures to anticipate, prevent and forecast disputes.

The PSC's conflict prevention actions, according to the Secretary General of the United Nationsreport (2001), seeks to address mechanisms that aim to prevent a conflictual situation from erupting into a violent conflict, the continuation of an existing conflict or the re-appearance of armed conflict in conflict prone area through extensive actions, involvements, instruments and measures.

## 2.3. Early warning systems

Without an early warning system, participating in conflict prevention exercise would be like entering in cave without a lamp (William, 1996).

There are numerous explanations of the broad term "early warning" in the literature. According to Krummenacher and Schmeidl (2001), most of the current definitions reflect efforts in various levels to answer back to "the four significant questions in early warning: who to warn, when, of what, and how." Whereas some of the definitions put emphasis on the "what and who to warn" others underline methodological reflections of how to carry out early warning.

For example, OECD's definition of the term "early warning" discourses the questions of "what and who to warn" by defining conflict early warning as "a procedure that forewarns decision makers of the probable occurrence, acceleration and renaissance of violent conflicts; and stresses anappreciation among decision makers of the nature and waves of violent conflicts. On the other hand, Alex (2004) definition stresses methodological contemplations and conceptualizes the term as any inventiveness that emphases on systematic data gathering, investigation and/or construction of approvals, including risk calculation and facts sharing, regardless of topic, whether they are quantitative, qualitative or a mixture of both.

According to the Johannesburg Centre for Conflict Resolution report, (2006), early warning system is understood as a consistent assemblage and exploration of files coming from regions of disasters or potential crises aiming to anticipate the magnitude of possible violent conflicts; enlarging tactical procedures to these crises; and submitting prevention or alleviation possibilities to essential actors for the decision-making objectives.

The Forum on Early Warning and Early Response or FEWER's (1997) explanation is further inclusive in that it speaks tothe "what, who, how" components of the conflict early warning inquiries by suggesting the following definition:

> *"Conflict early warning is the logicalassemblage and breakdown of evidence imminent from zones of calamities for the dedications of anticipating the growth of violent conflicts, development of tactical reaction to these catastrophes, and the demonstration of alternatives to precarious players (national, regional and international) for the devotions of decision-making and anticipatory exploit."*

According to Debiel and Wulf (2009), conflict early warning is not a self-contained or autonomous activity in and of itself. Rather, it is replicated as "gratis" to conflict anticipation approaches of players at severalstages. In more specific logic, as Campbell and Meier (2007) have discussed  conflict early warning is reflected as a precondition for operational conflict inhibition which pursues to enclose or converse the acceleration of violent conflict by exhausting the tackles of anticipatory diplomacy, economic authorizations and/or motivations, and/or military force. Hence, a conflict early warning system is one of the numerous conflict hindrance apparatuses which can be smeared at the preliminary or dormant phases of a specific struggle.

The Early Warning System has two schools of thought about its background according to Simon (2006); humanitarian viewpoint and military one.

The humanitarian viewpoint says that the early warning system is a system of forecasting the threat related to the environment such as the earthquakes, volcanic eruptions and floods, while the military standpoint considered the early warning system as a scheme of enhancing the abilities to envisage the danger in terms of attacks in the field of military information gathering.

These two viewpoints have been unified in 1992 by the then UN Secretary General Boutros Boutros-Ghali in his report entitled "Agenda for Peace" where after recognizing the role of early warning system in military and benevolent domain, he suggested that the collected information can also be utilized to tackle the threat to peace and also utilized to suggest the action that can be taken to hamper the threat to peace.

The theory of conflict early warning is also closely connected to that of early response, which is demarcated as any inventiveness that happens in the dormantphases of allegedprobable armed conflict with the intention at decrease, doggedness or alteration (Austin 2004). Reaction can be assumed by diverseplayers such as worldwide community, local organizations, national governments, civil society organizations, etc. In fact, as specified in OECD's 2009 early warning publication, existing "common wisdom" in the arena commands that conflict early warnings should have "a robustconnection to responders or reaction instruments (Nyheim 2009)."

The objective of conflict early warning is to prevent the outbreak of conflict into violent or armed conflicts. However, as Keyserlingk and Kopfmüller (2006) have stated, depending on the configuration of features such as the nature of conflict (interstate, ethnic or pastoral, geographic (regional, sub-regional, or national), institutional level (governmental or non-governmental) or configuration of backers, there are diverse prospects on how early warning systems should operate and what they should achieve.

However, at the most rudimentary level, according to Alex (2004), the purpose of conflict early warning is perceived as "gaining information to contribute to the anticipation and alleviation of conflict". On a more effective or practical level, the list of early warning aims recognized by FEWER (1997) include the documentation and calculation of the most noticeable conflict displays; assessment of likely trends and scenarios; identification of strategies and occasions for peace; involvement towards a balanced situational analysis based on the interaction of the different conflict and peace features; and translation of these conclusions into response options and action strategies for local, regional and international actors.

On the other hand, in light of the extensive continuum of security requirements it pursues to attain, the purpose of early warning is also perceived in relation to human security. As shown by Tobias and Wulf (2009), most conflict early warning systems presently in operation claim that

their objective is undertaking pressures to prevent human security threats such as wars, armed conflicts, state disaster, genocide and other gross human rights violations.

## 2.4. Continental early warning system

The Continental Early Warning System (CEWS) is an essential building block of the AU PSC Protocol as is defined in Article 12 (1) which states that "In order to facilitate the anticipation and prevention of conflicts, a Continental Early Warning System to be known as the Early Warning System shall be established."

The reason for the CEWS is the production of ideal guidance on likely clashes and dangers to harmony and security to enable suitable actions to forestall or restrict the damaging impacts of violent conflicts. Subsequently, there is a solid connection between data collection, data analysis and actions.

To satisfy its motivation viably, the accompanying four key components are fundamental to the functionalization of the CEWS: information assortment; vital investigation; reports and commitment of various actors; and coordinated efforts.

But the efficiency of CEWS has been hindered by the AU's principle of non-interference in sovereign countries' internal matters which is utilized by countries to prevent other countries to interfere in internal affairs including internal conflicts, thus delaying the timely collection of data, analysis and recommendations on possible course of actions to avert an emerging crisis and prevent it from erupting into an open and violent conflict.

According to the International Alert report (2012), apart from the short determination in terms of peace education in Eastern DRC, there is also an absence of external players which were seen as the pioneers of peacebuilding in the Eastern DRC in terms of monitoring and analysis of the situation likely to trigger the conflict in the region.

## 2.5. Panel of the wise

The Peace and Security Council Protocol, in its article 11, provides for the establishment of a Panel of the Wise to support the conflict prevention, management and resolution endeavors of the PSC and those of the Chairperson of the Commission. The Panel is to be made out of five (5)

most prominent African personalities responsible for forestalling struggle, leading on-the-ground truth finding, introducing strategy choices, and facilitating peace negotiations. It is made out of five "profoundly regarded Africanpersonalities who utilize their experience and good influence to cultivate harmony" and who, because of their renown and respectability, are able to speak to and be listened by everyone in the five regions of Africa.

Considering the AU's mission of promoting peace, harmony and security on the Continent, it is obvious that the PSC, based on its mandate, has deployed the Panel of the Wise in various peace initiatives in Africa such as conflictsprevention and mediation.

The necessity of the preventive diplomacy and post-conflict rebuilding is endorsed by the Panel of the Wise (PoW) through the PSC protocol. Its main mandate is to recommend to the Peace and Security Council, modalities of managing an emerging or ongoing conflict or threat to peace.

