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International Response to Crises in Mali, the Central
African Republic and South Sudan:
Finding the Pattern

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Amanda Nicole Rohde

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Em. Prof. Dr. Hanspeter Neuhold



diplomatische
akademie wien

Vienna School of International Studies
École des Hautes Études Internationales de Vienne

On my honor as a student of the Diplomatic Academy of Vienna, I submit this work in good faith and pledge that I have neither given nor received unauthorized assistance on it.

Amanda Nicole Rohde

Abstract

This thesis sets out to analyze the similarities and differences in international response to crisis situations, focusing on three particular crisis outbreaks: Mali in 2012, the Central African Republic in 2013, and South Sudan in 2013. It does so by answering the question: How do political and legal motivations affect the response of international actors to a crisis situation? By investigating the responses on three systemic levels—regional, continental, and international—and through both bi- and multilateral mechanisms, the author is able to discern a pattern of when and why international actors respond as they do to a foreign crisis. The thesis begins with an introduction—including an explanation of research and methodology employed—and goes on to further explain the legal foundations of the international organizations involved. Afterwards, a historical background is offered to set the scene for each crisis and is followed by a summary of the commonalities between each situation. Explanations of the legal and political motivations for the international responses in each case are then provided. Finally, an in-depth analysis explores the why and how of each response, resulting in a conclusion as to the motivations of international actors in such situations.

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My sisters. Of whom I am so proud and for whom I am always striving to set a good example.

Acronyms

AFISMA	African-led International Support Mission in Mali
AQIM	Al-Qaeda in the Islamic Maghreb
AU	African Union
BINUCA	Bureau Intégré de l'Organisation des Nations Unies en Centrafrique
CAR	Central African Republic
CNRDRE	Comité national pour le redressement de la démocratie et la restauration de l'État
CoHA	Cessation of Hostilities Agreement
CPA	Comprehensive Peace Agreement
ECCAS	Economic Community of Central African States
ECOWAS	Economic Community of West African States
EU	European Union
EUAVSEC	European Union Aviation Security Mission
EUFOR RCA	European Union Force RCA
EUTM Mali	European Union Military Training Mission Mali
GSPC	Groupe Salafiste pour la Prédication et le Combat
IGAD	Inter-Governmental Authority on Development
LRA	Lord's Resistance Army
MICOPAX	Mission de Consolidation de la Paix en République Centrafricaine
MISCA	Mission internationale de soutien à la Centrafrique sous conduite africaine
MINUSCA	Mission multidimensionnelle intégrée des Nations unies pour la stabilisation en Centrafrique
MINUSMA	Multidimensional Integrated Stabilization Mission in Mali
MNLA	Mouvement National pour la Libération de l'Azawad
MUJAO	Mouvement pour l'Unité et le Jihad en Afrique de l'Ouest
NLC	National Leadership Council
PKO	Peacekeeping Operation
REC	Regional Economic Community
SoFA	Status of Forces Agreement
SPAF	Sudan People's Armed Forces
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
TEU	Treaty on European Union
UN	United Nations
UNMISS	United Nations Mission in the Republic of South Sudan
UPDF	Ugandan Peoples' Defence Force
US	United States

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1. Introduction

Crises are not anomalies on the African continent. In the wake of colonialism, firm borders arose which did not correspond to the intangible borders which had preexisted between societies. These lines divided ethnic groups and confined them together with segments of other groups which did not share the same customs and values. With different languages, religions, cultures and value systems standing between these groups, newly formed states find themselves crisscrossed with invisible trip wires. If the wrong move is made by a nation's leader, a natural resource is discovered on the "wrong" side of a border, or a politically incorrect statement is spoken by a bureaucrat, an entire nation could erupt into conflict.

Mali, the Central African Republic (CAR), and South Sudan are three African states which have seen their fair share of conflict, and which continue to face it now. This thesis sets out to answer the question: How do political and legal motivations affect the response of international actors in a crisis situation?¹ By analyzing such responses of the international community as a whole—including the reactions of both nations and international organizations—a pattern emerges in how and why state and non-state actors deal with foreign crisis situations as they do. The answer to this question will increase the understanding of how political and legal ramifications of intervention influence international actors in crisis situations, and it will lead to deeper insight into the realities of other crises in the world.

In order to discern such a pattern, this thesis is divided into multiple sections. After beginning with an overview of the research methods employed, attention is given to the legal principles encountered throughout the thesis and is accompanied by an explanation of the international organizations under discussion. Next, a historical background of each crisis is offered, followed by a brief commentary on the common trends. Detailed descriptions of the responses of international actors to the situations follow, and afterwards there is an analysis of those reactions, probing deeper and revealing the motivations of those involved. Finally, a summary of the current situation in each country is given before final conclusions can be revealed.

1.1 Hypothesis

From preliminary research, several hypotheses could be drawn. The states under consideration share common features: they have weak and often corrupt seats of central power; they are in unstable economic situations; they supply the backdrop for ethnic and/or religious conflicts; and their borders (bearing in mind the exception of South Sudan's new northern border) have been drawn according to the principle of *uti possidetis*.²

¹ The term crisis here refers to a combined political and humanitarian one.

² This principle retains internal territorial boundaries as they exist at the moment of independence with the aim of maintaining stability and preventing territorial struggles in the wake of colonial powers' withdrawal;

With these similarities in mind, it is the differences that show the motivations for various degrees of response from the international community. The existence of certain differences—including ties to colonial powers, the presence of natural resources, economic relationships, and the presence of Islamist radicals in ungoverned spaces—motivate stronger responses from the international community. In the absence of such a motivator, there is a general tendency by the West to encourage a regional response by African governments, as they are reluctant to involve themselves abroad.

1.2 Literature Review

As it exists now, literature along the lines of this thesis is plentiful. Many authors seek to outline the underlying reasons for external actors' interventions into single-nation conflicts. They do so largely, however, in an attempt to lay blame on one actor or another for conflagrating the conflict and acting in their own interest. Kasaija Phillip Apuuli, for instance, speaks particularly to the Ugandan intervention in South Sudan, pointing out that Uganda acted in its own economic interests while purporting to have followed legal in-roads with supposed support from the United Nations and the Inter-Governmental Authority on Development (IGAD) and at the behest of the legitimate South Sudanese government.³ Apuuli makes it clear that he does not believe these legal excuses to be legitimate, and his supposition is supported by other authors including Douglas Johnson who points out the general mistrust towards Ugandan intervention in his analysis of the crisis.⁴

Similar trends can be seen in the literature relating to the Malian and Central African crises. Alex Thurston points out how sanctions by the Economic Community of West African States (ECOWAS) exacerbated the conflict in Mali,⁵ and Hussein Solomon writes a whole piece pointing to how post-9/11 American counter-terrorism efforts served only to complicate matters in the nation.⁶ Yet another piece on the crisis serves only to list the shortcomings of ECOWAS, the African Union (AU) and the United Nations (UN) in their failed acts of diplomacy.⁷ Meanwhile, Ivonne Lockhart Smith discusses the UN's failure to act in the CAR—blaming the American veto in the Security Council for the lack of

Case Concerning the Frontier Dispute (Burkina Faso/Republic of Mali). 1986 Reports of Judgments, Advisory Opinions and Orders. International Court of Justice.

³ Apuuli, Kasaija Phillip. 2014. 'Explaining the (il)legality of Uganda's Intervention in the Current South Sudan Conflict'. *African Security Review* 23 (4). Routledge: 352–69.

⁴ Johnson, Douglas H. 2014. 'Briefing: The Crisis in South Sudan'. *African Affairs* 113 (451). Oxford University Press: 300–309.

⁵ Thurston, Alex. 2013. 'Mali: The Disintegration of a "Model African Democracy"'. *Stability: International Journal of Security and Development* 2 (1).

⁶ Solomon, Hussein. 2013. 'The African State and the Failure of US Counter-Terrorism Initiatives in Africa: The Cases of Nigeria and Mali'. *South African Journal of International Affairs* 20 (3). Routledge: 427–45.

⁷ Lecocq, Baz, Gregory Mann, Bruce Whitehouse, Dida Badi, Lotte Pelckmans, Nadia Belalimat, Bruce Hall, and Wolfram Lacher. 2013. 'One Hippopotamus and Eight Blind Analysts: A Multivocal Analysis of the 2012 Political Crisis in the Divided Republic of Mali'. *Review of African Political Economy* 40 (137). Routledge: 343–57.

action⁸—and Ilmari Kähkö and Mats Utas defend the idea that French intervention was based primarily on the state's economic interests.⁹

These investigations into the interventions of the international community are incomplete. While they point out that the United States (US) has not supported the UN Security Council's attempts to engage the nations in need, none have answered the question of *why* the United States has withheld this approval. Few analyses attempt to truly assess the motivations of the international actors involved, and even fewer offer comprehensive accounts of all those involved in the crises at hand. This thesis proves different by delving into the political climates of each international intervener, looking closely at how this affected their responses and thereby providing more comprehensive explanations.

1.3 Disciplines

This thesis spans primarily the disciplines of International Law and International Relations, however it also necessarily involves the important element of International History. As a comparative case study of international crisis response, this is only natural. On the one hand, the respondents to the crises should be acting within the framework of international law and under the auspices of the international organizations which are governed by founding treaties. Attention is therefore given to how legal reasons may be given as excuses, but do not actually reflect the actors' true motivations; further analysis is given over to whether or not the international responses have complied with international law. On the other hand, the actions taken are also bound to have been politically motivated based on the respondent states' domestic situations and relationships with the crisis states. International Relations theory allows for an analysis of the behavior of all parties involved, along both legal and political terms. In addition to these two disciplines, an underlying current of International History exists—in order to fully grasp the logic of response and intervention, there must be a solid understanding of the background of the situation.

1.4 Theory and Methodology

As this thesis explores international crisis responses by both state and international institutional actors, the analysis is undertaken largely from a liberal institutionalist perspective. With this in mind, certain assumptions shall be made going into the research. First of all, international institutions provide a coordinating mechanism to states—which alleviates the issues found in game theory—by acting as an information provider; international organizations can mitigate distributional effects and allow for states to cooperate more closely.¹⁰ Secondly, in an anarchical system, cooperation through

⁸ Smith, Ivonne Lockhart. 2014. 'Conflict Management in the Central African Republic: Making Genocide Prevention Work'. *African Security Review* 23 (2). Routledge: 178–85.

⁹ Kähkö, Ilmari, and Mats Utas. 2014. 'The Crisis in CAR: Navigating Myths and Interests'. *Africa Spectrum* 49 (1). German Institute of Global and Area Studies: 69–77.

¹⁰ Keohane, Robert O., and Lisa L. Martin. 1995. 'The Promise of Institutional Theory'. *International Security* 20 (1). The MIT Press: 45.

institutions can lead to better results;¹¹ however, states will only cooperate when they have significant common self-interests, and international organizations themselves will only develop given that it is in the self-interest of the states creating them.¹² Thirdly, states have mixed motivations, and will act accordingly.¹³ Fourthly, agreements among states cannot be hierarchically enforced and therefore benefit from the power of agreed upon institutions. Finally, institutions change as a result of human action and in turn may change state behavior.¹⁴ They are not stagnant.

Due to the fact that this theory of international relations allows for conditionality—institutions improve cooperation, but cooperation only works when states' self-interests coincide—it is especially suitable to this thesis which will explore the behavior of both states and institutions. With the additional knowledge that this theory accounts for mixed motivations on the part of states, it will allow for an in-depth exploration of how the political and legal ramifications of responding to international crises may affect their behavior. Regarding international law, no particular theories are applied in the discussion of the legal issues being addressed, as theory plays a less important role under these circumstances.

In terms of methodology, this thesis relies largely on process tracing. By this means, a process of causation can be traced from the past forward, evaluating links between factors and their relevance to the behavior of the international community in light of the outbreak of the crises to be studied.¹⁵ By discerning their relevance, one can then determine which factors in fact played little to no role in the decisions made and which were vital to the process. This methodology will be most relevant given the fact that this thesis takes the form of a comparative case study. By employing process tracing for each case, a comprehensive comparison can then follow, looking closely at the similarities and differences between the three cases, as well as identifying common trends among international actors.

With research begun in the past and working forward to the present, a clear logic of international intervention becomes discernable. By exploring the events leading up to each conflict, as well as ethnic and religious diversity, a clear framework is set from which to view the crises as they emerged. From there, focus is placed on the outbreak of each crisis, including their natures and the actors and catalysts of each. This plays an important role in understanding the responses of the international community, which forms the next level of research. After identifying the international respondents to the

¹¹ Neuhold, Hanspeter. 'International Organizations and International Relations Theories.' Presented at the lecture Crisis Management and Conflict Settlement in a Changing Europe at the Diplomatic Academy of Vienna, September 29 2014.

¹² Keohane, 41-42.

¹³ Neuhold, 'International Organizations and International Relations Theories.'

¹⁴ Keohane, 46.

¹⁵ Vennesson, Pascal. 2008. 'Case Studies and Process Tracing: Theories and Practices'. In *Approaches and Methodologies in the Social Sciences: A Pluralist Perspective*, edited by Donatella Della Porta and Michael Keating. United Kingdom: Cambridge University Press:232-233.

crises—both states and international organizations— further investigation is given over to understanding the legal framework governing their reactions, their connections to the states in crisis, and their domestic political situations. In addition, the memberships, objectives, principles and resources at the disposal of the international organizations involved, as well as their decision-making processes, are analyzed.

After tracing these connections, the comparative element of the thesis begins. Comparison is comprehensive and focuses on the relevance of international law in each crisis, the connection of the respondents to the affected states, the natures of the outbreaks, and the domestic political situations in the respondent states. By conducting such a comparison, a clear pattern of motivation for states and international organizations emerges, explaining the logic of when they are or are not inclined to intervene in a specific crisis—as well as the nature of such an intervention and its effectiveness.

1.5 Case Selection

The cases under scrutiny in this thesis come from the African continent: crises which arose from conflicts in Mali, the CAR, and South Sudan. Other countries, like Chad, Sudan, Somalia, and the Democratic Republic of the Congo, could have been taken into consideration, however they do not share similar enough features. In Chad and Sudan the crises began earlier and are by now more or less over. While crises and international involvement persist in Somalia and the Democratic Republic of the Congo, they are long-lasting crises with even more complexities than those to be dealt with here. As a result, the states selected for this thesis are relevant in that they are recent and share many common characteristics. Each state suffers from a weak central government and economic issues, and has a religiously and ethnically diverse population. The crises and conflicts which will receive attention are all essentially still ongoing and have begun within the last four years. In each case, the government of the state is opposed by a non-state in-country actor and the conflict has reached the status of being an internationalized armed conflict with intervention from other states.¹⁶ Additionally, each conflict has been the subject of United Nations Security Council Resolutions, immediately bringing the states to the international forefront.¹⁷ As such, the cases selected are in the position to provide further insight into how the international community responds to crises.

¹⁶ Themnér, Lotta, and Peter Wallensteen. 2014. 'Armed Conflicts, 1946-2013'. *Journal of Peace Research* 51 (4): 541–54.

¹⁷ 'UN Documents for Central African Republic'. 2015. *Security Council Report*. Accessed January 6. <http://www.securitycouncilreport.org/un-documents/central-african-republic/>; 'UN Documents for Mali/Sahel'. 2015. *Security Council Report*. Accessed January 6. <http://www.securitycouncilreport.org/un-documents/malisahel/>.

2. Definitions

2.1 Legal Concepts

Before delving into the specifics of these cases, it is necessary to clarify concepts of international law which will be applied to the analysis, including the legal aspects of non-military sanctions and international military intervention.

Generally speaking, the use of force is expressly banned in the UN Charter through Article 2(4), however, two exceptions to this rule exist: self-defense and when authorized by the UN Security Council for the purposes of collective security.¹⁸ Therefore international military intervention—inherently a use of force—can be considered legal under two conditions: when it is invited by a legitimate government or when it is authorized by the UN Security Council. Under the UN Charter, such intervention by consent is legal under specific terms. Article 51 of the UN Charter states: “Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations...”¹⁹ The conditions can be specified further, however. The consent must be explicitly given—in no uncertain terms—by the lawful government of a state which has been empowered by that state’s constitution. Such an invitation invokes the state’s right to collective self-defense as mentioned. Furthermore, this consent must be *ad hoc* and must not stand against any principles of *jus cogens*, meaning that it cannot be given as general authorization including for future interventions, nor can it violate the peremptory norms to which the international community adheres. Such use of force must also not violate the “territorial integrity or political independence”²⁰ of the consenting state as guaranteed by Article 2(4) of the UN Charter, for example by authorizing the appropriation of territory by the requested state.²¹

The second condition for international military intervention comes from an authorization by the UN Security Council. Such authorization is not expressly set out in the UN Charter, however through initial broad interpretations and repeated practice, the legality of Security Council authorization has become a “customary rule.”²² One can trace this legality by looking at the text of the Charter. Article 42 sets forth that the Security Council, if non-military measures are deemed insufficient, “may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security.”²³ Further to this, Article 51 goes on to say that Member States may engage in the aforementioned defenses “until the Security Council has taken the measures necessary to maintain international peace and security.”²⁴ As, however, the Security Council is

¹⁸ Charter of the United Nations, Article 2(4).

¹⁹ Charter of the United Nations, Article 51.

²⁰ Charter of the United Nations, Article 42.

²¹ Cassese, Antonio. *International Law*. 2nd ed. Hampshire: Oxford University Press, 2005: 370-371.

