Environmental Conflict Management in Africa: The Natural Resource Conflict Debate and Restatement of Conflict Management Processes and Strategies in Africa

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Abstract

Natural resources have perhaps played a major role in defining much of Africa's public square. These resources have defined power politics, resource distribution thereof; defined gerrymandering strategies in much of Africa's public administration domain; and have also proved to be a major precipitant of armed struggles. Natural resources have motivated and fuelled armed conflicts in Africa and this has proven to be a hurdle in effective statecraft, or in times of full scale conflict-it has been a hindrance to effective peace processes from the negotiation stage, mediation stage and finally in the post conflict reconstruction or peace-making stage.

On the other continuum, Climate change for example, which is a major independent variable in the whole debate of natural resource conflicts in Africa could be viewed as an 'un-necessary burden' for the continent. It expands the purviews of environmental security, threatens the very base of national security and escalates social conflicts. However, it is important to note that the phenomenon of natural resource conflict is quite intricate and just like any social conflict debate, a mono-causal link of natural resource conflicts to climate change would actually not provide a thorough investigation when it comes to conflict analysis and a way forward in essence of natural resource conflict management or peace management for that matter.

This paper treats natural resource conflicts as an intricate web of the larger social conflicts and seeks to provide a link between natural resources and social conflicts, to situate the debate within the nexus between natural resource management and conflict management, and to argue for a restatement of a multi-actor and multi-level approach in dealing with natural resource conflicts in the context of conflict management and peace building.

Biography

Philip Arthur Njuguna Mwanika works as a Researcher in Africa's leading think tank on human security-The Institute for Security Studies (ISS)'. He has been working on Environmental Security and Arms Control and Management issues specializing on the Horn of Africa and Great Lakes conflict systems. He is currently also a Doctoral Fellow in the joint Conflict Transformation Programme and Department of Development Studies programme, Nelson Mandela Metropolitan University, Port Elizabeth, South Africa where he is pursuing his PHD in Development and Peace Studies. He is also Adjunct Faculty in the International Relations Department of the United States International University-Africa in Nairobi, Kenya.

Introduction

Environmental degradation in forms such as desertification, resource depletion and demographic pressure exacerbates tensions and instability. Systemically, pollution, population growth and climate change are not in the distant future, they are occurring now and hitting the poorest and most vulnerable hardest'

The above statement by the former Secretary General of the United Nations (UN), Kofi Annan saliently captures natural resource variables that define and cumulatively make up much of the natural resource conflict phenomenon taking place today. Natural resources have perhaps played a major role in defining much of Africa's public square. These resources have defined power politics, resource distribution thereof; defined Gerrymandering strategies² in much of Africa's public administration domain; and have also proved to be a major precipitant of armed struggles. Natural resources have motivated and fuelled armed conflicts in Africa and this has proven to be a hurdle in effective statecraft, or in times of full scale conflict-it has been a hindrance to peace processes from the negotiation stage, mediation stage and finally in the post conflict reconstruction or peacemaking stage.

Natural resources can also be connected to the access, use and proliferation of small arms and light weapons, a situation which has exploited many negative opportunities provided by globalization. In this case, natural resources have provided a parallel political economy for fuelling wars and conflicts.^{3,4,5} This is true of the

illegal exploitation of diamonds in Sierra Leone and the use of consequent black market trade finances to procure small arms and light weapons and thereby to sustain the conflict across borders to Liberia. Environmental crimes have therefore seen their playing field essentially in geopolitical spaces whereby the State's legitimacy as the authority is challenged. There are also consequently twin problems posed by environmental insecurity concerns and these have cut across the easy financial outlets for armament and accessing small arms and light weapons. These are contemporary society order problems that characterize the wars of a third kind as Mary Kaldor has christened them.

Against the grain of widespread assumptions that most of the wars/conflicts of the 1990s and onwards are merely 'civil wars' resulting from ethnic tensions. A new understanding of these new wars sheds light on natural resources as a dominant variable. The new conceptuali-



Gold Mine in Shinyanga, Tanzania. Tanzania is Third Largest Gold Producer in Africa after Ghana and South Africa.

zation is of their ability to sustain political economies in which a range of new mili-

taries-the decaying remnants of state armies, paramilitary groups (often financed by governments) all need parallel sources of revenue to execute wars. Illegal resource mining and trade to finance the buying or sustenance of arms caches therefore becomes a preferred option. Indeed, the abundance of a resource base, the existence of already active hostilities and these changes in the war economy denominators all explain, to some extent, the causes of resource conflicts.^{6,7}

On the other continuum, Climate change which is a major independent variable in the whole debate of natural resource conflicts in Africa could be viewed as an 'unnecessary burden' in Africa. It expands the purviews of environmental security, threatens the very base of national security and escalates social conflicts. However, it is important to note that the phenomenon of natural resource conflict is quite intricate and just like any social conflict debate a mono-causal link of natural resource conflicts to climate change would actually not provide a thorough investigation when it comes to conflict analysis and finding a way forward in essence of natural resource conflict management or peace management for that matter.

This paper treats natural resource conflicts as an intricate web of the larger social conflicts and seeks to first provide a link between natural resources and social conflicts, to situate the debate within the nexus between natural resource management and conflict management and to argue for a restatement of a multi actor approach in dealing with natural resource

conflicts in the context of conflict management and peace management in the conflict cycle. Towards this end, a practical reflection on the essence of incepting natural resource conflict management strategies in successful diplomatic initiatives will be simulated with a critical analysis of the missing link in one of the most intermittent conflict systems in Africa-'the great lakes region' and particularly the Democratic Republic of Congo's (which is the conflict epicentre of the system) diplomatic predicament in the peace process.

The second and third image of the restatement of natural resources and their role in conflict management processes will be an audit of the environmental conflict management roles of two subregional regimes⁸ mandated to deal with conflicts in both the Horn of Africa and the Great Lakes conflict systems, namely the Inter-governmental authority on development (IGAD) and the International Conference on the Great Lakes region (ICGLR). These three practical images will seek to restate the conflict management strategies and processes in the region towards adopting a natural resource conflict management orientation in the cause for peace and security in the region.

For the purposes of contextualizing the debate and the thesis of this paper, it is important to give a brief analogy of the complex maze of understanding conflicts in Africa, the ambivalence of natural resources, the management and distribution thereof and their effect on social relations.