According to Wendy (2016) based on the PSC protocol, the PoW engage in fact finding missions which aid in preventing escalation of a disagreement into conflict. It also undertakes shuttle diplomacy missions, encouraging political dialogues, supporting mediation initiatives and negotiations. Furthermore, members of the PoW advise and recommend parties to conflict in which ways to manage their disagreements, and the execution of negotiated peace deal.

The developing, repeating and constant conflicts in Eastern DRC, the fractional of peace institutions, the fragility of the state institutions, the electoral violence have been at the core causes of the failures of the preventive diplomacy played by the Panel of the Wise (Amani, 2011).

## 2.6. Theoretical/conceptual framework

This study adopted the conflict prevention theory. Conflict does not just happen like that, it goes through a cycle of phases, and that preventing the outbreak of an overt conflict is possible depending on an inclusive effort to mitigate the triggers of conflict and violence; an agenda that is inclusive and synchronized to alleviate the tensions leading to violence; and earlier responses to indexes of menaces (Lund, 2006).

Many authors have explained the concept of conflict prevention, especially violent conflict. We mention some of them here under:

Lund (1996) said that "conflict prevention is set of actions taken in weak places and times to escape the threat or use of armed force and related forms of coercion by states or groups to settle their political disputes that can arise and affects the economic, social, political, and international setting".

Lund (2002) understood conflict prevention as "any structural or interregional means to keep intrastate or interstate pressures and differences from intensifying into notable violence and the use of armed force, to reinforce the capabilities of parties to possible violent conflicts for resolving their disagreements peacefully, and to gradually reduce the underlying problems that yield those tensions and disputes".

Boutros-Ghali (1996) defined conflict prevention or preventive diplomacy as "the use of diplomatic techniques to prevent disputes arising, prevent them from intensifying into armed conflict and prevent the armed conflict from dissemination".

Carnegie Commission (1997) explained conflict prevention as "conventional preventive actions aiming to prevent the development of violent conflict, prevent continuing conflicts from spreading and prevent the re-occurrence of violence".

Carment&Schnabel (2003) described conflict prevention as "a medium and long-term proactive operational or structural strategy undertaken by a variety of actors, envisioned to identify and generate the enabling conditions for a stable and more expectable international security environment".

There is no formula or definition of conflict prevention that can fit in all situations of conflict, for this study the theoretical framework that will guide this study is generated from Carment&Schnabel (2003) as I have mentioned them above;

Conflict prevention is understood on one hand, from direct or operative prevention perspective as the use of the third party in preventive diplomacy and mediation activities, the deployment of facts finding missions in the region of tensions triggering conflict. On the other hand, conflict prevention is understood from the structural preventive perspective as the installation of

conditions and institutions dealing with roots causes of conflicts such as land conflicts, resources distribution and identity-based conflicts (Sriram, 2003).

This study will focus on the direct or operative prevention as a short-term preventive measures utilized by deploying of good offices to use the mediation and negotiation techniques between the conflicting parties internal or externals, and also deploying a facts finding mission for collecting and analyzing information about the violent conflict.

Conflicts should be forestalled from the beginning if brutal clash is to be avoided. Additionally, it was said that performing in an open war is the most noteworthy and most hazardous method of mediating and furthermore the one littlest plausible to thrive (Annan, 1996). For the potential ofconflict avoidance to be improved, the sources of its successes and disappointments must be better understood.

## 2.7. Conclusion

In this chapter, the literature relates the current violence in DRC especially in Eastern region, qualified as one of the world's worst active humanitarian crises; it also focuses on its origins and extension. The role of African Union in conflict prevention mechanisms was also underlined to advance harmony, security, and steadiness on the Continent. In this regard, the African Union have installed a Peace and Security Council organ for conflict prevention and to escape the reoccurrence of conflict and crises and sought to address mechanisms that aim to impede the escalation of tension into violent conflict. The chapter also focuses on the early warning system which is as a logical collection and analysis of data coming from areas of crises or potential crises for the aiming to anticipate the intensification of violent conflict; elaborating strategic measures to these crises; and offering preventive or alleviating options to critical players for the decision-making objective. The panel of the wise was another part of literature to help the endeavors of the PSC and those of the Chairperson of the Commission, especially in the territory of contention anticipation. Finally, the chapter underlined the conflict prevention theory as a theoretical orientation of this research.

# CHAPTER III: RESEARCH METHODOLOGY

This chapter contains a brief presentation of research methodology that was used to gather and question materials for the study. This section includes, study area, research design, data sources, techniques of data collection, and data analysis and ethics consideration.

## 3.1. Research design

A research design is like a strategy, construction of examination method or approach to be employed to acquire answers to investigated questions. It incorporates a framework of what the researcher will do from composing the assumptions and their operational ramifications to the introduction of information (Kerlinger, 1986). The research design of this research is qualitative. This involves gathering and dividing non-numerical facts to develop notions, assessments, or experiences. It may be employed to gathering-depth side experiences about the issue or produce new thoughts for research.

Contextually, the aim of qualitative research was to illustrateits significance all through the documentation. The choice of this research design was based on the fact that qualitative research concentrates on words rather than numbers, profundity rather than extensiveness. Its methods are investigative; they seek to uncover the thoughts, judgments and or moods of defendants. It is the most frequently used to help update new concepts, theories and products. And the investigator needed to go through and analyze different studies and documents related to the conflict prevention mechanisms constraint in Africa especially in the he Eastern Democratic Republic of the Congo.

## 3.2. Study area

The research targeted the Eastern region of the Democratic Republic of the Congo (South and North Kivus), the region that is characterized by permanent violence whose actors aren't always clearly identified  by the multiplicity of armed parties, and the mass of accusations that generate eruptions of conflict, be they political, financial or ethnic as well as local, national, or cross-border (Jason, 2012), that are impermeable to any initiative looking for conflict prevention and aiming to prevent  the reoccurrence of violent conflict. Besides that, the multitude of actors of

conflicts and the diversity of their plans and interests in Eastern DRC made the region favorable for the intensification of the armed rebellions.

## 3.3. Methodological approach

A methodological approach is the approach a researcher takes to exploring his/her topic. The qualitative approach was used in this research. The motive for choosing qualitative method was that, through it, the researcher could find the necessary enough information needed about the subject of the research.

## 3.4. Data collection technique

Data collection discusses to all practice of accumulating the evidence by investigator for the study (Reisman, 2006). The context of Covid-19 and limited financial resources did not allow the researcher to carry out field information collection. The researcher was left with the option of desk review approach as the means of gathering and assessing data on variables of interest, in a set-up of alogical strategy that enables one to respond to the articulated study questions, test the theories, and assess the results.

### 3.4.1. Desk review

The desk review research is a secondary research in which the researcher doesn't generate new or original data from the field but assesses published researches with the objective of answering his or research questions.

In this exploration, the researcher employed a desk review approach was employed and secondary data analyzed with the objective of achieving an in-depth understanding of the constraints of the African Union in conflicts prevention, management and resolution. This study assumed that reviewing the existing data would help in understanding the major aspects that underpin the theory of conflict prevention through a detailed contextual exploration of the Eastern Democratic Republic of the Congo.

The published reports from the DRC government, AU and various academics will be consulted in this research. Different authors who have published their work related to this topic and journals will be utilized to accumulate secondary data for this inquiry.

