

Regional Intergovernmental Organizations to Conflict Prevention and Resolution: The Case of the African Union in the Nile River Conflict

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Abstract

International intergovernmental organizations play various roles, including settling conflicts, promoting peaceful coexistence, cooperation among member states, human rights, and economic and social development. Regional intergovernmental organizations that act as a last resort are better suited to prevent and resolve conflicts at a region level due to their regional positioning, knowledge, and understanding of the root causes, ability to influence and facilitate conflict settlement, and their legitimacy standing. This paper aimed to explore the role of regional intergovernmental organizations in conflict prevention and resolution with the case of the African Union (AU) in the Nile River conflict. Specifically, the paper looked at factors for and against conflict prevention in the Nile, the AU's role as a regional intergovernmental organization in preventing and resolving conflict in the Nile River conflict, and the role of non-state actors, IGOs, and UN's Security Council in enhancing AU's role in conflict prevention and resolution. The paper deployed a qualitative case study methodology with 20 structured interviews, open questionnaires, and secondary sources to examine the phenomenon. Consequently, the study used an analytical category development matrix to develop meaningful emerging themes from the data collected. The findings and analysis showed various factors hindering AU's full operationalization in the Nile River conflict, including the African states' ideology (imported democracy) with sub-factors such as colonial factors, external influence, African politics and leadership, and self-interests. Further, the Nile states have different interests that require a joint solution that caters to each party's interests, with compromise in consideration. As a regional organization, the AU is well positioned to prevent and resolve the Nile River conflict (what the researcher termed as an Afri-Nile solution). Additionally, the international intergovernmental organiza-

tions and non-state actors can enhance the AU's role through collaboration and cooperation (the researcher termed Cop-Lab). The study supported realism and liberalism theories that explained the Nile states' rift and the potential for conflict resolution from a regional perspective. However, what works in Africa may be inapplicable in other regions and, therefore, essential to approach regional organizations per context.

Keywords

Intergovernmental Organizations, Conflict Prevention, Regional Intergovernmental Organizations, UN, AU, Nile States, Nile River Conflict

1. Introduction

Historically, regional organizations have existed in Africa and across the globe. While they tend to have different mandates and structures, they generally concern themselves with governing or mediating various affairs (Karns & Karen, 2010). With the UN's (an international intergovernmental organization tasked with conflict prevention and resolution in the world) stretched mandate and increased conflicts across the globe, regional organizations continue to evolve, taking the lead to prevent and resolve regional conflicts (Nguyen, 2002: pp. 463-484). The evolvement of intergovernmental organizations to resolve conflicts can be traced back to a decision that had "already been prepared by the Atlantic Charter of 1941, in which Roosevelt and Churchill declared their hope after the final destruction of Nazi tyranny... to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries' and to bring about the fullest collaboration between all nations in their economic field with the object of securing, for all, improved labor standards, economic advancement, and social security" (Malanczuk, 1997: pp. 26-27). This organization was to be the United Nations. So in 1945, the UN was formally established following the failure of its predecessor, the League of Nations, to maintain international peace and security, promote peaceful coexistence among nations, solve international problems of an economic, social, cultural, or human character, and promote and protect human rights. The UN is viewed as a revolution in promoting international law and cooperation of states (p. 31), "reflected in the proliferation of international organizations, both global and regional, a new category of international legal subjects" (p. 31).

Though the UN Charter is unclear on the definition of regional intergovernmental organizations, its Article 52 bestows the regional organizations with the power to resolve local conflicts before referring them to the UN's Security Council (Nguyen, 2002). Notably, the Security Council also has the choice to utilize these regional arrangements when deemed necessary (Charter of the United Nations, Art. 53). This UN's advancement of the regional organizations' power shows the

critical role regional organizations play in preventing and resolving conflicts. However, the same Charter limits regional organizations' enforcement power as stated in Article 53, "...But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council."

Intergovernmental organizations (IGOs) are created through agreements applicable to their members, whose members are states. This paper focused on IGOs, which must involve "at least three states among their membership, have activities in several states, and created through a formal intergovernmental agreement such as a treaty, charter, or statute" (Karns & Karen, 2010: p. 5). As of 2021, there were over 74,000 international organizations from 300 countries and territories (*The Yearbook of International Organizations*, 2021). Some IGOs are global, while others are regional. The regional aspect entails shared interest in an issue/s affecting the members. Regional intergovernmental organizations are classified as IGOs and are better suited to prevent and resolve conflicts as they are "well-positioned to understand the root causes of many conflicts [...] and to influence their prevention or resolution, owing to their knowledge of the region" (Tavares, 2010: p. 10). According to Tavares, they are cost-effective, time conscious, and often "perceived as more legitimate than the involvement of other international actors" (p. 10). This paper focused on the African Union, a regional IGO based in Africa.

The African Union (AU) is a regional intergovernmental organization conceived after the failure of its predecessor, the Organization of African Unity (OAU), in 2002. It consists of 55 member states from the African region. The OAU was tasked to resolve the post-independence and disunity challenges, which it failed immeasurably, especially in resolving conflicts among its member states. The birth of the African Union was then conceived to solve these challenges and foster a united continent. However, multiple conflicts continue to eventuate in Africa's Nile, the region the AU headquarters is located, namely Ethiopia. These conflicts are both inter and intrastate.

The puzzle of this research was, why does conflict persist in the Nile region, yet the regional IGO—the African Union, is situated in one of the Nile's states, namely, Ethiopia? Since regional IGOs concern disputes among its member states, meaning disputes between or among member states where the AU possesses legitimacy to intervene, this paper focused on interstate/cross-border conflict among states sharing the Nile River. Specifically, this paper's case was the analysis of the African Union from its inception in 2002 to 2022 in response to the Nile River conflict. It was anticipated that the knowledge generated from this paper would provide new insights and inform the AU's practice/IGOs measures for conflict prevention and resolution. The paper employed a qualitative case study methodology to illustrate the phenomenon under examination.

The purpose of the paper was to explore factors for and against conflict prevention and resolution, the AU's role as a regional intergovernmental organization in preventing and resolving conflict in the Nile River conflict, and the role

of non-state actors, IGOs, and UN's Security Council in enhancing AU's role in conflict prevention and resolution.

2. Background and Context

Water is a critical resource that can be used as a detrimental weapon against an adversary. According to Klare (2001), "For centuries, warfare has been associated with the protection and destruction of vital water systems" (p. 138). For instance, "Sennacherib of Assyria attacked Babylon (in 689 B.C.) as retribution for the death of his son, he destroyed the city's irrigation works and diverted floodwaters into the city center. "Through the midst of that city," he declared, "I dug canals, I flooded the site with water, and the structure of its very foundations I destroyed. ... So that in days to come, the site of that city and its temples and its gods might not be remembered, I completely blotted it out with water-floods and made it like a meadow" (pp. 138-139).

In the Nile region, shared Nile water has resulted in conflict and tensions. For instance, in 1885, the British Empire troops and General Charles Gordon "were slain by Sudanese followers of Muhammad Ahmad (the Mahdi) in Khartoum, the strategic city at the junction of the two key branches of the Nile River. Thirteen years later, in 1898, Britain and France nearly went to war over another strategic outpost on the Nile: Fashoda, in southern Sudan" (p. 139). Generally, water disputes result from disagreements between states involved in "procedures dividing up the available supply" (p. 141). Notably, rapid population growth and the decline of the per capita water supply means competition and assertion of control from different leaders over this resource (pp. 141-142). "As [water] becomes increasingly rare," UNESCO Director-General Klaus Toepfer observed in 1999, "it becomes coveted, [and] capable of unleashing conflicts." More than over land or oil, he noted, "it is over water that the most bitter conflicts of the near future may be fought" (pp. 141-142). Similarly, Israeli's Prime Minister Yitzhak Rabin voiced, "If we solve every other problem in the Middle East but do not satisfactorily resolve the water problem, our region will explode" (Peterson, 1999).

Most states in the Nile are dependent on this shared resource, with some states exerting control and others experiencing the impact of that control. Although states outside Africa have had "unique difficulties" settling disputes around shared water resources such as the U.S and Mexico, Israel and Jordan, and India and Bangladesh, the Nile's case is complex (Tesfaye, 2014: p. 126). The Nile is the "longest river in the world, stretching some 6650 kilometers (4130 miles) from its ultimate sources in equatorial Africa to its outlet into the Mediterranean Sea" (Klare, 2001: p. 149). As it flows, it collects and disperses water among ten states (Tesfaye, 2014: p. 216), including Burundi, Congo, Egypt, Ethiopia, Kenya, Rwanda, Sudan, South Sudan, Tanzania, and Uganda. Aside from sharing this resource among ten states whose needs vary, the region is poverty-stricken (Moon, 2012: pp. 1-8). In addition, "The complexity of water alloca-

tion in the Nile Basin is doubly difficult because of the generalized nature of international water law” (Tesfaye, 2014: p. 216). Consequently, Nile’s states are made up of different civilizations. A civilization is a “cultural entity” (Huntington, 2011: p. 37). According to Huntington, civilization is the way people of the same culture live. It is the “broadest cultural entity” (p. 38). Such elements define civilization: blood, language, religion, and way of life, elements that differentiated Greeks from other civilizations (p. 37). Religion being the most crucial element that differentiates civilizations, the Nile’s region is made up of different religions within the states themselves and outside states. Some states are Muslim, while others are Christian. For instance, Egypt and Sudan are predominantly Muslim, while other states are mostly Christian, with Ethiopia Orthodox Christian.

In the Nile, Egypt is the “most arid nation in the region with little and insufficient rainfall” (Moon, 2012: p. 8) and has the most powerful military capability among the Nile’s states. The Nile River is the “principal artery of life in Egypt” (Hassan & Ahmad, 2007: p. 28). The control of the Nile River is a symbol of power, survival, and national interest. According to Klare, the Egyptians perceive the Nile water as a matter of “survival and well-being of the country” (p. 151). For decades, Egypt has attempted to prevent any other state’s control of the Nile. Its military capability, early independence over the other Nile states, support from the British (colonially, they were under British jurisdiction), threats, and intimidation have favored their control of the Nile (pp. 151-153). Its leaders have made stern warnings over the Nile. For instance, “President Anwar el-Sadat declared, ‘The only matter that could take Egypt to war again is water’. Sadat also threatened to bomb water facilities in Ethiopia if its government implemented a plan to divert some of the Blue Nile’s waters to domestic irrigation projects.” In the 1980s, then Egypt’s minister of state for foreign affairs (later secretary-general of the United Nations), Boutros Boutros-Ghali, declared: “The next war in our region will be over the waters of the Nile, not politics” (p. 153). In 1995, in response to Sudanese leadership on the possibility of the 1959 Nile Waters Agreement amendment, Egypt’s President Muhammad Hosni Mubarak declared, “Any step taken to this end will force us into a confrontation to defend our rights and life. Our response will be beyond anything they can imagine” (p. 158).

