Appraisal of the use of Mediation and Negotiation in Conflict Resolution during Armed Conflicts in East Africa

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ABSTRACT

This research appraises the use of mediation and negotiations during armed conflicts in East Africa, focusing on some key case studies like South Sudan, Somalia, and Northern Uganda. Attention is paid to how regional and international actors have been significant facilitators of peace processes, involving the African Union, Intergovernmental Authority on Development, and the United Nations. The doctrinal approach to research was undertaken to understand the successes and setbacks of these efforts, address practical challenges pertaining to cultural, political, and logistical barriers, and analyze power dynamics and processes of trust-building during mediation and negotiation. While mediation has indeed been instrumental in brokering peace agreements, many challenges persist, such as the influence of external actors on peace processes and the sustainability of the outcomes. By taking a nuanced approach to understanding how mediation and negotiation can best be developed and leveraged in East Africa's conflict landscape. It provides practical recommendations on how to enhance the capacity of local mediators, improve coordination among external actors, and ensure the sustainability of peace agreements. This study contributes to the academic discourse of conflict resolution and policy development and imparts valuable information to scholars and policymakers alike on current dynamics in armed conflict in East Africa and what that may mean for international peace building efforts in the years ahead.
Keywords: Mediation, Negotiation, East-Africa, Peace Agreement, Peace Building

INTRODUCTION

The East African region has been quite plagued with armed conflicts that leave behind a trail of destruction, displacement, and enduring instability. The root causes leading to this are deeply embedded in the complex sociopolitical landscape constituted by ethnic diversity, historical grievances, competition for resources, and fragile state structures. In this context, finding efficient mechanisms of conflict resolution and restoration of peace has represented a thorny problem for both local and international actors. Mediation and negotiation are two of the most obvious methods of conflict resolution that imply a peaceful alternative to military interventions and coercive diplomacy [1]. Such processes entail dialog among parties in conflict through neutral intermediaries in a quest for mutually acceptable agreements which address the very causes of the conflict [2]. East Africa has been ground for the use of mediation and negotiation, particularly in response to some of the most protracted and violent conflicts: from South Sudan through Somalia to Northern Uganda. Owing this, regional bodies such as the Intergovernmental Authority on Development (IGAD) have joined international organizations like the UN and the AU in facilitating these processes. Mediation and negotiation have been tried in the region, but it remains an area of periodic violence and unresolved animosities, and so there are questions regarding how effective mediation and negotiation can be as a tool to keep the peace. The present study undertakes a critical review of the use of mediation and negotiations in the resolution of armed conflicts

in East Africa, which will identify strengths and weaknesses; derive lessons and insights from case studies; and go on to make recommendations toward strengthening the effectiveness of conflict resolution efforts within the region. This research therefore undertakes an in-depth exploration of the different

mediation and negotiation efforts-which have seen relative and partial success, as well as comprehensive and outright failure-interpreted through a conflict resolution dynamic that fits within the East African context-in order to proffer realistic solutions for policy-makers, mediators, and peace builders.

Conceptual and Theoretical Framework

Mediation and negotiation remain very vital methods of conflict resolution in the boiling cauldron of armed conflict that East Africa has been caught in [3]. It is a way of handling complex and entrenched disputes through dialogue and compromise with the express intent of achieving peace and stability that is lasting. The understanding of these, the theory behind them, and their use will aid in developing an analytical approach to the performance of the region in conflict resolution, hence outline where challenges may have arisen. For the purpose of this research, mediation will be considered a process in which the facilitation by a non-partisan, third-party mediator assists opposing parties to arrive at a decision that is acceptable to all. Unlike adjudication, which decrees a decision on the parties, mediation will facilitate getting the parties to common ground and negotiating terms which shall help them resolve their issues at birth. The mediators use techniques to advance the communication either by suggesting options or by providing insights that might influence the parties toward the right perspective of the others. The aim is to reach an agreement that is voluntarily achieved and one which the parties are willing to observe.

Negotiation on the other hand is a direct communication process between the conflicting parties for the purpose of reaching an agreement [4]. It involves giving and taking where the parties discuss their interests and positions for the purpose of compromising towards an agreement or solution that may satisfy the parties' needs. Negotiation can either be formal or informal. It generally involves searching for options, concessions, and building agreements [5]. Negotiation requires communication, problem-solving, and strategic thinking skills.

On other hand armed conflict is a situation of sustained, organized violence between parties, which may be states or non-state actors, or combinations thereof. Armed conflict is characterized by the presence of military force and often leads to serious humanitarian and socio-economic consequences [6]. In East Africa, these are often the result of ethnic tensions, political grievances, and competition for resources, which contribute to prolonged instability and suffering. While any method or process adopted for the resolution of disputes or disagreements could be termed conflict resolution [7]. The central aim here is, in essence, a reduction or halt of conflict by understanding its very roots towards the derivation

of a solution agreeable to the parties. It would include mediation, negotiation, arbitration, dialogue, amongst other mechanisms that could help in resolving a conflict [8]. Their effectiveness will lie in the willingness of the parties to engage, the skill of the mediators or negotiators, and the broader political and social context.

Conflict Resolution Theory is a general framework upon which several approaches to the understanding and dealing with conflict fall. Its basic tenet is that conflicts can never be avoided; they can be only managed and resolved through structured processes. This is an indication that solutions to conflicts can only be effective if symptoms and root causes are attended to. Based on the premise that an effective conflict resolution process requires a comprehensive understanding of the parties' interests, needs, and the basic underlying issues thereof, the theory focuses its conflict resolution effort in the direction of attempting grievance removal, building trust, and ensuring cooperation between conflicting parties. Key concepts in the Conflict resolution theory include interest-based resolution which refers to an approach where interest means the underlying needs and desires of the basic interests of the parties are dealt with and tackled, rather than the position or demand [9]. Wherever common interests can be identified, mutually satisfying solutions can be found by the parties that reflect those underlying needs. There is also the transformative resolution, which stresses how conflicts are opportunities for positive growth and transformation in party relationships. It aims not only to resolve the present dispute but also to enhance communication, build understanding, and transform adversarial relationships into cooperative ones. Theories of mediation provide the understanding of process and dynamics behind mediation as a tool of conflict resolution.

