

Mediation efforts in Africa's Great Lakes Region

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Introduction

Since the mid-1980s, African mediators have been involved in efforts to resolve civil conflicts in the Great Lakes region: Burundi, the Democratic Republic of the Congo (DRC), Rwanda, and Uganda. Resource scarcities, ethnic tensions, elite mobilization of grievances, and weak postcolonial political structures have been the primary drivers of these conflicts. To meet the regional dimensions of the conflicts, diverse African mediators such as presidents, foreign ministers, elder statesmen, and special envoys have intervened to help combatants rebuild the institutions of political order, social cohesion, and economic stability. Local African actors are not alone in mediation roles. These conflicts have also attracted many external mediators wearing various institutional hats. The relations between African and external actors is one interesting element in understanding the mediation of conflicts in the Great Lakes region.

This paper reviews the mediation experiences by presenting a chronology that starts from Kenyan President Daniel Arap Moi's intervention in Uganda's civil war in 1985 and ends with Botswana's former President Ketumile Masire's mediation of the conflict in the DRC in 2002. This chronology of experiences depicts African actors gradually learning how to manage mediation roles, witnessed in the practice of presidents ceding mediation functions to elder statesmen and special envoys. The important lesson here is the growing search for mediators with the professional expertise, credibility, probity, and perseverance to sustain what are often grueling mediation exercises. Equally significant, the mediation initiatives in the Great Lakes region reveal that successful efforts depend largely on how local actors coordinate their roles with those of international actors. The latter have carved a critical niche in African mediation as providers of financial resources and political pressures to help produce effective negotiated outcomes. Yet these cases also show that as many mediators have crowded around peacemaking enterprises in the region, there have been tensions between local and international actors over

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the organization and ownership of negotiations. The conclusion contends that these mediation experiences have been instructive in generating useful lessons about how African actors can improve their intervention roles and how they can better engage external mediators.

I Uganda

I.1 Mediating Uganda's civil conflict: Daniel Arap Moi, 1985

Uganda's civil war arose from the contested elections in 1980 that returned President Milton Obote to power. Obote's first government was overthrown by the dictatorship of Idi Amin in 1971, but Ugandan exiles and Tanzanian military brought back weak civilian governments. During Obote's second tenure, guerrilla movements challenged the government, notably Yoweri Museveni's the National Resistance Movement (NRM). Due to this pressure, the commander of the armed forces, Major General Tito Okello overthrew Obote in July 1985.

The military government attempted to restore order, but had little legitimacy. As commander of Obote forces, Okello had been implicated in military campaigns in which an estimated 300,000 people died. The Okello regime was also associated with the northern ethnic domination of Uganda. After overthrowing the Obote government, Okello's priority was to negotiate with the smaller guerrilla groups that he could control rather than with Museveni who he regarded as a major threat. In August 1985, Okello reached agreements that incorporated these small groups into the government. As the dominant military force the NRM, however, rejected government overtures and demanded the resignation of the government. As a result, a stalemate ensued that was broken by the mediation of Kenya's President Daniel Arap Moi. Both sides in the conflict initially looked to Tanzania's President Julius Nyerere as a potential mediator because of his previous role in Uganda's reconstruction, but Nyerere had announced his retirement from office and his successor was not interested in further entanglement in Uganda.

Moi's mediation changed the rules of non-intervention that had guided the approach of the Organization of African Unity (OAU) in domestic conflicts of states. It marked one of the first instances of mediation by a neighbor in a civil conflict, popularizing the practice of African solutions to African problems. In reconciling Okello and Museveni, Moi invoked Uganda's importance to the stability of East Africa and Kenya's strategic interests in a peaceful solution. More importantly, he mobilized the stature of his office to provide leadership to the fractious and contentious Nairobi negotiations that began in September and ended in December 1985. Although Kenya's Ministry of Foreign Affairs organized some of the sessions, the Nairobi talks largely bore Moi's presidential imprint. The Kenyan media portrayed Moi's mediation in Uganda as an opportunity to demonstrate statesmanship and pan-Africanist ideals.

During the negotiations, the Okello government's political fortunes declined markedly because of its ties to groups linked to Idi Amin. On the other hand,

Museveni's forces made major military gains because of better organization and popular support. Consequently, Moi was caught between a weak government, whose power was on the wane, and a rebel movement energized by military victories. Moi nonetheless persisted, investing considerable time and resources in a peaceful solution.

In the first phase of the negotiations, Moi tried to get the principal parties to the same round table. However, this strategy did not work because neither Okello nor Museveni wanted to sit together; instead they dispatched low-level delegations without the mandate to reach decisions. Round table negotiations are useful where the parties have some respect for each other, and where there is a desire to make peace, not procrastinate. Moi abandoned this strategy when the talks deadlocked in October and November 1985. Instead, he resorted to bilateral talks with Museveni and Okello to forge consensus on substantive issues. Bilateral talks were essentially separate negotiating sessions that Moi held with Okello and Museveni. This strategy forced the principal parties to go to Nairobi, affording Moi a better way to communicate with them and deploy the tools of threats and promises. The bilateral talks were supplemented by the establishment of two joint negotiating committees on disarmament and political issues that expedited the negotiations by translating the political compromises between the principal actors into an agreement.

