Conflict Prevention in the Sub-regional Institutions: The Case of IGAD in Ethiopia from 2015-2020

Abstract
Conflict preventionis the primary objective of the Inter-Governmental Authority on Development (IGAD). Despite efforts made by the institution, it has, however, not succeeded in preventing conflict in Ethiopia. IGAD, like other sub-regional institutions in Africa, has established an early warning early response mechanism and a Mediation Support Unit that is aimed at preventing conflicts. The study examines the legal and institutional framework of IGAD for conflict prevention. A qualitative case study research design was employed in this study. Purposive and snowball sampling were used to select eighteen informants for the study, and data was collected using semi-structured in-depth interviews, document reviews, and literature reviews. Five themes have been identified for data analysis. The findings show that the legal and institutional framework of IGAD is relevant for preventing conflict, however, it has identified several limitations within and beyond the scope of the legal and institutional framework.

Keywords:Conflict, conflict prevention, sub-regional institution, IGAD, Ethiopia

Introduction
Conflict prevention is avital feature of the United Nations Charter (Ramchan&Ramchan, 2020). According to Chapters VI and VII of the Charter, the Security Council, the Secretary-General, and the General Assembly are authorized to settle conflicts peacefully and prevent the outbreak of war and other forms of armed conflict (Ackermann, 2003). Although preventing violent conflict was one of the primary objectives of the United Nations, it has become a prominent agenda after the end of the Cold War (Tanner, 2000). This is due to a new security environment as well asthe multiplication of failed states that characterized the post-Cold War era. Moreover, the inability of the international community to effectively prevent and manage conflict in the former Yugoslavia and the genocide in Rwanda, in particular, led to a growing consensus on the moral and financial desirability of conflict prevention rather than attempting the more difficult tasks of conflict resolution and costly post-conflict reconstruction (ibid; Zartman, 2001; Victor, 2015; Wallensteen& Miller, 2004).

Regional institutions have also been surfacing to play a prominent role and contribute significantly to the growing desire for collective security systems and conflict prevention mechanisms (Saul et al., 2017). In line with this, Africa has increased its involvement and responded to the post-Cold War security challenges, mostly by collectively promoting sub-regional and continental-wide initiatives (Victor, 2015). The 1993 OAU Declaration on a Mechanism for Conflict Prevention, Management and Resolution, which is known as "the Cairo Declaration," was one of the continental-wide initiatives that forwarded conflict prevention to the forefront. It was adopted in the twenty-ninth Ordinary Session in Cairo, Egypt. The primary objective of the Mechanism was to anticipate and prevent conflicts. In this regard, the Mechanism placed the OAU at the centre for conflict prevention (OAU, 1993; Monde & Margaret, 2000).

A continued engagement also persists after the transformation of the OAU to the AU in 2002. The establishment of the Protocol Relating to the Peace and Security Council (PSC), in 2003 and its framework - the African Peace Security Architecture (APSA) is a significant action taken by the AU (Williams, 2009; Desmidt, 2019; Vines, 2013). Moreover, under the PSC, the AU identifies four key institutional pillars as an effective framework for conflict prevention, mediation, and peacemaking in the continent. These are the Panel of the Wise, the Continental Early Warning System, the African Standby Force, and the Special Fund (Williams, 2009; Desmidt, 2019; Vines, 2013).

The RECs, as the building blocks of the African Union, have an enormous role to play in coordinating and supporting member states' efforts in preventing and addressing root causes of conflicts and sustaining peace and inclusive development.Specifically, the subject of this study is IGAD. It was created in 1996 to supersede the Inter-governmental Authority on Drought and Development (IGADD).Although primarily set up to address environmental-related issues, the emergence and existence of violent conflicts and their "domino" effects at the sub-regional level, contributed significantly to the growing desire for conflict prevention and management mechanisms (Mulugeta, 2009; Weldesellassie, 2011; Khadiagala, 2008).Thus, IGAD has established an early warning and early response mechanism, as well as a Mediation Support Unit in response to itsmain program components (Conflict Prevention, Management and Resolution) that were mandated to the IGAD Peace and Security Division.