Mediation theory deals with the process by which mediators effectuate dialogue, manage disputes, and lead parties towards mutually acceptable agreements. Facilitative mediation is a very important aspect of mediation theory. Facilitative mediation assists disputing parties to communicate more effectively and consider possible solutions without the mediator being actively involved in proposing an outcome [10]. The mediator will handle the discussion by bringing out issues clearly and encouraging collaborative problem solving. One can find evaluative mediation whereby the mediator evaluates the strengths and weaknesses of each party's position,

often making recommendations for settlement. Evaluative mediators draw upon their expertise to lead the parties toward a reasonable settlement based, at least partially, upon relevant legal or factual considerations. In transformative mediation, by contrast, the role of the mediator is to promote empowerment and recognition between or among parties. By focusing on the parties' perceptions and their interactions with each other, the goal of transformative mediation is to improve relationships and help the parties cope with their conflict by better understanding and respecting each other [11].

Negotiation theory also addresses the processes and strategies of negotiation, including the techniques and approaches used in reaching agreements. Key concepts within negotiation theory include distributive negotiation; often described as a win-lose scenario, distributive negotiation involves dividing a fixed set of outcomes between parties. Each party is interested in maximizing their share, leading to competitive or adversarial interactions. We also have the integrative negotiation; this would seek to enlarge the pie by searching for interests and inventive ways of creating value. Under the integrative negotiations, parties emphasize cooperation, problem-solving, and questing for solutions that benefit all parties. This style of negotiation normally encompasses brainstorming, creative thinking, and problem-solving together in order to accomplish a win-win result. Finally, the principled negotiation was created by Roger Fisher and William Ury; [12] this system advocates that negotiations should be conducted on principles, not on positions. It insists on distinguishing people from the problem, focusing on interests rather than positions, generating options for mutual gain, and using objective criteria to direct decisions.

Traditionally, mediation and negotiation have been important tools of conflict resolution, especially in areas like East Africa that are troubled by incidents of prolonged violence [13]. Early works on the subject emphasize mediation as a way of enabling communication between two conflicting parties to help reach a mutually acceptable solution. Negotiations based on the principle of interest rather than position will lead to durable agreements. This approach has been adopted in numerous conflict settings, where entrenched positions are often concealing raw interests; examples range from East Africa to the apartheid regime in South Africa [14].

The role of mediation in East Africa has come to the fore in various key conflicts [15]. The peace process in South Sudan, for instance, has been extensively studied. As noted, mediation efforts by IGAD, especially the 2015 peace agreement, had faced significant obstacles due to continuing violence and a lack of commitment from the parties [16]. In this light, the conflict in South Sudan has so far managed to illustrate the boundaries within which outside mediators can move when local players are either unwilling or unable to pursue full engagement, and agreements may not provide heavy machinery for their implementation. At the same time, the Somali conflict has shown the several dimensions of mediation and negotiation. For example, the Arta Peace Conference, as expressed by Menkhaus (2018) [17], was one of many attempts at bringing together representatives of the different factions in Somalia. According to Menkhaus, the conference did indeed manage to create a transitional government; it did not, however, deal with the deeper-lying causes of the conflict-the rivalry between clans, competition for resources. This is part of a broader theme in the literature; very often, mediation will only be effective if deeper structural issues can be resolved, rather than just enabling dialogue [18].

According to research by Schomerus (2006) [19], The Juba Peace Talks in Northern Uganda aimed to put an end to the two-decade-long insurgency led by the Lord's Resistance Army. Unfortunately, it has faced many difficulties in the negotiations to achieve a comprehensive agreement which would address both the needs and claims of the LRA and the affected communities. With this, Allen's work thus strengthens the notion of inclusivity and sensitive mechanisms of mediation to local dynamics, something which should become an international mediation imperative. The theoretical approaches to conflict resolution, for example, Lederach (2010) [20], "Building Peace", have argued for the importance of the transformative approach in mediation. Lederach urges that one ought to be concentrative on relationship building and addressing the causes of the conflict rather than its symptoms. This perspective is particularly relevant in the East African context because most of the conflicts involve deep-seated historical and socio-political issues.

While mediation and negotiation provide the most useful tools in trying to handle these conflicts, their effectiveness, nonetheless, depends on various factors such as the commitment of the parties, the comprehensiveness of agreements reached, and the involvement of local and regional actors. This research would, therefore, remain set on understanding these dynamics, with a focus on how mediation and negotiation can be tailored to respond peculiarly to the nature of armed conflicts in East Africa and contribute toward sustainable peace.

Overview of Armed Conflicts in East Africa vis-à-vis the Response from Regional and International Organisations

The East Africa region consists of a different ethnical and political background, with various economic statuses. Throughout the last decades, the region has been the theater of just a few, but very major, armed

conflicts that formed its socio-political and economic status until today and continue to shape stability. Some flagship conflicts in South Sudan, Somalia [21],

and Northern Uganda have become emblematic of the complexity and evolutionary nature of East Africa's armed struggles.

Background to the South Sudan Conflict

The world's youngest nation, South Sudan, has had to cope with immense conflict since 2011 when it gained statehood from Sudan. Ethnic tension, resource control, and political marginalization-engraved deep in the decades of civil war against Sudan hence the entering into the Comprehensive Peace Agreement signed in 2005 between the Sudanese government and the Sudan People's Liberation Movement, which led to the independence of South Sudan. The euphoria over independence that was soon dissipated when internal conflicts broke out. In December 2013, this power struggle between President Salva Kiir and former Vice President Riek Machar blew up into full-scale civil war. The conflict was characterized by heavy ethnic violence; thus, government forces and rebel factions committing large-scale atrocities [22].

Huge displacement took place in the wake of the civil war, wherein millions were displaced from their homes. The humanitarian crisis that came along with it was just unmatched in scale. The war was a sign of shifting alliances, a broken political landscape, and rampant ceasefire violations. Among these peace-talk mediations were the Intergovernmental Authority on Development (IGAD) [23] which mediated peace talks that realized the signing of the Agreement on the Resolution of the Conflict in the Republic of South Sudan in 2015. It was rather challenging to implement due to the war engagements that continued and political disagreements. A new peace deal was brokered in 2018, and yet the nation still struggles with scattered violence and political mayhem.