Moi's mediation culminated in the Nairobi Peace Agreement signed on December 17, 1985, comprising power sharing and cease-fire provisions. The agreement enjoined Museveni and Okello to form a transitional government that would write a new constitution. It also envisaged the demobilization of armed factions and formation of a new army supervised by a monitoring force from Commonwealth countries. After the signing of the agreement, the parties failed to honor the ceasefire, leading to collapse of authority in Kampala where motley militias fought for supremacy. Capitalizing on widespread lawlessness and insecurity, Museveni's forces captured Kampala in January 1986, disowned the Nairobi agreement, and established a new government.

Assessing Moi's mediation

Moi sought to preempt Uganda's spiral into further instability, but the military balance and the lack of will by key actors for peace doomed the agreement. Moi furnished the prestige and power of his office to an urgent task. Yet, mediation by presidents in civil wars presents its own problems: competing state burdens often constrain their ability to marshal the attention required for effective mediation exercises. Mediation of these conflicts requires patience, persistence, and perseverance, qualities that presidents with other demands may not be able to command. Even the bilateral talks Moi held with the parties were sporadic rather than sustained, contributing to the perception of a disorganized process. Moreover, the high-level status of presidents prevents them from forging closer ties with parties, ties that may be important in facilitating agreements. In addition, without mediation that is anchored in broad national institutions, there is always the danger of over-exposing presidents to the uncertain outcomes of

mediation. Moi's mediation heightened his personal stakes in a successful agreement in Uganda, but when the agreement collapsed, it was difficult to separate personal from national loss. This is why in the aftermath of the Nairobi negotiations, bilateral relations between Kenya and Uganda worsened because Moi felt slighted by Museveni's abrogation of the agreement.

Moi gradually learnt to defer mediation roles to the Ministry of Foreign Affairs and special envoys as demonstrated by Kenya's mediation of the conflicts in Sudan and Somalia under the auspices of the Inter-governmental Authority on Development (IGAD). After he left office in 2003, he created the Moi Africa Institute whose objective is to help resolve conflicts in the region. Some of the special envoys in the IGAD processes, General Lazaro Sumbeiywo and Benjamin Kiplagat, are affiliated with the institute, demonstrating the institutional convergence of the experiences of special envoys and an elder statesman.

II Rwanda

II.1 Mediating Rwanda's civil war: Tanzania, 1992-1993

Post-colonial Rwanda evidenced a decisive shift in power from the minority Tutsi to the majority Hutu as a result of the 1959 revolution. The revolution led to massive movement of Tutsi refugees to the region, communal violence, and political fragility of Rwandan governments. In October 1990, Uganda-based Tutsi exiles organized as the Rwandese Patriotic Front (RPF) invaded the Hutu government of Juvenal Habyarimana. The RPF took advantage of Habyarimana's economic and political problems to demand citizenship rights and an end to the dictatorship.

Habyarimana initially refused to negotiate with the RPF and called for military support from Belgium, France, and Zaire to meet the threat. Gradually, however, as the conflict escalated, the government invited Zaire's leader, Mobutu Sese Seko, to mediate a ceasefire with the RPF. In two mediation sessions in October 1990 and March 1991, Mobutu proposed a cease-fire agreement to be supervised by an OAU Neutral Military Observer's Group (NMOG). Mobutu launched the negotiations, but his relationship to Habyarimana undercut his ability to be an acceptable interlocutor to both parties. This was why Tanzania emerged as the actor with broad appeal to them.

Tanzania mediated the Arusha peace talks from June 1992 to August 1993. The government assigned mediation responsibilities to the Ministry of Foreign Affairs. Ambassador Ami Mpungwe, an official in the Ministry, led the mediation team. Tanzanian President Ali Hassan Mwinyi participated in the talks only when they faced severe deadlocks. Unlike Moi in Uganda, President Mwinyi intervened at critical moments when his authority made a vital difference. As a result, Mpungwe's team controlled the flow of information between the delegations, chaired important negotiation committees, and coordinated with the government and multilateral observers. This was important in providing overall leadership of a mediation exercise that involved

many parties with differing interests. In this respect, the team played a dual mediation role: mediating among the Rwanda belligerents, and among the observers at the table. The Arusha negotiations benefited from the presence of international observers from Burundi, France, Germany, the OAU, the United Nations, the United States, Uganda, and Zaire. Despite French partisanship toward the Habyarimana government, most of the multilateral actors in Arusha furnished the talks with a wider context of power and leverage. At decisive moments in the negotiations when the parties could not reach compromise, for instance on the formation of a national army, the multilateral partners through their experts, provided critical technical advice. Pressure from international actors also helped to unlock the deadlock following the military skirmishes in February 2003.

From the outset, the Tanzanian mediators faced an RPF delegation that was unified in its positions. The government delegation, however, mirrored deep tensions that existed in Kigali between moderates and radicals, conflicts that, on occasion, paralyzed the negotiations and later contributed to weakening the final agreement. The mediators focused first on reaching agreement on a durable cease-fire, building on the previous Mobutu-led negotiations. After reaching agreement on a ceasefire, the mediators concentrated on power-sharing talks organized around protocols that addressed specific facets of the conflict. This approach broke the conflict into manageable proportions and enabled the establishment of negotiating teams to iron out differences. By the end of 1992, the parties had signed a number of major protocols.