## 3.5. Validity and reliability of the tool

Data for the thesis were mainly gathered from secondary sources. I used Scott's (1990) four principles for judging the quality of documents in data collection. These are:

Genuineness: That is, whether the proofs, gathered for the thesis, are genuine and indisputable from the source;

Reliability: This is, the extent to which the evidences collected are free from inaccuracy and bias;

Representativeness: That is, whether the information obtained are typical of its kind or not; and lastly;

Meaning: That is the extent to which the evidences collected are clear and understandable.

To adhere to the above-mentioned principles, I tried to collect comprehensible and clear information from reliable and trustworthy sources.

## 3.6. Data analysis

I have used the desk review in assessing the documents to understand the constraints of AU in conflict prevention. The content analysis, according to Bryman (2001) is a method of reviewing the books, reports and journals that intend to be suitable in terms of methodology and replicability.

Desk review analysis is one of qualitative methods presently existing for exploring data and understanding its significance (Schreier, 2012).According to Neuendorf (2001) secondly data analysis can be considered as the methodical, impartial, quantitative analysis of the features of a message. However, Krippendorf (2004) claims all that secondly data analysis is qualitative in nature, affirming that all reading of text is qualitative even when certain characteristics are later transformed into figures.

By means of secondly data collection and interpretation, the outcomes of the qualitative desk research can produce the growth of the knowledge from existing information; and on another hand authenticate the known theories and offer explanation of specific situation or occurrences (Zhang and Wildemuth, 2009).

Desk review methodology has some difficulties. It is subject to enlarged mistake, mostly when interpersonal investigation is used to reach a higher level of clarification. Also, it is often devoid of theoretical base. All these difficulties were taken into account in the inspection and examination of the inquiry information.

## 3.7. Ethical issues

To ensure the authenticity and the transparency of the research, I have provided the proper references to the researchers, the founded information have been provided with no exaggeration. For any institution or anybody or author mentioned in this research, I have acknowledged the source of his publication.  To avoid bias in this work, I have avoided subjectivity and prejudices.

## 3.8. Conclusion

The chapter made clear the procedural methods and techniques used in this research. It is about the qualitative research design, study area, methodological approach such as qualitative approach, desk review as data collection method, the validity and reliability in data collection were based on genuineness, reliability, representativeness and meaning.This chapter has also justified the reason of using desk review as the methodology utilized to collect data to understand the constraints of the collection and analyzing of the information in preventing the conflict before they erupt in Eastern Democratic Republic of the Congo and addressing the constraints of the preventive diplomacy in preventing violent conflict in Eastern Democratic Republic of the Congo.

# CHAPTER IV: PRESENTATION OF FINDINGS

Through desk review methodology, this chapter will present the details helping to understand the constraints of the African Union in conflicts prevention mechanisms in the East of the Democratic Republic of the Congo.

As I have highlighted in chapter two, from the inception of the African Union in 2002, its primary intention is to promote peace and security on the continent. To achieve this objective, the African Peace and Security Architecture (APSA) framework was operationalized in 2004, with the Continental Early Warning System (CEWS) and the Panel of the Wise (PoW) as ones of its conflict prevention organs.

The CEWS was operationalized in 2007 with the agenda of averting the potential conflicts by collecting and analyzing the information triggering violent conflicts, and the PoW organ was operationalized in 2007 with the objective of using the good offices to use mediation activities and conducting fact finding missions in the area of conflict pressures.

For coordinating the Regional Economic Communities (RECs) and Regional Mechanisms (RMs) undertakings in conflict prevention actions, a Memorandum of Understanding was signed in 2008 between the AU and the RECs and RMs. Being a member state, the DRC, of the Southern African Development Community (SADC), Economic Community of Central African States (ECCAS), International Conference on Great Lakes Region (ICGLR) this chapter will discourse the constraints within the AU and the above RECs and RMs in conflict prevention initiatives.

Considering the research objectives of this research, to discourse the constraints of the collection and analyzing of the information in preventing the conflict before they erupt in Eastern Democratic Republic of the Congo and to address the constraints of the preventive diplomacy in preventing violent conflict in Eastern Democratic Republic of the Congo, this chapter is based on two section related to these objectives.

**4.1. Constraints of the collection and analyzing of the information in preventing the conflict before they erupt in Eastern Democratic Republic of the Congo**

This section presents the constraints of the collection and analyzing of the information in preventing the conflict before they erupt in Eastern Democratic Republic of the Congo. The main constraints found are the resources availability and the access to the information.

**4.1.1. Resources availability**

As depicted by different authors, for the AU to efficiently and effectively be operational in conflict prevention on the continent, it has to be staffed with skilled personnel and have to be financially strong and stable. As long as violent conflicts are to some extent predictable, the AU PSC has to be always ready to deploy good offices for mediation activities and facts finding missions for collecting and analyzing data helping to prevent the eruption of violent and armed conflicts in areas of high tension. The RECs/RMs are supposed to working with the AU missions to avoid the overlapping of the activities with the same purpose of preventing violent conflict as the APSA organs. Nevertheless, the APSA to attain its purpose of preventing conflict is confronting some of the constraints includingmanagerialletdowns, institutional incompetence, problems of political backbiting, poor funding, insufficient skilled human resources, poor planning, poor coordination, and nonexistence of political will (Paterson, 2012).

While disagreementsof the African Union's effectiveness are intense, a few eyewitnesses have noticed that the AU conflicts avoidance instruments have been generally being actualized, in spite of an absence of financial resources and the presence of snags tantamount to those confronting comparable endeavors in wealthier parts of the world (Janah, 2012). Be that as it may, the difficulties confronting the AU are significant. Tying down the monetary assets to reinforce the African Union's institutional, technical, and staff limits is one key impediment. In 2010, while party states have financed all or virtually the entirety of the AUC's authoritative functioning spending plan (e.g., central command staff costs), with a couple of party states subsidizing the heft of such expenses, generally 95% of the AU program spending plan has been supported by outside givers (idem).

The African Union shows a few constraints related with its absence of limit of contention avoidance abilities. As a main contention anticipation actor, the AU PSC has driven and partaken in a significant number of contention prevention particularly when contrasted with its archetype. Regarding the conflict anticipation cycles, the African Union puts much more efforts atany single step of the process resulting from the lack of trained workforce/staff in the domain and weak capacity for planning and generating logistical support at the AÚs head offices (Williams 2011).The African Union mechanism to conflict prevention shows lack of capacity and fissures in political, bureaucratic, military and non-military dimensions (idem).

The lack of finance independence is the crucial barrier of the development of an autonomous aptitude of the AU APSA. As Albuquerque (2016) stated, the current African peace and security architecture model of peace and security is significantly depending on outside backing. The APSA operationalization counts on profoundly on funds from the international community, with the EU being the main supporter. From 2009 to 2015 only one fifth of the peace and conflict prevention operations managed by Africa had been backed by African budget (idem). The AU's financial enslavement on external donors for the Peace Fund hampers the self-sufficiency and independency of the AU (Joshua and Olanrewaju 2017).

The financing constraints that the AU is faced with have significant automatic outcomes. The significantly high reliance on benefactors has a debilitating effect in the basic and fundamental mission of AU of maintaining peace and security on the continent. The AU leadership has acknowledged this to be an important impediment to achieving its mission and has undertaken a serious reflection of finding sustainable ways and means of funding all its activities by Africa's own resources. Financial independence in areas of peace and security which are crucial to its stability and development will enable the AU to not only staff and equip all the organs involved in conflict prevention, management and resolution such as the CEWS and PoW but also timely deploy them to avert conflicts or monitor the implementation of peace agreements achieved so as to increase the likelihood of their successes (AU, 2017).