While conventional perception holds that there is often insufficient early warning to prevent conflicts, the opposite is often true (Carnegie Commission, 1997). This is particularly the case when examining the Ethiopian reality beginning from around 2015. Particularly by late 2019, the political violence had clearly exacerbated. Resentments and hostilities among ethnic groups have been growing. Reports of conflict, violence, death, and displacement had indeed become the new norm in Ethiopia (Lefort, 2020). Reflecting on this predicament, the crisis monitoring group had named Ethiopia one of the ten top countries to be singled out for special attention in global humanitarian crises. Despite all these grave developments and clear warning signals, IGAD did not engage in any meaningful prevention action. As a result, the situation escalated to a major armed conflict (a devastating civil war) that had ended hundreds of thousands of lives. Millions were internally displaced, and tens of thousands were forced to flee into a refuge. The situation has also caused severe humanitarian catastrophes and many face famine conditions. Dozens of women and girls have been raped. Overall, the civil-war brought mass destruction to the livelihoods of the nation's citzens. Therefore, it is important to understand why IGAD was unable to prevent the Ethiopian conflict. Specifically, the study aims to examine the legal and institutional framework of IGAD for conflict prevention.

Methodology

A qualitative research method was used for this study. A qualitative method is more suited to a quantitative because this study involves individuals who are more knowledgeable about a topic or processes.A qualitative methodology is more suitable also because depth analysis is needed. Furthermore, it is the most appropriate means of obtaining rich data through in-depth interviews with people who have deep knowledge. Interviews were recorded, transcribed, and the categorization of data in themes were used for analysis. In addition to the empirical data, this study used secondary data sources.

Maximum variation sampling was employed. It, also known as heterogeneous sampling, is a type of purposive sampling technique used to capture a wide range of perspectives relating to the thing that you are interested in studying. The basic principle behind maximum variation sampling is to gain greater insights into a phenomenon by looking at it from all angles.Informants in this study were carefully selected to represent views shared by most through maintaining heterogeneity in the data collection process. The informants were composed of four categories. The first comprised of experts and decision-makers at the Inter-Governmental Authority on Development, totaling nine informants. The second category consisted of Senior Researchers from an international research think tank- four informants. The third was Veteran diplomats who are still closely working with IGAD and they were three. The last groups are the IGAD stakeholders (AU-CEWS, Academia, and CSOs) comprised of three informants -one from the AU-CEWS and the other two are from the Academia and local CSOs which are among the members of the CEWERU.

All in all, eighteen volunteered to participate in the interviews and all were assigned pseudonyms to protect their privacy. Most were available for a face-to-face interview, while one informant was available for a Zoom and Microsoft Teams interview. The interviews took a minimum of forty-five (45) minutes and a maximum of three (3) hours. In an attempt to anticipate the quality of data gathered, two main descriptions of informants were considered relevant to the nature of the data sources. These include the informants' position and institutional categories. The informants' position had a relevant and direct relationship with the field of inquiry, while the institutional categories brought diverse views on the issue that the study attempted to answer.

Results
Five themes were identified for the data analysis process: (1) legal and institutional framework; (2)limitations of the legal and institutional framework; (3) assertive mandates; (4) the effectiveness of the statutes; (5)improvement of the legal and institutional framework

The Legal and Institutional Framework
In the document reviewed, it is evident that IGAD has a legal and institutional framework for conflict prevention. Article 7(g) of the IGAD establishment agreement showed that the Authority's aims and objectives is to "promote peace and stability in the sub-region and create mechanisms within the sub-region for the prevention, management, and resolution of inter and intra-state conflicts through dialogue (IGAD, 1996: 7)." Similarly, Article 18 A(b) urges member states to establish an effective mechanism of consultation and cooperation for the pacific settlement of differences and disputes. Moreover, the establishing document of IGAD Article 9(2c) directs the Assembly to guide and monitor political issues especially on conflict prevention, management and resolution. It also noted that the Assembly is the highest decision-making body of the Authority in which decisions take based on consensus.