Despite serious military skirmishes in February 1993 that threatened the negotiations, international pressures forced the parties back to the table. Between March and August 1993, the Tanzanian mediators led the parties to conclude negotiations on all the protocols which became the foundations of the Arusha Peace Agreement of August 1993. The agreement stipulated the formation of multiparty transitional government and transitional national assembly that were to be established thirty-seven days after the signing of the agreement. The implementation of the agreement hinged primarily on the speedy deployment of the United Nations Assistance Mission in Rwanda (UNAMIR). Delays in UNAMIR's deployment compounded by the ethnic polarization in the post-Arusha period contributed to the collapse of agreement and the onset of genocide in Rwanda starting in April 1994.

Assessing Tanzania's mediation

Some accounts of the Arusha negotiations have blamed the mediators for the collapse of the agreement², but there is widespread consensus that the failure stemmed from international inaction at the implementation stage. Critics contend that the Tanzanian mediators should have anticipated the spoiler role of Hutu extremist parties, some of them represented in the negotiations. Although

2 See, for instance, Alan Kuperman, "The Other Lesson of Rwanda: Mediators Sometimes Do More Harm Than Good," SAIS Review, vol. 16, no. 1, 1996; and Christopher Clapham, "Rwanda: The Perils of Peacemaking," Journal of Peace Research, vol. 35, no. 2, 1998.

questions of inclusiveness and exclusiveness dodge African mediators, more often, these mediators have no leverage over who comes to the table. Through very difficult circumstances, Tanzanian mediators managed a process that sought to include all Rwandan parties in deliberations about the conflict. The agreement represented a detailed ceasefire and constitutional blueprint for helping the parties to work through their problems.

Unlike Zaire, the previous mediator, Tanzania enjoyed good relations with both parties who saw the mediators as credible. This credibility grew out of the perception of Tanzania's success of nation building. The institutional base of the primary mediators, the Ministry of Foreign Affairs, provided enough room for them to manage mediation tasks without the distractions from other functions. Unlike presidents who are over-burdened, these officials did devote sufficient attention to the tasks at hand. More important, the devolution of mediation responsibilities to the team enabled the building of valuable experience in negotiations and conflict resolution for future mediation engagements.

The multilateralism witnessed in the Arusha negotiations is a model of coordination of local and international actors in mediation. While it is not possible to reconcile conflicting interests of many international actors, particularly if, as was the case with the French, they have stakes in the conflict, successful coordination emerged in Arusha from a broad consensus among the observers about the importance of a regional solution to the conflict. There was also a perception among international actors that credible local mediators needed more of a supportive, helping hand than interventionist, hand-holding. That is why the participation of international actors gave the negotiations a bigger stamp of legitimacy without crowding-out the local mediators. During the negotiations for some of the protocols, international observers provided technical advice to the mediators and parties.

III Burundi

III.1 Mediating Burundi's civil conflict: Ahmedou Ould-Abdallah, 1994–1995

Like Rwanda, the civil war in Burundi originated from the political and economic inequalities between the Hutu majority and Tutsi minority. In the independence period, the Tutsi minority continued to dominate all facets of power, fueling resentment from the Hutu. In the early 1990s, President Pierre Buyoya and the ruling party, Union for National Progress Party (UPRONA), launched constitutional reforms that led to multi-party elections in June 1993. The presidential election was won by Melchior Ndadaye and his Hutu-dominated party, the Front for Democracy in Burundi (FRODEBU), won the parliamentary elections. When he assumed power, Ndadaye tried to reform the military and economy to correct imbalances, but the military led a coup in October 1993 that resulted in his assassination. This assassination plunged the country into a brutal wave of communal violence, in which up to 50,000 people were killed and 150,000 people displaced.

Ndadaye's death galvanized international efforts for intervention, but Burundi's military opposed these moves. Hutu civilian parties, however, wanted foreign intervention to restore their power. In November 1993, after intense diplomacy at the United Nations and OAU, the Burundian military agreed to the deployment of a token OAU force to monitor the situation. As part of this initiative, the United Nations Security Council approved a small mediation team led by former Mauritanian Foreign Minister Ahmedou Ould-Abdallah as the Special Representative of the Secretary-General (SRSG).

Ould-Abdallah's mediation had four goals: to restore the democratic institutions overthrown by the abortive coup; to facilitate dialogue between the parties; to establish a commission of inquiry into the events of October and the ensuing massacres; and to work in close collaboration with the OAU. Toward this end, Ould-Abdallah worked closely with the OAU representative in Bujumbura, Papa Louis Fall, in sharing information and holding meetings with Burundian parties. Ould-Abdallah got the parties to sign an agreement in January 1994 that selected a Hutu President Cyprien Ntaryamira, heading a multiparty cabinet government in which the Tutsi gained 40 per cent of the seats.