This position of depending on donors has weakened African Peace and Security Department, where the conflict prevention strategies encountered the problem of capacity to deploy effectively by the African Countries. This means that most of the AU missions like in the DRC are funded by the EU and UN, leaving the question of who really owns the AU rightfully

because this undermines the African ownership. The AU PSC exposes the financial deficits since the AU, in the case of DRC, was unable to deploy its personnel and troops on the ground which was identified as 'fundamental misconception, misunderstanding and misperception of what were the situation on the ground, and what should be the guiding principles in the setting out of the AU mission' (Hussein, 2010).

The AU APSA encounters a shortage of both human and material resources. The AU overstretches its staff by overloading them with work, making them disappointed and having an inclination that they could be more useful in the UN or in other private associations. AU serves a then as place where they pick up work experience that enables them to move into better jobs in international organization (Vines, 2013). There is additionally an inclination to depend on agreement staff in key regions. Vines (2013) and Vorrath (2012) have also noted the unnecessary travels planned by the AU staff for getting mission allowances, which make them unable to complete their office work and are thus overwhelmed by an ever-growing workload and often high turnover of qualified staff. Furthermore, there is the issue of important responsibilities being assigned to staff from outside the AU's Peace and Security Department during their exercises of conflict prevention (idem).

As per Williams (2009) an additional issue undermining the APSA is the usage of the CEWS. The AU and the RECs/RMs early warning systems considering the substantial progress that they have made in collecting and analyzing the information on the outbreak conflict have organized various workshops, but many were not properly concluded. However, like the other AU conflict prevention instruments; they need reasonable staffing and funding to cover their tremendous areas of responsibilities and the various issues they need to deal with in the area of human security (Debial, 2009).

APSA faces a constraint of minimal strategic direction, where critical vacancies at the strategic levels are not filled early enough during early warning operations and also the senior strategic leaders are not adequately trained and the roles of international partners are unclear. The AU CEWS lacks the capacity to plan and guide the conduct of facts findings deployments in the area of high tension because of the unpredictability of funding. The AU mission in Eastern DRC in 2013 for example, exposed gaps in the planning and guidance at the strategic level and the

integration of the various components of the mission on the operational level. Some of the accusations include the concern that APSA in its coverage of the continent doesn't cover all current and arising security constraints, mainly because of lack of sufficient financial means (Kobbie, 2017).

The absence of staffs and institutional limit among common social orders and social frameworks is another impediment. From engineers to intelligence experts, legal specialists or conflict prevention and resolution technicians such as mediators, the absence of skilled workforce across different domain is observable and represents one of the primarily obstacles that Africa faces (Joshua and Olanrewaju, 2017).

The AU PSC has a bunch of specialized and political constraints coming about because of low degrees of interstate and political participation. The personal circumstance of party states; alongside institutional contentions among African authorities, especially among the great lakes region have hampered AU´s conflicts prevention mechanisms in the region (Vines, 2013).

In the same way, Gänzle and Franke (2010) argued that unembellished influential and monetary shortcomings within some of the APSA features remain; first, the competencies' shortage of the AU organization; second the absenteeism of important political determination by a lion's share of African states, and third, fluctuations in global help. The regional arrangements for violent conflicts anticipation are as yet restricted in their usefulness because of the solid dedication to public sway held by Africa's authorities. Kastler and Liepert (2008) questioned the capacity of African states to fathom clashes all alone and the AU readiness to create adequate political will to satisfy their duty to secure non-military personnel populaces under danger in Africa. Indeed, even Adetula (2008) and Nathan (2010) in their particular examinations expressed that every one of the regional conflict prevention mechanismhas its own remarkable dynamic or inadequacy that influences its capacity to do effective clash anticipation procedure and to help out the AU and UN on joint endeavors.

Activating the essential financial, human and material resources has been a significant challenge to leading an investigation andan intervention operation to avert a conflict in Africa. Indeed, it quite often the case that African countries have to rely on global network of support to undertake their emergency interventions. Further than the need to take ownership and accountability is the

understanding that international organizations do not have the capability and their member states do not have the political will, to arbitrate in the emergencies in Africa, and that AU and RECs/RMs might be superior capacity to resourcefully and efficaciously respond to conflicts and to achieve harmony and security on the continent (Jentzsch, 2014).

Current funding levels and lack of predictable funding cannot support sustainable peace. Both the donors and member States have reduced the funding levels for intervening in the process of preventing conflict and shaping sustainable peace(Ashraf, 2016). An example is the African Peace and Security Architecture (APSA) initiative which is the single biggest funding mechanism that supports all RECs and RMs through the mostly EU funded Africa Peace Facility. It has failed to be consistent, with many large funding gaps between phases, therefore leading to loss of momentum (idem).

There is a growing AU APSA constraint of unprecedented threats from rebels who use light arms and dexterous weapons, wrongdoing, drug usage and dealing, resource scarcity/distribution and assets destruction, among others. In certain districts, trans-public coordinated wrongdoing has been a danger to the respectability of states themselves. For instance, the LRA in Uganda has caused insecurity in northern Uganda, South Sudan and in the forests of DRC, thus the struggle of member States to control their territory. It has been found out that some of the criminals are often better equipped and prepared than the military of these states (Potgieter, 2009).

### 4.1.2. Access to information

The Continental Early Warning System is among the organs of the African Union peace and security engineering aiming to avert conflicts before they erupt. The CEWS are responsible for deploying facts finding missions on the ground, collecting and analyzing data related to the possible eruption of armed or violent conflicts, thus the AUC can take early responses. The AU is responsible for coordinating the early warning systems of the RECs and RMs to avoid the overlap of the information at the AU situation room in Addis Ababa. However, according to Nathan (2014), in the operationalization of the CEWS, the RECs and the RMs early warning systems are not connected to the CEWS, therefore its inability to acquire the information related to ongoing conflicts in the RECs.

Additionally, to the inability to acquire the relevant information related to the ongoing conflicts, there is a disconnection among early warning and early answer. According to Noyes and Yarwood (2015), the CEWS staffs havewarned about the potential to the outbreak of violent crises in Eastern DRC in 2012, but the PSC on the other hand unequivocally decided to not take any preventative action according to the received information. The failing to take preventative measure in that case was purportedly related to the lack of political will of members of the PSC and the PSC's inclination for achieving a decision by unanimity (idem).

The above examples are indicative of the general reluctance within the PSC conflict prevention framework, the increase of relation among the CEWS and RECs partners all together to be more effective in tracking the data associated to the eminent outbreak of conflict on the continent will affect the work of the AU capability to prevent violent conflict. The barriers appear not to be the availability of information highlighting the emergent conflicts, though we cannot skip that, but the political commitment to take early actions considering the provided information. As Jentleson (2000) stated, the lack of the sense of the crisis in Eastern DRC due to non-cognitive, bureaucratic and political factors are the major causes of the delayed, even nonexistent, early actions though early warning information had been gathered.

The RECs inconsistencies affect the efficiency of the CEWS due to the unevenness of the information collected; this implies the lack of the mechanism uniformity for collecting the information related to triggers of violent conflict (Alburquerque, 2016). The feeble REC association stands apart due to the presence of overlying structures and numerous participations in similar regions. In Eastern region of the Democratic Republic of the Congo (DRC), neighboring state invaded in anultimate way or straightforwardly oftentimes, with their own military limit, by passing continuous missions of the UN and the AU (Vorrath, 2012).