In line with the document reviewed, the study has found various responses from the field interviews regarding the question of how useful is the legal and institutional framework to prevent conflict. The majority of informants agreed that the legal and institutional framework of IGAD is valuable to prevent conflict. They consider it as the legal base requirement to enable IGAD to carry out obligations and establish the institutions. As Desalegn indicated, two entities

were formed to tackle the issue of (conflict) prevention. One being is the early warning early response mechanism (CEWARN), while the other is the Mediation Support Unit. Furthermore, CEWARN has adopted its unique structure and has its distinct website and functions independently of IGAD's. Similarly, the mediation support unit has adopted its structure from AU-APSA – meaning from its equivalent 'the Panel of the Wise.' Thus, these two institutions (CEWARN & Mediation Support Unit) work on prevention issues. Furthermore, he noted that the aforementioned institutions are not even limited to early-stage prevention. They work also in tandem to avoid possible escalation and further contribute to peace-building.

Tesfaye accentuated further the legal and institutional framework's usefulness. In his view, it is not a major problem. However, he noted that whatever is provided for concerning the legal authority of the organization, he doubts that improvement in that area is going to make a lot of difference. He explained as follows, "it is adequate the question is whether member states respect the legal principles contained in the charter that in my view is the major question. I doubt very much after the organization was transformed with it in 1996 since then, I believe it was made really to focus on peace and security what it has done in the economic area has been very limited really." IGAD's contribution to the region has been more pronounced in peace and security areas in any case the legal bases are sufficient.

Moreover, Seyoum stated the institute acquired a broader mandate organizationally with a more developed structure; however, it did not fulfill the expectations. When one thinks of regional institutions, one should consider the character of the member countries. He named the member states: all of them are 'troublesome' countries, so to say. It is difficult for a group of countries faced with different types of instability to come together to deliver peace. It is perhaps unrealistic. For example, Eritrea was just pulled out from IGAD; Somalia was a failed state for a long time. Perhaps Kenya is in a better position. Ethiopia is currently in a deeply unstable situation. So, summing up, given how fragile these member-states are, how effectively can the organization deliver cohesive peace?Indeed, it becomes a major challenge. However, he indicated that these gigantic difficulties have better not be misconstrued as saying, at least, it is better than doing nothing. The existence of the institution, if nothing else, holds a symbolic good-will hope mantra. Seyoum also revealed that:

> IGAD is just a sub-regional organization. If it is really about these kinds of institutions, how effective is the UN? How effective are other regional and sub-regional organizations? Supposedly on the theoretical level, these can be pillars to build the like of the European Union. So, in the context of Africa, they are pillars for some type of federative or confederative and cohesive African voice. It's a fantastic ambition. If you take the early warning – yes it has worked and been somewhat useful. After all, it is facilitating the flow of communication to know early enough – whether be it impending drought, looming war, or pending conflict. However, an early warning without an early response is futile.

In line with that, a similar and more emphatic position was observed from Johannesas follows:

> IGAD does have an institutional structure, and a legal framework put in place. However, these are not enough in conflict prevention because the implementation of the policy

framework and the decisions of the regional organization very much depend on the willingness of its member states. So, despite having a seemingly robust policy framework, in the final analysis, it is still an intergovernmental organization. This point is a critical factor. Because it is an intergovernmental entity, the ultimate authority is wielded not by the organization per se, but by its member states. Any implementation depends upon them, as opposed to a supra-international organization. The latter means that certain elements of sovereignty are willingly forfeited and delegated to the organization and therefore mandate it to take certain independent decisions under which member states will abide. So, in essence, regional organizations find themselves in constant tension with their member states on certain issues.