As the SRSG, Ould-Abdallah's mediation involved a series of personalized interventions with many Burundian parties to forge a quick compromise that was necessary to stop the deterioration in the political situation. These interventions differ from the typical mediation cases where the mediator sits down with clearly defined parties to deliberate over contentious issues. The urgency of such interventions may force parties to make quick concessions, but such concessions may not necessarily be sustainable because they are crafted in haste. Fundamentally, Ould-Abdallah was successful as a crisis manager putting out fires, rather than a mediator helping the parties think through the nature of the constitutional compromises.

The January 1994 agreement revealed the dangers of such hastily-produced compromises. Violent clashes between Hutu and Tutsi in Bujumbura did not dissipate; in fact, the agreement radicalized Hutus. Things got worse when President Ntaryamira died in a plane carrying Rwanda's President Juvenal Habyarimana from Arusha to Kigali in April 1994. As international attention shifted from Burundi to the genocide in Rwanda, Ould-Abdallah maintained his mediation by speaking with major leaders in Burundi to contain the situation.

Following the National Assembly's choice of FRODEBU's Sylvester Ntibantunganya as the interim president in May 1994, Ould-Abdallah began new power sharing negotiations that led to the signing of the Convention of Government in August 1994. Replacing the previous constitution, the Convention of Government gave 55 percent of cabinet positions to Hutus and 45 percent to Tutsis. Although the Convention of Government sought to find constitutional mechanisms that would reduce the internecine violence between Hutu and Tutsi communities, most Hutus perceived it as an erosion of their democratic gains. The Convention of Government contributed to the growth of

Hutu militancy coalescing under the National Council for the Defense of Democracy (CNDD). Ould-Abdallah resigned as the SRSG in September 1995, a month after the UN Secretary-General appointed Jesus Maria of Cape Verde as his SRSG for the Great Lakes region.

Assessing Ould-Abdallah's mediation

Ould-Abdallah mediated two fragile agreements that while restoring some stability to Burundi, tilted power to the minority Tutsi. But he was operating in an environment where civil war was imminent and where the armed parties resisted external entreaties. Although he has been criticized for being more sympathetic to the interests of the Tutsi elite, Ould-Abdallah's major contribution was to maintain an essential international presence when Burundi needed it most.³ The mediation efforts were weak, hastily arrived at, but they helped build the momentum for engagements by subsequent mediators. In a retrospective appraisal of his mission, Ould-Abdallah attributes his resignation to Boutros-Ghali's appointment of another envoy for the Great Lakes region: "For my part, I feared that the appointment of yet another mediator would weaken the coherence of the ongoing preventive effort and present Burundi's extremists with another opportunity to divide the international community. During the Secretary-General's visit to Bujumbura on July 16 and 17 . . . I told him of the serious risks of confusion inherent in the presence within the same region of many representatives of similar mandates."⁴

Criticisms of Ould-Abdallah's approach revolve essentially around the fact that he may have overreached his mandate. This raises the more fundamental issue about the ambiguous nature of the institution of the SRSG. The open-ended nature of SRSGs' mandates gives them sufficient room to engage key actors in crisis management, but these are hardly mediation roles. SRSGs are, perhaps, useful in supplementary roles where there are other actors engaged in the mediation, as was the case with the DRC (see below). This is more so, since, as the case with Ould-Abdallah shows, their tenures are precariously depended on the whims of the UN Secretary General.

III.2. Mediating Burundi's civil conflict: Mwalimu Julius Nyerere, 1996–1999

The escalating insurgency generated pressures for new attempts at conflict resolution. Although some members of the beleaguered government called for external military intervention, a sub-regional initiative that began in September 1995 under the auspices of the Carter Center proposed renewed diplomacy. Among the participants in the Carter initiatives were former Malian president, Ahmedou Toure, South African Archbishop, Desmond Tutu, and the former

3 For some of these criticisms see Glennys Evans, *Responding to Crises in the African Great Lakes*. London: International Institute for Strategic Studies, Adelphi Paper No. 311, 1997 ; and Rene Lemarchand, "Burundi at a Crossroads," in Gilbert M. Khadiagala, ed., *Security in Africa's Great Lakes Region*. Boulder: Lynne Rienner Publishers, 2006, p. 52.

4 Ahmedou Ould-Abdallah, *Burundi on the Brink, 1993-1995* (Washington D.C.: US Institute of Peace, Perspectives Series, 2000), p. 90.

President of Tanzania, Nyerere. At a summit in Tunis, Tunisia, in March 1996, the regional leaders designated Nyerere as the mediator in Burundi, mandated with helping the parties to start a debate on power sharing.

Nyerere's mediation began the practice of elder statesmen as mediators in conflicts in the Great Lakes region. His mediation drew partly from the legacy of having contributed to Tanzania's national unity and the moral uprightness of his leadership. Nyerere's mediation also derived legitimacy from the international community. Equally vital, Nyerere mobilized regional actors that were grouped in the Regional Summits on Burundi. During the negotiations, Nyerere had to coordinate his mediation with Western special envoys to the region.