Franke (2005) in his work expressed that the RECs early warning frameworks additionally do not have the capacity to effectively investigate the information gathered. So their skills as successful early notice frame works are yet to be fathomed. The Early Warning Systems of RECs pundits for the translation of the information of the state disappointments and plausibility of contention in neighboring nations in the great lakes regions, yet there is away from of a reasonable and very much fused preventive endeavors by the RECs (Malan, 2012).

According to Vorrath (2012), the use of the AU peace and security framework in conflict management and resolution strategies rather than in conflict prevention approaches will make the AU relying on external donors due to the nonexistence of financial capability. The AU practical mismatch in averting conflict in Eastern DRC is due to the internal impasses of the AU and the regional inequalities, the accumulation of structures/bodies in charge of conflict prevention(idem).

The AU does not have a strong system of political offices and embassies to gather information; a space is visible throughout the unsatisfactory intelligence produced in the CEWS team (Arthur 2017).

The AU doesn't have a rigid tangible mechanism of political representation and representatives through embassies to accumulate information; a space is noticeable all through the substandard knowledge and information delivered by the CEWS squads (Arthur, 2017). Consequently, the CEWS, as foundation of conflict anticipation, can't accomplish its purpose because of the absence of political will to participate in preventive activities at a beginning phase. The outcome of the absence of political will to act preventively is that the APSA will require a lot of time to activate its peace and security promotion and goal instruments, thus making them more expensive. This implies having the AU acting responsively and utilizing military powers whenever strains have swelled into furnished clash (Albuquerque 2016).

Van Nieuwkerk (2004) questioned the Africa ruling elites saying that with the existing ruling elites the RECs conflicts prevention structures, the AU and the APSA will not make any difference to peace and security on the continent unless they shape up the political dream and determination to successfully advance human security on the continent. The absence of agreement on the significance of good administration, and the nonattendance of genuine promise to territorial arrangements on harmony and security issues among members of RECskeep on restricting what they can add to the AU plan of advancing harmony and security on the continent.

This lack of political motivation contributes to the fact that responses by regional and sub-regional arrangements in Africa are usually ad hoc and reactive, rather than proactive. The unclear and opposing principles leading the relationship among the AU and RECs worsen this

problem of the non-engagement of the regional and the sub-regional bodies, despite the signed MoU between the AU and the RECs/RMs. The conclusive duty and organizing part in Africa among RECs and AU have not been explained, nor has the extent of the standard of subsidiary in local clash avoidance(Whitfield, 2010).

Although collaboration has improved to a great extent over the years between the AU and RECs, this remains a constraint particularly with other stakeholders and cooperating partners. For example, as Ashraf (2016) noted, the initiative to support Eastern RDC peace agreement in 2012, as COMESA and SADC developed a joint program and hence avoided a situation where both RECs would have similar initiatives in the same country which not only confuses the other actors but does not allow for the much-needed synergies. Enhanced coordination and partnership is also indispensable among the AU and the RECs/RMs.

There is regional identity which influences negatively the progress of coordinating the uniformity of collection of data averting the occurrence of violent conflicts. There is a wide difference inside the RECs and party states as they are individuals from various, covering local associations. As per Meyer (2008) basically the RECs are portrayed as the association with high aspirations, yet they come up short on the political will to understand their desire. The ECCAS has been portrayed by the absence of agreement on variouspeace and security issues and its intergovernmental sanction doesn't have the supranational foundations to act a go between or as a main impetus to determine its political stalemates (idem).

Regarding its history, ECCAS has reliably neglected to address the sub-region most squeezing peace and security needs. All things considered, party states have frequently looked to outer bodies, for example the UN and other African states or territorial organizations, for help with reacting to its inward clashes. With respect to ECCAS' Early Warning framework, MARAC, it is reliable for noticing and observing advancements influencing the danger for strife in the sub-region. Nonetheless, a few difficulties remain, including grave monetary and human asset impediments. It is critically necessary to boost the human capability of MARAC by recruiting academic experts in peace and security issues.  Indeed, as things stand now, MARAC doesn't have enough experts to be deployed on the field of potential conflict to collect the necessary information to ender the warning mechanism efficient. Another test as far as imparting early

notice is that there is no normalized technique for transferring data to the continental framework, CEWS, in Addis Ababa.

As indicated by the 2011 IRSEM report, now and again deployment of missions from worldwide stakeholders on the same conflict theater has end up being troublesome. On account of the DRC, this is especially clear in the area of early notice and early reaction. The coordination of the UN and AU missions from different entertainers with different aptitudes and methodologies was troublesome on the ground. Furthermore, various units of DRC's military are being prepared by various states using various methods and doctrines which eventually result in lack of coherent action on the grounds by these units. All the more for the most part, there were inquiries regarding the capacity of the state and organizations to assimilate the and properly use the recommendations produced by the early warning mechanisms. The conflict emergencies to be addressed and the external resources mobilized (particularly from EU) to that effect are consistently selected for mainly on the basis of internal political reasons instead of reference to the circumstances obtaining on the ground. Therefore, a large portion of the financial resources mobilized are not spent.

## 4.2. Constraints of the preventive diplomacy in preventing violent conflict in Eastern Democratic Republic of the Congo

The African Union Panel of the Wise (AU PoW) is an indispensable backbone of the African Peace and Security Architecture (APSA) and, at is at the center of its conflict anticipation and resolution instrument. It has, since its inauguration end of 2007, turned into a fundamental instrument of the African Union (AU) and in particularthe African Union Commission (AUC) and Peace and Security Council (PSC) for their achieving of the objectiveof preventing, managing and resolving unpleasant violent conflicts on the continent by the use of mediation activities and the deployment of good offices. The existing Regional Economic Communities (RECs) have their ownsister conflict prevention, management and resolution bodies working hands in hands with the African Union Panel of the Wise (AU PoW);

The Common Market for Eastern and Southern Africa (COMESA) has legitimately established at COMESA Summit held in Djibouti in 2006, a Committee of Elders (CoE) to augment the efforts of the Secretary General and serves as of COMES's main pillars of its peace and security

building and maintenance mechanism. The CoE was launched in 2009.The establishment of the CoE had been initially suggested the seventh social event of pastors from COMESA Member State arguing that that such a Committee could complement and reinforce COMESA's existing peace and security mechanisms, especially in the area of mediation if they are well selected based on the high integrity and their national and regional reputation.

The Southern Africa Development Community (SADC) decided to utilize a twofold structure: the Mediation Reference Group and the SADC Panel of Elders. Using this archetypal, theSADC hassent mediators and special envoys to connect the governments and stakeholders of the SADC member states in the conflicts mediation and prevention in their countries.

The Economic Communities of Central African States (ECCAS) choose to use the non-enduring Comité des Ambassadeurs (Committee of Ambassadors) charged with undertaking preventive assessment and mediation of an evolving conflict. Its first intervention was in 2007 when it supported the AU PoW mediation mission in the Eastern DRC. In 2008, the General Secretary of ECCAS proposed the establishment of this intervention unit as a permanent body of ECCAS.

The signed MoU between AU and the RECs/RMs in 2008 allows the supranational bodies of the continent, the AU's APSA, the coordination of diplomatic prevention activities and mediation activities, thus avoiding the overlapping of the activities and the resulting confusion.