On the contrary, some informants mentioned issues of sovereignty, reciprocity, and subsidiarity as some of the vague governing principles in the establishing agreement of IGAD that pushed the institution not to involve in the intra-state conflict. In support of that, what Belachew deposited, as far as legal, institutional, and structural issues are concerned, the member states ensure that IGAD functions at the will of their respective countries. It cannot interfere with the internal affairs of any member state unless specially mandated by a member state. He quoted, 'There is no provision within the mandate capacitating to act on behalf of member states the same is true to the AU that is why IGAD cannot issue any meaningful statement or act upon a conflict situation in Ethiopia. So, in other words, it appears that, by design, these member states have knowingly created a feeble regional organization. Compared to SADC, IGAD remains much weaker.'

Furthermore, Belay noted that IGAD is supposed to be one of the RECs to lead the process of economic integration by bringing stability to the region; however, IGAD has been nowhere to be seen in this regard. Thus, one cannot expect IGAD to take the lead in conflict resolution rather it is the sovereign states that are responsible. He also pointed out thatit is important to realize that regional institutes serve as instruments for powerful states. The same is true about the AU, let alone IGAD; the AU has not issued a cautionary statement regarding the Ethiopian conflict.For example, in Sudan, IGAD intervened later and only at the behest of the Western world. Again, it is unfortunate this time around that there is no strong member country that can assume leadership in the region. Countries such as Ethiopia and Sudan are in Crisis, while Kenya has other interests. Thus, one cannot expect leadership from the remaining entities- South Sudan and Somalia, which are already fragile.

Tarekegn offers different perspectives to the question raised. For him, the legal and institutional and legal framework of IGAD is useful and not so useful at the same time. He indicated that IGAD is an inter-governmental organization. IGOs can be either an instrument, an arena, or an actor. Importantly their establishment's mandates emanated from the states' behaviors. IGAD is a typical IGO, as the name stipulates. So, seeing IGAD as an arena makes it difficult to say IGAD discharges its given mandates. Until 2012, before the death of the late PM Meles Zenawi of Ethiopia, more or less it held its regular summits both at the level of the heads of state and council of ministers. When looking at it as an arena, it means like a theatre where on that platform, the heads of state regularly meet and set agendas for consultations and discussions.

When saying an instrument, states use it for some purposes. Because it is not a supra-national institution. Yet states establish them for specific objectives, whether for peace and security, to deal with the impacts of climate change, or even to address issues related to agriculture. So, they serve as an instrument for that particular purpose. Finally, IGOs as an actor- act and crystalize their given mandates and put goals in the strategic plan, which then can be implemented according to their core mandates. Therefore, they have three different roles. Tarekegn further suggests that though it may not be this research's specific objective to investigate IGAD's interrelated and particular roles. Nevertheless, he suggests that the research questions it is exploring would be answered within this framework. From the point of view of Tariku, IGAD was an arena at times while serving as an instrument at other junctures. But he emphasizes that it had never been an actor as such.

Attempting to inject clarity further, Tarekegn elaborated that there were times when IGAD was an arena. When IGADD was originally established, international actors had a consultation with member states, which they used to develop policy strategies, implementation action plans, and so on. So, if asked whether IGAD fulfilled that purpose, Tarekegn would answer affirmatively. He stated that when the Authority was revitalized, member states agreed to address some of its shortcomings and also added the peace and security component that the region lacked. It was evident that drought and desertification were not the only issues facing the region, but also conflicts sprouted everywhere as well. So, the mandate added to IGAD was the peace and security element that this study is discussing now.

Tarekegn said that if he was asked again whether IGAD discharged its responsibility once it was given that mandate or not? He would answer with assent. As he pointed it out, "As an arena, of course, member states used to meet for a discussion." However, this was interrupted by the Ethio-Eritrea war. Until then, the major players, equal partners who see each other eye to eye, were discussing their agenda. When the Ethio-Eritrea war erupted, the two elephants (Ethiopia and Eritrea) that used the platform faced difficulties, and IGAD could not serve as an arena. Let alone discharge its mandate; it could not even issue a statement. Instead, it was the OAU, the US, and Rwanda, which were the major players attempting to solve the conflict. Therefore, IGAD was neither an arena nor an instrument and actor. After the war ended with Eritrea's defeat, the Ethiopian foreign policy became more active.