The Link Between Natural Resources and Social Conflicts in Africa



Environmental/Population map of the Great Lakes Region of Africa, accessible at the United Nations Environmental Programme website:

http://www.grid.unep.ch/product/map/index.php?region=africa

Natural resources are an important component in understanding the very nature of conflict because of their susceptibility to the latter. Arguably, natural resources are embedded in an environment, in geographic, geopolitical and interdependent space where actions by one individual or group may generate effects far beyond localities or even national jurisdictions. This is true of shared trans-boundary resources, as widely understood, as well as other elements that constitute the flora and fauna. A good example to simulate this is embedded in the intermittent 'Mau complex system'^{9,10}, and debacle.

A lateral and soon to be overt social tussle could be observed from a risk analysis perspective between Kenya and Tanzania over the Mara river basin.¹¹ It should be

noted that with the Mara river having its source in the Mau forests complex in Kenya, it is in essence also a transboundary basin shared between Kenya and Tanzania, and is also part of the larger Nile basin that is shared by nine countries, namely Egypt, Ethiopia, Sudan, Tanzania, Kenya, Uganda, Burundi, Rwanda, and the Democratic Republic of Congo. Due to the Mau forest cover loss and unsustainable agricultural expansion and intensification (including irrigation), human population growth, socio-cultural actors and socio-economic actors in the Mara river basin increasingly face inadequate access to water. Apart from the water security vulnerabilities confronting these people, are threats related to the loss of virgin forest cover in the upper parts of the catchment and along rivers, environmental crimes related to water pollution and abstractions by industries and urban settlements. These problems have provided serious environmental security predicaments. To mention a few, there are decreasing water supplies, competition for and conflicts over available water, inappropriate and poorly planned land use, and ineffective water resource management systems in the two countries listed above.12 It should be noted that natural resources and the utilization thereof have complex ecological realities and processes. This in turn has an effect the direct consumers of 'environment' and a small analogy on these scientific complexities and the need of contextualizing them in the natural resource debate is of essence.

Scientifically, as is the case with the example on the Mara River Basin, the linked

biophysical or ecological processes in a specific environment disperse cumulative, long term oriented ramifications like erosion, pollution, or loss of plant and animal habitats on the negative basis of it. The nature of the problem may not however be apparent because ecological relationships are often poorly understood. This negative ecological process therefore takes a considerable time to attribute in effect and this has consequently affected environmental management, policy making and legal and diplomatic/conflict management processes. This is often the latent and underlying link of natural resources ecological link and their changes to susceptibility towards conflict, albeit often being unforeseeable. The situation is further compounded by other intermediating factors like climate change variables and this has had an effect on; the affinity to and frequencies of environmental crimes; the very foundations of a stable environmental security base; and the variables have also expanded and complicated the scope of environmental diplomacy and politics agenda. These have all had an effect on the modus operandi of policy processes and policy making both in the natural resource management contexts and in environmental conflict management.

The question therefore beckons, how has the environmental security agenda been affected by these realities? And how has it defined or opened up a debate towards the 'Natural resource conflict management' restatement of the resource management policy space and therefore the incorporation of contemporary environmental security predicaments? Before this

is discussed, it would be constructive to look further into systemic developments that have expanded the natural resource management space and to incorporate contemporary environmental security predicaments included in this discussion to those conflicts over resource bases.

Epics of the Securitization of Natural Resources and Natural Resource Management

A further elaboration of the policy implication of the above realities and the operationalization thereof is seen in contemporary environmental security discourses and developments as mentioned. Natural resource conflict management, environmental diplomacy and environmental crime policy issues were principally debated after the end of the Cold War, when statesmen, academics and policy makers alike talked about global change questions like the sustainable development of the global South, population challenges, democratization and the internationalization of human rights, combining these with the looming global environmental crisis.

When the Rio Summit of 1992 was convened, environmental, developmental and conflict management based policy considerations were put at the top of the international agenda. This meeting of plenipotentiaries and heads of states was a landmark in the history of environmental diplomacy. For the first time the environment was treated as a major policy issue in domestic and international affairs alike.

Unfortunately, following the precedent

set by this process, environmental diplomacy and international resource management policy deliberations have taken on a procedural form resulting in a proliferation of agreements that seek to remedy threats to the environment and threats connected to international peace and security as a result of resource conflicts. Few of those agreements have translated into meaningful change. National interest and strategic diplomatic maneuverings have characterized environmental diplomacy or natural resource conflict management processes. The environmental agenda has been decelerated by this politicking, and the threat to its sustainability has, if anything increased as a result.

There seems in all these things to be a lack of appreciation for the fact that natural resource conflicts and general environmental dangers are global in scale, transboundary in nature and affect all people everywhere. Part of the problem is the cumulative nature of environmental change which in turn affects the distribution of natural resources. For example, annual variations in global climatic change are relatively small, and are therefore easily overshadowed by more dramatic and seemingly more important challenges. This is where the unnecessary face of climate change shows its ugly face to an already struggling African polity and policy processes to curb the same.

A factor that arguably presents the greatest set of difficulties to environmental diplomats, policymakers and practitioners is that threats to the environment are characterized by a high degree of empirical uncertainty. Often the perceived

threats and vulnerabilities are theoretical and remote and the evidence can appear incomplete or contradictory. It is extremely difficult to measure, much less predict, long term vulnerabilities. For example, assessing the extent of species extinction (which is singled out as a major issue in environmental crime and has been a major precipitant of social conflicts and tussles), is complicated by the fact that the majority of endangered/extinct species have not been yet identified.

As a result of such dynamics, policymakers and political decision-makers have little choice but to place the environmental agenda on the cost benefit analysis scale, genuinely critical sieving out the 'environmental concerns' and 'qualified environmental crimes or contentions' from among the wide range of issues placed on the agenda. This shows the complex nature of natural resource conflicts and its management and provides that a mono-causal analysis could not serve the exercise rightfully. Therefore, variables like climate change are but a component that does not ameliorate an already fluid contestation of the thinning natural resource base attributed to many other factors.13

Lateral - Underlying Conflicts and Attribution of Resource Scarcity or Stress

The above argument hits at the heart of lateral conflicts as observed in conflict cycles.¹⁴ Apart from the complex environmental conflict management and agenda situation as experienced by policy practi-

tioners are the proximate attributes of natural resources that are hidden and act as latent causes of conflicts. An important aspect worth untangling in the natural resource conflict management debate is the 'cognitive' aspect that strategically analyses resources' scarcity, abundance and management/mis-management as a cause of conflict. This should also be extended to latent conflicts or implicit conflicts like those which communities do not attribute or feel threatened by but actually manifest themselves over time and more drastically than immediate and overt conflict. In these conflicts, communities or social cultural resources¹⁵ of a conflict are affected by a process of environmental degradation that they do not recognize (or) although they might be aware of degradation, they are unable to associate it with the activity of specific social agents.