²² Cassese, 350.

²³ Charter of the United Nations, Article 42.

²⁴ Charter of the United Nations, Article 51.

unable to take action itself due to a failing of Article 43—the Council failed to obtain the political agreement which would have been necessary to conclude special agreements to provide the necessary forces, facilities, supplies and cooperation for it to fulfill its mandate—the ability to authorize external use of force arose as an alternative.²⁵ As such, the Security Council takes action by authorizing willing and able Member States and regional organizations to take action.²⁶

The UN can also act militarily through peacekeeping operations (PKOs). While not expressly called for in the UN Charter, PKOs achieve legal justification through the implied powers of the UN—we again see that Article 42 allows for action as deemed appropriate in order to maintain peace and security. In addition, the UN has been authorizing such operations since 1956; with no objections from Member States, this right to establish PKOs has become enshrined in customary law.²⁷ Furthermore, one can invoke the principle of *argumentum a maiore ad minus*, meaning that if something holds true on a larger level then it must also hold true for smaller matters. In this case, if use of force is deemed acceptable in a given situation, then cooperation for less intrusive measures—such as PKOs—must also be acceptable.²⁸ Having evolved over the years, present day operations are marked by certain characteristics. Composed of international military personnel, they operate on a state's territory with that state's express consent. Operations are meant to be neutral and impartial, and should resort to force only in the case of self-defense or in order to defend their mandate. As a result of these requirements, a PKO may be endowed with a robust mandate, which calls for the operation to use all means necessary to manage the situation at hand.²⁹

A further example of collective security as provided for in Chapter VII includes the use of non-military measures. Article 41 allows for the Security Council to determine “what measures not involving the use of armed force are to be employed.”³⁰ Such measures can take the form of economic and diplomatic sanctions which can be directed broadly against a country or of targeted sanctions which are directed at specific individuals whose acts pose a threat to international peace and security. In the case of targeted sanctions, asset freezes and travel bans are employed.³¹

²⁵ Cassese, 339; Charter of the United Nations, Article 43.

²⁶ An example of such an authorization can be found in UN Security Council Resolution 678 which authorized Operation Desert Storm in 1990; United Nations Security Council. 1990. *Resolution 678 (1990)*. S/RES/678.

²⁷ Cassese, 344.

²⁸ Neuhold, Hanspeter. ‘Das Gewalt- und Interventionsverbot.’ In *Österreichisches Handbuch Des Völkerrechts Band I - Textteil*, edited by August Reinisch, 5th ed. Vienna: Manz Verlags- und Universitätsbuchhandlung, 2013: 436.

²⁹ ‘Principles of UN Peacekeeping.’ *United Nations Peacekeeping*. Accessed 2 June 2015. <http://www.un.org/en/peacekeeping/operations/principles.shtml>.

³⁰ Charter of the United Nations, Article 41.

³¹ Questions have been raised, however, concerning their effectiveness and compatibility with the right to fair trial; Neuhold, ‘Das Gewalt- und Interventionsverbot,’ 433.

2.2 Structure of International Organizations

In order to explore the role of the international organizations which were involved in the crisis responses to be dealt with, it is necessary to have an understanding of the membership, objectives, principles, and tools at the disposal of each, as well as their decision-making processes.

The UN is the organization with the largest and widest membership which responded to the crises at hand. Established in 1945 and currently comprised of 193 Member States from across the globe, the organization's objectives include the maintenance of international peace and security, respect for equal rights and self-determination, and respect for human rights and fundamental freedoms.³² The organization acts in accordance with the principles laid out in Article 2 of the UN Charter, including: sovereign equality, peaceful settlement of disputes, maintenance of international peace and security, and refrainment from threat or use of force.³³ This thesis deals with the processes of the main decision-making organ in crisis situations: the Security Council. While the General Assembly is comprised of representatives of all Member States and makes most decisions on peace and security issues through a two-thirds majority vote, the Security Council, is comprised of only 15 members, including five permanent members (the United States, Russia, China, France and the United Kingdom) and 10 non-permanent members elected for two-year terms, each having one vote.³⁴ In voting, the permanent five members have veto powers over any non-procedural matter; therefore in order for a resolution to pass, it must receive an affirmative vote from nine members of the Council with no vote against it.³⁵ Resolutions are only binding if passed under Chapter VII of the Charter, as this is the section of the Charter wherein the Council is given the right to "decide" what measures to take in the event of a threat to peace and stability.³⁶ In this case the Council can decide, as mentioned above, whether to impose sanctions, to authorize "all necessary measures" by Member States, or to establish a UN PKO to deal with the situation at hand.

The EU is today comprised of 28 European Member States, and is "founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights."³⁷ Among the objectives of the EU is one which is highly relevant to its external relations:

In its relations with the wider world, the Union shall uphold and promote its values and interests and contribute to the protection of its citizens. It shall contribute to peace, security, the sustainable development of the Earth, solidarity

³² 'Main Organs.' *United Nations*. Accessed 2 June 2015. <http://www.un.org/en/sections/about-un/main-organs/index.html>; Charter of the United Nations, Article 1.

³³ Charter of the United Nations, Article 2.

³⁴ Charter of the United Nations, Article 18; Article 23; Article 27.

³⁵ Charter of the United Nations

³⁶ Charter of the United Nations, Article 27.

³⁷ Treaty on European Union, Article 2.

and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter.³⁸

With this objective laid out in the Treaty on European Union (TEU), two organs are specifically responsible for handling external interventions: the European Council and the Council of the European Union (hereafter known as the Council). The Common Security and Defense Policy (CSDP) as laid out in the Lisbon Treaty stipulates the legal basis for such acts. Article 28 of the TEU states that in the event of an international situation which requires action by the EU, the Council shall make decisions in this regard following on the general guidelines of the European Council.³⁹ Even more relevant, Article 42(4) sets forth:

Decisions relating to the common security and defence policy, including those initiating a mission as referred to in this Article, shall be adopted by the Council acting unanimously on a proposal from the High Representative of the Union for Foreign Affairs and Security Policy or an initiative from a Member State. The High Representative may propose the use of both national resources and Union instruments, together with the Commission where appropriate.⁴⁰

As such, it is a unanimous act of the Council which can initiate a military intervention. In such cases the CSDP, acting through Article 42(1) of the TEU, draws on Member States' assets—both civilian and military—for such missions.⁴¹ Furthermore, expenditure for international military or defense missions is borne by the Member States.⁴² In the case of sanctions, the Council can, by qualified majority voting, decide to interrupt economic relations with third country, and can go further to impose targeted sanctions—such as asset freezes—on persons.⁴³

The AU is the organization of African states with the widest membership, including 53 of 54 African states and Western Sahara.⁴⁴ The principles and objectives of the AU are set forth in the Constitutive Act of the African Union; they include promoting peace and stability on the African continent, encouraging democracy, and protecting human rights while operating under principles which include peaceful conflict resolution, prohibition of use of force, and non-intervention among Member States, but also the right of the AU to

³⁸ Treaty on European Union, Article 3(5).

³⁹ Reinisch, August. 'Essentials of EU Law.' United Kingdom: Cambridge University Press, 2014: 258-259.

⁴⁰ Treaty on European Union, Article 42(1).

⁴¹ Treaty on European Union, Article 42(1).

⁴² Reinisch, 264.

⁴³ Reinisch, 263.

⁴⁴ The only African country which is not a member of the AU is Morocco; 'AU in a Nutshell.' *African Union*. Accessed 2 June 2015. <http://www.au.int/en/about/nutshell>.

intervene in the case of war crimes and the like, as well as the right of Member States to invite an AU intervention for the sake of the restoration of peace and security.⁴⁵

While the AU is comprised of many organs, it is the Peace and Security Council which makes decisions in times of crisis—the Assembly, wherein all members are represented, meets only twice a year and is therefore unfit to deal with time sensitive issues.⁴⁶ The Council consists of 15 elected members (representing four West African states, two North African states, three Central African states, three East African states, and three South African states) who are elected to three-year or two-year terms by the AU’s Executive Council and makes the decisions on how to manage conflicts. Members can be immediately re-elected and hold no veto powers.⁴⁷ Rule 28 of the Rules of Procedure states that all substantive issues will be dealt with based on a two-thirds majority voting system.⁴⁸ Under the African Peace and Security Architecture, the African Union has a mutually enforcing relationship with the regional economic communities (RECs). The AU “harmonizes and coordinates the activities of the RECs in the peace and security realm, in part via liaison officers from the RECs serving within the AU Commission in Addis Ababa.”⁴⁹

With that in mind, a brief description of the RECs which play important roles in each of the following conflicts is also in order. These regional groupings take different forms, but all share common goals of improving cooperation and increasing economic integration across their regions.⁵⁰ With a view to protecting their economic prospects, these groupings have evolved over time and have extended their own mandates to include peace and security elements, making them important actors in regional conflicts. In the cases at hand, three such RECs will be encountered, including ECOWAS in Mali, the Economic Community of Central African States (ECCAS) in the CAR, and IGAD in South Sudan. Further details on the roles and methods of these organizations shall be given as they become relevant.

Having now firmly established a basis for this thesis by outlining the legal principles to be applied and the international organizations to be encountered, the sections which follow will investigate the historical background of each crisis.

3. The First Case: Mali

The first case to be investigated is also the one with the longest historical backing. The history of Tuareg rebellions in Mali goes back approximately a century, and this group

⁴⁵ Constitutive Act of the African Union.

⁴⁶ Williams, Paul D. ‘The African Union’s Conflict Management Capabilities.’ USA: Council on Foreign Relations, 2011: 3.

⁴⁷ ‘Peace and Security Council (PSC).’ *African Union - Peace and Security Department*. Accessed 2 June 2015. <http://www.peaceau.org/en/page/38-peace-and-security-council>.

⁴⁸ Rules and Procedure of the Peace and Security Council of the African Union, Rule 28.

⁴⁹ Williams, 6.

⁵⁰ ‘Regional Economic Communities.’ *United States Trade Representative*, 5 July 2014. <https://ustr.gov/countries-regions/africa/regional-economic-communities-rec>.

has played a large role in how today's conflict has shaped up.⁵¹ The crisis which broke out in 2012, however, came to fruition due to a confluence of multiple groups. To understand the evolution of the crisis, attention must first be paid to the groups whose behaviors created the friction that ignited it in the beginning.

3.1 Tuareg and the MNLA

The Tuareg are a nomadic group with a long and rich history. Acting as some of the Sahara's fiercest warriors, raiders, and traders for centuries, these "Blue Men" of the desert—so called for their indigo-dyed veils—have never been popular with their neighbors or governments. In fact, there is a general understanding that they consider themselves in a way superior to their darker-skinned neighbors, routinely raiding and "taxing" the pastoral southerners. After the end of colonialism, a time during which French colonial authorities did their best to leave the Tuareg to themselves in order to keep the peace, a new power structure emerged.⁵²

As the French handed over control of Mali to the Malians, the Tuareg people made no moves to integrate themselves into the new government. As a result, Malian leadership was taken by those from the more pastoral, southern regions; the Tuareg were now governed by those that they had once oppressed.⁵³ And while the Tuareg hoped to reap the benefits of a new government by being given further benefits and opportunities, they did not want to be subject to state intervention, seeing themselves as above any externally imposed government. As a result, the Tuareg felt personally discriminated against. They began to imagine a new and independent state for themselves and for their people, and as such the idea of a new state called Azawad began to take shape.⁵⁴

As the Tuaregs began to plan for their new and independent land they staged a series of rebellions beginning in the 1960s. The first rebellion came early on in the form of disorganized raids against Malian governmental targets. These insurgents were not representative of the entire Tuareg population, adding up to only a small number. They were destructive, however, and the Malian army responded with strength and speed, harshly repressing the Tuareg-dominated northern regions. This reaction brought resentment from those Tuareg who had not originally been inclined towards the rebellion.⁵⁵

The next rebellion came in the 1990s, after a series of droughts between the late 60s and mid-80s had pushed the Tuareg to the brink. Receiving little aid from the government in the early drought years, many Tuareg had fled to neighboring countries or sought refuge

⁵¹ DB, Devon. 2013. 'The Crisis in Mali: A Historical Perspective on the Tuareg People'. *Global Research*. February 1. <http://www.globalresearch.ca/the-crisis-in-mali-a-historical-perspective-on-the-tuareg-people/5321407>.

⁵² Keita, Kalifa. 1998. *Conflict and Conflict Resolution in the Sahel: The Tuareg Insurgency in Mali: 7-8*. <http://www.strategicstudiesinstitute.army.mil/pdffiles/pub200.pdf>.

⁵³ Keita, 8-9.

⁵⁴ Keita, 9-10.

⁵⁵ Keita, 10-11.

in the south.⁵⁶ Young men, impatient with their government's lack of aid and their elders' lack of gumption, left the country for prospects awaiting them in the North African states—in the oil industry and in Muammar Gaddafi's military. By the end of the 80s many of these young men had returned home. But they returned restless, with more military experience and stronger weapons—a dangerous combination.⁵⁷ As a result, a new rebellion began in 1990. It was as disorganized as ever, but the Tuareg were better trained and better equipped. After only six months of fighting President Moussa Traoré and the insurgents—with Algeria acting as a mediator—signed the Accords of Tamanrasset, leading to a series of compromises by both parties.⁵⁸

In 2010, the Tuareg formed a new political movement which went under the title of *Mouvement National pour la Libération de l'Azawad* (MNLA). The movement was formed as young Tuareg men returned home to Mali in the wake of the fall of the Gaddafi regime. These men were well-armed, experienced, and filled with new ideas from their time in Libya. While the primary motivation of the group is the creation of an independent state in what is now northern Mali, the fact that the group is comprised not just of local Tuaregs but also of those who have returned from fighting abroad could mean that many of the members were opportunistically motivated. Because of this, the MNLA crossed the north of the country—looting, plundering, and committing brutal acts against even their own people.⁵⁹

Two important consequences came as a result of the spread of the MNLA's ruthless behavior across the north. For one, as these acts persisted, the Malian army was unable to stand against their force. They retreated south with their heads hung low. This inability to fight back against the rebels was the first link in the chain of events that would lead to crisis in Mali.⁶⁰ The second consequence was that as the MNLA dispersed across the north, they had utterly terrorized the population. This behavior had created the space for a new group to come in and offer protection. Such a group did come, and it became yet another player on the Malian scene.⁶¹

3.2 The Coup

The conflict in Mali took on a new meaning in March of 2012. Malian soldiers had become disgruntled and embarrassed by their continuous losses against the MNLA, having specifically suffered from serious defeats in January and February of the same year. With an unhappy army and a furious public, it became easy to blame the Malian government—specifically President Amadou Toumani Touré—failing to supply the military with the proper equipment and funding. As the public began attacking Tuaregs

⁵⁶ Keita, 12.

⁵⁷ Keita, 13-14.

⁵⁸ Keita, 15-17.

⁵⁹ Bøås, Morten, and Live E. Torheim. 2013. 'The International Intervention in Mali: "Desert Blues" or a New Beginning?'. *International Journal: Canada's Journal of Global Policy Analysis* 68 (3): 418-419.

⁶⁰ Bøås, 419.

⁶¹ Thurston, 2.

and Arabs in Kati—a city close to the capital—the soldiers staged a mutiny. When the soldiers realized that there was no one to stop them, events quickly escalated into a full-fledged coup.⁶²

Much of the government quickly got on board with the coup, arresting high level military officials and government officials who were loyal to Touré. As these events unfolded, however, the Malian military swiftly fell apart—much of its leadership had been arrested while those in the north were still carrying out their mutinies. With the situation as it was, rebel forces were able to chase what remained of the army out of the north, finally taking what they had always wanted. On 6 April, the MNLA declared the Azawad Republic an independent state.⁶³ However, the conflict was not at an end. The coup had only opened the door for events to intensify, and the MNLA now faced a new challenge to its northern sovereignty: the *mujahideen*.

3.3 Enter Islamists

The behavior of the Tuareg rebel groups in northern Mali created an important opening for the Islamist groups who had moved into the territory years before, specifically the group Al-Qaeda in the Islamic Maghreb (AQIM). AQIM began in 1998 as the *Groupe Salafiste pour la Prédication et le Combat* (GSPC) which had originally only on and off ties with Al-Qaeda. By 2007, after losing their fight in Algeria, the group officially became a franchise of the global terrorist network.⁶⁴

AQIM quickly ingratiated themselves into Malian society beginning in 1998 when they were still known as GSPC. By providing goods and services to the locals—offering medicine, money, and SIM cards—and intermarrying with both poor and powerful families, they were able to win over the people and earn much of their trust. By the time the MNLA began its latest offensive in 2012, AQIM had developed strong in-roads with the local population.⁶⁵ As the Tuareg rebels staged brutal attacks across the country that affected the innocent population, the Islamist group was able to swoop in to save the day. They offered protection and a form of law and order that many saw as a bright alternative to the chaos spread by the Tuareg.⁶⁶

Ansar Dine was an Islamist movement with more local ties. It evolved in 2011 from a splintering within the MNLA when one leader expressed his ideas of abandoning the national independence movement and focusing on integrating the Tuareg into the greater global Muslim community. When he proposed integrating *shari'a* into the MNLA's structure, his idea was rejected and he moved on to create his own movement: Ansar Dine.⁶⁷ The *Mouvement pour l'Unité et le Jihad en Afrique de l'Ouest* (MUJAO)

⁶² Lecocq, 346-47.