Preliminary talks organized by Nyerere in Mwanza, Tanzania, in March and April 1996 did not yield much. Bridging the gap between the principal parties in the Convention of Government, FRODEBU and UPRONA, proved the main obstacle to the mediation. Furthermore, Tutsi parties resisted Nyerere's bid to reach out to Hutu armed rebels. When the stalemate ensued, Nyerere supported regional actors who threatened military intervention. Buyoya and the military invoked this threat to overthrow the civilian government in July 1996. Buyoya's coup, in turn, forced the region to impose economic sanctions against Burundi. Sanctions worsened relations between Nyerere and Burundian authorities, and, in almost two years, there were no negotiations. During the stalemate in the talks, other actors such as the Sant'Egidio Community in Rome attempted to mediate between the Burundian parties, but without any success. But as Buyoya gained more confidence domestically, and as international pressure increased on regional actors to lift sanctions, the opportunity opened for the resumption of the talks in June 1998.

An innovative addition to Nyerere's mediation at the resumption of the talks was the appointment of eminent international personalities to chair negotiating committees dealing with specific aspects of the conflict. The committees and their chairs were: the nature of the conflict, chaired by Armando Guebuza, from Mozambique; democracy and good governance, chaired by Nicholas Haysom, from South Africa; peace and security, chaired by Father Mateo Zuppi from Italy; economic development, and Georg Lennkh, from Austria. Given that 19 parties were present in Arusha, the formation of the committees eased the negotiation by breaking the issues along manageable lines. The committee negotiating framework, which was first seen in Moi's mediation in Uganda, seemed to find its better institutional expression in the Arusha talks. As a supplement to the amorphous character of plenary sessions, committees reflect the proliferation of parties and issues in negotiations of civil conflicts. It is difficult to reach agreements through "summits" of many parties, hence the significance of smaller committees as vehicles of concession-making. Experts are also more effective in lending their knowledge and experiences in committees rather than lecturing to larger conclaves. The disadvantages are that many committees may slow the pace of negotiations, creating paralysis.

The appointment of eminent personalities gave the mediation a multilateral character and neutralized critics who complained of Tanzanian dominance. But these personalities also generated resentment from members of the Nyerere mediation team who felt that their competence and skills were being questioned. International expertise is critical in African mediation when it helps the mediators to do their job better, rather than, as the case with the Nyerere mediation, NGOs such as the International Crisis Group and International Alert openly advocating for “empowering” the mediation as a way to supplant and subvert local mediators. By the time Nyerere died in October 1999, the multilateral mediation framework had set Burundi’s reconciliation on an irreversible course. At the time, most of the committees had presented drafts of agreements on issues including democracy, the future electoral systems, and a national truth and reconciliation commission.

Assessing Nyerere’s mediation

Nyerere’s mediation occurred amidst deep animosity between regional states and the Buyoya government, tensions exacerbated by economic sanctions. Nyerere’s stature as an elder statesman worked to partly insulate him from these problems, but he increasingly became identified with the partisan attitude of Tanzania and the region. In addition, Nyerere was sullied by what some critics perceived as his singular determination to exclude some Hutu factions from the negotiating table. Yet Nyerere’s diplomatic persistence against these obstacles garnered him respect even among Burundian foes. In the end, most Burundian parties embraced him as an authoritative statesman operating in a multilateral framework to help them resolve their differences.

There were also mutual suspicions between the Nyerere team and Western envoys, in particular, Howard Wolpe from the United States and Aldo Ajello from the European Union. These envoys supplemented regional efforts, but on some occasions, the Nyerere team accused them of undue interference in the mediation. These conflicts became apparent when the envoys pushed hard for lifting economic sanctions without guarantees that Buyoya would return to the negotiations. Other differences between the Nyerere team and envoys over the organization and coordination of the mediation were gradually resolved with the appointment of eminent personalities to head committees. But the engagement of international experts could have been explained better by all the actors to reduce lingering doubts about why their presence was required. Creating effective coordination between local and international mediators in the context of resource imbalances is difficult, but the Nyerere mediation brought some of these tensions into the open, allowing fruitful discussions about how to evolve more sound coordination strategies.

III.3. Mediating Burundi’s civil conflict: Nelson Mandela, 1999–2001

Regional actors chose Mandela to replace Nyerere to maintain a credible mediator with strong ties to the international community and the region. At the critical moment of the conclusion of the talks, it was important to find an individual with broad international links to refocus attention on Burundi. It was also vital for

Mandela's mediation to derive support from regional actors because the Buyoya government had vigorously advocated for South African mediation to circumvent regional actors, particularly Tanzania. As a compromise, Mandela inherited Nyerere's mediation infrastructure in Arusha, including the mediation team.

Mandela invoked the triple themes of inclusiveness, trust, and forgiveness to put his own imprint on the negotiations. Where the Nyerere team had excluded some key rebel factions, Mandela signaled determination to bring them to the table. With characteristic authority and candor he bluntly berated Burundian parties for failing their people by lacking the urgency to end the war. In addition, Mandela used his diplomatic skills and prestige to mobilize international pressures to impart credibility to his efforts. At the resumption of the negotiations in February 2000, Mandela invited U.S. President Bill Clinton to make a televised address to the delegates. He also lobbied the UN Security Council to pay more attention to Burundi's peace.