However, with the increasing population demanding food and other basic needs, Ethiopia has ignored these threats and built and filled a massive dam. This move has created increased tensions with its border neighbors, Egypt and Sudan (Reuters, 2021). Egypt has repeatedly threatened to use military action to hinder Ethiopia’s moves. Unfortunately, the AU has been mute about this conflict until recently, when it started the negotiation process, which sadly reached a “stalemate” (Al-Monitor, 2022).

Klare claims that Sudan and Uganda are also competing for the Nile River due to their population explosion and quest to exert control in the region (p. 157). Unfortunately, conflicts resulting from these countries have had a foreign or

ethnic hand, for instance, Egypt's "support for Somali irredentists in the Ogaden region of Ethiopia and for the rebel Sudanese People's Liberation Army (SPLA) in southern Sudan" (p. 154). Egypt has previously received military support from the US, while Sudan from Iraq, Iran, China, and Russia. Indeed, Klare (2001) was right when he stated that the next wars would be over resources.

3. Overview of the African Union

3.1. The Origin of the African Union

The African Union replaced the Organization of African Unity (OAU), formally launched in 2002 in South Africa (Adeniyi et al., 2016: p. 68). According to Kumar (2008), the OAU was formed in 1963 as a political organization to address colonialism and promote independence among the newly formed states of Africa from their colonial clutches (p. 107). Despite its existence for decades, the OAU was unsuccessful in addressing member states' interests and other anticipated problems, which led to rethinking and formation of the AU to resolve "multifold problems, main among them which were resolving the intra-state as well as inter-state conflicts and tackling economic difficulties" (p. 107). It came about with ambitious plans and problem-solving approaches to "tackle the new emerging challenges as a consequence of the collapse of Soviet Union resulting in the marginalization of the continent and also the effects of globalization and neoliberal economic global scenario" (p. 107).

With the earlier definition of an international organization, the AU is a regional intergovernmental organization consisting of 55 member states of the African continent and governed by the Constitutive Act and the Protocol on Amendments to the Constitutive Act of the African Union (The African Commission, 2021). The Constitutive Act was entered into force on May 26, 2001. Though the Union is an intergovernmental organization, the Act does not clarify whether it is a regional organization. It simply states, "The African Union is hereby established in accordance with the provisions of this Act" (African Union Constitutive Act, n.d., Art. 2). According to Magliveras & Gino (2002), the omission of the Union as an international organization could be that "since the Union is conceived as the successor to the OAU, it will inherit the legal personality of the latter" (p. 415). Strikingly, "it is submitted that the Union ought to have been expressly endowed with legal personality, not least because the Act envisages that the two entities will coexist for a period of at least one year" (p. 415).

The AU aimed to "refocus attention from the fight for decolonization and ridding the continent of apartheid, which had been the focus of the OAU, towards increased cooperation and integration of African states to drive Africa's growth and economic development. The Union is guided by its vision of "*An Integrated, Prosperous and Peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena*" (The African Commission). The AU has a secretariat. According to Karns & Karen (2010), most internation-

al organizations establish their secretariats playing “visible roles in persuading states to act, coordinating the efforts of different groups, providing diplomatic skills to secure agreements, and ensuring the effectiveness of programs” (p.16). The AU’s work is implemented through various decision-making organs, which include: the Assembly of Heads of State and Government, the Executive Council, the Permanent Representatives Committee (PRC), Specialized Technical Committees (STCs), the Peace and Security Council, and the African Union Commission. Its structure promotes the participation of African citizens and civil society through the Pan-African Parliament and the Economic, Social & Cultural Council (ECOSOCC). The United Nations Charter requires that member states resolve disputes through various means, including regional arrangements and judicial settlement (Charter of United Nations, Art. 33). The AU as a regional organization consists of such judicial and legal organs: the African Commission on Human and Peoples’ Rights (ACHPR), African Court on Human and Peoples’ Rights (AfCHPR), AU’s Commission on International Law (AUCIL), AU’s Advisory Board on Corruption (AUABC), and the African Committee of Experts on the Rights and Welfare of the Child. The AU is also working towards establishing continental financial institutions (the African Central Bank, the African Investment Bank, and the African Monetary Fund). Moreover, the Union consists of the Regional Economic Communities (RECs) and the African Peer Review Mechanism (*The African Commission, 2021*).

The Union’s objectives are set out in Article 3 of the Constitutive Act. According to some organization theorists, international organizations evolve and adapt over time through “adding new activities to their agendas without actually examining or changing underlying bases of the organization and its values, and through learning. Thus, learning involves a redefinition of organizational purposes, reconceptualization of problems, articulation of new ends, and organizational change based upon new, underlying consensual knowledge” (*Karns & Karen, 2010: p. 59*). The AU’s launch is resultantly from learning from its predecessor’s failures, especially the failure to solve border conflicts, the Rwandan genocide, the Darfur conflict, and other conflicts (*Kumar, 2008: p. 115*). The Union has adapted to change by “shifting focus from supporting liberation movements in the erstwhile African territories under colonialism and apartheid as envisaged by the OAU since 1963 and the Constitutive Act, to an organization spearheading Africa’s development and integration” (*Adeniyi et al., 2016: p. 68*).

Notably, most of the African states are different in terms of language, ethnicity, race, religion, and culture, yet they have united to solve political, economic, and social challenges that continue to befall them.

3.2. The Progress of the African Union

The African Union as a regional organization has made some strides though still marred by some challenges. It is still a young Union in terms of years of existence compared to other Unions that have existed for decades. Multiple scholars

argue that regionalism brings about peace. This peace is driven through the collaboration of regional and international organizations. Proponents of regionalism argue that “a threat to security is most likely to originate between neighboring countries and therefore, regional arrangements function to safeguard peace and security in the region as well as homogeneity of various factors such as language, culture, and economic interests” (Karns & Karen, 2010: p. 109). To universalists, however, regionalism “promotes antagonistic and sectarian interests endangering peace and harmony at global level” (p. 109). Regionalism distinction lies in “the co-existence of regional organizations and international organizations like the United Nations. This co-existence of both kinds of organizations creates another set of complications when their membership and jurisdiction overlap, purposes and methods vary, posing serious questions of compatibility. Despite this, there has been an increase in regional organizations over time (p. 110).

With the failure of the OAU to address conflicts such as Sierra Leone, Congo, Somalia, Angola, Liberia, Rwanda genocide, the formation of AU was paramount. This political move aimed at addressing conflicts and creating peace and security, and intervening in internal affairs of member states in case of grave circumstances, unlike its predecessor, the OAU, who had adopted the norm of non-intervention (Kumar, 2008: p. 121). Under international law, intervention is “exercisable by the Security Council, authorizing military intervention as a last resort, in the event of genocide and other large-scale killings, ethnic cleansing or serious violations of humanitarian law which sovereign Governments have proved powerless or unwilling to prevent” (Nye, 2007: p. 161). Intervention refers to “external actions that influence the domestic affairs of another sovereign state” (p. 162). In international law, non-intervention in the internal affairs of sovereign states is a basic norm of international law as it affects both order and justice. Why did the AU include intervention? Realists are concerned with order and peace, meaning intervention can be justified when it is necessary to maintain the balance of power and to maintain order (p. 168). On the other hand, liberals hold that when states cooperate, conflict hardly occurs, and if it occurs, an organization such as the AU can resolve it (Nye, 2007).

Informed by the OAU’s failure and to fulfill its vision of a peaceful Africa, the AU assumed the responsibility to conduct peacemaking, peacekeeping, and peacebuilding through its organ, the Peace and Security Council established in 2004. Though the AU is yet to conduct peacebuilding operations on the continent, it intervened in Burundi, Sudan, and Somalia, to restore peace and assist UN peace operations. The UN Charter allows such collaboration and calls for such concerted efforts. The AU’s 2003 mission in Burundi can be termed as a success, the first of the Union’s mission to promote peace efforts in the continent. The success is seen in its ability to prevent conflict and “create a conducive condition for the UN peacekeeping efforts to operate in the country” (Kumar, 2008: p. 126). The AU’s peace efforts in Sudan and Somalia are also positive

progress considering its short period of existence as compared to other regional organizations such as the European Union. The AU's imposition of sanctions on Comoros following a rebellion from Mohamed Bacar, who conducted a local election against the government, is another positive progress (p. 127). In addition, the intervention in Somalia to end the civil war and terror attacks authorized by the United Nations is another AU milestone (AMISOM, 2021).

However, the AU has faced challenges in implementing its objectives and has received criticism from different quarters. For instance, the conflict in Darfur showed the loopholes in the AU in terms of the capacity to intervene in a civil conflict despite its intention of intervention. It lacked concrete backing to monitor the humanitarian crisis in Darfur effectively. In addition, most African states are poor, and this means there is a level of dependence on donor countries to support the Union operations which robs it of independence. This financial constraint limits the full operation of the Union (Kumar, 2008: p. 123). Moreover, the AU is made up of states, most of whom do not practice democracy. Some proponents of democracy hold that democratic states do not go to war. But, which democracies? There are two types of democracies: liberal and electoral. According to one of the scholars, a liberal democracy entails competition for political seats, inclusive political participation, and a level of civil and political liberties, a democracy practiced in most western countries. On the other hand, "electoral democracies may hold periodic elections and thus demonstrate some measure of political competition and popular participation, but large parts of the population are often kept out of the political process. Moreover, the military and other important parts of the state are frequently isolated from democratic control, the media may be censored, and the courts may be corrupt and ineffective. In short, elections take place, but democracy has not developed in most other respects" (p. 123).

The latter is the most practiced in Africa, whose majority of the leaders have held the political seats since independence. This rulership limits the extent to which the Union can condemn some of the "aggressive" acts of the member states. Due to underdevelopment and unrest in most African countries, massive refugee influxes have occurred, creating further conflicts in the member states. In several cases, power handover has been through coups, especially in the West African countries (Kumar, 2008). The underdevelopment of most African countries also poses a security threat. The Union is yet to resolve the root causes of these unrests and massive refugee influxes. Unfortunately, despite some form of elections in these African countries, the liberal democratization process is stagnant (p. 123). According to one of the scholars, the AU faces challenges such as the attachment of some member states to their colonial masters who prevent them from outright integration, "inconvertibility of currencies, and divergent policies. There are cases of civil wars, terror acts of militia groups, ethnic conflicts, non-compliance of constitutional rules and norms, and the failure of the state to assert its authority and acceptance of its legitimacy by the people" (p.

129).