The Ethiopian Foreign Ministry sought a body that legitimized it, so strengthening IGAD was in Ethiopia's interest, he added. However, this had its benefits and drawbacks. On the one hand, it was the time IGAD was transforming from arena to instrument. But on the other hand, Ethiopia's continuous support to IGAD through strategic cooperation with member states such as Kenya, Uganda, Djibouti, and Sudan allowed the nations to participate actively in the institution. The senior people from the Ministry of Foreign Affairs would tell you that bringing IGAD into peace is one thing; however, it risked damaging its sustainability. The reason is that it consistently favoured Ethiopia at the expense of sidelining Eritrea. So, this made Eritrea lose interest in the institution and pushed Kenya and Uganda to align closer to the EAC, because of a sense that IGAD was gradually but surely transforming into becoming Ethiopia's instrument. So institutionally, IGAD was not discharging its mandate in this regard.

Tarekegn also alluded to the observation that IGAD was effectively valuable as an instrument. He gave the example of the African Union Mission in Somalia (AMISOM). As he pointed out that without Ethiopia's strong support and initiative, sending a peace support mission to Somalia IGASOM, which later transformed into AMISOM, would have been unthinkable. As known, a peace-keeping operation is not deploying intoa combat zone. Nevertheless, Ethiopia, convincing Kenya and Djibouti, enabled the creation of AMISOM, which would have been unthinkable without the support of IGAD. Thus, it served as a useful instrument for Ethiopia.

IGAD has really seldom been an 'actor' as such. In fact, throughout history, IGAD has predominantly served either as an arena or an instrument. So how useful has IGAD been if assessed on this base of pinpointing its identity characteristic? Then the response is that it was useful; it was helpful for Ethiopia by serving as an arm/branch or a tool of the Ministry of Foreign Affairs. But if one looks into its institutional/organizational goal, it can be affirmed that it weakened the institution in the long run and eventually paralyzed it. Perhaps this has been proven recently when Ethiopia lost interest in IGAD post-2018, specifically after the normalization of relations between Ethiopia and Eritrea.

Tarekegn further stated that during the period 2018-2020, a tripartite alliance was forged by three leaders: Isayas Afeworki of Eritrea, Abiy Ahmed of Ethiopia, and Mohammed Abdullahi Farmaajo, the former president of Somalia. Even though it was not written or communicated orally, it was an open secret that the alliance aimed to mold the regional order and replace IGAD. The Eritrean president, the godfather of the partnership, was vindictive on IGAD. So, this may be remembered in the detrimental returns of an ill-conceived policy now mortally affecting IGAD. Ethiopia, the prime country that used IGAD, abandoned the institution during Abiy's premiership. So, this may endanger the institute's very existence, not to mention its capability to carry out its mandate.

For Martha, the legal framework has limitations. But in her perspective, the institutional framework is useful. According to her, "the institutional framework from IGAD's perspective is the mandate." Regional organizations are mandated to deal with conflict issues. For example, Article 52 of the UN Charter clearly states that regional organizations are mandated to deal with regional issues in their respective regions. Similarly, Article 60 of the AU-PSC Protocol states that regional blocks are supposed to deal with conflict issues. Specifically, when it comes to IGAD, as one of the regional blocks is expected to deal with peace and security issues. So, if there is no problem with the mandate, what is the problem, she asked? Is it an architectural problem or a strategic problem?