Response from International Body

As a regional body in East Africa, IGAD was very vital throughout the peace process of South Sudan. Its involvement in the peace process began right from the very beginning of the conflict to find a regional solution for the crisis that was also threatening to engulf the entire Horn of Africa. All these have played a crucial role in bringing the parties at conflict on the negotiating table and requesting them to talk with one another. First round of peace negotiations between the government of South Sudan and opposition forces was mediated by IGAD [24]. It was that deal that eventually led to the signature, in August 2015, of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS), a deal aspiring to a transitional government of national unity, integration of the armed forces, and mechanisms for justice and reconciliation. That agreement, though an important milestone, faced several challenges toward its implementation, which kept the violence unabated. It is in response to this that in 2017, IGAD launched the High-Level Revitalization Forum parallel to the ARCSS, with a view to revitalizing the peace process. This forum culminated into the signing of the Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS), in September 2018. R-ARCSS provided for power sharing, security arrangements, and a framework for permanent constitution [25]. The sustained efforts of IGAD at keeping the peace process alive were significant in realizing this renewed commitment to peace. Offset against its central role, there have been various challenges that faced IGAD in its attempt to mediate the conflict in South Sudan. The mediation process was complicated by the different interests of IGAD member states, such as Uganda supporting President Kiir and Sudan having had long-standing ties with Machar's forces.

These preconceived interests led to partial mediation processes and impaired the implementation of peace agreements. IGAD lacked the robust mechanisms for enforcement that could guarantee compliance with peace agreements. Though there have been numerous ceasefire agreements, the violations have been widespread, and indeed IGAD had various difficulties holding violators accountable. The humanitarian impact of continued violence was immense, considering that millions were displaced and living in circumstances of widespread famine. The scale of the crisis that faced IGAD is one where the immediate needs of the population had to be balanced with its long-term ambition of peace for the government and its people.

The international community's role in the South Sudan peace process has, until this date, been merely a supportive one, although sporadic; the UN, AU, and big global powers have made their presence felt by providing guidance [26]. The UN, through United Nations Mission in South Sudan (UNMISS), has provided crucial support to the protection of civilians and facilitation of humanitarian assistance. Through its diplomatic pressure, including the placement of sanctions on individuals obstructing the peace process, it supported mediation led by IGAD. It received criticism for its failure to prevent large-scale violence against civilians, especially in the initial years of this conflict [27]. Besides, the absence of effective and unanimous support of all UN Security Council members invalidated sanctions' performance in most cases. The AU also played a pertinent role in supporting this process, especially with the setup of the African Union High-Level Ad Hoc Committee on South Sudan. The AU also supported accountability measures, such as establishing a Hybrid Court for South Sudan to try the perpetrators of serious crimes

committed during the conflict. The AU's influence was however limited by the sovereignty [28] preoccupation of South Sudan and the need to balance its actions with the broader diplomatic effort by IGAD and the UN. Countries like the United States, the United Kingdom, and Norway-the so-called Troika-have been instrumental in giving diplomatic, financial, and technical support to the peace process [29]. They often act in concert with IGAD and the UN to push forward movements for peace. Global powers are at times seen as externally driven, and accusations of neocolonialism and undermining local ownership of the peace process are rife [30]. Moreover, the lack of a harmonized approach amongst these powers on occasion resulted in some ruptured strategy and lesser impact. The South Sudan Peace Process faced many obstacles, including continued violence and ceasefire violations amidst fighting in most part of the country, driven by primeval ethnic rivalries and competition for resources [31]. The ceasefire violations happened so frequently that it undermined the trust of the parties and stalled the peace process. Actual implementation of the peace agreement had been slow and irregular. Lack of political will and suspicion among the parties was a major impediment. The humanitarian situation, with millions of people displaced and in need of aid, became further heightened by the ongoing conflict. This humanitarian crisis made it difficult to establish a stable environment for peacebuilding and reconstruction [32]. Added to that was the complication of the peace process by infighting

within the leadership in both the government and opposition movements. The leadership struggles often resulted in the splintering of groups, which made it challenging to maintain a unified approach to the peace process. Despite these many challenges, there were some significant successes for the South Sudan Peace Process. As such, ARCSS and R-ARCSS are important milestones in the peace process as they spelled out a framework for ending hostilities and setting up a transitional government. Indeed, both agreements demonstrated the inconsistent commitment of the parties to the resolution of the conflict through dialogue.

In February 2020, consensus was reached to form a transitional government of national unity that would bring together representatives across the divide. This government was an important step to political stability and realization of the peace agreement. Although violence continued in many parts of the country, the overall number of large-scale fighting decreased after the signing of the R-ARCSS. Due to the resulting reduction of violence, it allowed for a gradual return of displaced persons and resumption of some economic activities. These efforts are very important in nudging the parties toward peace, coupled with coordinated efforts from IGAD, the UN, the AU, and global powers. There was successful combination of pressure at the international level, the strategic use of sanctions, and a light touch in most of the diplomatic efforts to maintain the peace process on track.

Background to the Somalian Conflict

The conflict in Somalia broke out in 1991 when the central government collapsed after the overthrow of President Siad Barre. A very protracted and multi-dimensional conflict ensued: first between clan-based factions, later between warlords and Islamist groups. With no functioning government in place, the humanitarian situation deteriorated as crimes flourished. In 1992, there was international intervention through the United Nations Operation in Somalia-UNOSOM-which was intended to stabilize the situation and deliver humanitarian aid. All these efforts notwithstanding, the conflict continued unabated, and Somalia remained fragmented under different controlling factions [33]. The Arta Peace Conference, organized under the auspices of Djibouti in 2000, resulted in the Transitional National Government, which purported to restore order. However, during this time, legitimacy and authority were not well perceived and

upheld by the TNG, and there was still conflict. The subsequent formation in 2004 of another transitional government-the Transitional Federal Government-supported by the African Union Mission in Somalia and the international community-presented a fresh chapter in conflict [34]. The newly established Transitional Federal Government has been confronting an Islamist militant group, Al-Shabaab, which continued actions in guerrilla warfare and terrorist attacks. Since the establishment of a federal government in 2012 and other subsequent political processes, periods of relative stability have alternated with renewed outbreaks of violence. However, Somalia is still wracked by persistent militant group threats, political fragmentation, and humanitarian concerns. Over time, several peace talks have been arranged with the view to tackle the conflict in Somalia.