The environmental conflict is thus made explicit when communities establish an immediate logical connection between environmental degradation and the activities of certain social agents.16 This is a context within social conflict theory whereby the roles of certain agents are appreciated in providing visibility and publicity on lateral situations which, if left uncatered for, would actually lead to outbursts of overt contestation over meagre resources. This publicity role is effectively taken by sub-regional organizations or third party actors whose mandate is conflict management. This is the case with mandated tasks with regimes like the International Conference on the Great Lakes Region (IC/GLR) and the IGAD whose role is partly to help member states and contesting protagonists to attribute

or recognize potentially hidden conflicts that need to be nipped in the bud before maturing further in the conflict cycle.

As a result of such dynamics, policymakers and political decision-makers have little choice but to place the environmental agenda on the cost benefit analysis scale.

This role is discussed subsequently in this paper. These are also the strategic attributes that a rational natural resource management regime has to incorporate.

It is important to also note that the relevance of research or fact finding in the natural resource management and ecological analysis or research and communication thereof can help to establish this connection. It may also consequently shed a more realistic picture onto the causes of conflict, as well as act as catalysts for social learning about how to manage the resources and conflicts that might arise. A second view of why natural resources have a leading role in social conflicts has all to do with social contexts and power relations that it provides to a public sphere. Natural resources are also embedded in a shared social space where complex and unequal relations are established among a wide range of social actors. These are namely the marketers for example of primary products (for example agro-export producers and farmers, small scale farmers, ethnic minorities, government agencies and others). Just like other fields with political dimensions those actors with the greatest access to power are also able to control and influence natural resource decisions in their favour.¹⁷ A relevant view of the power of natural resources ordering society is captured by the words of Kenyan jurists on the novelty of resources in Africa as follows:

In grappling with our socio-economic cultural problems and the complex relationship between the environment and good governance, we must not ignore the linkages between landlessness, land tenure, cultural practices and habits, land titles, land use, and natural resources management, which must be at the heart of policy options¹⁸

It is also important to note that natural resources are subject to increasing demand, and also to unequal distribution. Such a situation is better explained normatively by the Peace Research/Neo-Malthusian debate on resource conflicts. This is the multi-disciplinary and multicausal explanation of why resource conflicts occur. Named after the English demographer Thomas Robert Malthus, It uses the 'scarcity' variable to explain the role of natural resources in conflict. The Neo-Malthusian school of thought argues that rapid population growth, environmental degradation, resource depletion, and an un-equal access to resources combine to exacerbate poverty and income inequality in many of the world's least developed countries. These deprivations are easily translated into grievances, increasing the risks of rebellion and social conflict.19

Internal disputes can arise from local environmental degradation, for example the introduction of an affluent releasing factory in a human settlement area-affecting waterways and air pollution. Equally, ethnic clashes can occur when population migration increases demand for scarce resources like land to cultivate or settle on. This is the case in Agrarian economies for example in Eastern Africa, where land is exploited courtesy of tenure systems and where there is a large cultural identification with ancestral-tribal land. Environ-



Young Massai child herding cattle, Ngorongoro park, Tanzania.

mental change may involve land and water degradation, environmental crimes over exploitation and illegal exploitation of wildlife and aquatic resources, extensive land clearing or drainage or even climate change itself.

These increasing demands in turn have multiple social and economic dimensions, including population growth, changing consumption patterns, trade liberalization, rural enterprise development and changes in technology and land use. Natural resource scarcity may also result from the un-equal distribution of resources among individuals and social groups or ambiguities in the definition of rights to common property resources.

As noted by Homer Dixon and Blitt,²⁰ the effects of environmental scarcity such as constrained economic production, migration, social segmentation, and disrupted institutions can, either singly or in combination, produce or exacerbate conflict among groups.

As further asserted by Lederach, in a conflict setting and in society in general for that matter, there are constituents or individuals who directly experience and are affected by armed confrontations or contestation over natural resources. These are what he calls socio-cultural resources.²¹ These are the people who use natural resources symbolically and this is a reality that peacemaking and natural resource management experts should come to realize. Land, forests and waterways are not just material resources that people compete over, but are also part of a particular way of life (farmer, rancher, fisher, and logger), an ethnic identity and a set of gender and age roles. These symbolic dimensions of natural resources as experienced from the eyes of socio-cultural resources lend themselves to ideological, social and political struggles that have enormous practical significance for the management of natural resources and the process of conflict-management.

Because of the dimensions of natural resource management, specific natural re-

source conflicts usually have multiple causes-some proximate, others underlying or contributing. A pluralistic approach that recognizes the multiple perspectives of stakeholders and the simultaneous effects of diverse causes in natural resource conflicts is needed to understand the initial situation and identify strategies for promoting change and effective conflict management.²²

Control Politics and Natural Resource Conflicts; Bringing Back Politics to Natural Resource Management

The field of diplomacy and policy administration as widely understood has been evolving and is becoming more technical as the world economic, political and informational system becomes more complex. As such, the politics of diplomacy/ conflict resolution has called for a multisectoral and multi-stakeholder inception; and environmental conflict management, and environmental diplomacy for that matter, have become major variables for genuine negotiation, mediation and postconflict reconstruction processes. The fact that natural resource distribution has been prey to control politics²³ of the same basically means that diplomatic processes must have in the scheme of things a large component of natural resource conflict management. The over-emphasis on power sharing formulas in peaceprocesses, security dividends and other aspects generally viewed as ones of 'high politics' throws these processes on the negative peace continuum and realunderlying concerns of conflicts are not adequately addressed. The practice of different actors in dealing with natural

resource conflicts will capture this in context. The multi actor lenses and roles to be captured represents two images that are a possible point of entry for reconceptualising conflict management processes to reflect more on 'natural resource conflict management'.