Martha continued, "in IGAD, every five years, there is a developed strategy to deal with peace and security issues."She stated that from 2010-2015, IGAD had a strategy that dealt with conflict prevention, early warning, mediation, preventive diplomacy, security-related threat, governance, CSOs, and gender as cross-cutting issues. Then, again, after the expiration of the previous one, it came up with a strategy (2016-2020) that dealt with the same issue. In general, the interviewee stressed "IGAD has no problem with the mandate, structure, and strategy." The informant/interviewee underlined that by using the word 'structure' indicated a sense of 'programs.' For example, CEWARN is dealing with'early-warning',whilethe Mediation Support Unit (MSU) is responsible for mediation.

Limitations of the Legal and Institutional Framework

In response to some of the limitations of IGAD's legal and institutional framework for the prevention of conflict. Informants have different responses. Some believed the limitations have to be seen beyond the scope of the legal and institutional framework. However, one of them, Hamad, thought that the only gap within the IGAD is the aspect that would allow IGAD's decision to be enforced. He believed that the institutional dimension was the part that could be weak. Hamad described the institution's structure and the decision-making bodies as follows:

> Decisions are being made, and the structure that we have is political, therefore, sensitive to the member states' issues such as robustness. For example, when you have African Union- Peace and Security Council, you see a sort of semi-autonomous entity. Some decisions could be made easily, and the same would appear with the UNSC. They can address some issues. In the case of IGAD, we have the Council of Ministers and then, of course, the summit. To what extent that these two bodies can smoothly interact and enforce decisions? I do not think they would be able to do that, which could be the bigger challenge for IGAD.

Similarly, Desalegn indicated the absence of a specific decision-making organ by comparing IGAD with other similar international organizations. He pointed to the discrepancies he observed. For example, the United Nations has a six-pillared structure beginning from the top: The General Assembly; the Secretariat; the Social and Economic Council; the Trusteeship Council, the International Court of Justice; and (concerning us most) the Security Council. So, it means there is an empowered organ having decision-making capability regularly. The AU also has the Peace and Security Council, which has decision-making powers regularly. When looking at IGAD, it is not equipped with a specific decision-making organ dealing with peace and security issues regularly. Decisions are made throughout the four echelons up to the Secretariat. Specifically, it is not clear who deals with peace and security issues when timely decisions are needed. For example, when early response steps need to be taken, how and by whom are actions taken? If necessary, within what time frame will the intervention be authorized? Who will make the assignments? For example, AU has 'the Panel of the Wise,' who will direct or mandate the mediation support unit. Who will lead and moderate the effort? All of this is not clear in the structure.

Desalegn added, "I believe, yes, the institutions are there, but it is not at all clear how they all function effectively. As I told you earlier, there may be adequate information indicating a looming conflict." However, beyond the preparation of appropriate documents and sharing them, there is nothing more they can do. Reports may be submitted following the hierarchy of the Secretariat, which in turn passes it on to the Ambassadors, then to the Council of Ministers, and finally to the Assembly (Heads of State) for a decision. The Assembly convenes once a year, while the Council of Ministers meets twice a year. "Does this mean that conflicts are seriously dealt with after waiting that long, He asked?" He answered that it is not clear when and how the extraordinary sessions may be summoned. So, it is prone to the whims of subjectivity. Modalities are not stipulated. The eight leaders of the constituting countries have to agree. A majority

consensus may be enough. Desalegn asked, "Doesn't such ambiguity lead to ineffectiveness?" He suggested that there should be a constantly ready body to take necessary decisions, like the AU with its standing committee or the UN's Peace and Security Council. It could be a team of delegated Ambassadors, but there is so far no such structure. So, as it stands now, the General Assembly has to be awaited. Who convenes extraordinary meetings is unclear and prone to subjective influence.