The AU has been mute in the Nile River conflict raising questions about its role in the continent (Mersie, 2020). The Nile states have been making stern warnings about the Nile, especially Egypt. To Ethiopia, the “dam is a symbol of Ethiopia’s sovereign right to development and a source of national pride” (Wal, 2020). Ethiopia is adamant and has rejected foreign intervention in mediation and instead prefers mediation from African Union, which Egypt and Sudan have rejected (Fishere, 2021). According to Wasara (2002: pp. 39-60), when dialogue or mediation fails with dissidents or other states, armed violence and involvement of civilians are inevitable. Unfortunately, conflicts resulting from these countries have had a foreign or ethnic hand, for instance, Egypt’s “support for Somali irredentists in the Ogaden region of Ethiopia and for the rebel Sudanese People’s Liberation Army (SPLA) in southern Sudan” (Klare, 2001: p. 154). Egypt has previously received military support from the US, while Sudan from Iraq, Iran, China, and Russia. Indeed, Klare was right when he stated that the next wars would be over resources. Egypt has repeatedly threatened to use military action to hinder Ethiopia’s move to build a dam or other irrigation projects. Unfortunately, the AU has been mute about this conflict until recently, when it started the negotiations process, which sadly reached a “stalemate” (Al-Monitor).

Despite the adoption of Agenda 2063, which calls for greater collaboration and support for African-led initiatives to ensure the achievement of the aspirations of the African people, the AU is limited in terms of its capacity, willingness among its members, and finances. The AU has solved some of the conflicts, showing the liberal approach as applicable to international organizations. On the other hand, the challenges and criticisms show that the AU applies to a larger extent the realist approach in that, as much as member states are parties to the Union, self-interests drive them. For instance, the bilateral agreements entered by some member states even when required to as a Union.

4. Definitions Adopted

To better understand the AU and concepts adopted for this paper, the following sub-section defined international intergovernmental organizations, particularly regional intergovernmental organizations, conflict, conflict prevention, and conflict resolution.

4.1. International Organizations

The Vienna Convention defines an international organization as just an intergovernmental organization. It then sets out the criteria that qualify an international organization; international organization parties are subjects of international law distinct from states and can conclude treaties (United Nations, 2001). The Convention applies to treaties between one or more states and one or more international organizations and treaties between international organizations. It means other organizations that do not consist of states as members disqualify

from applying the present Convention—the element of “states” who are the key actors in world politics define an international organization. The legal personality also sets international organizations apart from other organizations. They can conclude treaties and settle disputes per the United Nations Charter, the VCLTSIO, and rules of customary international law as treaties and customs govern international law (Cassese, 2005: p. 153). Legal personality simply means “capacity to enter into legal relations and to have legal rights and duties” (Malanczuk, 1997: p. 97).

According to Malanczuk (1997), an international organization is “set up by agreement between two or more states. It is different from the term non-governmental organization (NGO), which is set up by individuals or groups of individuals (such as Amnesty International or Greenpeace), although some non-governmental organizations are entrusted with certain functions by states; the outstanding example is the International Committee of the Red Cross, which plays an important role in supervising the application of the Geneva Conventions to the laws of war” (p. 92). To Aust (2007), there is no agreed definition of an international organization, but for present purposes, “it is an international legal entity created by a multilateral treaty, with international legal personality, and principally with states as members” p. 392). The Yearbook defines an IGO as an “organization composed primarily of sovereign states, or of other intergovernmental organizations... established by treaty or other agreement that acts as a charter creating the group. Examples include the United Nations, the World Bank, or the European Union.

However, since states create these organizations, they have “legal personality only with respect to certain international rights and obligations. The legal personality of international organizations is limited as to substance by the treaty which states have concluded to constitute them and accord them rights and duties to achieve their specific tasks. It is also relative in the sense that it exists only with regard to the member states of the organization and with respect to non-member states acknowledging the organization. Such secondary subjects act *ultra vires*, meaning that their acts are legally void if they operate beyond the authority given to them by the constitutive treaty” (Malanczuk, 1997: p. 92). Therefore, organizations created by states are limited in scope and are under the states’ authority. Some IGOs are global, while others are regional. Regional intergovernmental organizations are IGOs composed of member states sharing common interests and resolving a shared challenge. The United Nations Charter does not define what a regional organization is or its roles but sets out the extent to which it can operate as follows:

Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.... The Security Council shall,

where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, ... The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security (Art. 52-54).

International law governs the creation of the IGOs through treaties that provide the extent of their freedom and operation. For instance, the UN Charter provides that “The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes” (Art. 104). In short, the IGO is entitled to a legal personality under the municipal laws of its member states. It can, therefore, be concluded that a treaty must establish an international organization with states as parties. From the above definitions, the definition of regional intergovernmental organizations is unclear. For the purpose of this paper and based on the composition of the AU, a regional intergovernmental organization is an entity composed of more than two member states situated in one region, sharing a border, challenge/s, or interests. The Nile states share the Nile River, a common interest—water.

4.2. Conflict

Conflict conveys different interpretations to different scholars. For instance, one of the leading scholars defines conflict as a “social situation in which a minimum of two actors (parties) strive to acquire at the same moment in time an available set or resources” (Nafpliotis, 2011: p. 15). To another scholar, conflict involves a change of behavior, action, and attitude towards another entity/group dependent on the context (Musau, 2021: p. 13). Conflict also involves both available resources and non-economic/non-material things such as territory, the position of power, acceptance of responsibility for destructive actions, psychological needs like retribution, and different intangible values (Tesfay, 2012: p. 164). According to another scholar, conflict is a “disagreement between two or more individuals or groups, with each individual or group trying to gain acceptance of its view or objectives over others” (Sanchez, n.d.: p. 3). To others, conflict is the “struggle between incompatible or struggling needs, wishes, ideas, interests, or among people” (Chaung & Megginson, 1981). From the above definitions, a conflict is a deep struggle for economic and non-economic resources by the available means to satisfy one’s group desires. It involves antagonism, disagreement, and deep emotions of resentment towards another individual/group to pursue resources or meet one’s interests. This definition applies between individuals (states’ leaders), member states, ethnic groups, identity conflicts, or external actors (Musau, 2021). Most scholars think Africa’s conflicts as driven by poverty, yet it is more than poverty. For instance, the border conflict between Ethiopia and Eritrea, the

Nile water conflict between Ethiopia and Egypt, internal conflicts in Ethiopia between the ruling regime and ethnic groups, and the conflict between Somalia and the terror group (Al-Shabaab), among others.

Conflicts vary in the degree of cooperation or hostility. Important to note is that not all conflicts are bloody or coercive. There are positive and negative conflicts. This paper looked into negative conflict. Based on the diversity of the Nile and different conflicts over time, negative conflict refer to a disagreement and antagonism of both available resources and non-economic/non-material things such as territory, the position of power, psychological needs like retribution, and different intangible values to satisfy one's interests. This conflict can lead to losing lives, property, displacements, and insecurity. Since conflict evolves in different phases, so should response mechanisms consider such phases. If a conflict is prevented, there is no need to resolve it. Prevention happens before a conflict has occurred. Resolution happens after a conflict has occurred. The Nile River conflict is yet to explode, resulting in the loss of lives, a phase in which the AU can intervene and prevent a full-blown war over the shared water resource.

4.3. Conflict Prevention

It is worth noting that there is no universal definition of conflict prevention among scholars. Conflict prevention differs “according to the aim of prevention, from reducing violence to resolving the incompatibility, the time perspective (using a short- or long-term view) and the means, in particular with regard to their coerciveness” (Melander & Pigache, 2006: p. 11). Prevention is a cycle. One of the organizations define conflict prevention as a “variety of activities and strategies within the field of peacebuilding that are deployed to pre-empt and subsequently neutralize potential triggers to widespread violent conflict. Violent conflict is to mean negative conflict. This prevention involves direct/operational and structural. Direct prevention is reactive and often short-term interventions taken to prevent an imminent outbreak of violence, i.e., the use of mediators. In contrast, structural prevention is long term institutional or grassroots changes designed to help create sustainable peace, while addressing the underlying causes of violence within a community, i.e., development assistance” (Peace Direct, n.d.).

Another scholar defines conflict prevention as a “set of instruments used to prevent or solve disputes before they have developed into active conflicts” (Swanström & Mikael, 2005: p. 5). The UN's and other regional IGOs existence and drive are to prevent conflicts before they can occur. One of the UN's conflict prevention strategies is preventive diplomacy, coined by one of the UN's Secretary Generals, Dag Hammarskjöld, who used it for the first time in 1960; he then referred to “keeping regional conflicts localized so as to prevent their spillover into the superpower arena” (Melander & Pigache, 2006: p. 10). Considering disagreements among the Nile states over the sharing of the Nile River, for this paper, conflict prevention was defined as strategies undertaken to settle negative

conflicts before they can occur and escalate.

4.4. Conflict Resolution

Multiple scholars define conflict resolution differently, with some carrying the same meaning while others are different. According to Rabi' (1994), "depending on the level, intensity, complexity, and importance of the conflict, strategies to deal with it include crises prevention or avoidance, crises management, control and containment, and conflict resolution (pp. 50-52). Crises prevention or avoidance is dealing with conflict either by freezing it or by creating larger political or security structures to prevent its escalation and the outbreak of serious hostilities. Crises management (consists of political, economic sanctions and/or military measures to arrest the escalation of a serious conflict and stop hostilities with a view to stabilizing the conflict at the pre-crisis level. Control and containment of conflicts that are major, threatening, but tolerable represent serious, ongoing conflicts. Conflict resolution is not a process to eliminate conflict but to vastly moderate its intensity and impact, eliminating the negative and reducing conflict to a subconscious force that continues to motivate people but does not dominate their outward attitudes and intergroup relationship" (Rabi', 1994: pp. 50-52).

Conflict resolution "by itself might not be enough as conflict born in specific time and place could be resolved but it may re-emerge, cultivate, and flourish and later it can 'rot and die or it can be embedded within other conflicts' through time" (Yasin, 2010: p. 25). One of the most quoted scholars in conflict resolution as quoted by another scholar argues that conflict resolution involves three distinct but interrelated strategies: peace keeping, peace building, and peacemaking (Ryan, 1995: p. 51). In this context, resolution happens after a conflict has occurred. It is a way to settle conflicts and prevent future conflicts. To effectively resolve conflicts, one needs to look into root causes and accelerating factors to conflict (p. 26). To another scholar, conflict resolution has traditionally referred to measures attempting to resolve the underlying incompatibilities of a conflict, including attempts to get the parties to mutually accept each others' existence" (Swanström & Weissmann, 2005: p. 5). For this paper, conflict resolution was defined as all measures and strategies undertaken to resolve the underlying incompatibilities of the Nile River conflict, including attempts to get the parties to accept each other's existence mutually.