Drawing on moral authority, personal stature, and unrivalled international prestige, Mandela took effective leadership of the negotiations. By the summer of 2000, most of the committees had completed their deliberations. At the end of these negotiations, Mandela submitted a draft agreement that synthesized the work of the committees. With the draft agreement on the table, he invited world leaders, including Bill Clinton, to attend the ceremony, even though some of the parties still had not accepted key provisions in the agreement. In the end, Mandela's astute deadline and the presence of foreign leaders forced a compromise that led 14 of the 19 parties to sign the Arusha Accord for Peace and Reconciliation on August 28, 2000.

Although reached without a ceasefire, the Arusha Accord was a partial agreement designed to lock the sides into a framework from which real peace could evolve gradually. The Accord's three-year transitional institutions of ethnic power sharing were instrumental in rebuilding confidence, but also induced the rebel hold-outs to join the peace bandwagon. After the signing of the agreement, Mandela continued to use the combination of moral pressure, regional, and international influence to negotiate the establishment of transitional institutions and the search for a ceasefire. Mandela also played a central role in nudging South Africa to send a military force to protect the returning Hutu leadership, an intervention that paved the way for the establishment of the African Union Mission in Burundi (AMIB) and the United Nations Operations in Burundi (ONUB).

Assessing Mandela's mediation

Mandela injected new momentum in a process that was starting to suffer from fatigue. In a mediation style that blended censure and praise, toughness and flexibility, Mandela shamed and cajoled the negotiators into making difficult concessions. As a South African, he was geographically distant, but not too far removed from the conflict. He could serve as a lightning rod for both parties: Tutsi parties accusing him of translating the South African apartheid legacy into the Burundian conflict; Hutu parties, for being "partial" to minorities. These

dual, but contradictory perceptions enabled Mandela to stand above the fray, to speak to both parties with authority. His reengagement of the international community was critical in mending some of the political fences that had frayed during Nyerere's battle with Western envoys.

Although Mandela exerted more control over the parties than Nyerere, it is more accurate to see the two mediation exercises as part of an evolving continuum that built on each other strengths. Mandela inherited a process that had achieved a lot in identifying core problems and solutions to them. He managed to prod the parties to hasten the efforts to achieve the objectives. Elder statesmen of Mandela's stature are important in African conflict resolution, but they are rare and far between. Too much emphasis on the personal characteristics of Mandela may also distract from the urgent search for mediators whose competence and efficacy derives from the protracted process of learning and training about mediation. As we celebrate the achievements of Mandela, we also have to be cognizant of the fact that it is much easier to train mediators than find those with messianic qualities.

III.4. Mediating Burundi's civil conflict: Jacob Zuma, 2001–2005

Former South African Deputy President Zuma took the mediation mantle from Mandela in January 2001 to negotiate a ceasefire between the government and rebel movements. With Mandela preoccupied with negotiations for transitional institutions, Zuma's mediation brought vigor, energy, and urgency to the ceasefire negotiations. From the beginning, Zuma faced a competitor in Gabon's President, Omar Bongo, who was promoted by one wing of the rebel movement, the CNDD-FDD, to playing off French-speaking against English-speaking mediators. With the potential of Bongo's meddling becoming a source of tension between South Africa and Gabon, Mandela counseled against the alienation of Bongo. This strategy harmonized the interests of the mediators and removed the source of tensions that some of the rebels hoped to exploit. Despite hosting some sessions of the ceasefire talks, Bongo slowly lost interest in the Burundi peace enterprise.

When the first phase of the transition began on November 1, 2001, there were expectations that Hutu rebels would find the government more legitimate and hence engage seriously in ceasefire talks. But, splits in rebel movements compounded the task of negotiations. Zuma's basic strategy was to coordinate his activities with regional leaders, because they remained critical in putting pressure on the parties. At the same time, he decided to engage the fragmented rebel factions in separate negotiations. Part of these negotiations revisited some of the power-sharing provisions of the Arusha Accord. This strategy bore fruit, starting in August 2002 when the transitional government reached an agreement with the CNDD-FDD faction of Bosco Ndayikengurukiye and a faction of the FNL led by Alain Mugabarabona. Subsequently, Zuma's mediation yielded a landmark agreement in October 2002 between the transitional government and the largest CNDD-FDD led by Pierre Nkurunziza. In October 2003, Nkurunziza signed the Pretoria

Protocol on Political, Defense, and Security Power Sharing in Burundi to join the transition government.

The Pretoria Protocol and the deployment of ONUB in early 2004 enabled Zuma and regional leaders to concentrate on mediating talks for a new constitution, culminating in a constitutional compromise in Pretoria in August 2004. This constitution was approved by referendum in February 2005 and formed the basis for local, communal and parliamentary elections in June and July 2005. With a 58 per cent majority in parliament, Nkurunziza was elected president in August 2005, marking the successful conclusion of the transitional period.

Assessing Zuma's mediation

Zuma traversed the mediation road paved by Nyerere and Mandela. On the basis of the successes of previous initiatives, Zuma was able to help expand and fortify the Arusha Accord. These efforts also succeeded because of South Africa's determination to underwrite a successful outcome in Burundi. Furthermore, Zuma was conscious of the importance of coordinating his diplomatic efforts with regional states that had over the years invested considerable resources in the process. By boosting the regional diplomatic framework around Burundi, Zuma, like Mandela before him, contributed to building bridges between the Great Lakes region and Southern Africa.