Response from International Body

There have been multiple stakeholders in the talks for peace from the Somali factions, regional actors, and the international community. The peace process has been marked by different significant initiatives also with varying degrees of success. Among the first

major efforts at the establishment of a government in Somalia after years of civil war was the Arta Peace Process [35], held in Djibouti in 2000. The process was facilitated by Djibouti's President Ismail Omar Guelleh with the support of IGAD, and brought

together several Somali factions, clan leaders, and representatives of civil society. These discussions resulted in the formation of the Transitional National Government, the most important task of which has been restoring central authority in Somalia. It had a number of drawbacks, including the legitimacy deficit from key Somali factions and warlords, most of whom were either not represented or committed enough to the process. Consequently, the TNG could not assert its authority and was later replaced, following further peace talks, with the Transitional Federal Government (TFG), in 2004. The Mbagathi Peace Process under the auspices of IGAD was, however, one of the most comprehensive attempts at forming a government in Somalia. It was an even more inclusive process that involved an ever-wider range of Somali actors, particularly warlords, clan leaders, and civil society organizations. The 2004 TFG was, however, fraught with its own set of problems, which included disunities within the administration and loss of control over vast parts of the country to continuing insurgency by militant groups such as Al-Shabaab [36]. The TFG thus struggled to impose any semblance of legitimacy and effectiveness. Continued instability in the country persisted. Another major attempt by the UN and IGAD was the Djibouti Peace Process. This is the process that was primarily meant to bring the TFG together with the opposition group Alliance for the Re-liberation of Somalia, which was a coalition consisting of the more moderate Islamist factions. In fact, these talks led to the expansion of the TFG to include the Alliance for the Re-liberation of Somalia (ARS) members in government. Whereas the Djibouti Peace Process led to the withdrawal of Ethiopian troops in Somalia and installed a moderate Islamist, Sheikh Sharif Sheikh Ahmed, as President of the TFG for the first time, the TFG continued to face difficulties in establishing their control over the country and countering Al-Shabaab since it remained a potent force. It is IGAD, Ethiopia, Kenya, and Djibouti among the regional players in case of Somalia peace talks that have played important roles. They have been driven to it by a combination of efforts towards the stabilization of the region to protect national security interests. IGAD has also played an important role in convening peace talks in Somalia. The organization acted as a platform for dialogue, coordinated regional efforts, and worked closely with the AU and the UN for the peace process. However, these efforts by IGAD have been hampered by the different interests that member states, especially Ethiopia and Kenya, pursue, each having its strategic concerns in Somalia. Since 2007, both Ethiopia and Kenya have played active roles in the peace process in Somalia through direct military involvement against Al-Shabaab and other insurgent movements. The Ethiopian intervention supported by the TFG in 2006 was aimed at crushing the Islamic Courts Union and Al-Shabaab. While both Ethiopia and Kenya have contributed to security in the area, their actions also have been criticized for inflaming the conflict and undermining the legitimacy of Somali institutions. Djibouti has been instrumental as a mediator in the peace talks, hosting numerous rounds of negotiations and supporting efforts at building Somali political institutions. Djibouti involvement has been very instrumental in maintaining a regional approach toward the conflict [37].

Of all the actors involved in the Somalia peace process, perhaps the most important through the African Union has been the peacekeeping mission in Somalia, AMISOM. AMISOM was established in 2007 and has since been playing a leading role in the stabilization process of parts of Somalia, particularly in Mogadishu and other strategic areas of the country. Protection of the TFG, assistance in the implementation of agreements on peace, combat against Al-Shabaab-the myriad tasks of AMISOM. This mission has been instrumental in securing important areas and thereby allowing TFG and its successor, FGS, to establish a presence in the country. AMISOM has also trained and supported Somali security forces. Notwithstanding these achievements, AMISOM is also suffering from a number of challenges-heavy casualties among its troops, scarce resources, coordination problems with Somali forces. Since the perpetual menace it has posed, Al-Shabaab attacks have always blunted the effectiveness of the mission. Nonetheless, AMISOM's presence has been cardinal in ensuring that the Somali government does not go down the drain and hence provides a foundation upon which future peacemaking efforts can be constructed. The process of restoring peace in Somalia has enjoyed broad and loud support from the international community through diplomatic, financial, and humanitarian backing by the United Nations, European Union, and key donors [38].

UN agencies have been at the forefront of facilitating dialogue, supporting AMISOM, and giving humanitarian assistance to millions of Somalis affected by the conflict. It was also through the UN that Somalia managed to retain international interest and secure regular support for its peace process. The EU was one of the single largest contributors to the peace process in Somalia, especially through the funding of AMISOM, development projects, and capacity-building activities. These contributions by the EU have been vital in maintaining the peace mission and advancing stability in the region. Other developed countries like the United States, the United Kingdom, and Turkey have also given enough aid to Somalia. Their support has been inclusive of military aid and development assistance, though it has also been taken as a contribution factor to the complexity

because of its strategic interest. These diverse processes have produced varied outcomes of the Somalia peace talks and engagement by regional and international actors; both successes and continuing challenges are reflected [39]. The various peace processes [40] created the Federal Government of Somalia, which, for the first time in decades, despite its limitation, represented a working central authority. While the peace talks have created an atmosphere that has minimized large-scale conflict, especially in major urban centers, subsequent military efforts by AMISOM and Somali forces have done little to stem the tide. AMISOM's presence has no doubt improved security in certain areas, allowing for the return of displaced persons and the resumption of economic activities. However, Al-Shabaab remains a potent force capable of launching attacks and controlling rural areas. The persistent threat of violence undercuts the peace process and rebuilding of the country. The FGS continues to face legitimacy problems, corruption and limited capacity. In fact, government control is often confined to Mogadishu and a few other areas, with much of the country remaining under the influence of local militias or Al-Shabaab. An estimated population in the millions face food insecurity, displacement, and lack of access to basic services in Somalia. Such challenges are dire; thus, hard to handle amidst continuous conflict and instability.