An analysis of the implementation of the above-mentioned MoU show that the collaboration between the AU's APSA and its counterparts at REC's presents a lot of constraints including among others: SADC's lack of appointed staff to support the Panel of Eldersand thelack of financial resources for these organs; the nonexistence of a work plan for ECCAS'Committee of the Ambassadors, and lack of contribution from the party states (ACCORD, 2013). In any case, as the APSA Assessment Report showed, the AU PoWis unsuitable to arrange conflict prevention measures at either the AU or the REC level, with the eventual outcome of once in a while being numerous separate, yet overlapping, initiatives addressing the same crisis or conflict(Nathan et al., 2014).

The PoW's order is more around thwarting conflicts as opposed to regulating conflicts. Regardless, it needs adequate personnel and financial resources to effectively and efficient undertake its assignments(Laurine, 2005). There is a necessity of adequate course of action by

availing staff with expertise in conflict mediation; especially those with real expertise on the local conditions where the conflict in taking place.This is relevant for the PoW's defective membership of five could limit its aptitude to applicably respond to prospective hostile circumstances that necessitate its devotion. The above-mentioned also permits for stability while the panel members are changed at the conclusion of their tour of duty (Jamila, 2012).

The current detachment between the African Union PSC and the RECs/RMs and the lacking linkage between AU PoW and its equivalentat the RECs/RMs are center of troubles of the preventive mechanism on the continent (Hussein, 2012). Undoubtedly, even the selection of people to be put on thePoW is another source of the constraints of the AU warning mechanisms. Indeed, there is always a conflict and misunderstanding between the AUC and PSC when choosing members of PoW as members of the PSC are lobbying for people from their countries or regions, without necessary paying attention their qualities and expertise in peace and security issues, and paying    little attention to the AU's selection norms and methodologies, which AU fails to enforce. For instance, some regions have agreed to have one of their members occupy the three years seat almost on a permanent basis, hence establishing a pseudo-permanent member and no veto powers (IPI, 2010).

Another concern involved in preventive diplomacy is the suspicion of the motives of those who would practice it. There are some of the member States of AU APSA which participate in prevention diplomacy for wrong motives and other self-interests. The outside stakeholders, for example, China and the United States, are routinely present with their own plans. Uganda, for instance, saw a good opportunity in deploying to Eastern DRC so as to fight his own rebel groups (ADF and LRA), likewise Rwanda had an interest in Eastern DRC to fight the remnant of the genocidal forces, i.e.the FDLR, while different states join the mission to benefits they draw from it for their own military or for enriching themselves.

The role played by the President Obasanjo's in mediation between Presidents Kabila and Kagame, was accepted by the belligerent and was adequate to produce a truce that prevented an all-out breakdown and show of power between Kabila's FARDC and Nkunda's CNDP in October 2008. Nonetheless, President Obasanjo will soon discover the constraints of his approach when the key global stakeholders, for this situation, Western governments such as US,

France, and the UK, and regional powers, such as South Africa, were reluctant to backup an inclusive diplomatic procedure to solve the hidden reasons for the contentions in Eastern DRC (ICG, 2019).

Denied of this help, the viciousness in Eastern DRC keeps on disturbing at an inadmissible level, and no single outsider acknowledges any genuine duty to encourage a perpetual answer for the myriadland, equity, citizenship, intercommunity conjunction, abundance sharing, and other financial issues in the Kivus. The focal point through which the contention is seen has been firmly state-driven, an inadequate way to deal with management of the contention in Eastern Congo, which additionally has nearby and local elements(idem).

Other countries, however, such as the great lakes region countries get engaged in missions so as to divert the attention of international from criticizing them over human rights violations. It has a negative impact on their reactions of such states, for example, when the UN pointed out that Uganda supports M23 rebels in the DRC, Uganda responded by threatening to remove its troop assistance to AU and UN missions in Africa. Tanzania forces in Eastern DRC, renamed as the United Nations Force Intervention Brigade (FIB) in 2013, helped in strengthening their military capacity, became legitimate and got financial and logistical support provided by MONUSCO (De Coninck, 2013).

Moreover, Govender and Ngandu (2010) on their part theorized that mediation procedures still take an unplanned or reactive approach, rather than an institutionalized approach. As such the field of mediation remains unspecialized and under-capacitated in Africa. This is due to shortage of skilled human with regards to arbitration, ongoing financial unpredictability, and the shortageof a suitable structure or strategies at the African Union PSC and at the RECs/RMs to supervise monitors or mastermind mediation. Yet the implications of this inability of the regional approach or AU/APSA and RECs to significantly reduce armed conflicts to enable African integration and development have not been given suitable academic consideration.

There is limited capacity of Africanpublic service leaders in good-administration, governance and negotiation procedures(Joshua and Olanrewaju, 2017), while recognizing the key role of non-government actors and civil society organizations, including women and youth organizations in mediation activities, the constraints remain that in Eastern DRC civil society

has been found to be fragmented due to persistent violent or low intensity conflict, making it difficult for them to participate in the mediation undertakings. What needs to be done is to build their capacity to enable them to have a positive contribution to conflict anticipation, transformation, and peace reinforcement (Ashraf, 2016).

On the anticipatory mediation and the use of special envoys, ECCAS is indicating a developing adequacy in political elections monitoring and assistance. As per Jakobsson (2011)mediation remains a challenging duty, to some extent because there is lack of political engagement to proceed as a joint community under an ECCAS tag, but perhaps also because of a nonexistence of a Central African leader with the indispensable political legitimacy or trustworthiness that would be necessary to take on in mediation.The lack of coordination in the ECCAS was viewed in the 2018 DRC elections when the then acting chairman of the continental body advised the electoral commission to delay the publication of the result without the consent of the AU PSC (ICG 2019). When contrasted with other local bodies, for example, ECOWAS and SADC, ECCAS likewise stands apart as not having a permanent regional conflict mediation body equivalent to the continental AU's Panel of the Wise.

Successful conflict prevention, management and resolution necessitate more than just appointment of a top emissary and launching the process. In actuality, arbitration is a complex and more and more professionalized arena. These envoys need more than their own good intuition to succeed in their mediation missions. What is lacking at the African Union PoW is a clearly laid down procedure or standard for carrying out a mediation, including the recruitment and training of support staff, the sharing of best practices from other successful mediation missions and even the interrogating of what other AU emissaries have done to identify what works and what doesn't work (Bercovitch and Houston, 1996). Unobtrusiveness and tolerance are vital in any conversation of the accomplishment of preventive strategy. Improvement aside, the AU and the worldwide network overall have far to go before they can dependably anticipate struggle, forestall it, and react viably.

The standard of state sovereignty limits outside involvement in the diplomatic prevention or resolution of internal troubles, particularly at the pre-clash stages. Despite the fact that it may effectively be realized that the inevitable flare-up of conflict in a state is coming up and that specific things should be possible to invert the circumstance and right the issues that may

ultimately prompt viciousness, states are shielded from outer mediations by invoking their state sovereignty.

Another test of the AU PoW is the sure absence of dependability and harmonization between and inside appropriate non-governmental, national, and international actors who could actualize precautionary procedures. Regardless of whether insufficient participation happens, it does as such with regards to a helpless comprehension of the circumstance, and helpless coordination dependent on the relative preferred position of collaborating entertainers. Be that as it may, there is likewise the trouble in coordinating with and helping nearby networks' association (Kennan, 1996). Essentially, there is no typically acknowledged legitimate meaning of mediation in a pre-clash circumstance. There is basically no concession to when, how, why and by whom mediation should be attempted (idem).