⁶³ Lecocq, 347.

⁶⁴ Bøås, 419.

⁶⁵ Bøås, 420.

⁶⁶ Thurston, 2.

⁶⁷ Lecocq, 346.

evolved around the same time, branching out from AQIM.⁶⁸ These Islamist groups came together to form a coalition against the MNLA in 2012.⁶⁹

With the MNLA chaotically ravaging the north, their glorious declaration of an independent Azawad did not last long. The Islamist coalition that had come together against them was more organized and less at odds with the population. They quickly controlled much of the northern region.⁷⁰

4. The Second Case: Central African Republic

The conflict in the CAR started gaining speed in March 2013 when President François Bozizé was ousted by a rebel coalition. However, the conflict truly became a crisis months later in December of the same year.⁷¹ The origins of the conflict bear some exploration as despite the CAR's long history of secularity, this conflict took on a profoundly religious nature. While it, like many other states in the region, is comprised of a mixed population of Muslims and Christians, there is no evidence of prior religious instability. Although Muslims live as a minority in the country, there is a rich history of intermarriage with Christians and followers of more traditional religions. The people lived and worked together.⁷²

4.1 The Spread of Séléka

From November of 2012, a coalition of rebel groups operating under the title Séléka began attacking northern CAR. Meaning “alliance” in the national language, Séléka was comprised of four individual factions including the *Union des Forces Démocratiques pour le Rassemblement*, *Front Démocratique du Peuple Centrafricain*, *Convention Patriotique pour le Salut Wa Kodro*, and *Convention des Patriotes pour la Justice et la Paix*.⁷³ These groups, made up largely of Muslims, had become disgruntled with Bozizé, claiming that he had failed to implement parts of an old peace agreement. Demanding that he be removed from his post as president, Séléka advanced towards the capital city, Bangui. While the group did enter into negotiations with the government of the country—which led to a ceasefire and power-sharing agreements—the rebels’ distrust quickly overpowered their faith in Bozizé. Claiming that Bozizé had not and would not honor his deal, Séléka continued its advance on the capital.⁷⁴

⁶⁸ Lecocq, 345-346.

⁶⁹ Thurston, 2.

⁷⁰ Thurston, 2.

⁷¹ Käihkö, 70.

⁷² Kane, Mouhamadou. ‘Interreligious Violence in the Central African Republic.’ *African Security Review* 23, no. 3 (September 2014): 313.

⁷³ Fortin, Katharine. ‘Timeline: Seleka Alliance – What Is It? And What Were the Events That Lead to Its Taking of Bangui?’ *Armed Groups and International Law*, 25 March 2013. <http://armedgroups-internationalallaw.org/2013/03/25/timeline-seleka-alliance-what-is-it-and-what-were-the-events-that-lead-to-its-taking-of-bangui/>.

⁷⁴ Giles-Vernick, Tamara Lynn. ‘Central African Republic.’ *Encyclopædia Britannica*, 10 August 2014. <http://www.britannica.com/EBchecked/topic/102152/Central-African-Republic/254026/The-21st-century#ref1174710>.

4.2 The International Factor

The conflict in the CAR can be seen as much as a result of external factors as of internal ones. Other actors have played an important role in leading the country down this road to chaos. To begin with, the CAR is a former French colony and as such has remained connected to France since independence. There is an especially strong economic connection, as French companies have an important stake in the CAR's mineral wealth—they are long-time extractors of the country's natural resources.⁷⁵

Bozizé came to power in 2003 via a coup aided by Chadian President Idriss Déby. The two worked together, and Bozizé acted as Déby's arm in the CAR, making it easy for him to maintain control over regional politics. Eventually, however, the CAR's president stopped catering to Déby's wishes, a move which did not please the Chadian president. As the relationship faded, Bozizé turned to other nations for support.⁷⁶

As the opposition began to grow in strength and numbers and the CAR's relations with Chad deteriorated, President Bozizé turned to South Africa for assistance. With this aid came South African companies, military advisors, and soldiers. On top of being a way to supplement the support given by Déby and Chad, this change is often interpreted as a move by Bozizé to lessen his state's economic dependence on France.⁷⁷

However Chad had not lost its influence across the CAR for long. As Séléka is not only comprised of Muslims from the CAR's northern regions, but also from the northern states of Chad and Sudan, Déby was inherently suspicious of the rebel coalition.⁷⁸ The Chadian president worried that Séléka was tied to other Chadian rebel groups, and as such he defended Bangui as their advances began in December 2012 in spite of his misgivings toward Bozizé. After receiving confirmation from Séléka that there was no connection with any Chadian rebel forces, however, Déby's troops took a step back and allowed Bangui to be overrun.⁷⁹

As Séléka entered the capital in March of 2013, a number of South African soldiers were killed, resulting in the withdrawal of South African troops. With the removal of this external actor, France's competition in the country disappeared and Chad regained its regional influence by supporting the new regime which would soon come.⁸⁰

4.3 The Coup and its Consequences

On 23 March 2013, Séléka entered Bangui, and one day later President François Bozizé fled the country, leaving the state's capital in the hands of the rebel coalition.⁸¹ The group

⁷⁵ Kähkö, 72.

⁷⁶ Kähkö, 72.

⁷⁷ Kähkö, 72.

⁷⁸ Kane, 312–17.

⁷⁹ Kähkö, 72.

⁸⁰ Kähkö, 72–73.

⁸¹ *BBC Africa*. 2013. 'Central African Republic: President Bozize Flees Bangui', March 24. <http://www.bbc.com/news/world-africa-21915901>.

had successfully taken control of the country. By 18 August, Séléka leader Michel Djotodia was sworn in as president.⁸² A month later Djotodia dissolved the Séléka rebel groups, as a result of international pressure, mandating that anyone acting in their name would be punished by law.⁸³ It was this dissolution that created the catalyst for crisis in the CAR.

After President Djotodia's decree, the rebel leaders' and soldiers' futures were dim. With a dire political and economic situation, these men had not had significant prospects even while Séléka was carrying out its mandate; with the group banned they had even fewer. After the regime change, it became evident that Djotodia would not honor his promises to them or acknowledge their integral role in his rise to power. Left listless and directionless the men turned to violence, committing atrocities across the capital and the region.⁸⁴

4.4 The Anti-Balaka

As a response to the violence perpetrated by the members of ex-Séléka, a counter movement came to the fore: the anti-balaka (meaning "anti-machete").⁸⁵ The anti-balaka were not a new phenomenon; in fact, their origins can be traced back to 2009 when President Bozizé called for groups to band together to protect their villages. At the time, Bozizé had been struggling with the security of his country, and these local groups were able to stamp out problems at the local level.⁸⁶

In 2013, the anti-balaka rose up with a renewed purpose. As Séléka launched its assault on Bangui, the rebels committed atrocities indiscriminately, seeming to primarily target Christians. In response, the anti-balaka took up their weapons in an effort to fend off their attackers. At this juncture, the conflict took on decidedly religious overtones: these defenders, as they initially seemed to be, were comprised primarily of Christians, and they made it their mission to defend themselves from the largely Muslim Séléka forces. Unfortunately, this quickly turned into the targeting of Muslims—including those who bore no affiliation to the rebel group—and the country fell further into crisis.⁸⁷

5. The Third Case: South Sudan

The crisis in South Sudan officially broke out on 15 December 2013,⁸⁸ but it was born of latent issues which had been sitting beneath the surface of South Sudanese government and politics—issues which had begun to fester even prior to the new country's independence in 2011. To understand the reason for the new outbreak of violence, it is

⁸² *Al Jazeera*. 2013. 'Coups Leader Sworn in as CAR President', August 19.

<http://www.aljazeera.com/news/africa/2013/08/2013818132255630242.html>.

⁸³ *BBC Africa*. 2013. 'CAR Leader Bans Former Rebel Backers', September 13.

<http://www.bbc.com/news/world-africa-24088995>.

⁸⁴ Käihkö, 70.

⁸⁵ Käihkö, 70.

⁸⁶ Mellgard, Emily. 2015. 'What Is the Antibalaka?' *Tony Blair Faith Foundation*. January 29.

<http://tonyblairfaithfoundation.org/religion-geopolitics/commentaries/backgrounders/what-antibalaka>.

⁸⁷ Kane, 314.

⁸⁸ Ylönen, Aleks. 2014. 'Dwindling but Surviving: South Sudan and External Involvement in the Current Crisis'. *Review of African Political Economy* 41 (141). Routledge: 468.

essential to concretely grasp the nature of the events which unfolded prior. The crisis grew out of divisions in the nation's army and governing party: the Sudan People's Liberation Army (SPLA) and the Sudan People's Liberation Movement (SPLM).⁸⁹ These divisions, coupled with the alignment of ethnic groups (Dinka and Nuer) with opposite sides, both have pre-independence origins which converged and reached a head in 2013, creating a catalyst for crisis.

5.1 Independence

The region which today makes up South Sudan has been in conflict for decades. The south has long been at odds with the north—as Sudan gained its independence from Great Britain and Egypt in the 1950s, the southerners accused the government in Khartoum of not upholding its agreement to shape the country into a federal system and of trying to impose Islam and an Arabic identity upon the new country's citizens. Following this, a civil war began between north and south which only ended following a peace agreement in the 1970s, affording the south some autonomy. However, from the early 1980s the country again broke down into civil war, which finally came to an ultimate end in 2005 with the Comprehensive Peace Agreement (CPA) which provided for the 2011 referendum that finally gave South Sudan its independence.⁹⁰ The new country, though, stayed divided as a need for a united front against Sudan disappeared. With this reason for union gone, South Sudan's two largest ethnic groups—Dinka and Nuer—were at odds.⁹¹ With the main actors in this conflict sitting on opposite sides of the ethnic aisle, the matter took up an important role in the events that transpired.

5.2 Divisions: SPLM

Much of the division in the SPLM arose following the death of John Garang, the man behind the party's original "New Sudan" platform.⁹² This concept formed the party's cornerstone, arguing that regardless of race, religion, or gender, all those who lived in Sudan should be privy to the full rights of citizenship, including access for each person to their own share of wealth, power, and development.⁹³ An alternative to this plan was the idea of South Sudanese self-determination in the event that "New Sudan" proved to be an unattainable goal. When Garang's deputy Salva Kiir Mayardit rose to power in the wake of the former's demise, the original plan was effectively scrapped, and self-determination became the party's primary goal.⁹⁴

⁸⁹ Johnson, 302.

⁹⁰ 'South Sudan Profile - Overview.' *BBC Africa*. 20 May 2015. <http://www.bbc.com/news/world-africa-14069082>.

⁹¹ Berger, Carol. 'Old Enmities in the Newest Nation: Behind the Fighting in South Sudan.' *The New Yorker*, 23 January 2014. <http://www.newyorker.com/news/news-desk/old-enmities-in-the-newest-nation-behind-the-fighting-in-south-sudan>.

⁹² Johnson, 302.

⁹³ Ahmed, Rania Hassan. 2010. 'The Implementation of Power Sharing at the National Level - The Case of the National Assembly'. In *After the Comprehensive Peace Agreement in Sudan*, by Elke Grawert, edited by Elke Grawert, 56. Eastern Africa Series. United Kingdom: James Currey Ltd.

⁹⁴ Johnson, 302.

From this point on, many began to feel that the party had lost its direction and purpose, no longer possessing a strong developmental vision. As Salva Kiir achieved his position of power within the country, many of Garang's old supporters were overshadowed by Salva Kiir's own—a good number of whom had close relations with the National Congress Party in Khartoum. Some felt that this change in party leadership created a weakness which prevented South Sudan from taking a strong stance during the CPA's implementation.⁹⁵

In post-independence South Sudan, the issues came to the forefront in light of the impending 2015 election. As other members of the party considered running against Salva Kiir in an effort to return direction and purpose to the party, one particular man made greater waves than the others: Riek Machar, South Sudan's Vice-President. Even in his position as Salva Kiir's appointed second-in-command, he made clear his intention to stand against his President in the coming election.⁹⁶ It was in July 2013 that Salva Kiir responded to this challenge by dismissing Machar after already having dissolved much of rest of the government in May. Following his dismissal, Machar expressed his further intention to run for the SPLM party chairmanship, a position which would automatically make him the party's candidate in the coming election.⁹⁷ It was this announcement which would play a large role in the outbreak of the crisis some months later in December of 2013.

5.3 Divisions: SPLA

The SPLA was originally formed out of a mutiny in 1983, wherein members of the Sudan People's Armed Forces (SPAF) stationed in Bor—today in South Sudan—refused orders to move north. John Garang, at the time a Lieutenant Colonel for the SPAF, was sent to end the mutiny but instead encouraged a further rebellion and became the leader of the movement against the Sudanese government. This movement became the SPLA.⁹⁸

In the 1990s, the SPLA saw a split. Riek Machar and his allies hoped to remove Garang from power, however they were unable to rally sufficient support. As a result, anti-SPLA factions were formed which were often supported by Khartoum both financially and militarily. In 2002, many of the leaders of these opposition armies returned to the SPLA and were accepted back into the fold. After the signing of the CPA and again later after independence, the remaining militias were often reincorporated into the SPLA as prescribed by the CPA. Problematically, however, they were not sufficiently reintegrated. While leaders were often promoted upon their return to the SPLA, the troops themselves were not appropriately absorbed. This left many feeling dissatisfied with their situation.⁹⁹

⁹⁵ Johnson, 303.

⁹⁶ Johnson, 303.

⁹⁷ Ylönen, 467-468.

⁹⁸ 'Sudan People's Liberation Army (SPLA) Sudan People's Liberation Movement (SPLM)'. 2014. *Global Security*. January 6. <http://www.globalsecurity.org/military/world/para/spla-1.htm>.

⁹⁹ Johnson, 305.

Further division was created by Salva Kiir's appointment of a special army branch. Turning to his own people for support—the Dinka—he created a specialized army unit which would report directly to him. This unit was technically part of the SPLA, but sat outside the official chain of command.¹⁰⁰ With an incongruous army where not all members reported to the same general and many felt disenfranchised, South Sudan's military was balanced carefully on the tip of a spear—poised to tip at any time.

5.4 Crisis Outbreak

Events reached a head in December 2013. Salva Kiir had cancelled a meeting of the SPLM's Political Bureau at which there had been rumors of a plan to oust him from the chairmanship.¹⁰¹ With party members becoming increasingly frustrated with his leadership, on 6 December a press release was issued under Riek Machar's name, listing their grievances with Salva Kiir: ostracizing Garang's supporters, governing in a dictatorial fashion, sending money to the Sudanese government, forming a private army, and so on.¹⁰² On 14 December, the first day of the National Leadership Council (NLC), Riek Machar and Salva Kiir clashed. As a result, Machar and his allies chose to boycott the second day of the council. On 15 December, however chaos erupted.¹⁰³

While a clear chain of events has yet to be discerned, the conflict is said to have started as violence broke out when Nuer members of the Presidential Guard were disarmed while Salva Kiir executed a plan to imprison his political opponents on the grounds that they had staged a coup. To this day, the allegations of a coup have not been proven, however lack of proof did not stop the quick spread of violence across the city. Kiir's private army—comprised of fellow Dinkas—engaged in a series of ethnically targeted killings across Juba, ruthlessly murdering Nuers.¹⁰⁴ The violence only grew from there.

6. Common trends

Now that a firm historical basis has been established for each of the cases, attention can be given to a closer investigation of the commonalities present among all three. Paying attention to the realities of these crises, it is possible to identify the most prevalent factors which may have influenced the international responses which came soon after.

6.1 Corruption and Maladministration in Government

Mali, the Central African Republic and South Sudan are three states with weak governments that have been warped by rampant corruption. In Mali, there have been numerous examples of corruption in the post-colonial state. Under President Touré government policies certainly tended to favor the rich and those connected to the ruling

¹⁰⁰ Johnson, 306.

¹⁰¹ Johnson, 307.

¹⁰² 'SPLM Senior Members: We Will Act Decisively If President Kiir Refuses to Honor and Respect Party's Principles'. 2013. *South Sudan News Agency*. December 6.

<http://www.southsudannewsagency.com/news/breaking-news/splm-senior-members-we-will-act-decisively>.

¹⁰³ Johnson, 307.

¹⁰⁴ Ylönen, 468.

party, and large amounts of money tended to disappear from project funds.¹⁰⁵ In this society where political power has increasingly been associated with wealth, leaders have increasingly become involved with the criminal world in order to come up with the necessary funding to oust their rivals from their seats.¹⁰⁶ The corruption has even extended into the military, where membership has often depended upon knowing a high ranking official who could recruit as seen fit. This corruption in the military ultimately led to the coup of March 2012, as the lower ranks who were ignored were also underfunded and undersupplied.¹⁰⁷

The case of South Sudan brings corruption to the forefront, as the crisis evolved out of Salva Kiir's desire to remain in power. He had dissolved his cabinet, cancelled the NLC, and sat poised to defend his presidential title. When the crisis began on 15 December 2013, he claimed that his opposition had been planning a coup against him. Evidence seems to support otherwise however, and in this case the events stand out loud and clear. Employing the private militia he had formed outside of the regular military chain of command, Salva Kiir used the coup allegations to justify targeting and eliminating members of his opposition's constituency.¹⁰⁸ To touch briefly on the CAR, Bozizé as a leader was essentially a puppet for the Chadian president. This is not how an uncorrupt regime functions. Furthermore, a key product of corruption is often a weak economy. The economies of the states under consideration in this study are all weak and face severe challenges which have a great effect on their citizens. Such abysmal situations have served only to exacerbate the conflicts.