Background to the Conflict in Uganda

The Northern Uganda conflict featured one of the worst-tempered armed struggles: the so-called Lord's Resistance Army, or LRA, led by Joseph Kony [41]. The origins of the LRA were first located in the late 1980s as a rebel group fighting against the government in Uganda. Its conflict soon became marked by extreme brutality, including abductions, forced recruitment of child soldiers, and widespread human rights abuses [42]. The government of Uganda then responded to the LRA insurgency with military action and attempts at negotiation. In 2006, the Juba Peace Talks were initiated to try to bring the conflict to an end through dialogue. Indeed, there was partial progress, to the extent that agreements covered the cessation of hostilities; however, this was not completely resolved. LRA leadership was never found, and the activities extended to other countries like the Democratic Republic of Congo DRC and Central African Republic CAR. The war brought activities in Northern Uganda to a standstill characterized by massive displacements and disruption in the communities. While the government of Uganda has attempted to deal with the post-conflict situation through rehabilitation programs and attempts to reintegrate former combatants, lasting peace and development evade the region. Conflicts in Northern Uganda have shifted and changed due to changing influences from internal dynamics, regional interventions, and international efforts. Though many peace agreements and attempts at mediation have gone down the road, the road to sustainable resolution is beset with obstacles.

Response from International Body

The most successful process for negotiations for the end of hostilities involving the LRA so far has been the Juba Peace Talks mediated through the Government of Southern Sudan in 2006. These peace talks were held between the leadership of the LRA and the Ugandan government, along with several regional and international stakeholders, in Juba, then the capital of Southern Sudan. Other factors that eventually created the Juba Peace Talks were the changing regional dynamics, especially with the Comprehensive Peace Agreement between the Sudanese government and the Sudan People's Liberation Movement, which ended the Second Sudanese Civil War in 2005. Southern Sudan, with its path to autonomy, saw their leadership look toward a stabilization of the region by facilitating peace in Northern Uganda where the LRA had been operating with impunity, often with alleged support from the Sudanese government [43]. Another driver was the talk from both parties due to increased international pressure for its conclusion, coupled with the increasingly worse situation the LRA were in: increasingly isolated and militarily squeezed by the Ugandan army and regional forces. In the first stage of these talks, the parties passed several confidence-building, setting, and agreeing to a ceasefire. The Ugandan government and the LRA agreed to a halt in hostilities, giving a tentative reprieve from the bloodbath and preparing the groundwork for more concrete negotiations. The central issue of accountability and reconciliation dominated the Juba Peace Talks: how atrocities committed during the war should be dealt with, debated between traditional mechanisms of justice and formal judicial processes [44]. The International Criminal Court (ICC) had issued arrest warrants for the top leadership of the LRA, further complicating the negotiations. The talks also engaged the issue of how to disarm the LRA fighters, their reintegration into society, and their security.

Other broader issues also discussed included political representation, economic development and return, and resettlement of IDPs, since all factors were interlinked in the holistic peace building [45] process in Northern Uganda. Despite the significant progress made, the Juba Peace Talks did not eventually lead to a final peace agreement. Joseph Kony, the LRA leader, refused to sign the Final Peace Agreement out of concern for security guarantees and the ICC indictments. His refusal effectively terminated the

peace process, and the LRA resumed activities, although on a much smaller scale and largely outside Uganda. For their part, regional and international actors played several critical roles in supporting the Juba Peace Talks. The Government of Southern Sudan, as host and mediator, helped bring the parties together and facilitated the negotiations. The whole role was put into place to stabilize the region and ensure that LRA would no longer be using Southern Sudan as the base for its operations. The United Nations, African Union, and key donor countries backed this peace process through diplomatic, financial, and logistical support [46]. The United Nations lent credibility to the talks, particularly through its special envoys, who helped keep the negotiations in the international spotlight. The ICC's involvement proved to be two-edged. Whereas the ICC's indictment of Kony and other top LRA leaders markedly demonstrated seriousness from the International Community on questions of justice, it had complicated the peace process by making it very risky for the LRA leaders to enter into negotiations without facing arrest. This tension between pursuit of justice and need for peace was one of the biggest challenges during talks.

Among the many useful things that can be learned from the Juba Peace Talks for the next several attempts to resolve the conflict in Africa and beyond, is that the demands for justice so often fit into the same pair of shoes with the practicalities of peace. For instance, the ICC indictment represented one major stumbling block, which has been particularly indicative of headaches associated with negotiating with individuals who have international criminal charges hanging over their heads. How, then, to integrate mechanisms of justice into peace processes without upending the negotiations? The parties' coming to the table was facilitated fundamentally by regional actors, especially the Government of Southern Sudan. This underlines the principle of regional ownership of peace processes where the neighboring countries or regional bodies can sometimes play critical roles in mediating and

facilitating negotiations. Its failure to produce a final agreement clarified that peace processes had more to do than just putting an end to immediate violence; rather, they needed to provide opportunities for overcoming the root causes of the conflicts. Comprehensive agreements covering disarmament, political inclusion, economic development, and justice are required for any sustained peace. One of the most daunting tasks in peace negotiations involves building trust between deeply antagonistic parties. The final agreement of the Juba Peace Talks was never signed, largely due to the distrust that characterized relations between the Ugandan government and the LRA, worsened by Kony's paranoia and fear of betrayal.

The Juba Peace Talks had mixed impacts on the peace and security situation in Northern Uganda and the broader region. Among the positive legacies of the talks are the considerable reduction in violence in Northern Uganda, a factor resultant from the ceasefire agreements and pressure exerted on the LRA. This allowed many of the displaced people to return home and the recommencement of some kinds of reconstruction and development in Northern Uganda. The LRA operates throughout Central Africa, even though they have been routed out of much of Northern Uganda, notably in the DRC, CAR, and South Sudan. The shift of the LRA into these areas has resulted in some new security challenges and underlined the transnational nature of the operations of this group. The continued operations of the LRA in Central Africa have, till now, caused a humanitarian crisis characterized by incidents of violence and displacement in the areas of operation. Operations to capture Kony and dismantle the LRA have remained unsuccessful; thus, the diminished group remains a threat. The peace talk and involvement of the ICC brought new focus on issues of transitional justice in post-conflict settings. The discussions of how to hold perpetrators accountable while at the same time achieving peace have informed subsequent peace processes and development of mechanisms for transitional justice in other contexts.