To simulate the above point on a restatement of environmental conflict management is the Great Lakes conflict epicentre in 'the Democratic Republic of Congo' and the politics of natural resources and security in the Great Lakes conflict system as a whole. This is the first multiactor role or image that this paper explores, having in mind all the mentioned space of natural resource conflict management.

Multi-actor images, roles and lenses reconceptualizing conflict management

Multi-actor Image 1:

1. Coltan Blood and Tears: the Missing Link in Congo's Peace

Picture the scene: a well coordinated diplomatic gathering of Heads of States of the Great Lakes region, together with a barrage of their respective delegations shuttling from all corners that define regional and international power politics, conducting their business in one of the region's most affluent leisure country homes, The Windsor, in Nairobi. At the same time and in the same geopolitical space - not very far from this diplomatic venue - on the 7th of November 2008, thousands of frightened civilians flee skirmishes near a refugee protection zone in Eastern Congo. This comes as renewed clashes between rebels and government troops add urgency to a positive outcome of peace talks about the Democratic Republic of Congo (DRC) conflict. Meanwhile, on the other end of the continuum, the one key player absent from the diplomatic discussions -'General' Laurent Nkunda - scoffed at the International Conference on the Great Lakes Region (ICGLR)²⁴ - United Nations summit held in Nairobi. To cite his exact words, the Nairobi Process "Is only a regional summit, it doesn't have any impact on our demands."

In a conflict and region where peace agreements and ceasefires are notoriously short-lived, it is apparent that there is a missing link in the negotiation processes and the agreements that follow these negotiations. Congo's lack of peace has been defined by two dominant variables that unfortunately have not been properly weighed out and matched in conflict management exercises. The first variable is the most apparent bone of contention in the DRC, namely the equitable and political distribution of the vast natural resources in the country.

Secondly, there is the variable of regional politicization of civic activities. Unfortunately, all peace attempts have emphasized the latter: from the negotiation stages to the peacekeeping mandate architecture of MONUC (The United Nations Mission in Congo). The politics of natural resource management in the DRC has indeed been a missing link in the diplomacy of conflict management in the country. This may explain the often inter-

mittent reconstitution of the different ethnic control politics and militarization, essentially as pertains to the governance of North and South Kivu. The two provinces are a buffer zone between the DRC and Rwanda and elements of both governments have an interest in continued instability there. Partly as a result of this, and partly for local reasons, the two provinces are populated with opposing ethnic militias that fight intermittently, with or without the assistance of the Congolese and Rwandan armed forces. The observed skirmishes between the Mai-Mai and Nkunda's loyalists were perhaps the most visible of this resource-fuelled contestation in some of the resource-richest parts of the DRC.

It should be noted that the different inchoate peace processes that do little for environmental conflict management have actually had a negative centrifugal effect. It seems that these agreements - as is apparent with the current short-lived Goma peace agreement of January 2008 - legitimize positions taken by different recognized official players in the Congo conflict. As a result, a non-recognized player is put on the other end of the conflict continuum and his interests are not catered for.

The absence of Nkunda and his loyalists, who purported to be fighting for the freedom of his Tutsi clansmen, at the Nairobi Peace Process or in any pre-shuttle diplomacy exercises, is yet another diplomatic blunder that does not address the real issues. Nkunda's military excursions, it should be noted, were conducted and are still being conducted by different loyalists

in the Coltan-rich North Kivu area. Given the large geographical terrain of the DRC and the fact that this area is far from the DRC capital Kinshasa, government presence here has always been weak. The question therefore is how does the international community deal with these areas that have alternative authorities of control and secondly how to clothe peace processes with effective natural resource management mechanisms that provide equitable resource-dividends to all internal players in the conflict?

The peace processes and exercises in the DRC should be well matched to inculcate equitable sharing of resources pegged additionally within a rights based diplomatic process. As such, resource dividends should be determined by a process where rightful actors in the conflict are provided legitimacy to the resources and governance thereof by their adherence to the cause of human security and human rights determination of their cause. This means that environmental conflict management in Congo's peace should work within a diplomacy of human rights whereby genuine underlying issues of the conflict in the Congo are critically addressed.

The second variable of the regional ethnicization of Congo politics can be effectively handled by existing processes namely the ICGLR process and the currently mandated diplomatic efforts of former Tanzanian President Benjamin Mkapa and former Nigerian President Olusegun Obasanjo as African Union and UN plenipotentiaries for the Great Lakes conflict negotiations. Therefore the poli-

tics of Coltan and related minerals in the Congo should constitute the genuine ingredients of peace processes for the DRC and not the procedural conference diplomacy exercises that do not recognize the urgency of the situation and the finesse required for a consolidated negotiation and mediation process. A second image that this paper discusses opens up the debate regarding natural resource conflict management in multi-lateral contexts which serve as major dispute settling venues. Case studies of environmental conflict management and vacuums under the ICGLR and IGAD are therefore discussed.

Multi-actor Image 2: The ICGLR and IGAD Multi-lateral conflict management roles

1. Bringing Back Politics to Natural Resource Management: A Focus on Regional Concert Diplomacy

The multi-lateral framework in the diplomacy of conflict management has also been a major front whereby natural resource conflict management has been restated. This paper posits that natural resources are a international public good and that the penchant of internationalization of environmental dividends determines much of what constitutes environmental security in essence of shared natural resources, contested zones across borders and the twin problem of other security predicaments that are closely connected to resource contestations or what is classically captured as commodities of a 'third kind' in 'wars of a third kind'25 as captured by Mary Kaldor.

A classic case of multi-stakeholder diplomacy when it comes to tackling environmental conflict management can perhaps be captured by the Eastern Africa initiative under the International Conference on the Great Lakes Region (ICGLR) process.

The ICGLR process and Regional Environmental Conflict Management

It is important to first and foremost understand what the International Conference on the Great Lakes Region (ICGLR) is. The ICGLR stemmed from the conflicts and tragedies in the region, especially from the genocide in Rwanda and the situation in the Democratic Republic of Congo (DRC) which constituted a threat to international peace and security. In 2000 the United Nations Security Council through its resolutions 1291 and 1304, called for an International Confer-



ence on Peace, Security, democracy and development in the Great Lakes Region.