Within the institutional hierarchy of South Africa, Zuma's mediation raises questions about the choice of mediators. As deputy president, Zuma's mediation overshadowed that of the Foreign Minister, who would have been expected to play this role. His appointment stemmed from the close links he had developed with President Thabo Mbeki, links that accorded Zuma more resources and stature to be an effective mediator in Burundi. Yet, over time, Zuma's role seemed to have evolved as he gained expertise about the conflict, issues, and parties. Before he was forced to resign from his position, Zuma had acquired the unique position of being a specialist on the Great Lakes region by virtue of engagement in the Burundi process. The element of growing on the job in defiance of traditional institutional roles is an interesting dimension in the evolution of African special envoys such as Kenya's General Sumbeiywo in the IGAD case.

IV The Democratic Republic of the Congo (DRC)

IV.1 Mediating the DRC's civil conflict: Ketumile Masire, 1998–2002

Civil war engulfed the DRC following the demise of the authoritarian rule of Mobutu in 1997. Mobutu's successor, Laurent Kabila came to power through the military support from neighbors – Angola, Rwanda, Uganda, and Zimbabwe. Kabila, however, was unable to stabilize internal rule and, soon, he faced internal opposition. Furthermore, he alienated his principal allies – Rwanda and Uganda – by failing to rein in militias that threatened their security. When Rwanda and Uganda tried to overthrow Kabila in August 1998, he invited SADC states – Namibia, Angola, and Zimbabwe to repulse the move, setting off a train of events that regionalized the civil war.

Initial mediation to reverse the condition involved SADC countries, with South Africa and Zambia leading the initiative to pull the regional armies from the DRC. These efforts received the support of Western powers and the United Nations that saw the dangers of destabilization in an already-turbulent region. Despite many hurdles, the SADC initiative produced the Lusaka Agreement of July 1999 between the Congolese protagonists and their regional allies. In addition to a ceasefire, the Lusaka Agreement contained provisions that linked domestic and regional components of the crisis. The first component reiterated Congo's territorial integrity, a goal that would be achieved through the withdrawal of foreign armies. Secondly, to ensure the security of Congo's neighbors, the Lusaka Agreement provided for an international force that would disarm the rebel groups operating in the DRC. Thirdly, internal parties were urged to begin national reconciliation talks, the Inter-Congolese Dialogue (ICD).

For almost four years, mediation efforts to implement Lusaka's regional components occurred in various countries and institutions. Most of these complemented the ICD. Progress on ICD, however, proceeded in fits and starts. Although the Lusaka process had designated former Botswana's President, Ketumile Masire, as the mediator for the ICD, Kabila declined to negotiate with the rebels. After Kabila was assassinated in January 2001, his successor, Joseph Kabila, conceded to the ICD and Masire's mediation.

Masire's mediation deepened the diplomatic practice of using elder statesmen. Like Nyerere and Mandela, Masire nonetheless operated in circumstances where other actors became equally salient in shaping the process and outcomes. Over the course of the negotiations, Masire's tasks entailed coordinating with key actors, notably regional states, the United Nations, and Western envoys. As the host of the negotiations in Sun city, South Africa gained significant leverage on the actors and process. Along the lines of the Burundi negotiations, there was a team of international experts appointed to head five committees to negotiate different components of the conflict.

The first meeting of the ICD was held in Addis Ababa, Ethiopia in October 2001 and prepared the way for the Sun City talks from February 2002. The gathering brought together many representatives from the government, the political opposition, armed opposition groups, and civil society. Given the multiplicity of parties, one of the challenges Masire's team confronted was the coordination of such a broad array of actors, particularly with a small secretariat. This is where South African resources became critical in supervising the mediation. The first phase of the talks ended in April 2002 with the Kinshasa government signing a power sharing agreement with one of the Ugandan-backed rebel movement, leaving out the Rwanda-supported rebels. This partial agreement plunged the talks into a stalemate.

During the impasse, there were a series of parallel talks, most of them led by South Africa, to resolve the regional dimensions of the Congolese puzzle. These

talks yielded non-aggression pacts and troop disengagement agreements among the regional actors, increasing the pressure on internal actors to reach a comprehensive power sharing agreement. At the ICD level, there was a bid from Western envoys to boost the professional capacity of Masire's mediation. Faced with these pressures, the UN and international donors met with Masire in New York at the end of May 2002 to assess the future of the talks. Although there were some demands to replace the Masire mediation team with international mediators, the United Nations compromised by appointing two envoys to complement Masire – Moustapha Niase, a former Senegalese Prime Minister, and Haile Menkerios, a former Eritrean ambassador affiliated to the United Nations Secretariat.⁵ In addition, like the Burundi talks, South Africa assumed a more visible role in the negotiations.