Assessment of the Application of Mediation and Negotiation in East Africa

Successes recorded in East Africa on mediation and negotiations lie mainly in de-escalating conflicts and setting the ground for long-term peace. These are key examples: the South Sudan peace process [47], where mediation under the auspices of IGAD was crucial for the signing of the Comprehensive Peace Agreement (CPA) in 2005, that brought an end to several decades of civil war between the government of Sudan and the Sudanese government and the Sudan People's Liberation Movement/Army (SPLM/A). The CPA led to the independence of South Sudan in 2011, hailed as one of the milestone success stories of mediated conflict settlements. Following the disputed presidential election in 2007, Kenya was witness to

countrywide violent clashes. The African Union, under the leadership of former UN Secretary-General Kofi Annan, mediated between the parties, leading to the formation of a coalition government and subsequent cessation of hostilities [48]. This mediation is also regarded as one of the successful interventions that stopped further escalation and provided grounds for political reforms. In the case of Somalia, mediation by the AU and IGAD, for example, has seen the establishment of transitional governments and the establishment of federal structures [49]. Such efforts have been associated with periods of stability and advancement in taming militancy, particularly by Al-Shabaab.

Of course, in the midst of all these successes, there have also been some notable failures where mediation and negotiation were unable to bring about lasting peace or full resolution of the conflict. Second, while mediation through IGAD resulted in the 2015 Agreement on the Resolution of the Conflict in South Sudan, the peace lasted but a very short period. The conflict flared again, showing the deficiencies of the peace arrangement and deep-seated mutual distrust among the parties. Subsequent meditation efforts have struggled to yield a lasting peace, underlining the problems of dealing with such longstanding conflict and the fragility of negotiated agreements. In 2015, Burundi slid back into political violence in the aftermath of President Pierre Nkurunziza's controversial decision to run for a third term. Yet, despite the mediation efforts of both the EAC and the AU, this crisis has continued to prevail to this date; there has been absolutely no dialogue worth mentioning with the opposition by the government [50]. The failure in mediation has translated into continued repression and instability. The unsuccessful Juba Peace Talks between the government of Uganda and the LRA, which took place between the year 2006 to 2008, failed to produce the final peace agreement after the constant refusal of LRA's leader Joseph Kony to ink the agreement. Consequently, it led to the continuation of activities of the LRA in the other regions and kept Central Africa under violence and instability [51].

Factors Determining Success and Failures of Mediation and Negotiation

Various explanations define why mediation and negotiations can effectively solve conflicts, and one such influence is the involvement of credible mediators. This means that mediators should be impartial and command respect. Where there is credibility, mediators such as Kofi Annan commanded confidence in the Kenyan parties and opened up a window for the parties to hold meaningful dialogue. Often, a mediator's reputation or experience determines why the parties would take negotiations seriously. Any effective mediation or negotiation process must be inclusive, with participation from all relevant stakeholders in the conflict, including marginalized groups, civil society, and opposition forces [52]. Inclusive processes guarantee that the peace process addresses the concerns of the parties to the conflict, thus making it less possible to have spoilers, and also increasing the legitimacy of the agreement. Success of the mediation efforts at times depends on the support of regional and international actors. Agreements can be policed through diplomatic pressure, financial carrot, and peacekeeping deployment to provide the guarantees that the parties may need. Mediation and negotiation can be effective only when they tackle the roots of conflict: political exclusion, economic inequality, and social grievance [53]. Agreements which stop the fighting without such measures will not last very long. Mediation efforts are a question of timing. Conflict is most likely to be resolved through negotiation when the parties reach a "mutually hurting stalemate," whereby they realize that continued fighting is no longer in their best interest, thus mediation works best at a point where the conflict has reached a position whereby both sides are willing to compromise.

However, mediation and negotiation are also rendered ineffective by various factors such as lack of commitment from parties. In cases where parties to a conflict are not really committed to a peace process, mediation is unlikely to work. For example, in the case of the LRA, the lack of trust and commitment from its leadership led to undermining peace talks and hence the failure of the process. These efforts are compromised when external actors have competing interests or when there is interference from the outside by powers with vested interests. This was elaborated in the case of South Sudan, where rivalries in the region and the involvement of external actors with different agendas made the peace process complicated. Where agreements have been reached, indeed, failure to implement them is a factor in the resumption of conflict. In the South Sudan conflict, failure to put in place appropriate mechanisms for the enforcement of the ARCSS and will by parties to comply with their agreement of commitment brought the peace agreement to its knees; civilian war continued unabated [54].

In intractable conflicts, the parties, as well as mediators, can suffer from "mediation fatigue" when the accumulated failures result in the loss of faith [55] in the process. This can lead to a lack of momentum and decreasing returns from further negotiations. The exclusion of important negotiating parties, such as some rebel groups or political parties, may bring an agreement that is brittle and liable to break down. Indeed, one common feature of peace negotiations is the emergence of "spoilers" that arise when key stakeholders are excluded.

Threats to the Effective Application of Mediation and Negotiation in East Africa.