Later that year the International Conference was established with its joint United Nations/African Union Secretariat in Nairobi, Kenya. The countries of the ICGLR were consequently grouped into 11 core countries namely; Angola, Burundi, Central African Republic, Congo, Democratic Republic of Congo, Kenya, Rwanda, Sudan, Tanzania, Uganda and Zambia. There are also co-opted countries. These are Botswana, Egypt, Malawi, Mozambique, Namibia and Zimbabwe.²⁶

In addition to this, in November 2004, the 11 Heads of State and the Governments of the Member Countries of the ICGLR unanimously adopted the Dar es Salaam Declaration on Peace, Security and Development in the Great Lakes Region in Dar-es Salaam Tanzania. In this declaration they declared their collective determination to transform the Great Lakes Region into a space for sustainable peace and security for states and peoples, political and social stability, shared growth and development.²⁷

In December 2006, the Heads of State and Government convened again in Nairobi and signed a Pact on security, stability and development. This Pact incorporates the Dar es Salaam Declaration, Programmes of Action and Protocols.²⁸ Following this analogy of relevance will be one of the protocols which is currently being implemented in the name of the Protocol against the Illegal Exploitation of Natural Resources (Article 9 of the Pact).

Of relevance to this study is the Pact's initial recognition of the central role of

governance of natural resources in State-craft and consequent conflict management processes. The Pact does recognize in the Preamble the need for a multi-sectoral cooperation approach for the sole benefit of peoples. This multi-sectoral restatement has been a positive trend in the Conferences' summit diplomacy and other deliberative diplomatic and conflict management activities.

The Protocol Against the Illegal Exploitation of Natural Resources seeks to put in place regional rules and mechanisms for combating the illegal exploitation of natural resources which constitute a violation of the States' right of permanent sovereignty over the natural resources and which represent a serious source of insecurity, instability, tension and conflicts. This binding and legal gesture by the Protocol gives a restatement of the important role of good governance in relation to natural resource management. It also does resonate well with the resource question and the predicament in the member states of the ICGLR, all of which have had natural resources contestation and conflict situations in their past and contemporary political histories.

It should be noted that this 'enabling' environment of addressing natural resource contestation has not been fully utilized by the ICGLR Member States and has not been applied to their conflict management efforts. Bringing back and recognizing the politics of natural resources in peace talks and conflicts in the region brings into reality the underlying causes of conflict and 'the environmental conflict management' of the same should be

a dominant tool in all mediation and facilitative processes taken by the Member States and in the intermediary role of the ICGLR.

This paper also treats natural resource conflict management as an important stage in providing positive momentum of both mediation and post-conflict reconstruction stages. The Protocol takes cognizance of the role of national and international legal contexts that address impunity in due regard to the 'Environmental Crimes of illegal exploitation of natural resources by natural persons and other entities'. This alone gives the peace processes legitimacy to bring back to the table equitable mechanisms and options of sharing contested resources in a conflict. Implementation through diplomacy should simply 'paint pictures' to contravening states and entities in regard to illegal exploitation of natural resources as widely defined. This is the very context of 'environmental conflict management' and may aptly deal with the politics of natural resource conflict management.

However, a positive gesture of the processes' summitry and multi-sectoral diplomacy has seen the kick-starting of the designing of a certification manual for monitoring and verifying natural resource exploitation.²⁹ In context were the conference's initial pre-negotiation processes before the adoption of the protocols where different actors were provided legitimacy to feed into the ICGLR's process of expert facilitation of the substance of the nine protocols. Natural resource management experts through thematic working groups³⁰ provided to the diplo-

matic stewards of the process the much needed conceptual and substantive links towards establishing a set of 'natural resource conflict management' rules and thus the special nature of Article 9.



IGAD and Regional Environmental Conflict Management: Bringing Back Conflict Management to Natural Resource Management

The Eastern African region, the Horn of Africa and the Great Lakes conflict systems have not been spared in the refocusing and changing nature of natural resource management. It is imperative that the natural resource management regimes in the regions integrate a large component of conflict management and valid reasons to support this given the political-economic security predicament in the regions.

The geo-political space has seen the interplay of resource contestations with oil characterizing the protracted Sudan conflict, coltan and other precious metals being contested in the Democratic Republic of Congo and cattle rustling in the Horn namely in the Karpotur (Karamoja, Pokot

and Turkana Cluster) which affects pastoralist communities bordering Kenya, Uganda, Ethiopia and Sudan. This is also coupled with the circumstantial natural resource degradation, courtesy of climate change. Climate change becomes an unnecessary evil to the already protracted contestations and scarcity of resources in the region. The region experiences persistent economic crises, which to a large extent, have roots in severely degraded natural resources and the environment. This, exacerbated by recurrent droughts and other natural and man-made disasters, results in perpetual poverty and underdevelopment which in turn accelerates



A herder moves his donkeys through a small camp made by those displaced by fighting nearby in West Darfur, Sudan. August 23, 2004.

the degradation of natural resources and the environment, thereby closing the vicious cycle. From time immemorial, the IGAD region has been characterized by massive population movements pushed by other groups and pulled by the search for better pasture and water resources, among others as stipulated above.

A significant proportion of the people in the region are pastoralists – the greatest number being in Sudan. In Ethiopia, about 10-12 percent of the total population is pastoralist. The pastoralist situation reads the same in other countries, in Djibouti it is about 20 percent; 33 percent in Eritrea; and 70 percent in Somalia.31 Pastoralists, it should be noted, also practice transhumance.32 The livelihood is practiced predominantly in arid and semiarid lands (ASALs) where pastoralists are able to exploit land and conditions that normally cannot support rain-fed agriculture. ASALs have traditionally been considered almost 'waste lands'. Yet in a country such as Kenya, two thirds of the livestock population is found in the ASALs. Also, gum arabic, aloe vera and a host of minerals are known to exist in the ASALs. However, neither the resources of the ASALs of the IGAD region are adequately inventoried, nor is there a clear understanding of the environmental consequences and conflicts associated with pastoralism.

The Inter-governmental Authority on Development (IGAD) which is a regional conflict management regime has the unenvious task of realizing that much of its conflict management and natural resource management regimes have to compliment each other. This is also in due cognizance that the fields have also become quite interlinked with the above phenomena defining what is classically the sum total of human security.