With regard to the IGAD's Mediation Support Unit, Desalegnemphasized that there is a lack of clarity on both the legal and structural framework of IGAD. According to him, the mediation support unit is supposed to serve all member states. In the AU, for example, it is well known that members of the 'Panel of the Wise' who in parallel conduct preventive diplomacy as well as mediation efforts, when necessary, are people who represent all corners of the African continent – from the North, South, East, West, and Centre. Thus, they are known by all. So, when the need arises, they are immediately summoned by the Chairperson and directed toward the conflict at hand. In the case of IGAD, however, preventive diplomacy is just one tool, but it is unclear whether it springs to action only in the emergence of a conflict or is constantly on standby.

Concerning the Mediation Support Unit,Desalegn said"there are none. Perhaps, there is a list or roster of mediators."He asked, "how often is the list updated? How are they selected? Is there a credible system in place? What are the criteria for their selection?" All of this needs to be clarified. Going back to IGAD, inclusion in the list of possible mediators is seldom attached (terms of reference) to a sense of responsibility. For example, say a person is included in the list of the panel for Djibouti.The question is whether that person is made to feel a sense of responsibility for the position. If not, and he/she says they will continue to be on the mediator list for the next five years, this means no responsibility is attached, and this begs for a re-examination of the structure in general.

Johannes viewed the limitations beyond the scope of legal and institutional frameworks. He stated that perhaps the cardinal limitation is the inability/undesirability of member states to kind of outsource a small portion of their sovereignty to IGAD and empower it. This is because of the nature of inter-governmental institutions. The other factor, he considered, is the member states' nature. We should consider their historical formation and their relations with each other. We can also observe the similarities of conflicts in these states and their desire to minimize interaction with other states in dealing with them as they share threats. This is a critical element beyond the legal and institutional framework, which is not unique to IGAD only. The sovereignty card is also a great predicament beyond its legal and institutional framework.

The issue of hegemony was also raised by Johannes. According to him, in IGAD, there is no clear-cut emergence of an accepted hegemon. What was before and now is the Ethiopian government's aspiration for the role? Perhaps in a broader and loosely defined sense, one can talk about Ethiopian regional hegemony taking into consideration factors like population, military strength, etc., though it is the one country-one vote principle that is the binding norm. However, when it comes to IGAD, it seems Ethiopia, Sudan, Uganda, and Kenya all aspire for hegemony; perhaps this is one-factor inhibiting unity. Therefore, other factors are critically crucial beyond the legal and institutional framework.Besides, he underlined that conflict prevention is a complex arena. Prevention is usually achieved through political means, so the

nature of the state, state-to-state relations, and the essence of their state formation are all very important factors that make genuine cooperation unlikely within IGAD. Also, he reminded us that many in the region face ongoing security and sovereignty challenges. And finally, it is better not to forget that regional institutions internally have the challenge of sustaining themselves financially as they are predominantly donor-dependent, which adds to the problem of being unable to set one's agenda free of foreign interference.

Like Johannes, Belay, Bekelle, and Mohammed highlighted the absence of cohesion between member countries as one of the limitations that affected the mandate to focus on peace, political settlement, social cohesion, and development, which IGAD is supposed to handle. Belay further described this accordingly:

> Even for CEWARN, the member states are the ones that collected data and do research at the grass-root level, not CEWARN. CEWARN reported only what each member state has delivered to it, in which, somehow, they deliberately minimize the threat level to avoid probable request/drive for/ toward interference. For me, the entire history of IGAD is a history of challenges/problems, but the highest level of problem it faced happened in the last four years, and there is no way out of it at the moment for IGAD. It will be even more difficult for IGAD in the next few years. The financial resources are not there. The chain reaction of internal, regional, global, structural, legal, and financial is militating simultaneously IGAD. It is unfortunate for it.

For Seyoum, a serious gap is seen between early warning and response. Presumably, the weakness of the latter has to do with economic dependency. There are many reasons for the limitations. One of them is the lack of resources. Most of the emergency relief is provided by donor (developed) countries.So, if partners are unwilling to provide for political or other reasons, the response mechanism is unable to do what is expected. The other gap is the countries' fragile structure. Given the conflict-ridden nature of its region, IGAD has not been able to concentrate and function viably. He stressed that when discussing the institutional and legal frameworks of IGAD, we cannot view it separately from the fragile situation in the member states. It is part and parcel of the problem. How can a bunch of peace-deprived countries come together to bring about peace? They embody cumbersome bureaucratic structures, especially in the higher levels of decision-making.