There are challenges that may hinder the effectiveness of mediation and negotiation in the resolution of armed conflicts in East Africa. Many of these obstacles are found within the cultural, political, and logistical characteristics of the region, the complex power dynamics, and the necessity for building trust among the parties in conflict. Being cognizant of these challenges may form a basis for devising better strategies for conflict resolution [56]. These challenges include but are not limited to the following

Cultural Challenges

Cultural variables make a big difference in how mediation and negotiation in East Africa are conducted. The region is home to diverse ethnic groups, languages, and traditions that may affect how the framing of a conflict is conducted. Ethnic diversity in East Africa can complicate mediation efforts as conflicts often have ethnic dimensions, with grievances linked to historical animosities, land disputes, or competition for resources. Mediators have to work with these complexities and make the peace process sensitive to the cultural context of the conflict. For example, mechanisms of traditional justice, which are part of certain kinds of cultural practice, may be imperative for reconciliation but hard to square with formal legal institutions. The language and different communication styles will also often be an obstacle in mediation and negotiation. Lack of a common language sometimes, or failure to appreciate the subtleties of another culture in communication, leads to misunderstandings. Misinterpretations sometimes lead further to mistrust and make the road to agreements even more difficult. In a large number of East African societies, for instance, traditional leaders and elders are important in conflict resolution. Especially when the tension between traditional and modern governance systems is strong, it is far from easy to integrate such leaders into formal mediation processes. Ways of respecting and incorporating them need to be found in order to sustain legitimacy and make inclusive the peace process.

Political Challenges

Political dynamics in East Africa create complexities to any mediational and negotiation processes, very often hampering efforts toward conflict resolution. Contested government and legitimacy issues lie at the heart of most conflicts throughout East Africa. Conflicts generally have causes that can be traced back to disputed elections or coups and contestations over leadership where one or more parties doubt the others' legitimacy, hence impeding mediators in facilitating negotiations. As in the case of South Sudan, for example, power struggles have been singularly responsible for the derailment of repeated peace efforts in the midst of failed negotiations between the government and its opposition groups [57]. Similarly, many countries in East Africa have equally gone through authoritarian rule, where political dissent has been suppressed, and opposition parties are marginalized. Under these conditions, mediation and negotiation cannot be effectively pursued because the ruling parties are resistant to meaningful dialogues or embrace peace processes as an opportunity to establish their dominance by consolidating power rather than genuinely finding a solution to the problem. In the political crisis in Burundi, mediation efforts were undermined by a government that refused to negotiate with opposition forces.

Logistical Challenges

Even from a purely logistic perspective, mediation and negotiation on the East African continent are fraught with serious challenges, particularly in the case of protracted conflicts and areas described as isolated or hostile. Poor infrastructure and security risks add to the expansive territories to make access to conflict zones quite hard for mediators. This may be quite dangerous, or even impossible, for mediators to be directly involved with all parties in cases of continuous violence and instability, as may be the case in Somalia or South Sudan. Mediation and negotiation work best when a wide array of stakeholders is coordinated, including governments, rebel groups, civil society, and international organizations. Each of the various interest groups must be managed and all voices heard, which can be logistically awkward given communication and transport network limitations. The demand for secure, neutral venues for negotiations may pose quite a logistical challenge in a conflict zone. Many mediation and negotiation processes require sustained contact over extensive time periods. The resistance often is simply logistical constraint-funding, mediator availability, and party capacity. In far too many cases, protracted conflict creates "mediation fatigue," a sort of wear and tear that depletes the energy of parties and mediators alike to keep a peace process going in earnest.

Power Dynamics

Power issues are seen as a significant factor in mediation and negotiation, from both party behavior and process outcomes. Most of the conflicts that have ravaged most of East Africa have one party significantly outweighing the other, say, a government against a rebel group. This asymmetry can give rise to complex negotiations, as the stronger party may show less eagerness to yield, and the weaker party may be forced into unfavorable terms. For example, the negotiations between the government and the LRA were informed by the military strength and international support that placed the government in an advantageous negotiating position; this fact accounted for the hesitation of the LRA to commit to the peace process. The parties to a conflict may try to manipulate the mediation process for strategic advantages [58]. These may be negotiations for buying time with

which to reorganize or rearm, as was the case with some phases of the South Sudan conflict. This undermines the integrity of the mediation process and, in many instances, is likely to result in the collapse of negotiations when one party may feel that the other is not serious about negotiations. The process is also likely to be influenced by the mediator's power and influence. For instance, mediators who derive their influence from powerful regional or international actors can coerce the parties through threats of retribution towards a settlement. On the other hand, mediators perceived to be biased or allied with one of the parties weaken their credibility and that of the process. In the case of the Somalia peace talks, the involvement of the African Union and IGAD gave much weight to the negotiations but also proved beset with problems of perceived partiality and conflicting interests [59].

Confidence-Building

From almost every perspective, the building of confidence is the most critical and demanding aspect of any mediation and negotiation in East Africa. Trust is the foundation of any successful negotiation; without trust, parties will not be willing to make the concessions often required or to abide by agreements [60]. Most East African conflicts originated from historical hurts and mistrust between parties. This mistrust has to be overcome for mediation to succeed, but it takes time, patience, and not infrequently trusted intermediaries. For instance, mutual distrust between the Ugandan government and the LRA created one of the major challenges to the effective outcome of the Juba Peace Talks since the leadership of the LRA had much fear of being betrayed and persecuted. Mediation can normally be effective with the usage of CBMs to form the basis for trust between the parties [61]. These are ceasefires, release of prisoners, or safe zones being created. This is manifested in postelection mediation in Kenya, where the coalition government agreement served as a critical building confidence measure that helped resolve tensions and foster trust between the rival parties. Sometimes, confidence is enhanced by third-party guarantors who reassure that agreements will be honored. This may be an issue of deploying peacekeeping troops, international monitoring or protection guarantees for combatants who have been disarmed. These are effective guarantees only insofar as the third-party actors maintain adequate levels of credibility and capacity [62]. In South Sudan, UN peacekeepers have been present and able to provide some semblance of security, while mandate and resource challenges have constrained the ability of the UN to fully enforce agreements.

Impact of External Mediation and Negotiation on Local Conflicts

External actor involvement in the mediation and negotiation process has both positive and negative impacts on local conflicts in East Africa. Their involvement often means resources, expertise, and international legitimacy, but such involvement often results in unintended consequences that complicate the peace process. Externally driven processes are more often than not dependent on external actors for the provision of finances for peacemaking missions, humanitarian aid, and even funding for negotiations [63]. Such support is particularly critical in conflict zones where local resources are depleted or simply not available. International organizations, like the UN and AU, can bring a sense of neutrality into the mediation process, thereby allowing trust-building among conflicting parties. It might also serve to lend legitimacy to peace agreements that would then be more plausible for acceptance by the international community and stakeholders within the country. External actors are often able to leverage technical expertise regarding constitutional law, electoral systems, security sector reform, among other areas. Such expertise is particularly useful at the design stage of peace agreements in addressing root causes of the conflict, as well as in ensuring that agreements are implementable and sustainable [64]. International peacekeepers deployed or sanctions imposed by external actors may be used to enforce the peace agreements and deter violations. For instance, the deployment of AMISOM in Somalia has been fundamental in maintaining these instances of stability and supporting the Somali government to engage in its war against Al-Shabaab.