Many actors like to interfere where their responsibility and contribution is most noticeable, for example in supporting the resolution of conflict and also in mediation efforts. Yet they do not arrange for a follow-up activity and that is why there is a high likelihood of reappearance of conflicts after resolution. The less visible initiatives include post conflict rebuilding and development, and also the implementation of early warning systems, which have a very high potential to support sustainable peace building (Ashraf, 2016). Peace processes should be seen as a continuum and not distinct events.

## 4.3. Conclusion

This chapter was about to present the constraints of the collection and analyzing of the information in preventing the conflict before they erupt in Eastern Democratic Republic of the Congo and he preventive diplomacy in preventing violent conflict in Eastern Democratic Republic of the Congo. In this regard, the collection and analysis of information for preventing conflict in the Eastern DRC, and the preventive diplomacy in the Eastern DRC have met several constraints as I have highlighted them above were underscored. In other words, the resources availability and access to information were the key words under discussion of these constraints. As DRC is a member state of ECCAS, SADC and COMESA and each of these RECs have its own an early warning system and a body working as the AU PoW. The signed MoU between the AU and the RECs allows the AU CEWS and PoW to act as a coordinating body to avoid the

overlap of the actions as the DRC belongs to more RECs. The AU APSA is suffering from the unpredictability of the funds to run its conflict prevention strategies, inter alia, the constraints the Eastern DRC conflict has been characterized by the invasion of numerous actors with various agenda, thus the complexity for coordinating their agenda for conflict prevention and ensuring the reoccurrence of violent and armed conflict in the Eastern DRC.

# CHAPTER V: SUMMARY, CONCLUSION AND RECOMMENDATION

This research sets out to contribute to the literature of the understanding of the African Union conflict anticipation constraints.

## 5.1. Summary of findings

This work has first studied the historical background of violent conflicts in the Eastern DRC, and the constraints of the AU in conflict prevention in that region of Africa. The study also discussesthe constraints of the Continental Early Warning Systems and the Panel of the Wise as the AU mechanisms for conflict prevention.

Conflict prevention entails a systematic and interconnected methodology from gathering of information on the signs of an impending conflict to response strategy. The steps are not only systematic but also mutually reinforcing. The steps are so interdependent that a failure in one step undermines the success in all the others.

As Odote (2016) stated, whether or not conflict early warning becomes a success, depends on proper identification of the signs and appropriate response strategies that are undertaken to avert conflict. For harnessing conflict early warning system in Eastern DRC, more efforts need to be put into helping policy makers and implementers to understand conflict history, context, nature, issues and dynamics. Early hybrid response mechanisms would be appropriate in this situation.

According to Lund (2009), unproductive conflict stoppage is the consequence of the persistence of open wars in the region; indicators of a growing tightness in a society are visible and are producing day to day ultimate changes within the society, it doesn't need to be regular for taking action.

It means that before the conflict erupts the member of the local community knows about it, the indicators of conflict are foreseen in the region. The displays of overt conflict in Eastern DRC are mainly repeated assaults and propagation of hate speeches and guns within the communities.

There is no prescriptive or easy answer to when is the best time for preventative intervention. It remains a constraint for stakeholders involved: how early is early? Within what time frame do you issue a warning is a constraint.

The conversion of early warning into early response persists to be the main challenge of the African Union conflict early warning systems on the continent. Resource mobilization for prevention usually slows down early action to be engaged in order to inhibit the happening of conflicts.

Basically, the early response for prevention are hindered by the collection of necessary means for preventing the existing conflict, but again the persons with information about the early signs to a conflict risk being accused as alarmists and causing unnecessary uncertainty about the future. Poor infrastructure such improper roads, poor or lack of a communication network as well as a general inaccessibility to conflict areas make it hard to disseminate the information about conflicts.

## 5.2. Conclusion

After analyzing different writings related to the topic and its objectives, the researcher drew some conclusions.

For the constraints to the collection and analyzing of the information in preventing the conflict before they erupt in Eastern Democratic Republic of the Congo, the researcher concluded that, in order to operate on conflict prevention on the continent especially in Eastern of DRC, the AU has to be equipped with sufficient resources, mainly skilled human resources and stable financial resources.

In addition, the AU PSC has to be prepared to deploy good offices for mediation activities and facts finding missions for collecting and analyzing data helping to prevent the eruption of violent and armed conflicts in areas of high tension. The AU is facing some other constraints including executive letdowns, institutional ineffectiveness, political internal strife, unpredictable funding, insufficient skilled human resources, poor forecasting, poor synchronization, and lack of political willpower which constitute an impediment to achieve its program of inhibiting violent struggles.

The researcher also concluded that the AU faces the constraints related various limitations of its political, administrative and military capabilities and lack of structured and regular involvement of citizens' and civil society organizations in conflict prevention exercises.

Another conclusion is related to the inadequate funding of the current African Architecture for harmony, peace and security where most of it is dependent on sources that are external to the continent and these funders come with their own agendas which are not always furthering Africa's interests. Therefore, the AU's reliance on outside benefactors for its Peace Fund undermines self-governance and independence and priorities of the African Union.

There is general understanding that the current financing courses of action for harmony uphold activities are neither solid nor unsurprising, particularly with regards to high-rhythm battle tasks.Whilepartners have shown a lot of flexibility and improvement, there is arrangement that the current sponsoring game procedures are unworkable. The use of the African Union peace and security framework on conflict management and resolution mechanisms rather than conflict inhibition strategies will make the AU relying on external donors due to the lack of financial capacity.

This constraint weakens African Peace and Security, where the conflict prevention strategies encountered the problem of capacity to deploy effectively by the African countries.

Regarding the personneland financial resources constraints, the researcher concluded that the African Union APSA encounters a deficiency of both human and physical resources. In this regard, there are cases that the unnecessary travels planned by the AU staff for allowance and are not able to complete their office work and overwhelmed by an ever-growing workload and often high turnover of qualified staff. In addition, the important posts were sometimes involved by staff from outside the AU's Peace and Security Department during their exercises of conflict prevention.

Furthermore, AU needs reasonable staffing and funding to cover their tremendous regionsand the various matters to be accounted for on under human security. Moreover, the AU needs the senior strategic leaders adequately trained and the clear roles of international partners.

Besides, the researcher concluded that the absence of personnel and institutional capacity among common social orders and social frameworks is another impediment.

For the political constraint related to low degree of interstate and political participation, the personal circumstance of member states, alongside institutional contentions among African

authorities, especially among the great lakes region have hampered AU´s conflicts prevention mechanisms in the region. Current funding levels and lack of predictable funding cannot support sustainable peace. Both the donors and member States have reduced the funding levels for conflict anticipation and peace reconstruction.

Concerning the data gathering on conflict occurrence constraint, the researcher concluded that the inability to acquire the relevant information related to the ongoing conflicts, there is a disconnection among early and early answer. The barrier appears not to be the availability of information highlighting the emergent conflicts, though we cannot skip that, but the political commitment to take early actions considering the provided information.