6.2 Conflicting Ethnic or Religious Themes

Each of the conflicts under investigation here contains a strong ethnic or religious element, with stark divisions running through the societies. In Mali, the conflict originated in ancient ethnic rivalries between the Tuareg and their darker-skinned southern neighbors. With the Tuareg historically considering themselves exempt from state government rule, the rest of the Malians have grown to resent them for their renowned patterns of raiding and taxing. And as they have continued on their longtime quest to create an independent state of Azawad, their rivalry with their compatriots has not diminished. Today, the conflict has evolved a more religious overtone, as the Islamists which have moved into the country's northern region have worked to instate *shari'a* law.

In the Central African Republic, a decidedly secular country prior to the conflict which began in 2013, there are deep notes of religious division. Séléka was a majority Muslim group, and when they began to wreak havoc on primarily Christian communities after Djotodia disbanded them, the conflict took on a decidedly religious nature. The anti-

¹⁰⁵ Solomon, 431.

¹⁰⁶ Solomon, 432.

¹⁰⁷ Solomon, 431.

¹⁰⁸ Ylönen, 468.

balaka which rose up to defend themselves from their majority Muslim attackers quickly began to simply target any and all Muslims who they felt threatened by—regardless of whether they were actually members of Séléka or not. In this way, the conflict became deeply ingrained in religion.

The conflict in South Sudan began as a political struggle within a party. Once, however, Salva Kiir began to recruit soldiers for his private presidential guard from his home region and his own ethnic group, the stage was set for ethnic conflict. When his fellow Dinkas began specifically targeting Nuers—members of Riek Machar’s constituency—an ethnic division became clear in the country’s conflict.

A common trend among these states is that much of the onset of violence involves the introduction of an Islamic element. In Mali, this came in the form of the increasing power of the *mujahideen*. In the absence of a strong state government in the north, the jihadist groups there instated *shari’a* law. While many had initially welcomed the law and order which the Islamists had brought to stave off the effects of the MNLA’s attacks, the onslaught of Islamic law and Islamism left many feeling marginalized. The Islamic coalition had turned the economy of the north into a war-based one, destroyed what remained of the Malian administration in the region, set up training bases for young militants, and repressed the people, with women in particular suffering the most.¹⁰⁹ On top of these effects on the population, the fact that the north is largely controlled by the Islamist coalition means that it has quickly become an enclave for terrorism, attracting a wave of jihadists who have set up training camps.¹¹⁰ The jihadist presence in northern Mali presents a direct threat to neighboring states, and further repulses and threatens nations around the world who have vowed to fight terrorism.¹¹¹

In the CAR the majority Muslim group Séléka staged a coup and took over the government, establishing Michel Djotodia as the state’s new president. Leading up to this there was a distinct fear among many that Djotodia would instate Islamic law upon taking the presidency. Allegations were even made that he had written a letter to the Organization of Islamic Cooperation in which he vowed to impose *shari’a* if they were to offer him support; while he denied having written this letter, tensions between Christians and Muslims were already extant.¹¹²

7. Intervention in Mali

7.1 France

On 11 January 2013, the French intervention in Mali began. The intervention came at a time when it had become clear that an African military force approved by the UN would take several months to be appropriately prepared for the fight, and when the situation in

¹⁰⁹ Lecocq, 351.

¹¹⁰ Solomon, 436.

¹¹¹ Lecocq, 354.

¹¹² Jasser, M. Zuhdi, and Sam Gajdenson. 2015. ‘New Hope for Central African Republic?’ *World Affairs Journal*. Accessed March 8. <http://www.worldaffairsjournal.org/article/new-hope-central-african-republic>.

Mali had become quite dire. The Islamists had started making serious moves southward and were nearing Bamako. As the threat of losing the Malian capital to Islamists became more real, it became clear to French officials that the time for action had come.¹¹³

Operation Serval, named for a wildcat, was the French intervention which consisted of about 4,000 French troops with the support of 2,000 Chadians and was meant to coordinate with the Malian army as it stood at the time. Unfortunately with the Malian army already in shambles due to being improperly equipped by President Touré and its recent coup, this meant that the French and Chadians functioned very much independently.¹¹⁴

The mission lasted 18 months, ending in August 2014, and involved direct fighting with the Islamists in the north. In the first stages of the fighting, the French and Chadian forces wiped out large numbers of jihadists, captured arms and ammunition, and destroyed terrorist training facilities.¹¹⁵ After terminating Operation Serval, France launched Operation Barkhane,¹¹⁶ a counter-terrorist operation operating regionally in Burkina Faso, Chad, Mali, Mauritania, and Niger.¹¹⁷

7.1.1 Legal Justification

Operation Serval was quickly justified in legal terms by drawing on UN Resolution 2085.¹¹⁸ This resolution authorized an African-led International Support Mission in Mali (AFISMA) to be deployed which would contribute to rebuilding the Malian armed forces' capacity, retake the northern areas lost to the armed groups, and support the Malian authorities.¹¹⁹ The resolution also called upon Member States to provide aid, training, and capacity-building to the Malian forces.¹²⁰

This justification was reinforced by the fact that the French intervened at the behest of interim President Dioncounda Traoré. As an interim leader appointed after the coup, he did not have complete democratic legitimacy, however because he held the presidential position at the time and had requested the French intervention, it has been generally accepted that the act was based in law.¹²¹

The French also pointed to Article 51 of the UN Charter for additional proof of legality, which preserves the right to collective self-defense against an armed attack on a Member

¹¹³ Chafer, Tony. 2014. 'Hollande and Africa Policy'. *Modern & Contemporary France* 22 (4). London: Routledge: 522.

¹¹⁴ Chafer, 521-522.

¹¹⁵ Boeke, Sergei, and Antonin Tisseron. 2014. 'Mali's Long Road Ahead'. *The RUSI Journal* 159 (5). London: Routledge: 32.

¹¹⁶ So named for a "crescent-shaped dune in the Sahara desert"; 'Hollande Announces New Military Operation in West Africa.' *France 24*, 19 July 2014. <http://www.france24.com/en/20140719-hollande-announces-new-military-operation-west-africa/>.

¹¹⁷ Boeke, 32.

¹¹⁸ Bergamaschi, Isaline. 2013. 'French Military Intervention in Mali: Inevitable, Consensual yet Insufficient'. *Stability: International Journal of Security & Development* 2 (2): 7.

¹¹⁹ United Nations Security Council. 2012. *Resolution 2085 (2012)*. S/RES/2085.

¹²⁰ *Resolution 2085*.

¹²¹ Bergamaschi, 7.

State for the time until the Security Council takes necessary measures.¹²² As the Malian government invited the intervention, this served as an extension of that right¹²³.

7.1.2 Political Motivation

French motivation for intervention in Mali seems to be guided primarily by the need to remain relevant in changing times and to maintain influence in a region in which it has historically played an important role.

For one, France and Mali are linked in their histories and in their presents. As part of French Sudan, Mali was a French colony, and today Mali holds a central place in the French-speaking African world. If Islamists were to take the country, the French sphere of influence would suffer greatly.¹²⁴ Evidence of this as a motivation for French intervention can be seen in the timing of their intervention. It was not until the jihadists were truly on the verge of overtaking Bamako, sitting in a location only days away, that French policymakers made the important decision to launch Operation Serval.¹²⁵ They were driven by the fear of losing their influence in the region.

This desire to maintain influence can also be viewed in the light of economics. While Mali itself is not directly important to France economically, its neighbors are: France's energy sector depends on uranium from Niger; the oil company Total has significant oil assets on the African continent; and many French banks and companies operate in Mali's region.¹²⁶ As a result, it is in France's interest to work for peace and stability in Mali in order to avoid the inevitable spillover of chaos into areas which contain significant economic interests.

Furthermore, attention must be paid to the domestic situation in France during this time. Economically speaking, the country was in a poor state. With no economic growth and record high unemployment,¹²⁷ President François Hollande was accused of being "too statist and fiscally intrusive for the right, but too moderate and social democratic for the true left."¹²⁸ Failing to appease the public at home, Hollande turned to foreign affairs to regain the affections of his people. While this technique proved successful at first, it did not have long-lasting effects.¹²⁹

In the end, the growing power of extremism in Mali played an important role in motivating French involvement. The threat of Islamists growing in strength and numbers,

¹²² Charter of the United Nations, Article 51.

¹²³ See Section 2.1 Legal Concepts.

¹²⁴ Chafer, 522.

¹²⁵ Chafer, 522.

¹²⁶ Chafer, 522.

¹²⁷ Noack, Rick. 'Losing His Battle at Home, French President Hollande Fights Abroad.' *Washington Post*. 21 August 2014. <http://www.washingtonpost.com/blogs/worldviews/wp/2014/08/21/losing-his-battle-at-home-french-president-hollande-fights-abroad/>.

¹²⁸ Moisi, Dominique. 'Hollande's Intervention in Mali Is Fraught with Domestic Risks.' *The Daily Star Newspaper*, 23 January 2013. <http://www.dailystar.com.lb/Opinion/Commentary/2013/Jan-23/203398-hollandes-intervention-in-mali-is-fraught-with-dom.ashx>.

¹²⁹ Noack.

and the idea of the expansion of terrorist training grounds drove much of the French rhetoric regarding the intervention.¹³⁰ A great deal of emphasis was placed on the fact that chaos and ungoverned spaces in Africa represented a security threat to all of Europe.¹³¹ In the French White Paper on Defence and National Security of 2013, attention was given to the risks of weaknesses in other states' abilities to exercise their sovereignty:

If States are seen to be incapable of exercising their sovereign responsibilities, the very foundations of the international order on which we base our own security are threatened. The risks and threats that they are unable to deal with on their territory may quickly spill over and undermine our own security... For Europe and for France, this political and humanitarian challenge is also a strategic issue, since many of the States concerned are on Europe's doorstep, in Africa, a continent which is now at a crossroads.¹³²

7.2 United States

The US responded to the crisis after the coup of March 2012. Leading up to that moment, the US had been one of Mali's largest bilateral donors, with programs stretching across the board. After the events of 21-22 March, however, aid from the US State Department and its development arm USAID were halted.¹³³ The distribution of this aid fell under the auspices of the Consolidated Appropriations Act of 2012, which stipulated in Section 7008:

None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military *coup d'état* or decree or, after the date of enactment of this Act, a *coup d'état* or decree in which the military plays a decisive role.¹³⁴

As such, the US ceased dispersing most aid to the government of Mali on 10 April 2012. However while capacity-building programs and support for agriculture that had previously gone through the Malian government were suspended until the country transitioned into a legal form of government which would put an end to the sanctions, the US did continue to supply humanitarian aid which was not included under the types of aid prohibited by Section 7008.¹³⁵

In spite of being legally unable to send support to the Malian forces, in January 2013, as the French were preparing for their engagement in Mali, the US did not sit idly by.

¹³⁰ Bergamaschi, 6-7.

¹³¹ Chafer, 523.

¹³² French Ministry of Defense. 2013. *French White Paper: Defence and National Security*: 38-39.

¹³³ Arieff, Alexis. 2013. *Crisis in Mali*. Congressional Research Service.

<https://www.fas.org/sgp/crs/row/R42664.pdf>.

¹³⁴ US Congress. 2011. *Consolidated Appropriations Act, 2012*. Public Law 112-74. 112th Congress: 411-412.

¹³⁵ 'U.S. Suspends Aid to Mali Following Coup'. 2012. *Foreign Policy Bulletin* 22 (03): 78.

Americans began supporting the French troops by sharing information with those on the ground and offering airlift support. As such, the US Air Force began flying French troops and equipment into the country, thereby offering indirect—yet legal—support against the northern Islamist threat.¹³⁶

It is exactly this Islamist threat which motivated the American contribution to the Malian intervention. Announcing the American involvement, US Defense Secretary Leon Panetta stated, “We have made a commitment that al-Qaeda is not going to find any place to hide ... We have a responsibility to make sure that ... [it] does not establish a base of operations in North Africa in Mali.”¹³⁷ According to Panetta, the contribution of the US was meant to stall the northern advances and to allow ECOWAS enough time to gather their forces and respond. Meanwhile, the American officials were of the view that the Islamists presented a threat to European and American security which must be stopped.¹³⁸

7.3 ECOWAS

ECOWAS was quick to react to the Malian conflict. After presidential elections were cancelled in the wake of the coup, ECOWAS threatened sanctions if power was not handed over to an appointed interim civilian administration which would oversee the transition process.¹³⁹ When their demand was not met, ECOWAS imposed sanctions—both economic and diplomatic—and Mali’s neighbors who belonged to the Community closed their borders, effectively locking the state down. With these regulations set up, ECOWAS took on the role of political negotiator, with Burkina Faso’s President Blaise Compaoré taking the lead.¹⁴⁰ Unfortunately a new administration did not create a more stable Mali. On the contrary, followers of coup leader Amadou Sanogo attacked interim President Traoré and forced the appointed Prime Minister to resign. With chaos reigning, ECOWAS worked to act as a negotiator with the northern extremists, and began to organize an armed intervention.¹⁴¹

The military mission was put off, however. ECOWAS lacked the ability to finance such an intervention on its own, and the international community was skeptical that the organization would be able to handle a military mission as such. The idea of a regional African-led military intervention then transformed into a general African-led one as ECOWAS and the AU cooperated.¹⁴² Unfortunately, this African-led military mission

¹³⁶ Formanek, Ingrid, and Dana Ford. 2013. ‘U.S. Steps up Involvement in Mali.’ *CNN*, January 28. <http://www.cnn.com/2013/01/26/world/africa/mali-unrest/>.

¹³⁷ Alexander, David. 2013. ‘U.S. Sharing Intel on Mali with France, Eyes More Support.’ *Reuters*, January 14. <http://www.reuters.com/article/2013/01/14/us-mali-rebels-pentagon-idUSBRE90D0YW20130114>.

¹³⁸ Alexander.

¹³⁹ Thurston, 2.

¹⁴⁰ Haysom, Simone. 2014. *Security and Humanitarian Crisis in Mali*. London: Humanitarian Policy Group: 4. <http://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/8829.pdf>.

¹⁴¹ Thurston, 2.

¹⁴² Haysom, *Security and Humanitarian Crisis in Mali*, 4.

was still not authorized until December 2012 and was not actually realized until January of 2013.¹⁴³

ECOWAS' inability to implement a regional military response was due to more than simply a reluctance of the international community to fund it, however. As the organization began to draw up plans for such a move, its efforts were blocked by Algeria and Mauritania.¹⁴⁴ Neither state is a member of ECOWAS, however the two play an important role in northern Mali. With the conflict ongoing, the two became especially worried because many of the Islamists taking part in the chaos had come from Algeria and Mauritania. As such, they feared that an ECOWAS intervention would lead to those extremists to cross borders and flee back into their home countries.¹⁴⁵

7.4 UN

The UN Security Council adopted several resolutions in light of the conflict in Mali. The first came in July of 2012 in the form of Resolution 2056. The purpose of this resolution was essentially to express support for the steps already taken by the AU, ECOWAS and the transitional civilian authorities in Mali. In this regard, the resolution also called for the dissolution of the *Comité national pour le redressement de la démocratie et la restauration de l'État* (CNRDRE) led by Captain Sanogo, in keeping with the decision of ECOWAS to no longer recognize the organization.¹⁴⁶ However, the resolution did not offer immediate support for the planned ECOWAS and AU military interventions. In paragraphs 17 and 18, the Council "takes note" of the request for a mandate for ECOWAS to deploy a stabilization force, and "expresses its readiness to further examine the request."¹⁴⁷ This move shows a degree of inaction on the part of the Security Council, and a lack of desire to become involved in the conflict.

Resolution 2071 came three months later. This document expressed the Security Council's readiness to support the Malian transitional government's request for a Chapter VII authorization for the deployment of a military force to aid in the recovery of occupied Malian territory. The actual authorization, however, was dependent upon the timely issuance of a report by the Secretary General on the resolution's implementation.¹⁴⁸ While this resolution took positive steps forward, it continued to prolong any solid response to the conflict.

On 20 December 2012, the Security Council issued its third resolution on the conflict. Importantly, this resolution offered Chapter VII authorization for "the deployment of an African-led International Support Mission in Mali (AFISMA)."¹⁴⁹ This force was given

¹⁴³ Resolution 2085.

¹⁴⁴ Haysom. *Security and Humanitarian Crisis in Mali*, 7.

¹⁴⁵ Haysom, Simone. 2014. 'Knives to a Gunfight'. *Good Governance Africa*. May 1. <http://gga.org/stories/editions/aif-22-apart-at-the-seams/knives-to-a-gunfight>.

¹⁴⁶ United Nations Security Council. 2012. *Resolution 2056 (2012)*. S/RES/2056: 2-3.

¹⁴⁷ Resolution 2056, 4.

¹⁴⁸ United Nations Security Council. 2012. *Resolution 2071 (2012)*. S/RES/2071.