When the talks resumed in October 2002, the mediators led marathon talks that culminated in the signing of an All-inclusive Agreement on the Transition in the DRC in Pretoria in December 2002, providing for a transitional government and elections in 30 months. The Pretoria Accord prepared the way for final negotiations on the installation of a transitional government and finalization of a new constitution. Between January and April 2003, the mediators formed two technical committees on the constitution and security that concluded negotiations on a transitional constitution and resolved issues of creating a national army. With the installation of a transitional government in March 2003, Masire's mandate in the ICD ended.

Assessing Masire's mediation

Masire's low-key and quiet diplomatic approach to mediation contrasted sharply with Mandela's highly-publicized and, oftentimes, confrontational style. In the circumstances of a multiparty and complex conflict such as the DRC, Masire's deliberate and contemplative style seemed to fuel perceptions of indecisiveness. Part of the campaign by some Western envoys to get rid of Masire perhaps stemmed from his manner of managing the mediation. At the conclusion of negotiations for the transitional institutions, Masire had been reduced to a mere figurehead in the negotiations, overshadowed by UN envoys and South African government mediators.

It would have been difficult to dissolve the Masire mediation team since he had acquired the initial invitational legitimacy from prior diplomatic processes. African states are reluctant to undercut the efforts of their mediators, particularly elder statesmen, leaving them to plod on, even in inconclusive processes. This tendency fuels some of the conflicts with external actors, particularly where most of the mediation initiatives are funded by donors who question their contribution to conflict resolution. In the DRC, some of these concerns were allayed when Masire's mediation was placed within the ambit of South African power and international legitimacy.

⁵ DRC: Two Aides Proposed to Help Masire with Shuttle Diplomacy," UN Integrated Regional Information Network (IRIN), 5 June 2002.

V Conclusions: Lessons learnt and recommendations for future engagements

African mediators constitute an essential part of the post-cold war pattern of local actors seeking solutions to local problems. They are driven by the need to reduce the ravages of civil conflicts, refugee flows, and cross-border transmission of diseases. For the most part, African mediators lack many tangible resources for mediation, other than the power of being invited by parties who are in need of help. How the mediators use and embrace this power is central to judging the effectiveness of their mediation efforts. The power of being invited cannot be underestimated because, as these cases demonstrate, it provides opportunities for local mediators to learn the skills of mediation by involvement in these exercises. From Moi's intervention in Uganda to the mediation of conflicts in Burundi and the DRC, there has been movement to create more solid institutions for mediation and to deploy actors who can make a difference in ending these conflicts.

The other factor that has contributed to institutional change relates to questions of who actually mediates these conflicts. Although Moi's mediation in Uganda occurred in the era of single-party regimes in Africa, one of the problems that stymied his efficacy was the lack of moral standing to prescribe power-sharing and reconciliation formulas in Uganda when his regime was increasingly authoritarian at home. In civil wars, the mediators need the credibility to prescribe solutions consistent with their domestic values otherwise they merely squander the opportunity of invitation. This partly explains why the parties to Rwanda's conflict welcomed Tanzania's mediation because of its record of sturdy nation-building and good leadership.

More importantly, questions of the credibility and legitimacy of African mediators are at the heart of the search for elder statesmen to mediate in civil conflicts. The ability of elder statesmen to lend their moral authority in mediation has more credence than their alleged cultural tools. The cadre of elder statesmen has also proliferated because of the upsurge of political pluralism in Africa, allowing some of the serving presidents and heads of state to retire or loose elections, and matriculate into elder statesmanship. Former Mozambican President, Joaquim Chissano, is the latest elder statesman, invited to help mediate the conflict in Northern Uganda in January 2007. There is no certainty, however, whether the institution of elder statesmanship may encourage other long-serving leaders such as Zimbabwe's Robert Mugabe and Gabon's Omar Bongo to contemplate retirement. Moreover, the political baggage accumulated over the years may impede their ability to serve meaningful mediation roles beyond the presidency.

The more discreet learning process has been the practice, since Tanzania's mediation in Rwanda, to devolve mediation responsibilities to government institutions that need to develop the personnel that can manage mediation on routine basis. Thus, the transition from Ambassador's Mpungwe's mediation team on Rwanda to Nyerere's mediation on Burundi reflects the growth of a pattern of experiences that has solidified Tanzania's corps of mediators in the Great

Mediation efforts in Africa's Great Lakes Region

Lakes region. Similarly, South Africa's mediation in Burundi and the DRC has derived from strengthening the professional arms of government that will sustain future engagements. Finally, there has been considerable learning of best practices as African mediators have interacted with international experts on mediation committees from Burundi, the DRC, and Rwanda. These committee engagements speak to a broad question of forging creative links between African and international actors in mediation.

Over the years, the mediation of conflicts in the Great Lakes region has entailed the mobilization and coordination of international pressures, resources, and attention. Although there has been significant movement in reducing the competition between African and international actors over the management, organization, and ownership of mediation, a lot more needs to be done to establish functional and fruitful collaborative governance in mediation. Resource imbalances between African and international mediators are not going to go away very soon, but the problem of coordination can be managed by better explanations for what the distinctive parties bring to mediation exercises. When some international actors deride the capacity of African mediators, hostilities between local and international mediators deepen. In the same vein, some African actors have the tendency to diminish the significance of international contributions particularly in cases of successful mediation outcomes.