5. Methodology

5.1. Qualitative Research Methodology

This paper deployed a qualitative approach using primary and secondary data sources to answer the research question. Some scholars define qualitative research as simply a comparison to quantitative research, while others define it based on "procedures and techniques" without comprehensively including research design (Yilmaz, 2013: p. 311). It is arguably notable that this qualitative research is "difficult to define" (p. 311) since there is "no accepted

way of doing research” (Snape & Spencer, 2003: p. 1). Qualitative research is also known as interpretive or naturalistic research, focusing on “meaning in context” (Merriam & Elizabeth, 2016: p. 2). The naturalistic aspect means that the researcher “does not control or manipulate what is being studied” (p. 7).

Some scholars contrast qualitative research with quantitative, “The most basic definition of qualitative research is that it uses words as data ... collected and analysed in all sorts of ways. Quantitative research, in contrast, uses numbers as data and analyses them using statistical techniques. The term qualitative research is used to refer both to techniques (of data collection or data analysis) and to a wider framework for conducting research, or paradigm” (Clarke & Virginia, 2013). The choice and adoption of the qualitative approach for this study was drawn from one of the scholar’s definitions, that is to say, qualitative research is “an emergent, inductive, interpretive and naturalistic approach to the study of people, cases, phenomena, social situations, and processes in their natural settings in order to reveal in descriptive terms the meanings that people attach to their experiences of the world” (Yilmaz, 2013: p. 312). As supported by Peshkin (1993), “many types of good results are the fruits of qualitative research. Its generative potential is immense” (p. 28).

This type of research pursues quality over quantity. It covers many different approaches and methods, providing the researcher with many options and flexibility to choose the best fit (Gay, 1999). It also “evolves as the understanding of the research context and participants deepens” (Gay, 1999). The research allows the researcher to adjust throughout the research process since they are keen on participants’ feelings and experiences and understand that qualitative research is flexible and subject to change. It is “discovery-oriented research, in which findings are not predetermined” (Merriam & Elizabeth, 2016: p. 7).

5.2. Research Approach

Qualitative research involves different approaches: a descriptive study, case study, field research, ethnography, participant observation, biographical method, life history, oral history, narrative inquiry to phenomenological research, ethnomethodology, symbolic interactionist study, grounded theory, and action research (Yilmaz, 2013: p. 312). Gay (1999) lists the approaches as case studies, ethnography, ethology, ethnomethodology, grounded theory, phenomenology, symbolic interaction, historical research, and narrative (p. 13). The research approaches are many, and “there is no consensus as to how to classify ‘the baffling numbers of choices or approaches’ to qualitative research” (Merriam & Elizabeth, 2016: p. 22). The choice of one over the other depends on the “study’s purpose and theoretical orientation” (p. 8).

The research in focus deployed a case study to answer the research questions “...as case studies ... provide the detailed, descriptive data needed to deepen our understanding of individual variation” (p. 313). There is a defined timeframe for this research that qualifies it to choose a case study. As supported, case studies

are chosen if there is an end to the limit to the number of people involved who could be interviewed or a finite time for observations (Merriam & Elizabeth, 2016: p. 39). In addition, "...case study's unique strength is its ability to deal with a full variety of evidence—documents, artifacts, interviews, and direct observations, as well as participant-observation ... beyond what might be available in a conventional historical study" (Yin, 2018: p. 43). For research approaches, "... the first and most important condition for differentiating among the five social science research methods is to classify the form of the research question being asked"How" and "why" questions are likely to favor using a case study, experiment, or history" (p. 41).

There is a consensus among scholars that a case study is an in-depth data collection method and analysis of a bounded system (Merriam & Elizabeth, 2016: p. 42). A case study is a "methodology, a type of design in qualitative research that may be an object of study, as well as a product of the inquiry" (Creswell & Creswell, 2013: p. 97).

It is an "all-encompassing method covering design, data collection techniques, and specific approaches to data analysis. A case study is also the name for the product of case study research, which is different from other field-oriented research approaches such as narrative research and ethnographic research" (Gay, 1999: p. 14). As argued, "case studies are not limited to being a data collection tactic alone or even a design feature alone" (Yin, 2018: p. 46). Case studies are characterized by the object of the study (the case) within a given timeframe or space (Merriam & Elizabeth, 2016). Notably, "The unit of analysis, not the topic of investigation, characterizes a case study.... A case study is less of a methodological choice than "a choice of what is to be studied." The "what" is a bounded system, a single entity, a unit around which there are boundaries. You can "fence in" what you are going to study. The case, then, could be a single person who is a case example of some phenomenon, a program, a group, an institution, a community, or a specific policy" (p. 38).

This paper's definition of a case study was adopted from one of the leading scholars. A case study research is a "qualitative approach in which the investigator explores a real-life, contemporary bounded system (a case) or multiple bounded systems (cases) over time, through detailed, in-depth data collection involving multiple sources of information (e.g., observations, interviews, audiovisual material, and documents and reports), and reports a case description and case themes" (Creswell & Creswell, 2013: p. 97). This paper's case is the analysis of the African Union since its inception 2002 to 2022 in response to the Nile River conflict. As supported by scholars, "much qualitative research aims at understanding one thing well: one playground, one band, one Weight Watchers group" (Stake, 2010: p. 27).

The study in focus targeted former and current employees/representatives of the AU, government officials, non-state actors in conflict prevention and resolution, and intergovernmental organizations' staff/representatives. It also included an in-depth analysis of documents.

5.3. Data Collection Sources and Methods

There are various data collection sources in qualitative research. These sources include observation, interviews, questionnaires, phone calls, personal and official documents, photographs, recordings, drawings, journals, emails, responses, and informal conversations (Gay, 1999: p. 381). The researcher determines the choice of the source since qualitative research is flexible and not constant. According to Gay (1999), the source is “acceptable as long as the collection approach is ethical, feasible, and contributes to an understanding of the phenomenon under study.”

The study in focus collected data through expert and individual interviews, questionnaires, phone calls, document analysis, and emails. Secondary data sources included a critical review of the related materials to the subject matter, which includes both published and unpublished books, journals, seminars and conference papers, lecture notes, magazines, newspapers, official publications, press releases, research works, organizational/institutional files, and other published/unpublished materials. These materials came from various sources such as the internet, libraries, archives, and electronic/print media. These data collection methods were chosen due to the COVID-19 restrictions that allowed little to no contact. Also, these sources were readily available and best suited for the case study approach adopted for this paper. In addition, these methods are time and cost-effective as they require little resources. Consequently, the nature of open-ended questions would provide much information that made it easy to make patterns.

5.4. Research Sample/Population Size

Unlike quantitative research, which uses probability sampling, qualitative research uses non-probability, also known as purposive sampling (Snape & Spencer, p. 78). The research allows the researcher to draw a small number of participants as the research values quality over quantity (Yilmaz, 2013: p. 313). The non-probability sampling is deliberate. It does not require mathematical representation. Its focus on population characteristics makes it suitable for “small-scale, in-depth studies” (Snape & Spencer, 2003: p. 78). The “sample units are chosen because they have particular features or characteristics which will enable detailed exploration and understanding of the central themes and puzzles which the researcher wishes to study” (Peshkin, 1993: p. 78).

The study in focus used homogenous, heterogenous, and snowball sampling to select the participants (p. 79). This choice was informed by the researcher’s objective need to collect data from specific individuals working in the same but also in different IGOs to answer the research question. The sample size was drawn from former and current employees/representatives of the AU, government officials, non-state actors in conflict prevention and resolution, and intergovernmental organizations’ staff/representatives. The sample size consisted of 20 respondents. As supported by Patton (2002) in bold, “there are no rules for sample size in qualitative inquiry” (p. 244). This small sample

enabled an in-depth engagement with participant responses. A researcher is allowed to conduct “extensive interviews with one person for the purpose of collecting a first-person narrative” ...or comparative” (Merriam & Elizabeth, 2016: p. 41).

5.5. Limitations of Qualitative Research

Qualitative research is limited in some respects. For instance, “sampling procedure limits the possibility of generalizing research findings to other settings or situations, i.e., it does not provide parsimonious information about the research topic studied” (Yilmaz, 2013: pp. 314-315). In qualitative research, the researcher is expected to be more of a listener; however, due to personal experiences and biases, they are susceptible to sharing their experiences or clouded by their biases; thus, the data provided can be rendered subjective (p. 315). Also, the fact that there is no better method of data collection over the other means and that the sample size is generally small, the data cannot represent a whole or holistically used to respond to the emerging challenges. As one Peshkin reports, “every method of data collection is only an approximation to knowledge. Each provides a different and usually valid glimpse of reality, and all are limited when used alone” (Peshkin, 1993: p. 28). “Having enough information to present an in-depth picture of the case limits the value of some case studies” (Creswell & Creswell, 2013: p. 102).

This paper considered all these limitations. Firstly, the researcher admitted they had biases; however, they tried their best to listen and interpret the data as collected. Also, though the researcher’s focus was the AU, they also looked at non-state actors’ and IGOs’ roles in conflict prevention and resolution, meaning the findings and recommendations could be replicated in other regions or, better, the AU and other regional IGOs. More information in case studies does not always mean better data.

6. Discussion

The purpose of this paper was to explore factors for and against conflict prevention and resolution, the AU’s role as a regional intergovernmental organization in preventing and resolving conflict in the Nile River, and the role of non-state actors and other IGOs in enhancing the AU’s role in conflict prevention and resolution. The paper focused on the analysis of the African Union from its inception in 2002 to 2022 in response to the Nile River conflict. The researcher believed that the knowledge generated would afford new insights and inform the AU’s practice and other IGOs to respond to conflict effectively before it occurs and or escalates.

This chapter presented the analysis, interpretation, and synthesis of the findings.

The following section provides a theoretical explanation of each analytic category.

6.1. Factors Hindering the AU's Role in Conflict Prevention and Resolution in the Nile River Conflict

From the reviewed literature materials, various causes of the Nile River conflict and factors hindering the AU's role in preventing and resolving the conflict were highlighted as mistrust, self-interests, multiple memberships, finances, personnel, cooperation, coordination, ideological differences, implementation, military capabilities, colonial influence, poor governance, and disrespect of legal instruments, foreign influence, and political instability (Eke & Kelechi, 2017; Rwengabo, 2016; Fafore, 2016; Bamidele, 2016; Mahlakeng & Hussein, 2015; Kendie, 1999). These causes and factors were further underlined in the findings. Respondents highlighted that the African states' ideology (imported democracy) with sub-factors such as colonial factors, external influence, African politics and leadership, and self-interests prevented solutions to the Nile River conflict, expounded below.