¹⁴⁹ Resolution 2085, 4.

an initial one year mandate and tasked with taking “all necessary measures” to rebuild the Malian defense forces, to recover the lost northern territories, to protect the population of Mali, and to support the transitional and stabilizing activities of the Malian government.¹⁵⁰ Following Article 54 of the UN Charter, the resolution also requested that the AU and ECOWAS report to the Security Council regularly on the progress of AFISMA, reminding them that yet further planning needed to be carried out before AFISMA could finally be deployed.¹⁵¹

After AFISMA’s deployment, the Security Council issued Resolution 2100 in April 2013. This resolution responded to requests from Mali, ECOWAS, and the AU to have AFISMA transformed into a UN stabilization mission. As such, the resolution established the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). This mission would subsume the authority of AFISMA as well as the United Nations Office in Mali; its mandate included reestablishing the authority of the State through means including the prevention of the return of armed elements, supporting the transition, protecting both UN personnel and civilians, and promoting and protecting human rights. At the request of the UN Secretary General, the resolution authorized MINUSMA and the French troops already on the ground “to use all necessary means” to carry out their mandates, which included stabilization, support for the transition, and protection of the population and UN personnel. The resolution further welcomed the EU’s deployment of a European Union Training Mission (EUTM) to train and advise Mali’s security and defense forces and called for the EU to coordinate with MINUSMA during the transition process.¹⁵²

With Mali as a former French colony and within the country’s sphere of influence, France took the lead in the Security Council as the penholder and primary drafter of all resolutions on Mali. In this respect, France was able to push for quick responses and more involvement in the crisis. The Council repeatedly faced the issue of the Malian government’s democratic legitimacy, however. Some members of the Security Council—particularly the US—found it difficult to respond to the requests for intervention by Mali when the government in power was only a transitional one.¹⁵³ This became a point of contention in several instances, as the US Congress was less likely to approve the provision of military assistance prior to the holding of credible, democratic elections. As long as coup leaders maintained any role in government to which they were not elected by the people, Congress had a tough time authorizing any full scale military intervention.¹⁵⁴

¹⁵⁰ *Resolution 2085*, 4.

¹⁵¹ *Resolution 2085*, 4-5.

¹⁵² United Nations Security Council. 2013. *Resolution 2100 (2013)*. S/RES/2100.

¹⁵³ ‘Mali Resolution.’ 2012. *What’s in Blue*. October 11. <http://www.whatsinblue.org/2012/10/mali-resolution.php>.

¹⁵⁴ ‘Adoption of a Resolution on Mali.’ 2012. *What’s In Blue*. December 20. <http://www.whatsinblue.org/2012/12/adoption-of-a-resolution-on-mali.php>.

The Security Council also struggled to respond to requests that lacked specificity. On multiple occasions, a lack of detail in requests for intervention by Mali led to a request for more information and as such resulted in delays in the issuance of resolutions. The Security Council further required in-depth reports from the Secretary General before going on to pass any legally binding resolutions.¹⁵⁵

7.5 AU

In June of 2012, the AU, UN and ECOWAS initiated a “meeting of the Support and Follow-up Group on the situation on Mali” in Cote d’Ivoire.¹⁵⁶ The Group had been established by the AU’s Peace and Security Council in March of the same year—prior to the outbreak of the coup—in order to support mediation efforts in northern Mali, and soon after expanded its mandate to include the goal of restoring order in the nation.¹⁵⁷ With the meeting attended by ECOWAS countries, the AU, the UN Security Council’s permanent members, as well as the main countries affected by the violence, the Group was able to identify the key issues to be addressed.¹⁵⁸

In the same month, the Peace and Security Council appealed to the UN Security Council to support ECOWAS in its efforts to deploy a force to Mali. While the Security Council eventually issued a resolution supporting the work of ECOWAS and the AU in Mali, it did not actually authorize the deployment of a stabilization force until December 2012, after receiving more information from those working in the region to secure the situation.¹⁵⁹ By the time it had authorized such an intervention, the force had ceased to be a strictly West African-led one with ECOWAS at the lead and had become simply African-led: AFISMA.¹⁶⁰

Before AFISMA could be deployed—it became clear that it would take at least several months of preparation before the forces would be ready—the southward push of militants towards the capital city sparked the French intervention. One week after the French, the first wave of AFISMA forces reached Mali.¹⁶¹

The AU has admitted that its intervention came too slowly. In early January of 2013, days after the AFISMA deployment, the outgoing African Union head stated, “How could it be that when faced with a danger that threatens its very foundations, Africa, although it had

¹⁵⁵ ‘Mali Resolution.’

¹⁵⁶ African Union. 2012. *Report of the Chairperson of the Commission on the Evolution of the Situation in Mali*. PSC/AHG/3. Addis Ababa. <http://www.peaceau.org/uploads/report-of-the-chairperson-of-the-commission-on-the-evolution-of-the-situation-in-mali.pdf>.

¹⁵⁷ African Union. *Report of the Chairperson of the Commission on the Evolution of the Situation in Mali*.

¹⁵⁸ ‘Inaugural Meeting of the Support and Follow up Group on the Situation in Mali-African Union - Peace and Security Department.’ 2012. African Union, Peace and Security Department. <http://www.peaceau.org/en/article/inaugural-meeting-of-the-support-and-follow-up-group-on-the-situation-in-mali>.

¹⁵⁹ African Union. *Report of the Chairperson of the Commission on the Evolution of the Situation in Mali*.

¹⁶⁰ Haysom, *Security and Humanitarian Crisis in Mali*, 4.

¹⁶¹ Haysom, *Security and Humanitarian Crisis in Mali*, 4.

the means to defend itself, continued to wait.”¹⁶² Logistically speaking, AFISMA had not yet been sufficiently prepared for this intervention. The mission lacked provisions, communication equipment, air support, ammunition, and more. To this end, the AU requested monetary and logistic aid from the UN.¹⁶³ On 1 July 2013, AFISMA transferred its authority over to MINUSMA.¹⁶⁴

The AU’s intervention can be seen as being motivated by several factors. Legally speaking, it was driven to intervene largely based upon the fact that the situation clearly brought up the principles of the founding treaty of the AU, including:

- (b) Respect of borders existing on achievement of independence;
- (m) Respect for democratic principles, human rights, the rule of law and good governance;
- (o) Respect for the sanctity of human life, condemnation and rejection of impunity and political assassination, acts of terrorism and subversive activities;
- (p) Condemnation and rejection of unconstitutional changes of governments.¹⁶⁵

The acts perpetrated by the northern aggressors and the coup by the Malian troops clearly fall outside of the principles agreed upon by all African Union members. The Tuareg in the north had outright declared the Azawad Republic as an independent state, violating the principle of respect for borders as they stood at the time of independence from the colonies. With the coup staged by the Malian army, respect for democratic principles and good governance had not been adhered to, as this was quite obviously an unconstitutional change of government, thus compromising several principles at once. Furthermore, the acts of the Tuareg and Islamists violated the sanctity of human life and infringed often upon human rights, all while terrorist training camps were being set up in the north¹⁶⁶. In these respects, the AU had to act in order to preserve its legitimacy by standing up for the principles stated in its founding treaty.

7.6 EU

The European Union joined the foray rather belatedly. While France jumped in in January of 2013, receiving equipment aid from Belgium, Denmark, Germany and the UK, the EU

¹⁶² Lough, Richard, and Aaron Maasho. 2013. ‘Outgoing AU Chief Condemns Africa’s Response to Mali Crisis’, January. Reuters. <http://www.reuters.com/article/2013/01/27/us-mali-rebels-africa-idUSBRE90Q06Y20130127>.

¹⁶³ Lough.

¹⁶⁴ African Union. 2013. ‘AFISMA Transfers Its Authority to MINUSMA.’ Press Release. <http://www.peaceau.org/uploads/afisma-transfers-it-authority-to-minusma-01-july-2013.pdf>.

¹⁶⁵ Constitutive Act of the African Union, Article 4.

¹⁶⁶ See Section 3. Mali.

as a whole did not act quickly.¹⁶⁷ They finally reached the decision to deploy EUTM Mali in order to offer guidance to Malian troops on 17 January.¹⁶⁸ By the time this training mission was deployed in February,¹⁶⁹ however, most of the Malians had already gone off to battle with the French.¹⁷⁰

The EU's delayed response is curious, considering that the situation in Mali easily fell under the auspices of the CSDP within the Common Foreign and Security Policy—under which the EUTM Mali was eventually authorized. Unfortunately, due to the economic crisis facing the continent, states were hesitant to supply an EU military force which would play a role abroad. With a strong France motivated to act on its own failing cooperation from the other Member States, intervention by the EU seemed like a less pressing matter. While it is true that the situation in northern Mali presented a potential security threat to Europe and the rest of the world, France felt this threat more directly due to its close ties to the country. As a result, it was motivated to act quickly while the rest of the EU took its time getting a mission together.¹⁷¹ And with France's position in the UN Security Council, it was able to press for Chapter VII authorization to use force.

In April 2014, following an invitation from the Malian government, the Council of the EU decided to launch the European Capacity Building Mission in Mali (EUCAP Sahel Mali). The mission also falls under the EU's CSDP, and would provide support to Mali's own security forces.¹⁷² This mission was not officially launched, however, until January of 2015. This launch came following the recommendation of an initial core team sent to judge the operation's capacity.¹⁷³ Its mandate includes joining EUTM in supporting the Malian armed forces and aiding the Malian government in supporting and advising its homeland security forces.¹⁷⁴

8. Intervention in the Central African Republic

8.1 France

The French intervention in the CAR began in December of 2013. Operation Sangaris, named after a butterfly, was launched with a force of 1,600 troops, with 600 already stationed there and 1,000 more flown in.¹⁷⁵ It was explicitly authorized by UN Security

¹⁶⁷ Gowan, Richard. 2013. 'EU Troops Can Still Help in Mali.' *European Council on Foreign Relations*. February 5. http://www.ecfr.eu/article/commentary_eu_troops_can_still_help_in_mali.

¹⁶⁸ Eilstrup-Sangiovanni, Mette. 2013. 'The EU's Common Security and Defense Policy and the Mali Crisis.' *E-International Relations*. August 16. <http://www.e-ir.info/2013/08/16/the-eus-common-security-and-defense-policy-and-the-mali-crisis/>.

¹⁶⁹ 'Mission Description.' 2015. *European Union - EEAS (European External Action Service)*. Accessed April 11. http://eeas.europa.eu/csdp/missions-and-operations/eutm-mali/mission-description/index_en.htm.

¹⁷⁰ Eilstrup-Sangiovanni.

¹⁷¹ Eilstrup-Sangiovanni.

¹⁷² Council of the European Union. 2014. *Council Decision 2014/219/CFSP*.

¹⁷³ Council of the European Union. 2015. *Council Decision (CFSP) 2015/76*.

¹⁷⁴ European External Action Service. 'Politique de Sécurité et de Défense Commune: Mission civile EUCAP Sahel Mali.' Fact Sheet, March 2015. http://eeas.europa.eu/csdp/missions-and-operations/eucap-sahel-mali/docs/factsheet_eucap_sahel_mali_fr.pdf.

¹⁷⁵ Smith, 179.

Council Resolution 2127, which called on French forces in the CAR “to take all necessary measures to support” the African forces whose deployment was authorized in the same resolution.¹⁷⁶ While the deployment of the latter troops experienced significant delays in terms of reaching full capacity, the French troops hit the ground. Unfortunately, they remained confined to the area around Bangui and immediately faced difficult challenges.¹⁷⁷

In the wake of the French intervention in Mali, though, this intervention was approached with a different attitude. Having poured troops and money into the West African nation, French President Hollande was more cautious about his nation’s involvement in the CAR after seeing how unwilling other European states had been to involve the EU in a mission to Mali. While he had the same motivation for involvement, he now had even less domestic support. Hollande openly expressed his expectation that other EU Member States would supply more support to this mission and that the UN would help with costs since the mission was UN-mandated.¹⁷⁸ While this did not come to fruition, the US did contribute a good deal of funds to support France in their mission.¹⁷⁹

8.2 ECCAS

In 2008, ECCAS launched the *Mission de Consolidation de la Paix en République Centrafricaine* (MICOPAX), a “peace consolidation mission” set to support a stable environment in the CAR.¹⁸⁰ As a result, when the crisis broke out in 2012, ECCAS already had people in the area. The organization was thus able to quickly intervene in the Central African conflict. Thanks to such involvement, President Bozizé and Séléka entered into a ceasefire and began negotiations which led to January 2013’s Libreville Agreement, creating a three year power-sharing situation in the country.¹⁸¹ The agreement went further to extend the mandate of MICOPAX, increasing its size and tasking it with, among other things, protecting civilians and securing the political transition.¹⁸²

Unfortunately, the agreement did not offer the parties involved enough concessions on their demands. Bozizé was forced to hold a round of elections to take place within a year of the agreement’s signing in addition to agreeing not to amend the constitution in order to stand for a third term, and Séléka did not accomplish its goals of removing the

¹⁷⁶ United Nations Security Council. 2013. *Resolution 2127 (2013)*. S/RES/2127.

¹⁷⁷ Smith, 180.

¹⁷⁸ Mulholland, Rory. 2013. ‘Central African Republic: Europe and UN “to Foot Bill” for French Intervention, Says Hollande’. *The Telegraph*, December 8. <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/centralafricanrepublic/10503953/Central-African-Republic-Europe-and-UN-to-foot-bill-for-French-intervention-says-Hollande.html>.

¹⁷⁹ Lynch, Colum. 2013. ‘Can Samantha Power Wage a War on Atrocities in Central African Republic.’ *Foreign Policy*, December 19. <http://foreignpolicy.com/2013/12/19/can-samantha-power-wage-a-war-on-atrocities-in-central-african-republic/>.

¹⁸⁰ International Crisis Group. 2013. *Central African Republic: Priorities of the Transition*. Africa Report No. 203. <http://www.crisisgroup.org/~media/Files/africa/central-africa/central-african-republic/203-central-african-republic-priorities-of-the-transition.pdf>.

¹⁸¹ International Crisis Group, *Central African Republic: Priorities of the Transition*.

¹⁸² International Crisis Group, *Central African Republic: Priorities of the Transition*.

president or taking over the position of prime minister.¹⁸³ As a result of these issues and the fact that the agreement's implementation was not effectively monitored, the ceasefire broke down, leading to Séléka's eventual takeover of the capital in March 2013.¹⁸⁴ ECCAS had not managed the crisis well: the special representative meant to act as a mediator on the ground in the CAR took too long in arriving and the committees designed to monitor the situation did not meet. With a decreased military presence in the wake of the signing of the Libreville Agreement and inaction on the part of MICOPAX, it was all too easy for Séléka to storm Bangui and overthrow the government.¹⁸⁵

With Michel Djotodia sitting as the self-proclaimed president, summits were held in N'Djamena, Chad. The African community opted to recognize the new government *de facto* with the stipulation that an internationally supervised transition would begin immediately.¹⁸⁶ ECCAS called for a transitional body to take control of the country which would hold elections, develop a new constitution, and choose a president to stand until election time.¹⁸⁷

8.3 UN

The United Nations Security Council issued its first pertinent resolution on the crisis in the CAR in January of 2013. At this time, the crisis had not yet reached a true head. A ceasefire had just been agreed upon between the government of CAR and the Séléka coalition. As events seemed to be looking more positive, this resolution simply extended by one year the mandate of the *Bureau Intégré de l'Organisation des Nations Unies en Centrafrique* (BINUCA) and encouraged it to continue its original mandate of supporting peacebuilding in the country.¹⁸⁸

After the end of the ceasefire followed by the successful coup of March 2013, however, it became clear that the situation was not improving. In October, the Security Council issued Resolution 2121 which further extended the mandate of BINUCA to include supporting the transition, engaging in conflict prevention and stabilization, and promoting and protecting human rights. The resolution also welcomes the authorization of a *Mission internationale de soutien à la Centrafrique sous conduite africaine* (MISCA) by the AU. Taking note of a July request of the AU for UN partnership in this area, the Security Council only expressed that it intended to consider the option of supporting MISCA.¹⁸⁹ It is important to note that the crisis in the CAR was swiftly developing at this time. The resolution itself noted the tragedy of the events, and expressed its:

¹⁸³ International Crisis Group, *Central African Republic: Priorities of the Transition*.

¹⁸⁴ Eberhard, Michelle Rae. 2015. 'Crisis in the Central African Republic'. *International Coalition for the Responsibility to Protect*. Accessed March 29.
http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-the-central-african-republic#international_response.

¹⁸⁵ International Crisis Group, *Central African Republic: Priorities of the Transition*.

¹⁸⁶ International Crisis Group, *Central African Republic: Priorities of the Transition*.

¹⁸⁷ Eberhard.

¹⁸⁸ United Nations Security Council. 2013. *Resolution 2088 (2013)*. S/RES/2088.

¹⁸⁹ United Nations Security Council. 2013. *Resolution 2121 (2013)*. S/RES/2121.