Policy Shifts to Natural Resources Conflict Management

It is with the above realities in mind that the policy environment for natural resources management has evolved dramatically in recent decades. There are no more 'Resource frontiers'. Actually, virtually every change of land use and changing tenure and land adjudication systems, new developments, or expansion of any resource utilization/use now involves conflict.³³ This conflict can be both objective and subjective and may be characterized in the future with property based legal tussles as an example of conflict. Natural resources use also continues to be an aggravating factor in armed conflicts around the world and even in cases where the true sources of the conflict may extend beyond disputed resources, resource conflicts ultimately become the most visible and symbolic causes of the dispute.34 This is true of the Horn of Africa and the Great Lakes conflict systems as listed above and IGAD has had to contend with this.

The question therefore beckons, how does the IGAD utilize its diplomatic capacity and role as the regional conflict management regime to re-conceptualize its natural resource management mandate? The answer may ultimately lie in the utilization of other sub-regional arrangements that deal with thematic concerns of natural resource management coupled with the peace and security architecture connection of the same. Lying within the same geo-political zone is the East African Community arrangements and protocols that address these municipal and trans-boundary realities of resources, their use and their effect on environmental security of communities both within and outside of their boundaries.

A case in point is the East African Com-

munity protocol that seeks to manage trans-boundary shared resources. Tapping into such arrangements would, to a large extent, map out an effective natural resource conflict management mechanism for the IGAD and its member states. This is a case of concert development diplomacy whereby by principle of regional cooperation, the different regional regimes cooperate towards the common goal of enhancing human security through effective conflict management practices that focus on natural resource management. There is also need of a coordinated development mechanism with the mentioned ICGLR process and its protocol related to the illegal exploitation of natural resources. This role of being a collaborator for a common natural resource conflict management for the region is legitimate for the IGAD because it may be the only explicitly mandated intergovernmental organization managing the complex conflict systems of the region and their inter-related political, economic and ecological woes. This would also ensure the rationalization of multi-sectoral concerns that define conflicts of this very volatile region. In essence, this was what the IGAD35 was originally conceptualized to deal with anyway.

In addition to the important intricate variables provided by these case study analyses, an important element that policy has to deal with in the natural resource conflict and management continuum is the fact that organized armed groups who are actors in the contestation have a rational orientation. They have multiple sources of financing and shift from one to another as a function of their need. Other

factors to be considered are conflict economies that are determined by resorting to environmental crimes like poaching and other drivers of conflict and the policy and diplomatic processes have to provide lee-way for these alternative conflict sustaining variables.³⁶

Conclusion

It is with the above images of multisectoral and multi-actor approaches that conflict management and natural resource management regimes should take into context the dynamics, intricacies and predicaments of natural resource conflicts. Dealing with the equitable management of natural resources will definitely go a long way in both the conflict management stages of peace processes and statecraft and in the peace-management translation of the same. Sub-regional diplomatic regimes therefore have to restate their conflict management strategies towards a stronger recognition of natural resource management as a strong negotiation, mediation and post-conflict reconstruction variable.

This is the same of the diplomatic actor recognition of protagonists whose claims may be legitimate and who may assert an important consideration in the negotiation table as is the case with Nkunda's former control of variable natural resource carrots and sticks in the DRC in the name of coltan and other variables that escalate conflict and reduce mediation and peace momentum.

It is also important to note that in mapping out social conflicts in Africa in gen-

eral, it is always essential to look at the multi-causal elements of the conflict. Variables of social contestations like climate change only escalate an already volatile situation and this should feed in as an important 'part' of the general architecture of the 'Natural Resource Conflict Management whole' together with all other considerations as brought out in this paper. It is also important to note overall that the natural resource debate and effects on policy as widely defined is a complex phenomenon as resource abundance and scarcity are neither a necessary nor sole criteria for conflict.³⁷ Thus what matters, as this paper posits, is not whether natural resources are simply present, but how they are actually managed, both in the conception of statecraft in peacetime periods and in the conflict management conception in the case of a state of conflict.

Endnotes:

- 1. Kofi Annan's sentiments can be observed in the Progress Report of the Secretary General on the Prevention of armed conflict, Agenda Item 12, 16th Session of the General Assembly, A/60/891 accessed in http://www.ipu.org/SPLZ-e/unga06/conflict.pdf as referred on 25th June 2009.
- 2. Gerrymandering is a term that describes the deliberate rearrangement of the geographical boundaries of districts or local geo -political spaces to influence the outcomes of elections. Its purpose is to either concentrate opposition votes into a few districts to gain more seats for the majority in surrounding areas (called 'packing'), or to diffuse minority strength across many areas (districts)-called 'dilution'. The targeted geopolitical spaces have manipulative variables like valuable resources or even livelihood endowments like primary products that are essential to a populace and gerrymandering takes advantage of this. An analogy of this phenomenon is saliently captured by George Demko in, Demko J. George & Wood B. William (eds). Reordering the world: geopolitical perspectives in the 21st Century (Michigan: Westview Press, 1999)
- 3. In much of conflict research, and especially so on the political economy of conflict, there is growing attention to natural resources.

- There has been a great deal of work on individual commodities such as oil, diamonds, drugs, coltan and timber also. In multi-lateral diplomacy the issue of conflict goods gained prominence through the various reports by the UN Security Council sanctions monitoring mechanism. See Le Billon, Philippe, "The Political Economy of War: Natural Resources and Armed Conflict," In Political Geography 20 (2001) pp 561-584.
- 4. The analysis on the growing political economy of natural resource conflicts is also observed as cited by Wennmann Achim, "The Political Economy of Conflict Financing: A Comprehensive Approach Beyond Natural Resources", In, Global Governance; July-Sep2007, Vol. 13 Issue 3, pp 427 444.
- 5. See Ross Michael, "What Do We Know About Natural Resources and Civil War?" In, *Journal of Peace* Research 41, no.3 (2004) pp 337-356.
- 6. See Mary Kaldor, New and Old Wars: Organized Violence in a Global Era, (Cambridge: Polity, 1999)
- 7. It should be noted that in 2008 and in the current period 2009, 78 conflicts have been observed in sub-Saharan Africa. Most of them centered around resources oftentimes combined with national power or regional predominance. Whereas the year 2007 had seen a certain de-escalation in Africa, the