6.1.1. What Democracy? Impo-Democracy (Imported Democracy)

The context of each state is critical when explaining why "democracy" works in some and not others. The type of democracy that African leaders practice has played against their country's favor. It is an "imported democracy." It lacks ownership from both the leaders and citizens. Some politicians take advantage of this democracy to their benefit. They enrich themselves by obeying the colonialists unquestionably, which means they have little control over their colonialists. The external influence thus becomes a democracy.

Some proponents of democracy hold that democratic states do not go to war (Griffiths, Terry, & Stephen, 2008). But which democracies? There are two types of democracies—liberal and electoral. According to some scholars, a liberal democracy entails competition for political seats, inclusive political participation, and a level of civil and political liberties, a democracy practiced in most western countries (Griffiths et al., 2008). On the other hand, "electoral democracies may hold periodic elections and thus demonstrate some measure of political competition and popular participation, but large parts of the population are often kept out of the political process. Moreover, the military and other important parts of the state are frequently isolated from democratic control, the media may be censored, and the courts may be corrupt and ineffective. In short, elections take place, but democracy has not developed in most other respects" (Griffiths et al., 2008: p. 69).

The latter is the most practiced in Africa, whose majority of the leaders have held political seats since independence. This rulership limits the extent to which the African Union can condemn some of the "aggressive" acts of the member states. Due to underdevelopment and unrest in most African countries, massive refugee influxes have created further conflicts in the member states. In several cases, power handover has been through coups, especially in the West African countries. The underdevelopment of most African countries also poses a security threat. The Union is yet to resolve the root causes of these unrests and massive

refugee influxes. Unfortunately, despite some form of elections in these African countries, the liberal democratization process is stagnant (Griffiths et al., 2008: p. 69). According to one of the scholars, the AU faces challenges such as the attachment of some member states to their colonial masters who prevent them from outright integration, “inconvertibility of currencies, and divergent policies. There are cases of civil wars, terror acts of militia groups, ethnic conflicts, non-compliance of constitutional rules and norms, and the failure of the state to assert its authority and acceptance of its legitimacy by the people” (Kumar, 2008: p. 129).

Though some states try to practice the West democracy, they are yet to fully understand and actualize it. “As it is, democracy in Africa faces the risk of being trapped in the ‘electoral fallacy’. Regular elections take place, but the democratic franchise has not become sufficiently diffused and entrenched as a mode of governance across political and social institutions” (Hengari, 2018: p. 2). Important to note is that African states’ democracy is an amalgamation of different factors, a key one being a “contradictory colonial legacy” (Fatton, 1990: p. 456). These states “inherited liberal democracy in its British, French, or Belgian version from the accelerated and panicky processes of rapid decolonization” (p. 457). However, after independence, African leaders were left without the “materials” of democracy. They had to figure out their way, which would later be exploitation and repression. This is supported by one of the scholars, “Africa lacked those objective criteria that have historically been associated with the rise of bourgeois forms of representation elsewhere. The transition from “colonial despotism to liberal democracy was in fact reluctant, repressive, and opportunistic. In addition, African leaders never fully accepted the precepts of the European political model, few were enthusiastic about it, and most tolerated it as means to a different end” (p. 457). Most African leaders were opposed to Europeans’ imported democracy and, unfortunately, went after their own interests rather than their citizens.

Most African states cannot adopt an ideology that works for them due to their dependence on Western countries, some of whom were their colonialists and still run their affairs. “...democratization in Africa can only occur if the economic dependency of African economies is taken seriously by African world leaders” (Bradley, 2005: p. 408). In addition, the Westerners do not seem to understand that their imported democracy is difficult for Africans. Bradley (2005) puts it: ...in the African world, including Northeastern Africa (or the Middle East as it is labeled in Western literature), identity is primarily reflected in one’s ethnicity, religion, and communal adaptations and traditions. That is, the state’s conception of governance is not always congruent with the heterogeneous peoples of a particular nation-state. As a result, ways of governance and perceptions of the “good” life are often conflicting at the local, state, and national levels. These clashing ideas are viewed with incertitude and trepidation in the Western world of democracies. Thus, Western democracies label non-Western democratic experiments as “the other.” Hence, without a more holistic understanding of why

ethnicity, religion, and communal attachments are so salient in non-Western societies, Western democracies limit the “democratic playing field” as well as circumscribe cooperative, enduring relationships with “the other” (p. 407).

The AU’s vision is an achievement of a democratic institution governed by different frameworks such as the African Charter on Democracy, Elections, and Governance (Hengari, 2018: p. 2). However, the achievement of this Charter is based on the members’ willingness. According to one of the scholars, the AU is unable to operationalize this Charter due to “states’ overlapping memberships in both Regional Economic Communities (RECs) and Regional Brigades stretching beyond these RECs breeds decision-making overlaps, conflicting obligations, and parallel conventions with different levels of force in terms of how binding to states these instruments are” (p. 2). The “overlapping membership also engenders implementation challenges when member States are overstretched” (pp. 131-133).

With growing competition and a quest for control between hegemonic powers, African states have found themselves in a state of confusion. For instance, the influx of China’s goods and “grants” has introduced a new type of ideology in these states. Russia and Turkey are also on the same path to presenting their own ‘democracy’ in these states. The West democracy “insists” on respect for human rights, free elections, democratic institutions, and inclusive participation, elements unheard of in the relationship between China, Russia, Turkey, and African states (p. 3).

The Nile states members are AU members who share the water resource. Except for Ethiopia, these states “inherited liberal democracy in its British, French, or Belgian version from the accelerated and panicky processes of rapid decolonization” (Fatton, 1990: p. 457). In Sudan, the leaders have risen to power through coups. In Uganda, the president has been in power since independence. Although elections have been held in Kenya, there have been periods of electoral violence. Egypt has also experienced periods of unrest. From the findings, these AU member states practice a democracy that their citizens and themselves do not fully comprehend, which leads to manipulation from external forces. Due to this type of ideology, the African leaders have taken advantage of it and used it for their selfish gains. This selfishness has contributed to disagreements between the Nile states on the division of the Nile River and continued manipulation from external forces. In addition, the colonial legacy has contributed significantly to the “dragging and slowness” of settling this conflict. For instance, the colonial agreements of the Nile favored some and excluded others. Swain better describes it as follows:

Britain’s control over Egypt lasted from the late nineteenth century until 1937, and over Sudan from 1899 until 1956. Italy entered the Horn of Africa via Eritrea and Ethiopia, while France and Belgium became colonial neighbors in Equatoria. Several treaties were concluded between the colonial powers that inter alia took cognizance of Egyptian concerns about the waters of the Nile. Britain and Italy signed a protocol in April 1891 for the demarcation of their respec-

tive spheres of influence in Eastern Africa, and this prevented the construction of any irrigation projects on the Atbara, a tributary of the Nile originating in Ethiopia. In May 1902, Ethiopia and Britain (on behalf of the Sudan and Egypt) agreed that nothing should be built across the Blue Nile, Lake Tana, or Sobat, that might impede the flow of the Nile. In May 1906, Britain and the Congo Free State decided to prohibit any construction that would diminish the flow of the White Nile reaching Sudan. The agreement between France, Italy, and Britain in December 1906, and that between Italy and Britain in December 1925, also protected the flow of the Nile from any upstream diversions. Due to the changing political influence of the colonial powers in the region, as well as Britain's 'dual-flag' policy of creating the Anglo-Egyptian Condominium for the Sudan, the legal character of these agreements became uncertain and complicated (pp. 676-677).

With Egypt acquiring independence in 1922, it rushed to secure an agreement with London to prohibit construction around the Nile without its approval (Klare, 2001: p. 152). In 1929, Egypt and London signed an agreement that “provided for the regulation of the river until the Nile Waters Agreement of 1959” (Swain, 1997: p. 677). Unfortunately, this agreement ‘appeared to work solely for the benefit of Egypt [whose] established and historic rights were recognized” (p. 677). With the acquisition of independence, the states that had been left out before independence from the agreement “declared that the 1929 Nile Waters Agreement was null and void with respect to their sovereign territory. At the same time Ethiopia—which had never signed the 1929 agreement and had repudiated all water sharing accords made in its name by Italy (its former imperial overlord)—began to consider the use of Blue Nile waters in vast irrigation projects of its own” (Klare, 2001: p. 152).

Due to fear of division of water systems among other Nile states, Egypt began to view Nile water as a matter of national security (p. 152). With new leadership in Sudan drawn towards Egypt, Egypt's diplomacy, economic pressure, and use of force and threats and, “on one occasion, actually sent its troops into a disputed area on the Egyptian-Sudanese border” (p. 153), in 1959, the Republic of the Sudan and the United Arab Republic signed an agreement ‘for the full utilization of the Nile waters’ (Swain, 1997: p. 679). In the following year, Egypt and Sudan “signed a protocol to establish a Permanent Joint Technical Committee to facilitate co-operation on agreed projects” (p. 680). Unfortunately, these accords excluded other states along the Nile River. They “awarded no Nile waters to the states lying farther upstream, several of which could be expected to seek substantial water resources for their own use” (Klare, 2001: p. 153).

With rapid socio-economic development and population growth, these countries required water to sustain their population and agricultural needs. These countries concerned with the exclusion from the Treaty developed a 1999 Nile Basin Initiative whose aim is to “achieve sustainable socio-economic development through the equitable utilization of and benefit from the common Nile Basin resources” (Asiedu, 2018: p. 2). In 2010, the six countries (Ethiopia, Kenya,

Rwanda, Tanzania, Uganda, and Burundi) signed the Cooperative Framework Agreement (CFA) to replace the discriminatory colonial agreement that gave a monopoly to Egypt.

With Ethiopia's population explosion and disregard of the colonial agreements, Ethiopia is constructing a mega-dam expected to provide increased electricity production, solve irrigation challenges, and provide income to sustain its growing population (p. 2). To Egypt, the dam is a threat to its artery of life. In 2018, the Egyptian President asserted that the Nile was "a matter of life and death" for his country and that "no one can touch Egypt's share of the water" (p. 3). Following this assertion, he called for the cessation of the dam's construction as a prerequisite for negotiations" (p. 3). Negotiations over the water resource have stalled. According to Wal, to Ethiopia, the "dam is a symbol of Ethiopia's sovereign right to development and a source of national pride." Ethiopia is adamant and has rejected foreign intervention in mediation and instead prefers mediation from African Union, which Egypt and Sudan reject (Fishere, 2021). According to Wasara, when dialogue or mediation fails with dissidents or other states, armed violence and involvement of civilians are inevitable (p. 40).