The external actors may be perceived to be biased, especially where they are perceived as having strategic or economic interest in the conflict. This in turn undermines the credibility of the mediation process and leads to resistance by local actors. Second, where the peace process is dominated by external actors, there is also the possibility that local ownership of the process might be lost and agreements reached with a minimum of legitimacy locally, and thus cannot be successfully implemented [64]. Locals are also externally compelled to force solutions close to the interests of the external actors rather than the most relevant to the locale. This could lead to peace agreements that do not resolve the deep-seated causes of conflict or which impose Western-style models of governance which may not be applicable in or appropriate for a particular cultural and political environment. Indeed, there has been increased criticism towards certain peace settlements-particularly those which emphasize democratization or rapid elections as a key component of ending the violence. Such reliance on third-party actors can create a particular type of dependence that restrains the development of indigenous capacity for conflict resolution. This may lead to situations in

which, without ongoing external support, local actors are unable to maintain peace, and the entire peace process could collapse with any weakening of external engagement. The implication of multiple external actors-acting in pursuit of competing interests-can complicate the mediation process. The different priorities and strategies from IGAD, the UN, and the Western governments have sometimes resulted in a lack of coordination, conflicting pressures on the parties in South Sudan have made a durable peace agreement even more difficult to achieve [64]. In any case, the impact of mediation and negotiation by external actors will be truly positive only when such actors can work in cooperation with local actors, respect their ownership of the peace process, and be sensitive to the cultural and political context in which conflicts they seek to address occur. The balance between external support and local needs would, therefore, dramatically increase the chances of lasting peace realized in East Africa.

CONCLUSION

The research study provides an assessment of the nature and complexities of peace processes and dynamics within the region. In fact, the study, through an exposition of important conflicts including but not limited to the cases in South Sudan, Somalia, and Northern Uganda, highlighted successes and challenges derived from mediation and negotiation undertones that have great value in distilling factors affecting processes. The findings from this research reveal that mediation and negotiation have played major roles in solving some of the most protracted conflicts in East Africa. But then again, all these initiatives have resulted or will result in success, which is pegged on a number of factors that include the level of participation of regional and international actors, nature of conflict, strategies adopted, and level at which local ownership of the peace process has been proprietary. The South Sudan peace, mediation led by IGAD and supported by the international community has achieved big-milestone agreements, such as the Comprehensive Peace Agreement (CPA) and then the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS). These agreements, amid their own challenges, marked critical steps toward the cessation of hostilities and a framework for governance and power-sharing. The peace talks between different Somali factions, brokered by the African Union and other regional actors, have brought a certain degree of stabilization to this country, though the situation remains fragile. The continuous presence of external actors, among them AMISOM-the African Union Mission in Somalia-has become crucial to the establishment of peace and security. These successes notwithstanding, the research identifies formidable challenges: deeply entrenched and often cumbersome cultural and political complexities, logistical difficulties, and power dynamics. In the case of the Lord's Resistance Army in Northern Uganda, the sustenance of peace was hard to achieve because mediation efforts did not address the root causes of the conflict and building trust was low. While the involvement of external actors often comes with a number of advantages, including resources and added legitimacy, the net effect is sometimes to lose local ownership while imposing external agendas that do not really agree with the needs of the affected communities. The findings lead to a number of recommendations aimed at influencing the effectiveness of mediation and negotiation in finding solutions to armed conflicts in East Africa.

It is important to engage the local actors actively in mediation and negotiation. Indeed, local ownership strengthens not only the legitimacy of the peace process but also ensures that the proposed solutions will be contextually appropriate and sustainable. Investing in the capacity of mediators and negotiators at the local level may decrease dependence on outsiders, making this bottom-up peace process more resilient and suitable for the context. To that end, such an approach can be well-accompanied by training programs in conflict resolution, negotiation strategies, and building peace. There is a need for close coordination between those international organizations, foreign governments, and regional bodies involved in the mediation and negotiation processes to avoid conflicting agendas and ensure a uniform approach towards conflict resolution. This is through consultations, joint strategies, and clear communication channels. The meditation and negotiation process should be sensitive to culture, political and social contexts of the conflict it sets out to handle or resolve. This involves awareness of historical issues, power relations, and needs and aspirations of the affected communities. Sustained engagement after the signing of agreements supports the actual implementation of the peace agreements through monitoring, providing technical and financial support, and facilitating dialogue on emerging issues. It therefore becomes imperative that mediation and negotiation become handy tools for the resolution of armed conflicts in East Africa, providing ways out of some of the most intractable environments toward peace.

Such processes can only be successful with a heightened sense of understanding of the local context, by effective coordination on the part of all concerned agencies, and by authentic participation on the part of the people directly affected. As important as the involvement of third-party actors may be, true durability of peace agreements depends on the actual

empowerment and participation of local communities. The added value of the current research relates to the context of the broader field of conflict resolution and to in-depth analysis of mediation and negotiation practices in East Africa. It would thus deal with underlining the importance of context-specific approaches, and also achieve a balance in the involvement of external actors. The study also provides very vital lessons for policymakers, mediators, and scholars who have to chart their course through the complicated expanse of peace processes in areas where conflicts have been quite profound. This work, therefore, makes it possible to articulate more effective strategies toward conflict resolution with an armed conflict perspective in East Africa, and possibly other areas with similar experiences. In short, mediation and negotiation remain an integral part of peacemaking in East Africa, but their success depends on the right balance between the local and external influences, proper understanding of each conflict with regard to its peculiar challenges, and a coherent commitment to the ideal principles of justice, equity, and reconciliation.

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