number of highly violent conflicts once more rose from nine to twelve in 2008. Three-instead of two-of these were wars these are: Chad which involved skirmishes between various rebel groups; Sudan and essentially so Darfur; and Somalia with the ever intermittent Union of Islamic Courts activities and related assertions by Al Shabaab. The latter two had already been classified as wars in 2007 and 2006. As the nine severe crises were situated in Mali, Nigeria, Southern Sudan, the Democratic Republic of Congo, Burundi and Kenya, and additional crises were situated in Niger, the Central African Republic, and Ethiopia (which was also involved with the war in Somalia), a zone of interrelated conflicts and conflict systems for that matter was distinguishable, constituting a 'constellation of crises' ranging from the Gulf of Guinea over central Africa and the Great Lakes conflict system to the Horn of Africa conflict system., -For more insights on each conflict system's conflict items or issues of contestation see Heidelberg Institute for International Conflict Research, HIIK. Conflict Barometer 2008. 17th Annual Conflict Analysis (Heidelberg: Department of Political Science, University of Heidelberg, 2008) pp 25 - 44., Also accessible in. www.KONFLIKTBAROMETER. de as accessed on 8th September 2009.

- 8. For purposes of this paper regimes are treated as implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given area of international affairs or relations as widely defined. Sub-regional regimes are therefore more specialized arrangements that pertain to well defined organizational structures, activities, resources, geographical areas and often involve only some subset of the members of the international society. More insights on regimes can be accessed in Krasner, Stephen D., ed. International Regimes (Ithaca, NY: Cornell University Press, 1983) and also Ruggie, John Gerard, "International Responses to Technology-Concepts and Trends" In International Organization 29(3), pp 557 – 583 and 'Regimes' as cited by Eric Brahm, "International Regimes". Beyond Intractability. Eds. Guy Burgess and Heidi Burgess. Conflict Research Consortium, University of Colorado, Boulder. Posted: September 2005 http:// www.beyondintractability.org/ essay/international regimes/ as
- 9. The Mau Forest Complex covers over 290,000 hectares and represents the largest remaining near continuous blocks of mountain indigenous forest in East Africa, it is Kenya's major Water Tower. It is situated approximately 250km from Nairobi and borders Kericho

accessed on 9th September 2009.

- to the West, Nakuru to the North, and Narok to the South. It comprises of South West Mau, East Mau, Transmara, Mau Narok, Maasai Mara, Western Mau and Southern Mau. These seven forest blocks merge to form the larger mau forest complex. It should also be noted that the water from the mau forests serves more than 4 million people inhabiting more than 578 locations in Kenya and several locations in Northern Tanzania., See Agutu Mark, "Revealed: Big names given Mau forest land", In Daily Nation, April 2nd 2009 accessible through webportal http://www.nation.co.ke/ News/-/1056/556332/-/view/ printversion/-uy3y4fz/-/ index.html as accessed on 11th September 2009.
- 10. See, Ogiek Welfare Council, "Man forest complex on the spotlight: Ogiek opposition to the forest excision", In http://www.ogiek.org/.../
 MAUFOREST-COMPLEX-ON-THE-SPOTLIGHT.doc>as accessed on 12th September 2009.
- 11. The Mara River Basin can be divided into four distinct physical localities or positioning, mainly pegged on the location of the river. The upper catchment comprises two sections namely the forested mau escarpment and large scale agricultural farms. It should be noted that some of the large scale agricultural farms are irrigated using water from the Mara river. The

- mara river in turn runs through the open savannah grassland protected by the Maasai Mara National Reserve on the Kenyan side and the Serengeti National Park on the Tanzanian side. The forth section is the flood plains which are located in Tanzania where the Mara River discharges into Lake Victoria. High human and livestock population densities and subsistence agriculture characterize this section.
- 12. See paper by Waititu Annabell, "Global Warming & Conflicts over water in Eastern Africa", In Alliance Sud. *Conference on Water and Conflicts*, 6th March 2009, Berne. http://www.alliancesud.ch/it/politica/acqua/downloads/conflitti-aw.pdf as accessed on 9th September 2009.
- 13. See Philip Mwanika, 'EAPCCO, Environmental Crime and Challenges of Environmental Diplomacy', In *ISS Today* Publication, (Pretoria: Institute for Security Studies, 19th March 2009), can be accessed in website; www.issafrica.org
- 14. The conflict cycle phenomena in itself defines the attribution of conflict. Under this notion, conflicts tend to be described as cyclical in regard to their intensity levels that is escalating from (relative) stability and peace into crisis and war, thereafter de-escalating into relative peace. An additional phase

- 'durable peace' is often added- in which a conflict is considered resolved that is the reoccurring pattern of the conflict has been stopped. The latter is classically referred to as 'peace management'. The conflict cycle is further extrapolated by Christopher Mitchell, "Problem-solving exercises and theories of conflict resolution," in Sandole Dennis & Hugo Van der Merwe (eds), Conflict Resolution, Theory and Practice: Integration and Application (Manchester: Manchester University Press, 1993) pp 78 – 94., This is also discussed in Swanstrom L.P. Niklas & Weissmann S. Mikael, Conflict, Conflict Prevention, Conflict Management and Beyond: a conceptual exploration (Washington: Central – Asia Caucasus Institute and Silk Road Studies Program, Summer 2005) pp 9 - 10, also accessible on web domain www.silkroadstudies.org as accessed on 14th April 2009.
- 15. The concept of 'social cultural resources' is captured by John Paul Lederach. In his analogy, peace building resources include not only financial and material support, but also social-cultural resources. The latter resources provides that people in the conflict setting should be seen as resources rather than recipients. Connected to this is the notion that peace-building should also draw on existing cultural resources, see Lederach John Paul, *Building Peace: Sustainable Reconciliation in Divided Societies*, (Washington,

- DC: United States Institute of Peace, 1998) pp 87 99.
- 16. See Ascerlad, H, *Environment and Democracy*. (Rio de Janeiro: Instituto Brasileirode Analisis Sociais e Economicas, 1992) P 35
- 17. See Peet R.; Watts, M.. Liberation Ecologies: Environment, Development and Social Movements. (London: Routledge, 1996).
- 18. These are the words of Justices Richard Kuloba and Samwel Oguk -once serving High Court Judges of the Republic of Kenya in; High Court and Court of Appeal cases ,HCCA 238/99 of Francis Kimei and 9 others Vs. The Honourable Attorney General of 3 others.
- 19. Colin H. Kahl, *States, Scarcity and Civil Strife in the Developing World,* (Princeton: Princeton University Press, 2006)
- 20. See Homer-Dixon, T.; Blitt J. Ecoviolence: Links among environment, population, and security.(, Lanham, MD: Rowman & Littlefield, 1998) p 8.
- 21. Op Cit., Lederach, *Building Peace*, pp 87-99
- 22. Chevalier, J.; Buckles, D., A Land without gods: process theory, maldevelopment and the Mexican Nahuas. (London: Zed Books,1995).
- 23. See Renner, Michael, The Anatomy of Resource Wars, World Watch Paper