6.1.2. Realism: The Nile for Myself, The AU for Us All

From the findings, respondents highlighted that the quest for power, control of the Nile, and disagreements on the Nile River's division are factors fueling the conflict and thus preventing the AU from preventing the conflict. These were partly highlighted factors in the reviewed literature (Eke & Kelechi, 2017; Rwengabo, 2016; Fafore, 2016; Bamidele, 2016; Mahlakeng & Hussein, 2015; Kendie, 1999). The participants also highlighted that each state has a different interest from the other for instance, Egypt is interested in water while Ethiopia is in energy. All the Nile states are members of the African Union. However, although Ethiopia wants the AU to mediate the conflict, Egypt and Sudan have refused the AU to mediate the conflict, instead preferring the outsiders (Fishere, 2021). In short, it is about what each is able to take for themselves and if it means involving the outsiders to get the Nile, then the AU can remain our membership body with no powers for us all but the Nile for "myself." This view is explained in a realism perspective below. *Meaning yes they are members but working when they want it to.*

Realism is anchored on self-interests. There is minimal cooperation and maximum competition. It holds that states are the major actors in world politics, "they act as units and that their military security objectives dominate their other goals" (Keohane & Joseph, 1974: p. 39). It assumes that "individuals act rationally to protect their own interests. Within the international system, realists see states as the primary actors. These entities act in a unitary way to pursue their national interest, which is generally defined in terms of maximizing power and security relative to other states. States coexist in an anarchic international system characterized by the absence of an authoritative hierarchy. As a result, states must rely primarily on themselves to manage their own insecurity through the

balance of power and deterrence” (Karns & Karen, 2010: p. 45). To this end, competition emanates and grows to leave little to no space for cooperation.

To the realists, international organizations which must have states as members and concluded by treaty, are subjects of the states. They are “instruments of governments, and therefore unimportant in their own right” (Keohane & Joseph, 1974: p. 39). For Hans Morgenthau, regarded as the father of realism, “international organizations are a tool of states to be used when desired; they can increase or decrease the power of states, but they do not affect the basic characteristics of the international system; because they reflect the distribution of power among states, they are no more than the sum of their member states. In fact, they are susceptible to great-power manipulation” (Karns & Karen, 2010: p. 46). For Egypt and Sudan, the AU is useful when they so desire.

Since these international organizations are at the mercy of the member states, they are limited in their legal personality. As one scholar cites, “when states create an international organization, they set it up for specific purposes and give it limited powers. For this reason, legal personality must be treated as a relative concept, not as an absolute concept” (Malanczuk, 1997: pp. 92-93). To this end, “international organizations have no independent effect on state behavior and will not over time change the system itself. Most realist theorists do not claim that international cooperation is impossible, only that there are few incentives for states to enter into international arrangements and that they can always exit such arrangements with little difficulty” (Karns & Karen, 2010: p. 46). To this end, international organizations are subjects of states and have limited capacity to operate thoroughly. Since it is about competition rather than cooperation for realists, some member states who contribute most of their resources to the organization tend to have a stronger voice and influence its decisions and operations. Egypt is dominant in its military capability and economy among the Nile states (Moon, 2012).

From the realists’ point of view, it is apparent that the existence of international organizations is a non-guarantee to solving common challenges such as shared water resources. International organizations have no influence on a state’s behaviors which means they can exist, yet conflict/instability continues as each is for its interests. Also, states have to weigh benefits versus cost, and therefore if benefits outweigh costs, then a conflict is imminent. For this study, the review of materials shows that the AU member states are in different memberships for their interests. Selfish ambitions drive them. As members, they are unobligated to settle the Nile River conflict if it does not benefit them. This perspective helps explain why the AU is limited to full operationalization on conflict prevention and resolution. For instance, Egypt is a member of the African Union and Arab organizations such as the Arab Fund for Economic and Social Development and the Arab Monetary Fund. Other Nile states also belong to other different organizations such as East Africa Community-EAC, COMESA, etc.

The control of the Nile River is a symbol of power, survival, and national in-

terest. Negotiations over the water resource have stalled. To Ethiopia, the “dam is a symbol of Ethiopia’s sovereign right to development and a source of national pride” (Wal, 2020). According to Fishere, Ethiopia is adamant and has rejected foreign intervention in mediation and instead prefers mediation from African Union, which Egypt and Sudan reject. According to Wasara, when dialogue or mediation fails with dissidents or other states, armed violence and involvement of civilians are inevitable (p. 40). The AU has limited authority to force these states to agree to a common solution from the recent developments.

6.2. Contrast Interests’ Common Solution

From the findings, the respondents highlighted that the Nile states had different interests and needed a joint solution that catered to each party’s interests.

However, compromise is paramount in diplomatic corridors if each other’s interests are to be met (Berridge, 2002: p. 39). From the findings, each Nile state has an interest in the Nile River different from each other; for instance, Egypt is interested in water while Ethiopia is in energy. The Egyptians perceive the Nile water as a matter of “survival and well-being of the country” (Klare, 2001: p. 151). For decades, Egypt has attempted to prevent any other state’s control of the Nile. According to Klare, Egypt’s military capability, early independence over other Nile member states, support from the British (colonially, they were under British jurisdiction), threats, and intimidation have favored their control of the Nile. Its leaders have made stern warnings over the Nile. For instance, “President Anwar el-Sadat declared, “The only matter that could take Egypt to war again is water.” Sadat also threatened to bomb water facilities in Ethiopia if its government implemented a plan to divert some of the Blue Nile’s waters to domestic irrigation projects.” In the 1980s, then Egypt’s minister of state for foreign affairs (later secretary-general of the United Nations), Boutros Boutros-Ghali, declared: “The next war in our region will be over the waters of the Nile, not politics” (p. 153). In 1995, in response to Sudanese leadership on the possibility of the 1959 Nile Waters Agreement amendment, Egypt’s President Muhammad Hosni Mubarak declared, “Any step taken to this end will force us into a confrontation to defend our rights and life. Our response will be beyond anything they can imagine” (p. 158). At some point, Egyptian leaders explicitly threatened the Sudan leadership if they touched the Nile. The then Egyptian president “Mubarak made no efforts to conceal his aggressive response in an interview given to a Cairo newspaper, *Al-Akber*: ‘Those who play with fire in Khartoum ... will push us to confrontation and to defend our rights and lives.’ After the Sudanese threat had been discussed in the Egyptian Cabinet, the Foreign Minister declared, ‘I am warning Turabi not to play with fire, at the same time, not to play with water’” (Swain, 1997: p. 686).

However, with the increasing population demanding food and other resources, Ethiopia has ignored these threats and built and filled a massive dam. This move has created increased tensions with its border neighbors, Egypt and Sudan

(Reuters, 2021). Egypt has repeatedly threatened to use military action to hinder Ethiopia's moves. Unfortunately, the AU has been mute about this conflict until recently, when it started the negotiations process, which sadly reached a "stale-mate" (Al-Monitor).

Sudan and Uganda are also competing for the Nile river due to their population explosion and quest to exert control in the region (Klare, 2001: p. 157). Unfortunately, conflicts resulting from these countries have had a foreign or ethnic hand, for instance, Egypt's "support for Somali irredentists in the Ogaden region of Ethiopia and for the rebel Sudanese People's Liberation Army (SPLA) in southern Sudan" (p. 154). Egypt has previously received military support from the US, while Sudan from Iraq, Iran, China, and Russia. Indeed, Klare was right when he stated that the next wars would be over resources.

The AU is better suited to listen to each other's interests and create a common ground for negotiation by first showing that it favors neither and that all the states involved are important and have genuine concerns about the Nile. The AU is also supposed to use its legitimacy as a regional organization to recognize that yes, the colonial factor played into the division of the Nile, giving Egypt and Sudan monopoly of the Nile but also recognizing that African states are independent, Ethiopia was not colonized and therefore need to develop African solutions to the Nile conflict that caters for each other and aimed at developing the Nile states region.

6.3. The AU's Role in Nile River Conflict: The Afri-Nile Solution

From the findings, the AU better understands the parties and interests at play, is better suited to bring parties to the table due to previous initiatives such as the Nile Basin initiative, and because African problems can only be solved with African solutions (what the researcher termed as Afri-Nile solution).

The AU is a regional intergovernmental organization with headquarters in Ethiopia, a Nile state involved in the Nile River conflict. Proponents of regionalism argue that "a threat to security is most likely to originate between neighboring countries and therefore, regional arrangements function to safeguard peace and security in the region as well as homogeneity of various factors such as language, culture, and economic interests" (Karns & Karen, 2010: p. 109). These arrangements are better suited to prevent and resolve conflicts as they are "well-positioned to understand the root causes of many conflicts [...] and to influence their prevention or resolution, owing to their knowledge of the region" (Tavares, 2010: p. 10). To Tavares, they are cost-effective, time conscious, and often "perceived as more legitimate than the involvement of other international actors."

There is generally no accepted definition of a region. Regions are "dynamic entities" (Griffiths et al., 2008: p. 280). It could be a "territorial space, certainly, so we can exclude virtual spaces, ...but it can take a number of territorial configurations" (Keating, 2011, p. 4). In other instances, region "dissociates it from

any necessary connection with the state in general or a specific state in particular. Regions in this broader sense may be defined by functional systems, notably economic ones, by culture, by history and the interpretation of history, by political opportunity, or by institutions” (p. 4). They are “spaces in their own right rather than as either aggregations or subdivisions of states” (p. 4). To other scholars, a region is a “combination of geographical proximity, the density of interactions, shared institutional frameworks, and common cultural identities” (Griffiths et al., 2008: p. 280). They can be identified “empirically by relying on data on mutual interactions such as trade flows, similarities of actor attributes, and shared values and experiences” (p. 280).

Going by the last definition, Africa is a region with countries sharing borders, geography, economic and cultural interactions, and shared institutional frameworks. Member states in the African Union are from and based in Africa. Within the AU, member states are connected by geography, a common Charter, some cultural aspects, and the African identity. However, there are differences between Sub-Saharan Africa and the North Africa region. The North Africa region is often identified as the Middle East region due to its shared cultural and language elements with the Middle East countries, elements such as language-Arabic, Islam, etc. The Sub-Saharan region shares some elements such as language-Kiswahili, traditions, religion-Christianity, etc. Nevertheless, the geographical proximity, shared institutional frameworks, and some shared cultural identities identify both Sub-Saharan and North Africa as one region under the African Union membership.

Regions are important entities. One of the scholars notes that “Regions are now everywhere across the globe and are increasingly fundamental to the functioning of all aspects of world affairs from trade to conflict management and can even be said to constitute world order” (Fawn, 2009: pp. 5-35). This paper focused on the regional IGOs focusing on the Nile River conflict comprising different Nile states in Africa. These countries share the Nile water, Sudan and Egypt share a similar Religion-Islam, and for others Christianity (with Ethiopia specifically orthodox Christianity). They are all AU member states.