... deep concern at the security situation in the CAR, characterized by a total breakdown in law and order, the absence of the rule of law ... violations of international humanitarian law and the widespread human rights violations and abuses, notably by Séléka elements, including those involving extrajudicial killings, enforced disappearances, arbitrary arrests and detention, torture, sexual violence against women and children, rape, recruitment and use of children and attacks against civilians.¹⁹⁰

Yet these facts did not yet create the possibility of a stronger, military response against the perpetrators. It was not until December 2013, nearly a year after the conflict had first begun to escalate, that the Security Council issued Resolution 2127, authorizing a Chapter VII deployment of military forces, including the deployment of MISCA and French troops and acknowledging that the AU and ECCAS might eventually request to transform MISCA into a UN PKO. While requesting the Secretary General and High Commissioner on Human Rights to work to increase human rights monitors in the CAR, the resolution encourages cooperation between MISCA and the French and further authorizes the latter to take all necessary measures to assist MISCA in fulfilling its mandate. The Resolution also enacts an arms embargo on the country and threatens further targeted sanctions against those who would undermine the peace efforts.¹⁹¹

One month later in January 2014, the Security Council issued another Resolution which brought those sanctions against those individuals perpetrating terrible acts of violence, including travel bans and asset freezes. The resolution continued on to authorize the deployment of an EU operation which would take all necessary measures against the insurgent groups.¹⁹²

Finally, in April 2014, a UN stabilization mission was established. The *Mission multidimensionnelle intégrée des Nations unies pour la stabilisation en Centrafrique* (MINUSCA) was authorized as a PKO tasked with taking all necessary measures to fulfill its mandate of general protection of the population and UN personnel and support for transition, disarmament, reintegration, and so on. The resolution establishing this mission goes on to authorize the French forces to use all necessary means to support MINUSCA in fulfilling its mandate.¹⁹³

The visible difficulties in reaching a point of agreement in issuing a resolution which would authorize Chapter VII deployments of regional and then international peacekeeping forces can be largely attributed to the Security Council dynamics at the time. First of all, France sat as the primary penholder of the resolutions relevant to the

¹⁹⁰ Resolution 2121, 1.

¹⁹¹ Resolution 2127.

¹⁹² United Nations Security Council. 2014. *Resolution 2134 (2014)*. S/RES/2134.

¹⁹³ United Nations Security Council. 2014. *Resolution 2149 (2014)*. S/RES/2149.

CAR, drafting them and pressing for assistance on the ground.¹⁹⁴ Bearing in mind France's connection to the country and having seen before how President Hollande insisted that the French mission to the CAR not become a repeat of the prior mission to Mali in terms of pouring money, troops and supplies into the country, one can see why France took the lead in these resolutions and pushed for the transformation of MISCA into MINUSCA.¹⁹⁵ The European nation was determined not to be left out in the cold in this regard.

Other Security Council members were less keen to join France in supporting such a mission too early. The US, Russia, and Security Council members of African states were in favor of allowing MISCA the time to fulfill its mandate before considering the creation of a UN peacekeeping force.¹⁹⁶ For the part of the African states, this belies a desire to keep the conflict as regional as possible. There exists among the post-colonial African states a desire to avoid calling on old colonizers for aid in the present. Furthermore, the AU was also in favor of prolonging the creation of a UN peacekeeping force, as such a mission would be likely to call on more troops from AU states and would require more resources that the AU might not be prepared to supply.¹⁹⁷

In that vein, there are also the heavy financial costs of deploying another peacekeeping mission. UN resources have been for a long time under serious constraints. In such an instance the US would be responsible for underwriting nearly 30 percent of such operation costs—a healthy chunk for a nation with a divided Congress less than keen on supporting such costly foreign operations.¹⁹⁸ After voting in favor of the UN Security Council Resolution calling for a report by the Secretary General which would give further information on the factors involved in such a peacekeeping mission and its prospects,¹⁹⁹ the United States did finally join the other Security Council members in authorizing a peacekeeping force.²⁰⁰

8.4 AU

The AU began responding to the crisis within a day of the Séléka push into Bangui by imposing sanctions upon those involved in the conflict. Two days later, the AU suspended the CAR. By July of 2013, the AU Peace and Security Council had authorized MISCA, which took over the mandate of MICOPAX in December with the aim to protect civilians, stabilize the country, and restore an intact central government. In September

¹⁹⁴ 'Resolution Renewing Peacebuilding Office Mandate and Expanding Sanctions in the CAR.' 2014. *What's In Blue*. January 27. <http://www.whatsinblue.org/2014/01/resolution-renewing-peacebuilding-office-mandate-and-expanding-sanctions-in-the-car.php>.

¹⁹⁵ See 8.1 France.

¹⁹⁶ 'Resolution Renewing Peacebuilding Office Mandate and Expanding Sanctions in the CAR.'

¹⁹⁷ 'Resolution Renewing Peacebuilding Office Mandate and Expanding Sanctions in the CAR.'

¹⁹⁸ Lynch.

¹⁹⁹ Lynch.

²⁰⁰ *Resolution 2149*.

2014, MISCA's mandate was transferred to MINUSCA, marking the start of the UN Peacekeeping Mission.²⁰¹

8.5 EU

The EU has been a long-time partner of the CAR, with the relationship between the two bound in the Cotonou Agreement of 2000, signed between the member states of the EU and 79 developing countries across Africa, the Caribbean and the Pacific.²⁰² As a result of this connection, the Union began efforts to restore stability to the CAR after the crisis broke out in 2012.²⁰³

In June of 2013, a mission was sent to the CAR to survey the situation and to recommend actions to be taken by the EU. As a result, the European Commission launched a stabilization program which aimed to support security and capacity-building for media outlets, to stave off human rights abuses, and to promote dialogue between the different ethnic communities in the CAR.²⁰⁴ In January 2014, however, the Council of the EU approved a crisis management operation in the CAR pending authorization by the UN Security Council which would cooperate closely with all those already on the ground.²⁰⁵ Following the issuance of Resolution 2134, which authorized the deployment of an EU force, the Union established European Union Force RCA (EUFOR RCA) in February 2014 with the mandate to “contribute to the provision of a safe and secure environment, with a handover to the African-led International Support Mission in the CAR with in four to six months of Full Operating Capability ... concentrating its action in the Bangui area.”²⁰⁶ The mission was launched two months later in April.²⁰⁷ In November of 2014, the Council decided to extend the mission, making its end date 15 March 2015.²⁰⁸

In light of the approaching end of EUFOR RCA, the EU established a follow up mission in January of 2015, launching it after handing over operations to the UN's MINUSCA mission in March. The subsequent mission has been mandated with reforming the country's security sector in order for CAR to train a professional army represented by all of the state's ethnicities.²⁰⁹

²⁰¹ *Timeline of the International Response to the Situation in the Central African Republic (CAR)*. 2015. Global Centre for the Responsibility to Protect. Accessed April 19.

<http://www.globalr2p.org/media/files/car-tl-jan-v2.pdf>.

²⁰² ‘ACP - The Cotonou Agreement.’ 2015. International Cooperation and Development - European Commission. Accessed April 12. https://ec.europa.eu/europeaid/regions/african-caribbean-and-pacific-acp-region/cotonou-agreement_en.

²⁰³ European Commission. 2013. ‘Fact Sheet - Central African Republic.’ Press Release. http://europa.eu/rapid/press-release_MEMO-13-919_en.htm.

²⁰⁴ European Commission, ‘Fact Sheet - Central African Republic.’

²⁰⁵ Council of the European Union. 2014. *Council Decision 2014/73/CFSP*.

²⁰⁶ *Council Decision 2014/73/CFSP*.

²⁰⁷ Council of the European Union. 2014. *Council Decision 2014/183/CFSP*.

²⁰⁸ Council of the European Union. 2014. *Council Decision 2014/775/CFSP*.

²⁰⁹ Council of the EU. 2015. ‘Central African Republic: EU Military Advisory Mission Gets Green Light.’ Press Release. <http://www.consilium.europa.eu/en/press/press-releases/2015/03/16-central-african-republic-eu-military-advisory-mission-gets-green-light/>.

9. Intervention in South Sudan

9.1 Uganda

South Sudan's southern neighbor Uganda became involved in the crisis very early on. As soon as fighting broke out in Juba, Ugandan President Yoweri Museveni deployed a company of Ugandan Peoples' Defence Force (UPDF) soldiers to Juba International Airport to facilitate the evacuation of foreigners from South Sudan. As time wore on, the number of Ugandan soldiers in South Sudan increased from no more than 250 to between 2,000 and 5,000. Their mandate was to secure Juba's vital infrastructure and to aid in the evacuation of foreigners. Eventually, Uganda and South Sudan concluded a Status of Forces Agreement (SoFA) which allowed the UPDF to remain in the country and to continue to carry out its mandate.²¹⁰ Soon, however, the UPDF had begun fighting alongside Salva Kiir's forces, and the original mandate of purely maintaining infrastructure had been lost.²¹¹

9.1.1 Legal Justification

Uganda has justified its intervention in South Sudan via several legal means. To begin with, the initial deployment was justified on the basis of rescuing Ugandan nationals who had become trapped by the fighting. While this practice is not explicitly defined by international law as legal, neither the UN Security Council nor the International Court of Justice have ever ruled that this practice is illegal.²¹² The underlying, yet unresolved question is whether the protection of citizens is a legitimate legal interest recognized by Article 51 of the UN Charter, constituting a case of self-defense²¹³.

The next wave of Uganda's justification for intervention was based on an invitation from Salva Kiir. President Museveni stated that he had been invited by Salva Kiir to deploy a small number of soldiers to guard Juba International Airport.²¹⁴ This would constitute collective self-defense as laid out in Section 2.1, however the scope of the actual intervention clearly surpassed this—unconfirmed—limited invitation.

It has also been stated that Ugandan intervention in South Sudan was legalized based on a request from the UN Secretary General in which he requested that President Museveni intervene to solve the problem politically.²¹⁵ This, however, cannot be considered a legal justification as according to the UN Charter, the Secretary General can only "bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security."²¹⁶ As such, the Secretary General can neither authorize nor legitimize any international intervention.

²¹⁰ Apuuli, 356.

²¹¹ Apuuli, 357.

²¹² Apuuli, 359.

²¹³ Neuhold, 'Das Gewalt- und Interventionsverbot,' 428-429.

²¹⁴ Apuuli, 357.

²¹⁵ Apuuli, 359.

²¹⁶ Charter of the United Nations, Article 99.

Finally, Ugandan intervention was justified as being sanctioned by the regional organization: IGAD. According to Ugandan officials, their mission was authorized by IGAD, and thus had a legal basis.²¹⁷ Under Chapter VIII of the UN Charter, regional arrangements are able to deal with issues of international peace and security, and should “make every effort to achieve pacific settlement of local disputes ... before referring them to the Security Council.”²¹⁸ Under Articles 53 and 54, however, regional organizations may not take enforcement action without Security Council authorization and must keep the Security Council informed of any activities which they may undertake for the aforementioned purposes.²¹⁹

When IGAD met two weeks after the fighting had begun, they lauded Uganda’s work in securing South Sudanese infrastructure and vowed to support such efforts. This support for the intervention, however, explicitly mentioned only Ugandan efforts to secure infrastructure, and not to fight alongside the South Sudanese forces and become embroiled in the conflict. If IGAD had meant to authorize the use of force, it should have explicitly stated this, and in addition it would have had to receive authorization from the Security Council.²²⁰

9.1.2 Uganda’s Relationship with South Sudan

It is important to understand the history of Uganda’s relationship with South Sudan before one can truly analyze the logic of Uganda’s intervention in the country. There is a long history of Ugandan forces in what is now South Sudan. Beginning in the early 1990s, a violent insurgent group in Uganda called the Lord’s Resistance Army (LRA) began to receive military assistance from the Sudanese government in Khartoum. This support was brought on by the Ugandan government’s sympathies for the SPLA/M in Sudan—the Ugandans had provided them with training and support.²²¹ As a result, the Sudanese and Ugandan governments were at odds.

In 1995 diplomatic relations between the two countries were broken off. Uganda increased its support for the SPLA/M, and occasionally entered Sudanese territory to support them and to track down the LRA. When diplomatic relations were restored in 1999, Uganda was given permission by the Sudanese government to continue to hunt for the LRA on its territory. After the signing of the CPA in 2005, Ugandan troops did not leave, though. The country was permitted to keep its army in southern Sudan to carry out its original goals, and troops have remained in South Sudan ever since.²²²

On a more personal note, Yoweri Museveni has had a close relationship with Salva Kiir for many years as a result of his government’s support for the SPLA/M since the pre-

²¹⁷ Apuuli 360-361.

²¹⁸ Charter of the United Nations, Article 52.

²¹⁹ Charter of the United Nations, Articles 53-54.

²²⁰ Apuuli, 361-362.

²²¹ Apuuli, 356.

²²² Apuuli, 356.

independence period. Owing to Sudan's history of support for the LRA, Museveni has seen Uganda as a protector of South Sudan's state integrity against Sudan.²²³

9.1.3 Political Motivation

In spite of the legal justifications made, Uganda's relationship with South Sudan suggests that such motivations may have been advanced as excuses for an intervention which was meant to fulfill other goals. During the time since the CPA was signed, economic relations between the two countries have blossomed. Trade has increased significantly, and South Sudan has been the largest importer of Ugandan goods since 2007.²²⁴ In addition, Uganda's Albertine-Graben region, bordering the Democratic Republic of the Congo but close to South Sudan, is an oil-rich area.²²⁵ With such important economic motivations, Uganda was inclined to intervene in the neighboring conflict to ensure that its trade partner remains able to do business and that the conflict does not spill over in such a way that it could harm its economic prospects.

9.2 Sudan

South Sudan's northern brother has played an active role in the conflict. While it might be expected that the Sudanese would have an incentive not to come to the South Sudanese government's aid considering the existence of border disputes and rebellions around those areas, Sudan actually has greater incentives to act as a positive force in the conflict. The two governments have a mutual interest in preserving the oil market. South Sudanese oil is piped through Sudan, and any disruption to South Sudanese oil production would hurt the northern country's economy. As a result, Sudan offered diplomatic support, mediation assistance, aid to South Sudanese refugees, and protection for oil installations.²²⁶

9.3 United States

The US has been closely involved with Sudan for approximately the last 30 years, having worked to end slavery in the country and encouraged southern efforts to throw off the ties of northern oppression.²²⁷ As such, since the start of the conflict it has played an active role in working to end the violence in South Sudan, both multilaterally through its role as the penholder on the South Sudanese crisis in the UN Security Council—making the Western nation responsible for drafting resolutions and calling for most briefings—and bilaterally through its engagement with the African state.²²⁸ However, the role played by the US in this conflict was different from that which it has played in others.

²²³ Ylönen, 469.

²²⁴ Apuuli, 362.

²²⁵ Apuuli, 363.

²²⁶ Ylönen, 470.

²²⁷ US House of Representatives. 2014. 'U.S. Policy toward Sudan and South Sudan.' Serial No. 113-178. Washington, D.C.: U.S. Government Printing Office.

²²⁸ 'South Sudan: Briefing under Any Other Business.' 2013. *What's In Blue*.

<http://www.whatsinblue.org/2013/12/south-sudan-briefing-under-any-other-business.php>.

From the beginning, the US has had a presence in South Sudan which was able to keep others informed of the deteriorating situation.²²⁹ Ambassador Daniel Booth, Special Envoy to Sudan and South Sudan, was able to meet personally with President Salva Kiir to discuss the situation at hand. In this way, Booth evaluated the events as they unfolded and ensured the validity of the information passed on to the international community.²³⁰

While calling for a cessation of hostilities, in January of 2014 the US sent \$50 million of additional aid—increased to \$83 million by March 2014²³¹—to the country via UN organizations and the International Committee of the Red Cross. This money came from the country's development arm, USAID, and from the US State Department.²³² This aid was followed in February by a request from members of the US Senate that an active role be played in this conflict by holding those committing human rights violations accountable for their actions.²³³ In a further meeting of the House of Representatives' Subcommittee on Africa, Global Health, Global Human rights, and International Organizations the same month, the issue was addressed in further detail, with those having on-the-ground experience providing information and recommendations to the House, including that the US engage in increased diplomatic efforts and create a means of leverage for dealing with the crisis.²³⁴

By April, after continued violations of the Cessation of Hostilities Agreement (CoHA), the US responded more strongly to the crisis. On 3 April 2014, American President Barack Obama issued an executive order, opening up the pathway for American sanctions, including travel bans and asset freezes, against anyone who might interfere with the South Sudanese peace process or violate essential human rights in the country.²³⁵ This order came one year before the UN Security Council would finally issue a resolution deciding on sanctions.

9.4 IGAD

IGAD has had a long relationship with South Sudan. Having facilitated the negotiations which led to the country's independence, IGAD and the states of the region played vital roles in this process. When chaos broke out, IGAD responded quickly to the conflict.

²²⁹ 'South Sudan: Briefing under Any Other Business.'

²³⁰ 'Remarks on the Current Situation in South Sudan.' 2013. *U.S. Department of State*. <http://www.state.gov/s/sudan/rem/2013/219080.htm>.

²³¹ 'Additional Humanitarian Assistance for the People of South Sudan.' 2014. Media Note. *U.S. Department of State*. Washington, D.C.: Office of the Spokesperson. <http://www.state.gov/r/pa/prs/ps/2014/03/223903.htm>.

²³² 'Additional Humanitarian Assistance for South Sudan.' 2014. Press Release. *U.S. Agency for International Development*. <http://www.usaid.gov/news-information/press-releases/jan-03-2014-additional-humanitarian-assistance-south-sudan>.

²³³ 'Cardin Leads Bipartisan Letter On Accountability For Human Rights Violations In South Sudan.' 2014. *Ben Cardin U.S. Senator for Maryland*. <http://www.cardin.senate.gov/newsroom/press/release/cardin-leads-bipartisan-letter-on-accountability-for-human-rights-violations-in-south-sudan>.

²³⁴ US House of Representatives.

²³⁵ Obama, Barack. 2014. *Executive Order -- Blocking Property of Certain Persons with Respect to South Sudan*. <https://www.whitehouse.gov/the-press-office/2014/04/03/executive-order-blocking-property-certain-persons-respect-south-sudan>.