- 162 (Washington DC: World-Watch Institute, 2002).
- 24. The ICGLR-The International Conference on the Great Lakes Region is a Regional Regime which was established by Member States of the Eastern Africa region to address peace and development woes of the Great Lakes conflict system and to some extent the repercussions of the Horn's security predicament. The ICGLR revolved into a Secretariat which facilitates mediation talks in the region and has currently been focusing on the DRC crises and security predicament.
- 25. The phenomenon of wars of a third kind is well captured by Mary Kaldor, Op Cit., Mary Kaldor, *New and Old Wars*
- 26. A synthesis of the historical context of the IC/GLR can be viewed in http://www.icglr.org/F_END/about.asp as accessed on 20th April 2009.
- 27. Ibid
- 28. The Pact whose full citation is "The International Conference on the Great Lakes Region Pact on Security, Stability and Development in the Great Lakes Region, 15th December 2006" can be accessed in the Repository section of the IC/GLR official webpage in http://www.icglr.org/common/docs_repository/

- pactsecuritystabilitydevelopment.pdf as accessed on 20th April 2009
- 29. The IC/GLR Secretariat was tasked on 3rd April 2009 to set up a regional certification mechanism for natural resources. On the same line, it should be noted that from the 2nd to the 3rd of April 2009, the first meeting on the "Regional Initiative against the illegal exploitation of natural resources" was convened by the IC/GLR. This was also an expert meeting that brought in different sectors to bear on the question of equitable management of such resources and on alternative venues of settling resource contestation woes. This can be accessed in the Press statement section of the IC/GLR as accessed at http://www.icglr.org/common/ docs/docs repository/press% 20Release%2006%2004%2009% 20NR.pdf accessed on 20th April 2009.
- 30. On thematic working groups of the IC/GLR: The thematic working groups could be explained from the diplomatic processes and documents/protocols produced under the process. In December 2006, a Pact on security, stability and development was signed. The pact includes protocols and programmes of action and is divided into 4 thematic concerns that were and are still operationalised by thematic working groups. These are; Peace and Security group; the De-

mocracy and Good Governance protocol and group; the Economic Development and Regional integration group; and one dealing with Humanitarian and Social issues. It should be noted that one of the thematic groups and members-'the Partnership Africa Canada (PAC) which is a Non governmental organization dedicated to building sustainable human development in Africa was tasked to assist the ICGLR in advising on drafting the protocols and projects related to the certification and movement of natural resources in the region. This was as a result of PAC's experience within the Kimberley process. PAC participated in the Dar Es Salaam and Nairobi Summits and ICGLR working groups and is now working with the ICGLR Secretariat (based in Bujumbura, Burundi) to help move forward the implementation of the projects dealing with certification and movement of natural resources in the Great Lakes Region. See PAC website on its activities with the ICGLR in http:// www.pacweb.org/programsnatural-resources-e.php as accessed on 29th April 2009.

- 31. See IGAD. Environment and Natural Resources Strategy, April 2007, in the IGAD Link, http://www.igad.org/ as accessed on 21st April 2009.
- 32. There are categories of pastoralist communities especially in the

- Horn of Africa region where they are transhumance. This means that in times of stress, livestock moves with herders in search of water and pasture but the communities or families remain settled in 'permanent' given locations. Transhumance pastoralists usually depend somewhat less on their animals for food than do nomadic ones. For further elaboration of the same see, Osamba O Josiah, 'The Sociology of Insecurity: Cattle rustling and bunditry in North-Western Kenya', in African Journal of Conflict Resolution, No 2 (Johannesburg: ACCORD, South Africa, 2000) p. 13., also accessible on http://www.accord.org.za/ ajcr/2000-1/ accordr v1 n2 a2.pdf; See also Oxfam (n.d), Climate Change in Turkana: a way of life under threat (http://www.oxfam.org.uk/ whatwedo/issues/climate/ storyturkana.htm) (Accessed in March 2007).
- 33. See Ayling, R and Kelly, K, 'Dealing with conflicts: natural resources and dispute resolution', In, *Commonwealth Forestry Review*, 76(3), pp 182 185
- 34. See Tungittiplakorn, W, 'Highland-lowland conflict over natural resources: a case of Mae Soi, Chiang Mai, Thailand,' In, *Journal of Society and Natural Resources*, 8(2), pp 279 288.

- 35. It should be noted that the Intergovernmental Authority on Development in Eastern Africa (IGAD) was created in 1996 to supersede the Intergovernmental Authority on Drought and Development (IGADD) which was founded in 1986. The recurring and severe droughts and other natural disasters between 1974 and 1984 caused widespread famine, ecological degradation and economic hardship in the Eastern Africa region. This prompted for IGADD to be formed. The protracted conflicts in the region and history of conflict cumulatively led to the refocusing of IGAD to generally specialize in conflict management but also cover development concerns affecting the region. For more insights of the history and focus of IGAD see the organization's website, http://www.igad.org/ as accessed on 21st April 2009.
- 36. See Wennmann, Achim, "The Political Economy of Conflict Financing: A Comprehensive Approach Beyond Natural Resources," In *Global Governance; July Sep2007, Vol. 13 Issue 3*, p 428.
- 37. To also provide a basis for this point, other geo-political realities have provided that resource abundant countries like Botswana, Norway and also Australia or resource scarce countries like Japan have developed without experiencing armed conflict. What is needed is a strategic natural resource manage-

ment regime that allows for a social conflict space incase of hostilities whereby policy takes the form of 'natural resource conflict management'., for more insights see, Cramer Christopher, "Homo Economicus Goes to War: Methodological Individualism, Rational Choice and the Political Economy of War," In. *World Development 11*, no. 11 (2002), pp. 1847 – 1854.