While a region is more based on geography, shared institutional frameworks, and cultural identities, regionalism is a theory, an ideology, that shares some region aspects. One of the scholars defines regionalism as a “political top down process. It outlines cooperation in the economic, institutional, defense, or security fields, occurring at a political decision-making level” (Legrenzi & Marina, 2013: p. 1). Regionalism “results from the increasing flow of goods, people, and ideas within a spatial entity which thus becomes more integrated and cohesive. It can develop ‘from below’ (i.e. from the decisions by companies to invest and by people to move within a region) or ‘from above’ (i.e. from political, state-based efforts to create cohesive regional units and common policies for them)” (Griffiths et al., 2008: p. 280).

Regionalism breeds regional integration. Proponents of regionalism argue that

“a threat to security is most likely to originate between neighboring countries and therefore, regional arrangements function to safeguard peace and security in the region as well as homogeneity of various factors such as language, culture, and economic interests” (Karns & Karen, 2010: p. 109). Regional intergovernmental organizations are better suited to prevent and resolve conflicts as they are “well-positioned to understand the root causes of many conflicts [...] and to influence their prevention or resolution, owing to their knowledge of the region” (Tavares, 2010: p. 10). They are cost-effective, time conscious, and often “perceived as more legitimate than the involvement of other international actors” (Tavares, 2010).

The AU is better placed to solve issues that concern the Nile because it better understands each Nile state. It is argued that regional approaches are better for solving regional challenges. For instance, a report done in the Great Lake Regions in Africa indicates that for animosity to end, a “new high-level regional peace process is necessary...underpinned by a new regional conflict analysis and conflict actor mapping exercise which determines where there are incentives and disincentives for peace and stability in the region” (Wolters, 2020: p. 30). The AU is better placed on developing the Nile states conflict analysis and conflict actor mapping, a mapping that should consist of all the Nile states, non-actors from the region, and other sub-regional entities.

Research indicates that international intergovernmental organizations are critical instruments in settling conflicts. They are also important in promoting peaceful coexistence, cooperation among member states, human rights, and economic and social development (Charter of the United Nations). According to Shannon (2009), IGOs effective role is in facilitating the involved parties to settle their differences. They foster multilateral talks, demonstrating that IOs broker bargaining with third party diplomatic” (p. 144). The Nile states’ option, and if they are to settle the conflict amicably, the AU is better placed as it has interacted with these member states, understands their population and needs, and would spend less than foreign intervention. From the findings, African problems can only be solved with African solutions. Nile River conflict can best be solved in an African Nile way. Additionally, the AU can compel the states to comply by imposing sanctions.

However, regional IGOs success is attributed to “their democratic nature” (Hansen & Stephen, 2008: p. 318). It is also argued that “institutions do not promote bilateral negotiations between members, indicating that the socialization and trust-building capabilities of IOs are limited. To universalists, regionalism “promotes antagonistic and sectarian interests endangering peace and harmony at global level” (Karns & Mingst, 2010: p. 109). Regionalism distinction lies in “the co-existence of regional organizations and international organizations like the United Nations. This co-existence of both kinds of organizations creates another set of complications when their membership and jurisdiction overlap, purposes and methods vary, posing serious questions of compatibility. Despite

this, there has been an increase in regional organizations over time (p. 110).

Though the AU has the ability to bring the parties together as per the Constitutive Act, it all boils down to the member states' willingness. With the imported democracy, AU is faintly democratic. Most of the Nile states are "poor", and this means they are still dependent on their colonialists, limiting the AU's full operationalization. Regional integration is also marred by "historical divisions...the high transactional costs of doing business caused by overlapping memberships in regional bodies and the failure to improve the continent's inadequate infrastructure, as well as its trade and non-trade barriers. Historical divisions have worked against effective regional integration, while institutional capacity has been lacking for national, sub-regional, and continental bodies promoting regionalism" (Daniel & Dawn, 2014: p. 1).

For AU to effectively respond to the Nile River conflict in an Afri-Nile way, its role should aim to strengthen the institutional capacity of the Nile states, facilitate the division of the Nile River as per each state's needs, and promote cooperation through better trade terms. In addition, the AU is better placed to monitor the implementation of the laid down terms by each Nile state and even create incentives for complying states. Consequently, the AU should aim to ... strengthen their consultation mechanisms to give domestic interest groups such as civil society and the private sector a greater voice in, and enhance the transparency of, region-building efforts on the continent" (pp. 5-6). As reported, Egypt has shown a willingness to reach an amicable solution to this Nile water conflict due to "several changes in its economic fortunes, including decreasing loans from the World Bank, and cognizant that a deal today might be much better than a different deal in some far-off future,.... As Zewde Abate noted, "The rational utilization and optimum development of international water resources require cooperative and concerted action among the basin states on the basis of defined rules and procedures" (Tesfaye, 2014: p. 124).

6.4. Liberalism: Towards Cooperation and Collaboration (Cop-Lab)

From the findings, respondents highlighted that IGOs and non-state actors could better collaborate with the AU through various ways such as shuttle diplomacy, sharing analyses and joint working, economic sanctions, advocacy, mediations, negotiations, resolutions, and treaties. This cooperation and collaboration are also between the AU's member states and Nile states. The researcher termed this cooperation and collaboration as Cop-Lab, a short form of both. Liberalism is a theory adopted to explain this type of cooperation and collaboration.

Liberalism is better suited to explain why IGOs exist, their role in maintaining peace and order, and strategies that regional IGOs can deploy to prevent and resolve conflicts. The United Nations results from the liberal school of thought that has birthed other organizations at the regional level. The UN's Charter Article 52 bestows regional organizations with the power to resolve local conflicts before referring them to the UN's Security Council (Nguyen, 2002). Notably, the

Security Council also has the choice to utilize these regional arrangements when deemed necessary (United Nations, 1945: Art. 53). This UN's advancement of the regional organizations' power shows the critical role regional organizations play in preventing and resolving conflicts. In addition, the Charter recognizes the importance of consultation and collaboration as stated in Article 53, "...But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council,..." (United Nations).

Liberalism is the most regarded theory in explaining the global governance of international organizations. Traditionally, liberalists hold that institutions are the solutions to human behavior. Humans are key actors, and states are "most important collective actors, but they are pluralistic, not unitary actors" (Karns & Karen, 2010: p. 37). To liberals, states will interact and cooperate to meet their self-interests, whose continued interaction and cooperation lessens conflict among them. Unlike realists who view states as the primary actors, liberals recognize the states' significant role and the roles some non-state actors play in global governance, such as transnational and trans-governmental groups (p. 37).

In the collectiveness of states, liberals view international organizations as problem-solving platforms for states to "interact and cooperate" (p. 37). To liberals, international law governs and maintains order among the states in the international system, although it represents horizontal rather than hierarchical authority. In terms of their roles, international organizations contribute to "habits of cooperation and serving as arenas for negotiating and developing coalitions, are a primary means for mitigating the danger of war, promoting the development of shared norms, and enhancing order" (p. 38). To other scholars, liberalism is the "exploration of what prevents progress from being achieved, with the underlying assumption that progress could be realized if we could uncover the barriers to collective action and promote their resolutions" (Sterling-Folker, 2006: p. 56).

The liberal school of thought has worked in many cases, and today, the world is at peace largely from this thought. For instance, the European Union (EU), a regional organization in Europe, acted first to the "internationalized civil war in Bosnia, dispatching a peace mission led by former NATO secretary-general Lord Carrington. Similarly, the Southern African Development Community (SADC) was instrumental in the negotiations of the 1999 Lusaka Accords dealing with the war in the Democratic Republic of the Congo (formerly Zaire)" (Enuka & Nwagbo, 2006: p. 20). In 1990, the regional organization—Economic Community of West African States (ECOWAS) in West Africa deployed a monitoring group in Liberia (p. 20) that later brought about peace. Another example involves the North Atlantic Treaty Organization (NATO)—which responded to one of the recent and heightened conflicts in the former Yugoslavia in Kosovo (pp. 20-21). The regional IGO—the African Union (AU) has successfully settled various conflicts in Africa. For instance, the AU's 2003 mission in Burundi was a success, the first of the Union's missions to promote peace efforts in the continent. The success is seen in its ability to prevent conflict and "create a conducive

condition for the UN peacekeeping efforts to operate in the country” (Kumar, 2008: p. 126). The AU’s peace efforts in Sudan and Somalia are also positive progress considering the AU’s short period of existence as compared to other regional organizations such as the European Union. The AU’s imposition of sanctions on Comoros following a rebellion from Mohamed Bacar, who conducted a local election against the government, is another positive progress (p. 127). According to AMSIOM, the intervention in Somalia to end the civil war and terror attacks authorized by the United Nations marks another AU milestone.

Cooperation and collaboration between the AU, regional bodies in Africa, and civil society are key. The NGOs have previously played a critical role in preventive diplomacy, a function difficult for states. They are “less intrusive and less objectionable than states in their efforts to prevent conflict” (Leguey-Feilleux, 2009: p. 112). They breed trust. The AU is limited in terms of budgets and, therefore, collaboration with NGOs would lessen this burden. They would also be able to access some of the early warnings obtained by the NGOs since NGOs have “ties to the grassroots in conflicting societies, they are often in a position to identify, at a very early stage, danger signs and factors that can lead to violence. With the help of their local constituencies, they can press governments and international organizations to respond to the problems they have detected...” (p. 112)”... they function as transmission belts among multiple levels of governance” (Karns & Karen, 2010: p. 9). “NGOs’ governance functions parallel many functions provided by IGOs and, like IGOs, they can be analyzed as both pieces of and actors in global governance. As pieces of governance, they provide processes at many levels to pressure or persuade individuals, governments, IGOs, corporations, and other actors to improve human rights records, protect the environment, tackle corruption, create a ban on landmines, or intervene in conflicts such as that in the Darfur region of Sudan” (p. 112). They are “enable individuals to “act publicly” (p. 112). The AU’s recognition of transnational networks as a key actor in the Nile River conflict prevention is essential. As one scholar puts it, “As there are stakeholders in keeping the conflict alive, there are stakeholders for building the peace” (Lama, 2012: p. 23). They can play different roles in peacebuilding, including “business diplomacy, technology in the service of peace, business, development, and the environment, trade and investment as preventive diplomacy, business as a funding source for peacebuilding and business skills and practices for peacebuilding” (p. 23).