Three envoys from neighboring countries were sent to mediate the peace talks between the government and the opposition, and they eventually achieved a CoHA in January 2014.²³⁶ Through negotiations, the opposition wished to have detainees released and the government hoped to reach the end of hostilities. Unfortunately, these goals were never truly reached as the CoHA was quickly violated.²³⁷ Subsequently, IGAD launched its ceasefire Monitoring and Verification Mechanism and proposed a Protection and Deterrence Force.²³⁸ This force lacked a clear structure, however, and was soon integrated into the United Nations Mission in the Republic of South Sudan (UNMISS) force with the support of Resolution 2155.²³⁹

9.5 UN

The UN Security Council began issuing relevant resolutions on 24 December 2013, just days after the conflict erupted. The resolution included Chapter VII actions, following on those already issued in July 2011 upon the state's declaration of independence which had established UNMISS. The 2011 resolution had authorized UNMISS to support the South Sudanese government and the consolidation of peace, as well as to support the government in conflict resolution and civilian protection (including by advising the government, deterring potential violence through taking a proactive stance on deployment, especially when the government failed to provide security). That resolution further authorized the mission to use all necessary means to fulfill the latter mandates.²⁴⁰ The new resolution decided to extend the number of military and police personnel in UNMISS as a result of the outbreak of violence brought on by the political issues which had developed.²⁴¹ The Security Council had responded quickly to the crisis in South Sudan.

Several months later, the Security Council issued another resolution, responding to the grave human rights' abuses being perpetrated in the country. Resolution 2155 extended the mandate of UNMISS, authorizing the use of all necessary means in order to protect civilians, monitor human rights, facilitate humanitarian assistance, and support the CoHA.²⁴² Since then, the Security Council has issued two further resolutions. In November of 2014, Resolution 2187 renewed UNMISS' mandate until 30 May 2015;²⁴³ on 3 March 2015, Resolution 2206 created a sanctions regime of travel bans and asset freezes to be implemented against individuals and entities in South Sudan responsible for obstructing the peace process and committing atrocities. It went on further to express a

²³⁶ International Crisis Group. 2014. *South Sudan: A Civil War by Any Other Name*. Africa Report No. 217. Brussels: i. [http://www.crisisgroup.org/~media/Files/africa/horn-of-africa/south%20sudan/217-south-sudan-a-civil-war-by-any-other-name.pdf](http://www.crisisgroup.org/~/media/Files/africa/horn-of-africa/south%20sudan/217-south-sudan-a-civil-war-by-any-other-name.pdf).

²³⁷ International Crisis Group, *South Sudan: A Civil War by Any Other Name*, 20.

²³⁸ International Crisis Group, *South Sudan: A Civil War by Any Other Name*, 20.

²³⁹ Ahere, John. 2015. 'Peacekeeping Contributor Profile: Kenya.' *Providing for Peacekeeping*. January 10. <http://www.providingforpeacekeeping.org/2015/03/23/contributor-profile-kenya/>.

²⁴⁰ United Nations Security Council. 2011. *Resolution 1996 (2011)*. S/RES/1996.

²⁴¹ United Nations Security Council. 2013. *Resolution 2132 (2013)*. S/RES/2132.

²⁴² United Nations Security Council. 2014. *Resolution 2155 (2014)*. S/RES/2155.

²⁴³ United Nations Security Council. 2014. *Resolution 2187 (2014)*. S/RES/2187.

willingness to impose an arms embargo and to target senior officials in the event that further efforts are made to obstruct the process of transition to a peaceful state.²⁴⁴

The Security Council faced a series of internal challenges as it began dealing with the South Sudan issue. Since the beginning of the crisis, the United States had been the penholder on South Sudan and as such circulated drafts and called for many of the relevant briefings. In this time, the Security Council dealt with three major features of the crisis. To begin with, the UN and Council members emphasized the crisis' origins as political in nature. Pointing to the dissolution of a political dispute into a far-reaching crisis, press statements and resolutions highlighted the necessity of the conflicting parties engaging in an active dialogue.²⁴⁵ To this end, it was acknowledged that political efforts would be vital, and that without both sides reaching a proper political agreement, the security situation would not be resolved, leading to increased ineffectivity of the UNMISS operation.²⁴⁶

By the time of Resolution 2155, the Council members had become generally concerned at South Sudan's ever-deteriorating human rights situation.²⁴⁷ This issue brought forth a change in the mandate of UNMISS. With the South Sudanese government accused of having committed violations of human rights, several members of the Council did not feel that the UN operation should support such a government. As a result, state-building efforts which had been part of its original mandate were removed with the exception of coordination with the South Sudanese police to protect vulnerable civilians so long as the police complied with human rights laws.²⁴⁸

Furthermore, members of the Security Council had become concerned about holding parties responsible for spoiling the process of political reconciliation. Some members, including the US, were of the view that the Council should create leverage to discourage such actors from impeding the peace process in the country by imposing targeted sanctions.²⁴⁹ This sort of action took time to finalize, however. The US, which would eventually circulate a draft resolution imposing such sanctions, had dragged its feet on the matter, apparently giving the IGAD time to impose its own such sanctions on a regional level. This, however, did not come to fruition. Internal divisions over the matter further caused such a response to be pushed until March 2015.²⁵⁰ Russia and China, both veto-holding members of the Council, were loath to agree to such an arrangement. China has

²⁴⁴ United Nations Security Council. 2015. *Resolution 2206 (2015)*. S/RES/2206.

²⁴⁵ 'Adoption of a Resolution on South Sudan.' 2013. *What's In Blue*.

<http://www.whatsinblue.org/2013/12/adoption-of-a-resolution-on-south-sudan.php>.

²⁴⁶ 'South Sudan Consultations.' 2013. *What's In Blue*. <http://www.whatsinblue.org/2013/12/south-sudan-consultations-2.php>.

²⁴⁷ 'South Sudan Briefing.' 2014. *What's In Blue*. <http://www.whatsinblue.org/2014/05/south-sudan-briefing.php>.

²⁴⁸ 'Adoption of Resolution on UN Mission in South Sudan.' 2014. *What's In Blue*.

<http://www.whatsinblue.org/2014/05/adoption-of-resolution-on-un-mission-in-south-sudan.php>.

²⁴⁹ 'South Sudan: Briefing by the Secretary General.' 2014. *What's In Blue*.

<http://www.whatsinblue.org/2014/05/south-sudan-briefing-by-the-secretary-general.php>.

²⁵⁰ 'Council to Adopt Sanctions Resolution on South Sudan.' 2015. *What's In Blue*.

<http://www.whatsinblue.org/2015/03/council-to-adopt-sanctions-resolution-on-south-sudan.php>.

historically opposed sanctions against Sudan and South Sudan, having had good trade relations with both nations.²⁵¹ Meanwhile, South Sudan appealed to Russia for support on the issue; it is clear that the country has areas that might be of interest for potential Russian investment, including oil and infrastructure.²⁵²

Contrary to their original positions, however, both states eventually supported Resolution 2206. In the case of China, trade relations could only be improved if South Sudan's peace and political processes are restored to working condition, and targeted sanctions offer an incentive for spoilers to change their tune. China had already acted as a mediator between the two opposing groups in South Sudan. For Russia, the change of heart seems to have come out of a desire to acquiesce with the desires of African nonpermanent Council members like Chad and Angola.²⁵³

9.6 AU

The AU's response to the situation in South Sudan was not as strong as its response to events in Mali or the CAR. Condemning the acts perpetrated, on 30 December 2013 the Peace and Security Council adopted a decision on South Sudan which paved the way for an appropriate response. To begin with, the Peace and Security Council requested that a Commission of Inquiry be established which would investigate the human rights violations committed in the country, as well as any further abuses. The Commission would be tasked additionally with making recommendations as to how to hold the responsible parties accountable, as well as how to reconcile the wrong-doings among the South Sudanese people.²⁵⁴ By March of 2014, the Commission had been established.²⁵⁵

The second important response set forth in the December decision was that the Peace and Security Council set out its intention to take measures against those who would hinder the peace process and perpetrate violent acts against civilians and the unarmed. These measures would include the use of targeted sanctions, and so it requested that the appropriate preparations for such recourse be made.²⁵⁶ By December of 2014, the AU had yet to impose official sanctions, and in January of 2015 the Peace and Security Council reiterated its intention to impose such punitive measures.²⁵⁷

With the sanctions stipulated by Resolution 2206 under Article 41 of the UN Charter, African Union member states will be required to implement such targeted sanctions

²⁵¹ Charbonneau, Louis. 2012. 'China, Russia Resist West's Sanctions Push for Sudan, South Sudan.' *Reuters*. <http://www.reuters.com/article/2012/05/01/us-sudan-un-idUSBRE84008L20120501>.

²⁵² Deng Kuol, Luka B. 2014. 'South Sudan-China Relations: A Reversed Courtship.' *Sudan Tribune*. <http://www.sudantribune.com/spip.php?article51469>.

²⁵³ 'Council to Adopt Sanctions Resolution on South Sudan.'

²⁵⁴ 'Peace and Security Council 411th Meeting at the Level of Heads of State and Government.' 2013. Communiqué. African Union. <http://reliefweb.int/sites/reliefweb.int/files/resources/psc-com-411-south-sudan-30-12-2013.pdf>.

²⁵⁵ 'South Sudan Commission of Inquiry Established and Members Appointed.' 2014. African Union. <http://cpauc.au.int/en/content/south-sudan-commission-inquiry-established-and-members-appointed>.

²⁵⁶ 'Peace and Security Council 411th Meeting at the Level of Heads of State and Government.'

²⁵⁷ 'Peace and Security Council 484th Meeting at the Level of Heads of State and Government.' 2015. Communiqué. African Union. <http://www.peaceau.org/uploads/484psc-com..s.sudan.29-1-2015.pdf>.

against these spoilers by virtue of their additional membership in the United Nations. This should also pave the way for the AU to make a concrete statement on the issue.

9.7 EU

The EU launched a small Aviation Security Mission (EUAVSEC) in 2012 at the request of South Sudan for support in improving the security situation at Juba International Airport. This engagement fell under the auspices of the CSDP and the Common Foreign and Security Policy laid out the framework for its financing.²⁵⁸ EUAVSEC's mandate included assisting and advising "South Sudan authorities to establish the aviation security organization at the Ministry of Transport and to strengthen aviation security at Juba International Airport."²⁵⁹

10. Analysis

Mali, the CAR and South Sudan all face internal dangers that have spilled over borders and gained international attention. International actors are now playing prominent roles in all three conflicts, and will continue to do so for the foreseeable future. But the question remains, what elements have affected the responses of those actors? Why have certain actors responded with military force while others have recommended non-military sanctions; why have some pressed for immediate action while others have dragged their feet? To this end, it is clear that factors such as the nature of the crisis and the relationships between the international actors and the crisis countries, among others things, play an important role.

10.1 UN Response

The United Nations Security Council has issued resolutions on all three crises and has become intimately involved in each, having a presence on the ground in all countries. In each case, the nature of the crises and the relationship between the states under consideration and the P-5 members, as well as the prior presence of a UN mission, have had an important influence on the outcomes.

In the cases of Mali and the CAR, France has been the penholder, pushing draft resolutions through and calling briefings to educate the rest of the Council on the evolving situations. With South Sudan, the US held the reins on the resolutions. In this respect, it becomes clear that the relationship between the crisis state and a P-5 member influences who will take control of the situation. As the ex-colonial ruler of both states, France logically headed the efforts for its past colonies. The country had further motivation to push through resolutions on the issue based on its ongoing bilateral interventions. Knowing that a military intervention is costly, the French had the incentive

²⁵⁸ European External Action Service. 'EU Common Security and Defence Policy: European Union Aviation Security Mission (EUAVSEC) in South Sudan.' Fact Sheet, February 2014. http://www.eeas.europa.eu/csdp/missions-and-operations/euavsec-south-sudan/pdf/factsheet_euavsec_south-sudan_en.pdf.

²⁵⁹ European External Action Service. 'EU Common Security and Defence Policy: European Union Aviation Security Mission (EUAVSEC) in South Sudan.'

to encourage international response to occur as quickly as possible. In the case of South Sudan, the US had long been involved in Sudanese region, having worked for many years to encourage South Sudanese independence, and already held the pen on the Sudan-South Sudan dissolution.²⁶⁰

In all cases, the UN has encouraged the response of regional organizations and encouraged their continued efforts as a primary mode of response. In the cases of the CAR and South Sudan, the UN had already had mission offices established in these countries as part of ongoing efforts to stabilize and build peace in these tumultuous nations. As a result, the UN's first response in both cases was to extend the mandates of those missions to allow for appropriate crisis response mechanisms to take hold. However, this did not preclude the encouragement of action by the regional organizations. In the CAR, the UN mission already in place was mandated with conflict prevention and human rights protection; in South Sudan, too, a UN mission was already in place. As a result initial resolutions extended this mission's mandate in addition to encouraging the continued work of IGAD. In both of these countries, it was not until the regional organizations had had sufficient opportunity to deal with the crisis that the Security Council authorized a new stabilization mission—in the case of the CAR—or significantly extended the mandate of the existing mission—in the case of South Sudan—to use “all necessary measures” to protect civilians and stabilize the situation.

In Mali, where a UN mission was not already present on the ground, every effort was made to allow for the regional organizations to secure the situation prior to deploying a UN stabilization mission. ECOWAS was given time to act first, and failing that, an African-led mission was authorized. It was only after the African-led mission had been deployed for several months that the mission's mandate was transferred to the UN on request of Mali, ECOWAS, and the AU.

The behavior of the UN Security Council in this case is pursuant to Chapter VIII, Article 52 of the UN Charter, which, referring to the existence and operations of regional groupings, states in paragraphs 2 and 3:

The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies

²⁶⁰ Hamilton, Rebecca. ‘U.S. Played Key Role in Southern Sudan’s Long Journey to Independence.’ *The Atlantic*, 9 July 2011. <http://www.theatlantic.com/international/archive/2011/07/us-played-key-role-in-southern-sudans-long-journey-to-independence/241660/>.

either on the initiative of the states concerned or by reference from the Security Council.²⁶¹

Article 53 further states that “the Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority.”²⁶² As such, the UN’s actions are based in the law of the Charter. The body made every effort to encourage settlement on a regional level before responding to the conflicts on the basis of regional or state requests.

10.2 AU Response

The AU has applied a hierarchical approach in its response to the crises. As a regional organization spanning the African continent, it took a similar approach to the UN in handling these conflicts. The first step made by the AU is to support the regional organizations in their efforts to handle the situations, this includes supporting their recommendations for sanctions as well as military action. Beginning with Mali, we see an effort being made to allow the smaller regional organization to act first. ECOWAS was the first to respond to the conflict and had every intention of responding with a military stabilization force. When it became clear, however, that ECOWAS lacked the financial and logistic ability to deploy such a mission, it was transformed from a West African-led force into an African-led force, and the AU cooperated with the organization in this regard. In South Sudan, the AU never launched a stabilization mission. With IGAD having a longtime presence in South Sudan from the independence negotiations and beyond, it was already on the ground at the time that the conflict began and was able to respond by mediating peace talks between the government and opposition forces. While in the end IGAD monitoring was insufficient and the situation deteriorated rapidly into a humanitarian crisis, the AU never launched an African-led military mission. The local regional organization initially responded well to the situation, and when it became clear that things would not go well, a UN mission was already in place to respond.

It is not in the legal architecture of the AU that RECs be given the first opportunity to respond, however. In Article 16 of the Protocol document establishing the AU Peace and Security Council, the relationship between the Union and the regional organizations is described. Herein, the regional mechanisms are said to work in conjunction with the AU’s security framework. In this respect, the Peace and Security Council is responsible for coordinating their activities and cooperating with them for the “promotion and maintenance of peace, security and stability.”²⁶³ The rest of the legal basis for the cooperation between the Peace and Security Council and the organizations is laid out in a Memorandum of Understanding regarding the cooperation of the AU and the regional mechanisms. The interaction between them is clarified therein:

²⁶¹ Charter of the United Nations, Article 52.

²⁶² Charter of the United Nations, Article 53.

²⁶³ ‘Protocol Relating to the Establishment of the Peace and Security Council of the African Union.’ 2002. African Union. <http://www.peaceau.org/uploads/psc-protocol-en.pdf>.

Without prejudice to the primary role of the Union in the promotion and maintenance of peace, security and stability in Africa, the REC(s) and, where appropriate, the Coordinating Mechanisms shall be encouraged to anticipate and prevent conflicts within and among their Member States and, where conflicts do occur, to undertake peace-making and peace-building efforts to resolve them, including through the deployment of peace support missions

Nothing in this Memorandum shall prevent the Union from taking measures necessary to maintain or restore peace and security anywhere in the continent.²⁶⁴

So the AU may at any time act as it sees fit to intervene for the sake of peace and security across the continent, without having allowed for the regional organizations to first exhaust their efforts. Contrary to this, however, it becomes clear that the Union makes every effort to allow for them to take the first action.

The next step of this approach—which could be concurrent with the first step given the timing of the coup in relation to the crisis—is in the event of a coup to suspend the state in question, as was the case in Mali and the Central African Republic. The AU was quick to suspend the states following under Article 30 of the Constitutive Treaty which states that any Government which takes power by unconstitutional means shall be suspended from Union activities.²⁶⁵ This rule is further defined by Rule 37 of the Rules of Procedure of the Assembly of the Union which lays out the guidelines for sanctions following such unconstitutional changes of government, and says that further to the government's suspension, the Member State in which this unconstitutional takeover occurred shall be suspended as well.²⁶⁶ These rules do not, however, state the stipulations for the end of such a suspension.