The RECs inconsistencies affect the efficiency of the CEWS due to the irregularity of the information collected, this implies the lack of the mechanism uniformity for collecting the information related to triggers of violent conflict. In this angle, the RECs early warning frameworks additionally do not have the capacity to effectively investigate the information gathered. So, their skills as successful early notice frameworks are yet to be fathomed. The Early Warning Systems of RECs pundits for the translation of the information of the state disappointments and plausibility of contention in neighboring nations in the incredible lakes locales, yet there is away from of a reasonable and very much fused preventive endeavors by the Regional Economic Communities.

Concerning the constraints of the preventive diplomacy in preventing forceful wars in Eastern Democratic Republic of the Congo, the researcher concluded that some of the member States of AU APSA participate in prevention diplomacy for wrong motives and others for furthering their own interests. The outside actors, for example, China and the United States, are routinely present likewise, with their own plans. Uganda, for instance, saw a good opportunity in deploying to Eastern DRC so as to fight its own rebel groups (ADF and LRA) concerns, but Rwanda had an interest in Eastern DRC to fight the remnants of genocidal forces (FDLR), whereas other states joined peacekeeping mission in Eastern DRC to acquire for their own military andto enrich themselves. On the precautionary mediation and the use of mediation envoys, ECCAS is indicating a developing adequacy in electoral processes monitoring and assistance.

## 5.3. Recommendations

This study has some recommendations for researchers and policy makers that would contribute to the development of conflict early warning and early response systems.

**For the researchers:**

1. The study observed that despite the identification of early warning signs, overt conflict still persists in Eastern DRC. Consequently, there is need to plan ways of reacting to conflict in inappropriate manner thus connecting the gap between identification of signs and early response.

2. The study reveals that coordination of early warning systems is weak at different levels. There is need therefore to examine ways in which coordination of continental early warning systems can be enhanced to improve the implementation of early warning and response frameworks. In addition, decision-making processes are not systematized and will need to also be researched into.

3. The African Union Peace and Security Department needs to look into how the indigenous conflict resolution mechanisms can be incorporated into the international conflict prevention mechanisms where the conflicts based on the use of small arms and light weapons organized crime, drug use and trafficking, water shortage and resource conflicts, … *etc* can be taken into consideration.

**For the policy makers**

1. There needs to increase community education on early warning signs and response mechanisms. This may include the early signs gathering criterion, examining the signs, sharing warning information and taking appropriate preventative measures. The inclusivity of all actors and the field monitors implication in the process of community peace training is crucial for the successful preventive initiatives.

2. Early warning and early response scheme must be fragment of a wider peace configuration. Long-term peace restoration endeavors are vital in preserving peace, not just dealing with open violence. Usage of on the pitch statistics and an extra cooperative attitude encompassing all interested parties is precarious for early warning and response scheme to be fruitful at the grassroots stage.

3. Anti-spoilers' policy: According to the Peace Direct 2019 report, in every conflict situation they are actors that are focusing on fueling the tensions and violence such as the guns providers for example, and these might be individuals, states or multinationals. The promotion of their trade might mean that the particular arms supplier might want one party who it supplies with arms to win, in the hope that it can get large weapons orders in the post-conflict constitutional order. The policy architects should introduce stronger strategies to standardize their maneuvers.

4. The operational obstacles between the conflict site and decision makers location has been the foundation of the gap between the prompt warning and prompt response (Catherine, 2019). Thus, the Regional Early Warning System (REWS) are facing a constraint of organizational weakness and inexistent political will; therefore, there is a necessity of strengthening the capacity of the institution for delivering in relationships of prompt warning and rapid action structure. The proposal and running of early warning systems must be closely interconnected with the activity of taking preventive measures.

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**Appendix I: Map of the Eastern Democratic Republic of the Congo**
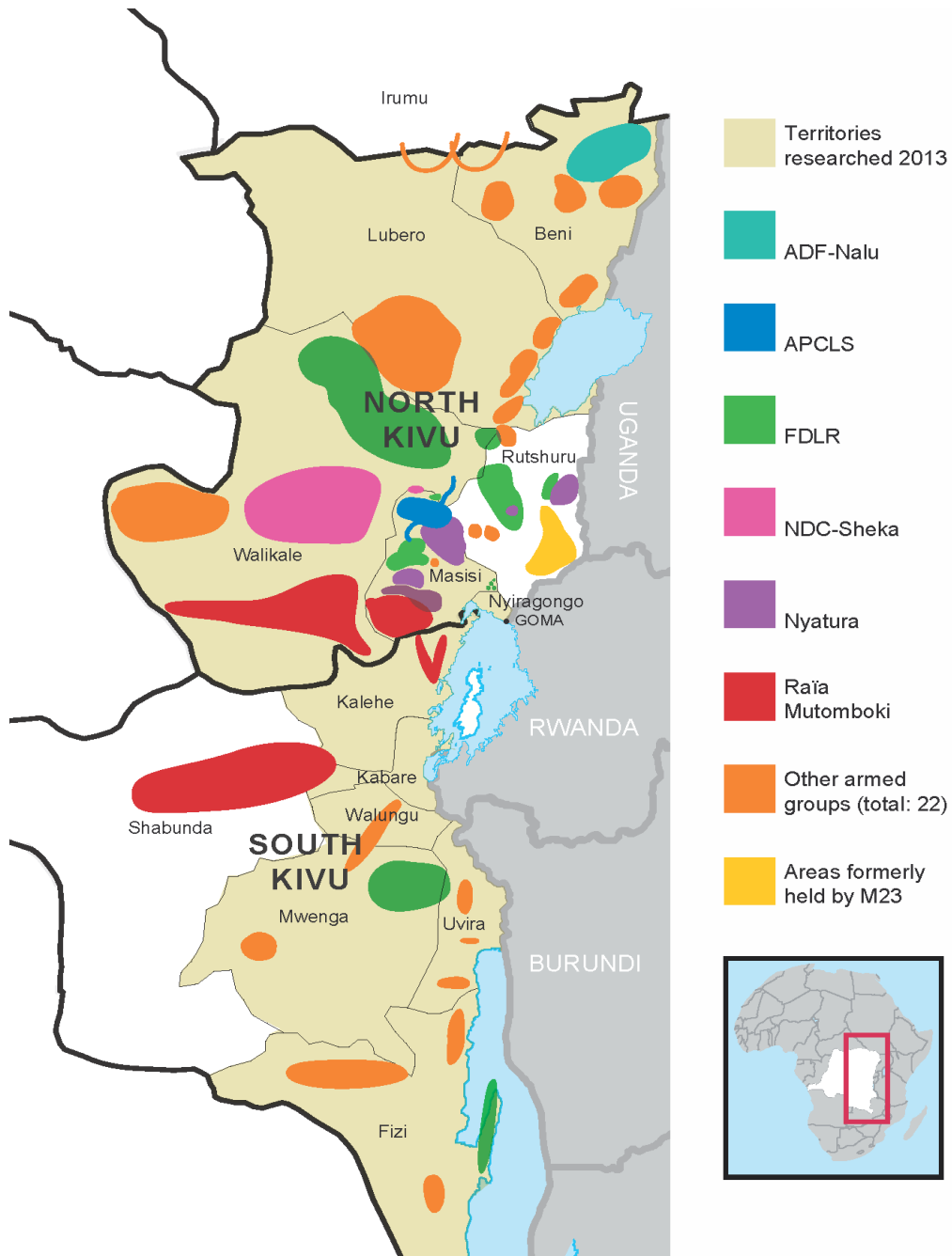


Source: Hannah Cooper (2014), In the balance searching for protection in Eastern Congo, Oxfam.