However, liberals’ view that the collectiveness of states lessens conflict is partially doubtful. Some conflicts occur among states who are members of the same “union”. For instance, the conflict between Nile states, all of whom are members of the African Union (Mersie, 2020), and the conflict over the South China sea, which involves different Asian countries who belong to the same organization—Association of Southeast Asian Nations (ASEAN) (Klare, 2001: p. 125). The United Nations comprises member states, some of whom have participated in conflicts between and among themselves. For instance, Turkey and Greece, Su-

dan and South Sudan, and Ethiopia and Eritrea.

In addition, the view that international law maintains order is worth examination. For instance, states engage in conflict despite international law. The liberal view that international organizations act as arenas of mediation is true to some extent and untrue to another. For instance, the African Union, which should promote peace, security, and stability in Africa, has been mute in the Nile River conflict, raising concerns about how international organizations can respond and prevent a conflict (Dessu, Dawit, & Roba, 2020). Notably, though there are some disagreements with the liberalism approach, the pros are more. Regional organizations have progressed in preventing and resolving conflicts.

7. Conclusion and Recommendations

The purpose of this paper was to explore factors for and against conflict prevention and resolution, the AU's role as a regional intergovernmental organization in preventing and resolving conflict in the Nile River, and the role of non-state actors and other IGOs in enhancing the AU's role in conflict prevention and resolution. The paper focused on the analysis of the African Union from its inception in 2002 to 2022 in response to the Nile River conflict. The researcher believed that the knowledge generated would afford new insights and inform the AU's practice and other IGOs to respond to conflict effectively before it occurs and or escalates.

The conclusion from this study followed the research questions and the findings and, therefore, addressed four areas: 1) Factors hindering the AU from conflict prevention and resolution of the Nile River (a. What democracy? Im-po-democracy (imported democracy) and b. Realism: The Nile for myself, the AU for us all); 2) Contrast interests common solution; 3) The AU's role in Nile River conflict: Afri-Nile solution; and Liberalism: Towards Cooperation and Collaboration (Cop-lab).

The emerging factors from the study included: the African states' ideology (imported democracy) with sub-factors such as colonial factors, external influence, African politics and leadership, and self-interests.

The type of democracy that African leaders practice has played against their countries. It is an "imported democracy". It lacks ownership from both the leaders and citizens. Some politicians take advantage of this democracy to their benefit. They enrich themselves by obeying the colonialists unquestionably, which means they have little control over their colonialists. The external influence thus becomes democracy. Though Western democracy is liberal, African democracy is electoral, and although some states try to practice Western democracy, they have yet to understand and actualize it fully. They are trapped in an electoral fallacy. The Westerners imposed a democracy that African leaders hardly grasped and for some who did, turned it for their selfish gains. For instance, the majority of African leaders have held political seats since independence. This rulership limits the extent to which the African Union can condemn some of the "aggres-

sive” acts of the member states. Due to underdevelopment and unrest in most African countries, massive refugee influxes have created further conflicts in the member states. In several cases, power handover has been through coups. The underdevelopment of most African countries also poses a security threat. The Union is yet to resolve the root causes of these unrests and massive refugee influxes.

The Nile states members are AU members who share the water resource. Except for Ethiopia, these states inherited liberal democracy in its British, French, or Belgian version from rapid decolonization’s accelerated and panicky processes. In Sudan, the leaders have risen to power through coups. In Uganda, the president has been in power since independence. Although elections have been held in Kenya, there have been periods of electoral violence. Egypt has also experienced periods of unrest. From the findings, these AU member states practice a democracy that their citizens and themselves do not fully comprehend, leading to external forces’ manipulation. Due to this ideology, African leaders have taken advantage of it and used it for their selfish gains. This selfishness has contributed to disagreements between the Nile states on the division of the Nile River and continued manipulation from external forces. In addition, the colonial legacy has contributed significantly to the dragging and slowness of settling this conflict.

Consequently, the Nile River conflict is explained from a realistic perspective. In short, “the Nile is mine and the AU for us all.” It is about what each state can take for itself. If it means involving the outsiders to get the Nile, then the AU can remain “our membership body with no powers for us all,” but the Nile for “myself,” then be it. From the realists’ point of view, the existence of international organizations is a non-guarantee to solving common challenges such as shared water resources. International organizations have no influence on a state’s behaviors which means they can exist, yet conflict/instability continues as each is for its interests. Also, states have to weigh benefits versus costs; therefore, if benefits to a conflict outweigh costs to a conflict, then a conflict is imminent. For this study, the AU member states are in different memberships for their interests. Selfish ambitions drive them. As members, they are unobligated to settle the Nile River conflict if it does not benefit them.

International organizations are a tool of states to be used when desired; they can increase or decrease the power of states. They are susceptible to great-power manipulation. For Egypt and Sudan, the AU is useful when they so desire. Since it is about competition rather than cooperation for realists, some member states who contribute most of their resources to the organization tend to have a stronger voice and influence its decisions and operations. Egypt is dominant in its military capability and economy among the Nile states. The control of the Nile River is a symbol of power, survival, and national interest for Egypt. To Ethiopia, the dam is a symbol of Ethiopia’s sovereign right to development and the country’s pride. The push by each state for its interest has created tense rela-

tions, with each state preferring its mediator of choice. For instance, Ethiopia prefers the AU, while Egypt and Sudan a foreign entity. Unfortunately, the AU has limited authority to “force” these states to agree to a common solution, and although it intervened sometime back, the negotiations stalled.

The Nile states have different interests, which means a joint solution catering to each party’s interests. From the findings, each Nile state’s interest in the Nile River differs from the others. For instance, Egypt is interested in water while Ethiopia in energy. Sudan and Uganda are competing for the Nile river due to their population explosion and quest to exert control in the region. Unfortunately, conflicts resulting from these countries have had a foreign or ethnic hand. Recognizing the different interests, the AU can use its regional power to facilitate a mutual understanding between the parties. However, each state must understand that compromise is essential to a joint solution.

In terms of solutions to the conflict and the AU’s role in the Nile River conflict, the paper concludes that the AU is well-positioned to prevent and solve the Nile conflict. It better understands the parties and interests at play, is able to bring parties to the table due to previous initiatives such as the Nile Basin Initiative, and because African problems can only be solved with African solutions (what the researcher terms as Afri-Nile solution). Regionalism breeds regional integration. Regional arrangements are more cost-effective, time conscious, and legitimate than the involvement of other international actors. The Nile states share geographical proximity, institutional frameworks, and some cultural identities, all under the African Union membership. In this respect, the AU is well-positioned to solve issues that concern the Nile. It also better understands the actors involved. However, though the AU can bring the parties together as per the Constitutive Act, it all boils down to the member states’ willingness. With the imported democracy, AU is faintly democratic. Most Nile states are “poor”, which means they are still dependent on their colonialists, limiting the AU’s full operationalization.

Lastly, the IGOs and non-state actors can enhance the AU’s role in conflict prevention and resolution, including collaboration and cooperation through shuttle diplomacy, sharing analyses and joint working, economic sanctions, advocacy, mediations, negotiations, resolutions, and treaties. This cooperation and collaboration are also between the AU’s member states and Nile states. The researcher termed this cooperation and collaboration as Cop-Lab, a short form of both. This finding supports the liberalism perspective. In the collectiveness of states, liberals view international organizations as problem-solving platforms for states to interact and cooperate. The liberal school of thought has worked in many cases, and today, the world is at peace largely from this thought. For instance, the European Union (EU) conflict settlement in the Bosnia war, the North Atlantic Treaty Organization (NATO) in Kosovo, the Southern African Development Community (SADC) negotiation of the 1999 Lusaka Accords dealing with the war in the Democratic Republic of the Congo (formerly Zaire), and the

Economic Community of West African States (ECOWAS) in Liberia.

Positively, the regional IGO—the African Union (AU) has successfully settled various conflicts in Africa. For instance, the AU's 2003 mission in Burundi, the first of the Union's missions to promote peace efforts in the continent; the AU's peace efforts in Sudan and Somalia; the AU's imposition of sanctions on Comoros following a rebellion from Mohamed Bacar, who conducted a local election against the government; and the intervention in Somalia to end the civil war and terror attacks. These successes can be mainly attributed to the past collaboration and cooperation with the UN and AU member states. Consequently, the study finds that cooperation and collaboration between the AU, African regional bodies, and civil society are key. For instance, NGOs breed trust. They do play a preventive diplomacy role, a function difficult for states. They are less intrusive and less objectionable than states in their efforts to prevent conflict. Also, the AU is limited in terms of budgets; therefore, collaboration with NGOs would lessen this burden. They would also be able to access some of the early warnings obtained by the NGOs since NGOs have ties to the grassroots in conflicting societies, they are often in a position to identify, at a very early stage, danger signs and factors that can lead to violence.

Based on these findings, the researcher recommends:

For AU to effectively respond to the Nile River conflict in an Afri-Nile way, its role should aim to strengthen the Nile states' institutional capacities, facilitate the division of the Nile River as per each state's needs, and promote cooperation through better trade terms. In addition, the AU should develop a conflict analysis and actor mapping and a monitoring mechanism for the implementation of the laid down terms by each Nile state and even create incentives for complying states. Consequently, the AU should strengthen its consultation mechanisms to give domestic interest groups such as civil society and the private sector a greater voice in and enhance the transparency of region-building efforts on the continent.

Moreover, the AU is legitimately suited to listen to each party's interests and create a common ground for negotiation by first showing that it favors neither and that all the states involved are important and have genuine concerns about the Nile. The AU is also supposed to use its legitimacy as a regional organization to recognize that, yes, the colonial factor played a role into the division of the Nile, giving Egypt and Sudan monopoly of the Nile but also recognizing that African states are independent, Ethiopia was not colonized and, therefore, need to develop African solutions to the Nile conflict that caters for each other and aimed at developing the Nile states region.

The AU should continuously create frameworks for development among its Nile states to reduce the dependency on foreign entities as well as reduce poverty. The AU should create incentives for member states that do not join similar membership bodies, thus reducing overlapping and transferring funds that would have otherwise been used in those other memberships. Furthermore, the Union must apply a robust approach to solve the increasing unrest in its/between

member states, the massive refugee influxes, the electoral violence, and the underdevelopment through partnerships among themselves to develop their economy. The Union should develop a “Nile states funding kitty” to fund its conflict settlement supported by AU Nile and member states, other regional actors, and non-state actors, underlining the need to remain independent from dominating powers outside Africa. The Union must intentionally provide civic education to its citizenry, thus creating a continent that understands civic rights, respects the rule of law, as well as create a democracy that better suits its context. The AU must provide options available to Nile states, highlight the need to compromise among all parties if a solution is to be found and encourage members to settle the conflict in an Afri-Nile way willingly. Finally, the Union must intentionally follow the rule of law and call out undemocratic acts of their member states, such as overstaying in power and foreign dependency and control and impose sanctions on non-complying members.

Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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