To look at several examples, there is not complete consistency in the behavior of the AU when it comes to reinstating the membership of states. In the case of Madagascar which was suspended after a coup in 2009, the suspension was ended after democratic elections had taken place, the transition had been completed, and constitutional order was restored.²⁶⁷ After Egypt's 2013 military coup, the AU revoked its membership in a similar fashion and eventually reinstated it following elections which gave the coup leader Abdel Fattah El Sisi democratic legitimacy.²⁶⁸ We see a different situation in Mali, however, where the suspension was ended in October 2012, significantly before any democratic election had taken place to transfer power from a transitional leader to a legitimate one. In

²⁶⁴ 'Memorandum of Understanding on Cooperation in the Area of Peace and Security between the African Union, the Regional Economic Communities, and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern Africa and Northern Africa.' 2008. African Union.
<http://www.peaceau.org/uploads/mou-au-rec-eng.pdf>.

²⁶⁵ Constitutive Act of the African Union, Article 30.

²⁶⁶ African Union, Rules of Procedure of the Assembly of the Union., Rule 37.

²⁶⁷ 'African Union Lifts Madagascar Suspension.' 2014. *Deutsche Welle*. January 27.
<http://www.dw.de/african-union-lifts-madagascar-suspension/a-17389113>.

²⁶⁸ Dersso, Solomon. 2014. 'Egypt vs African Union: A Mutually Unhappy Ending?' *Al Jazeera*. July 14.
<http://www.aljazeera.com/indepth/opinion/2014/07/egypt-vs-african-union-mutually-u-2014714687899839.html>.

taking this decision, the Union stated that it had created a political “road map” for Mali, with elections forecasted, and with the plan for military intervention laid out.²⁶⁹ In the case of the CAR, the state has been suspended from the AU since the coup first took place. While power has changed hands, it has not been due to a democratic election by the people. It is likely that the CAR’s membership will not be reinstated until free and fair elections have taken place once the chaos has died down.

The next level of AU involvement includes the imposition of targeted sanctions. These sanctions usually take the form of asset freezes and travel bans against those who would stand in the way of efforts to return the countries to a state of peace and security. These sanctions are often put in place based on recommendations of RECs or their initial activation at the regional level. After sanctioning spoilers in the country, the Union goes on to support regional military interventions and stabilization missions, and if necessary this step is followed by a transition to an African-led force in conjunction between the regional organizations and the AU. The final step is to transition the force’s mandate into a UN-led peacekeeping mission.

10.3 REC Responses

RECs acted swiftly in each of these conflicts, oftentimes becoming the firsts on the scene. In these cases, the conflicts at hand posed threats to regional security which activated the mechanisms set forth in the regional organizations’ legal frameworks. In the case of Mali, the revised ECOWAS Treaty of 1993 devotes a section to regional security. In this respect, the parties agreed to cooperate with each other and with the organization to establish mechanisms which would aim to prevent and resolve conflicts within the region.²⁷⁰ As a result, the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security exists as a treaty adopted by Member States in 1999 and provides for the legal intervention by ECOWAS in the event of internal conflict posing a threat to regional stability or which could spark a humanitarian crisis, in the case of the overthrow of a democratically legitimate government, etc. When this is the case—as it clearly was in Mali—Article 40 states:

ECOWAS shall intervene to alleviate the suffering of the populations and restore life to normalcy in the event of crises, conflict and disaster. In this regard, ECOWAS shall develop own capacity to efficiently undertake humanitarian actions for the purposes of conflict prevention and management.²⁷¹

This treaty gave ECOWAS the legal capacity—and even more so the legal obligation—to act in Mali. In the case of the Central African Republic and South Sudan, we see the same motivations for action by RECs. The ECCAS Protocol Relating to the Peace and Security

²⁶⁹ Maasho, Aaron. 2012. ‘African Union Reinstates Mali ahead of Military Action.’ *Reuters*. October 24. <http://www.reuters.com/article/2012/10/24/us-mali-au-suspension-idUSBRE89N1MA20121024>.

²⁷⁰ ECOWAS Revised Treaty.

²⁷¹ ECOWAS, Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security.

Council of Central Africa provides the organization with the mandate to deploy PKOs in the region with the goal to maintain or restore security and stability to the region.²⁷² With IGAD and South Sudan, the founding treaty of the IGAD provides again for protocols and mechanisms to be concluded which legally mandate further action in the event of threats to peace and stability.²⁷³ As such, there exists a Peace and Security Division, responsible for dealing with conflicts,²⁷⁴ and today a further Office of IGAD Special Envoys for South Sudan which leads mediation efforts in the country.²⁷⁵

Regional organizations such as these have been set up to maintain peace and stability in the area, as well as to foster good relations among the member states—both economically and politically. As such, conflicts such as those encountered herein trigger legal mechanisms set up to promote and maintain such relationships between countries. Any threat to regional stability becomes a threat to the regional organization, and this motivates a swift reaction on their part—bearing in mind that military enforcement requires Security Council authorization as mentioned previously per Article 53(1) of the UN Charter.

10.4 Regional Bilateral Responses

Beyond regional organizations, states in the region have been seen to act bilaterally in the face of a conflict or crisis on their neighbors' territories. These states may act within the confines of the regional organizations in place, or may act on their own. In the case of Mali, Algeria and Mauritania were not members of the regional organization ECOWAS, however their responses had an effect on ECOWAS intervention. These two states share borders with Mali, and many of the Islamists had come from their territory. As a result, Algeria and Mauritania fought against a military intervention by ECOWAS. They feared an influx of these extremists back onto the home soil. The response by these states was motivated by a fear of regional instability which would result in a return of political chaos to their countries.

In the CAR and South Sudan, regional state intervention was also based on the threat to regional stability, however in these cases it was more politically and economically motivated. With the CAR, Chad had long played an active role in the country, having helped Bozizé come to power. However, as Bozizé had stopped complying with all of the Chadian president's wishes the connection between the two nations had soured. Bozizé had acted as an extension of the Chadian president's power, helping him to hold sway over the regional politics. Once this relationship ended, Déby employed a non-interventionist method to influence the outcome of the conflict. By allowing rebel forces

²⁷² African Peace and Security Architecture (APSA).

<http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/RO%20African%20Peace%20and%20Security%20Architecture.pdf>.

²⁷³ Agreement Establishing the Inter-Governmental Authority on Development (IGAD).

²⁷⁴ 'About the Peace and Security Division.' *Intergovernmental Authority on Development*. Accessed 10 June 2015. http://igad.int/index.php?option=com_content&view=article&id=97&Itemid=148.

²⁷⁵ 'Frequently Asked Questions.' 2015. *Office of the IGAD Special Envoys for South Sudan*. Accessed May 1. <http://southsudan.igad.int/index.php/about-us/f-a-q>.

to overrun the capital city when he could have acted on the side of the CAR government, Déby helped power to change hands so that he could ally himself with a new government which would restore his regional influence. In this instance, the political incentives not to act were great.

In South Sudan, Uganda responded mightily to the conflict which broke out. By deploying a military force early on, Uganda was securing its interests in the country. As the neighboring state has significant economic interests in South Sudan, it was motivated to act quickly to secure the situation. With South Sudan serving as a huge importer of Ugandan goods, and an upcoming hotspot for oil production, Uganda needed to intervene to ensure that its economic relationship with the country was protected.

10.5 International Bilateral Responses

Further afield, Western nations played important roles in the conflicts in these countries. In Mali and the Central African Republic, France was a key actor. As a result of French involvement in these conflicts, the EU was also driven to act. With France advocating for intervention, the EU was bound to respond. However in South Sudan—a state with no colonial connections to France—there was no French intervention and only a small EU engagement—perhaps as a result of the lack of a strong advocate for it. On this occasion, a different, non-EU P-5 state took up the cause, with the US holding the pen on the issue in the UN Security Council. However the American response in South Sudan did not match that of France in west and central Africa. The Americans did not launch a military intervention; they also did not have serious economic or political interests in the country. Their relationship was based more idealistically on the promotion of democratic ideals. The US had been with South Sudan since pre-independence and had encouraged its secession. In this case, the United States' key interest was in ensuring that democracy did not fail. Such an incentive is enough to incur attention and sanctions, however it is not as strong as an economic incentive which brings on military might. As the conflict in South Sudan was political in nature, there was further incentive to resolve the issue through dialogue rather than through force.

A lack of economic incentive did not stop the US from responding to the crisis in Mali, however. The Mali situation gave both France and the United States an added incentive for intervention as there existed the threat of Islamist insurgents. In Western nations, the memories of catastrophic terrorist incidents still sit fresh for both politicians and citizens. With northern Mali expanding as a hotbed for terrorist training camps—which are connected to groups that have already issued threats to countries like the United States and France—both countries had a strong incentive to react.

11. Current Situation

The reverberations of the crises in the states under investigation here are still being felt today. In Mali, countless attempts have been made to negotiate a peace solution. On 15 May 2015, the Malian government signed an agreement with some of the armed groups;

unfortunately by 22 May fighting had resumed in areas of the country.²⁷⁶ According to International Crisis Group, the fingers can be pointed in all directions: much of the leadership seems to be seeking revenge for past defeats, the government has ties with a coalition in opposition to those with whom they must make peace, the opposition is maintaining unrealistic demands, and the international mediators have put too much pressure on the parties involved while imposing too much of an international security agenda.²⁷⁷ As of 6 June, however, the last armed group had signed “a record of conclusions of the preparatory consultations for the implementation of the Peace Agreement, and a security arrangement for a cessation of hostilities in Northern Mali.”²⁷⁸ The country is working towards change, but as ceasefires have been broken repeatedly in the past it is hard to say when a lasting peace will come.

In mid-May 2015, representatives of the nine major armed rebel groups—including those which make up the ex-Séléka coalition as well as the anti-balaka—signed a peace pact in the CAR.²⁷⁹ With national elections expected in August, however, the country still has a long way to go. Interim President Samba-Panza has called on continued international aid, saying that the country continues to face a serious humanitarian crisis despite the continued UN peacekeeping presence. According to the UN, 460,000 Central African refugees are living in neighboring countries, and a further 440,000 are estimated to be displaced internally.²⁸⁰ While the country is attempting to move forward, it must still deal with the ghosts of the violence that occurred.

In South Sudan, fighting rages on despite the peace talks to take place in early June 2015. These talks would be only a continuation of IGAD’s attempt at mediation over the last one and a half years. While both sides have an interest in achieving a lasting peace, negotiations have stalled due to each side’s refusal to give way to the others demands, as well as competing interests among the IGAD states. Meanwhile, rebel forces have taken over more territories—including states with key oil interests.²⁸¹ All parties involved will have make sacrifices if the new country is to turn its rocky start into a success story.

12. Conclusions

This thesis has taken a careful look into the crises which have broken out in Mali, the CAR, and South Sudan since 2012. By analyzing the nature of these crises and the

²⁷⁶ ‘Mali: An Imposed Peace?’ *International Crisis Group*, 22 May 2015.

<http://www.crisisgroup.org/en/regions/africa/west-africa/mali/226-mali-an-imposed-peace.aspx>.

²⁷⁷ ‘Mali: An Imposed Peace?’

²⁷⁸ ‘Malian Crisis: Diop Hails Algeria’s Efforts for Effective Implementation of Peace Agreement.’ *Algeria Press Service*, 6 June 2015. <http://www.aps.dz/en/algeria/7664-malian-crisis-diop-hails-algeria%E2%80%99s-efforts-for-effective-implementation-of-peace-agreement?>

²⁷⁹ ‘Briefing: Can New Pact Bring Peace to the CAR?’ *ReliefWeb*, 15 May 2015.

<http://reliefweb.int/report/central-african-republic/briefing-can-new-pact-bring-peace-car>.

²⁸⁰ Kindzeka, Moki Edwin. ‘Interim CAR President Seeks International Help.’ *VOA*, 31 May 2015.

<http://www.voanews.com/content/interim-car-president-asks-for-help/2801009.html?>

²⁸¹ Doki, Charlton, and Karin Zeitvogel. ‘S. Sudan Talks: Last Chance for Peace or Last Hurrah for IGAD?’ *VOA*, 5 June 2015. <http://www.voanews.com/content/south-sudan-peace-talks-igad-resume-analysis/2809211.html?>

response of the international community, one can draw conclusions regarding a pattern of response behavior in the event of such outbreaks of violence and chaos. While such a pattern cannot be considered conclusive based upon only three case studies, it can provide a springboard from which to analyze other conflicts and to seek further proof of such a pattern.

Our first pattern involves the reaction of international organizations (on global and regional levels) when a crisis breaks out. In this thesis, the UN and the AU are the two such organizations under consideration. In these cases, it is the tendency of the organizations to allow for organizations on lower hierarchical levels to respond first. For the UN, this means non-intervention until the AU and RECs have had the opportunity to attempt to resolve the issues. This reaction is based in the legal context of the UN Charter—and on the length of time that it actually takes to mount a UN mission—and is as such an expected response. For the AU, however, no such legal stipulation exists in the AU Constitutive Treaty or its corresponding Protocols. The AU and sub-regional organizations are bound in text to work together to resolve situations. As such, it is the tendency of the AU to allow RECs to have the first opportunity to respond. It is typically only when those groups are unable to respond due to financial or logistic shortcomings that the AU has stepped in to de-regionalize the response.

Beyond this hierarchy of who responds, there is a further hierarchy of how these high level organizations respond. Military or peacekeeping intervention is typically seen as a last resort, however, if the organization already has forces on the ground from a previous conflict, they may be repurposed immediately to aid in civilian protection while regional or sub-regional organizations work to resolve the conflict. In the case of situations which have spurred stark humanitarian crises—as in South Sudan and the CAR—the organizations are more likely to respond with targeted sanctions against the leaders of groups and governments which have stood in the path of peace creation. In all situations, dialogue and reconciliation are encouraged as the first lines of response.

With the RECs, legal mechanisms are triggered in the case of conflicts which lead them to respond. These organizations are responsible for the peace and security of the region, and when that is threatened they are motivated to respond. As economic and development communities of states, conflicts infringe upon their aims and threaten to destroy what states in the region have worked to create.

Neighboring states to those in conflict are often motivated to respond for similar reasons. Borders in Africa are soft and porous, meaning that anything can quickly spread from one state to another—from political crises to medical crises, from insurgents to refugees. It is difficult to shut down an African border to all potential threats. As a result, states in the region have a strong incentive to respond to a conflict within their neighbors' borders before it expands and threatens the peace and stability in their own state. This becomes particularly important when the state in crisis has an economic or trade relationship with the other states in the region, as it elicits a stronger military reaction. Furthermore, the

personal interests and aspirations of the neighboring nations' leaders play an important role, as was so obviously seen in the case of Ugandan intervention in South Sudan and of Chad in the CAR.

With global actors, the pattern of intervention revolves largely around the historical and economic connections between the states, as well as the potential threat to Western values and security. Ex-colonies which still have strong economic connections to the old European colonial powers will receive a strong response, resulting in an attempt to create Security Council action and military intervention. The same is true if the crisis presents a security threat beyond the confines of Africa, by housing Islamist terrorist cells which are seen as a threat to all Western countries. Despite this, except in the case of former colonial powers in their former colonies—where political considerations such as “spheres of influence” might also come into play—Western states are usually reluctant to put boots on the ground.

This thesis has discerned important patterns of intervention by the international community in three crisis situations which were quite different but still shared many similarities, focusing on the yet unresolved cases of Mali, the CAR, and South Sudan. Such patterns of intervention are important to seek out, as they can provide insights into the behavior of the international community and can help us to understand how and why an actor might or might not react to a conflict. These lessons can be useful in future crises, by managing expectations and indicating actors which require additional attention or persuasion to intervene if it becomes necessary. Ultimately, this could make addressing the challenges which are posed by international crisis response easier and, hopefully, more effective.

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Amanda Nicole Rohde

ACADEMIC STUDIES

Vienna, Austria 2013 – 2015	Diplomatic Academy of Vienna Master of Advanced International Studies (MAIS)
Gainesville, FL, USA 2009 – 2011	University of Florida B.A. Cum Laude, Linguistics
Madison, WI, USA 2007 – 2009	University of Wisconsin – Madison Transfer Credit

NON-FORMAL TRAINING

Arusha, Tanzania 06/2010 – 08/2010	MS Training Center for Development Cooperation Certificate of Advanced Swahili Language Training Program
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WORK EXPERIENCE

Vienna, Austria 02/2015 – 06/2015 07/2014 – 10/2014	The Embassy and Permanent Mission of Afghanistan Ambassador's Assistant Intern
Seoul, South Korea 11/2011 – 11/2012	Youngdeungpo SLP English Teacher
Gainesville, FL, USA 10/2009 – 05/2010	University of Florida Undergraduate Research Assistant (Transcription)

LANGUAGES

Native Speaker of English
Intermediate ability in German and Swahili
Basic ability in Arabic and Spanish

HONORS & AWARDS

2015	Diplomatic Academy Student Initiative Social Scholarship
2010	Fulbright-Hays Fellowship University of Florida President's Honor Roll
2009	University of Florida Dean's List
2008	University of Wisconsin-Madison Dean's List Outstanding Student in Swahili Award

EXTRA-CURRICULAR ACTIVITIES

Section Editor & Social Media Content Manager of *Polemics: The Magazine of the Diplomatic Academy of Vienna*