Moreover, it was noted that the policy organ, particularly the summit of heads of State and the summit of the Council of Ministers, is supposed to hold regular meetings. But most of the time, they hold what is known as extraordinary summits indicating they do not meet regularly, which creates some sort of gaps. There is a set-up timetable for the ordinary meeting, but it is not respected. For instance, Filmon highlighted that the ordinary meeting was held in 2009, and after that, there were no regular meetings of Heads of State and Government almost for nine years. So 2018, when PM Abiy came to power, there was an ordinary summit.

In the same vein, Seyoum pointed out that it should be taken note that these bodies (ministerial level) meet once in a long while. When they do meet, chances are that they are more immersed in their national agenda rather than being deeply embroiled in the problem of the institution. As he stated, "I do not think they are motivated by a genuine willingness and commitment to deliver,

particularly at the higher echelons. As far as IGAD is not an instrument for peace; it is just having the mandate without the necessary clout." Without the power means, attempts cannot transpire into actual peace attainment.

Incompatibility of interest is also cited as the other constraint. According to Filmon and Tesfaye, member-states have conflicting interests among themselves.Most of them enjoy multiple memberships with similar organizations. Almost four IGAD members also belong to the EAC. Some of them are also with the Arab League and some with COMESA. So, these divisions of interest may even be conflicts of interest, making it very difficult to function in unison under IGAD. Tesfaye described it accordingly:

> The member states have not committed, for example, to fulfill their obligation for the organization's regular budget. I know for sure there are a few member states that have been behind the payment of their assessed contribution that has been the case for a long time. Perhaps the commitment of many countries has been very weak in that regard. Some of them belong to other organizations; therefore, there is a serious question of whether those few countries (it is not necessary to mention names), whose commitment to the organization, may be judged on the bases of their prompt payments (or lack thereof) toward the regular budget.

Moreover, Peter and Robel mentioned some of the challenges as follows: lack of political will of member states to prioritize in dealing with conflicts is a major challenge. The problem of being unable to execute plans and tasks in coordination with the national objectives of the member states. And lack of financial and other resources, especially concerning conflict response actions.

Like Johannes, Tarekegn also mentioned the unsettled hegemony as one of the limitations. The issue of hegemony is not settled in the IGAD region. He asked, "It is unclear who the hegemon is, Kenya, Ethiopia or Eritrea, or others." He further concludes that if regional hegemon was partly solved in the region, then IGAD would have been stronger. For example, according to him, a hegemon issue was somehow addressed between 2006 and 2012 when Ethiopia's power seemed to be strengthening. This was when Ethiopia's military deployed to Somalia to combat Al-Shabaab, the terrorist group based in Somalia. Moreover, Ethiopia was the only country that was singled out and preferred by the two Sudans (South Sudan and the Sudan Republic) to provide its troops to the UN peacekeeping mission in Abyei. This enabled Ethiopia not only to set a new record for peacekeeping in the history of UN peacekeeping but also to lead as a peacemaker in the region.

Tarekegn also stated that even if Ethiopia did not achieve an outright regional hegemonic status/acceptance, it was nevertheless a "contested hegemon" in which other competing forces also existed. He gave an example of how Ethiopia convinced other IGAD member states to deploy their troops into Somalia under the auspices of IGAD/ and formed IGASOM to fight terrorism. As to him, "There was no other state capable of mobilizing its army and economies of scale as Ethiopia was." He reiterated that even if there was no regional hegemon, the contesting hegemon was able to coopt IGAD. The cooptation creates reputational damage for IGAD as it suggests serving as an arena of the Ministry of foreign affairs of Ethiopia. Therefore, the reputational damage has been very serious for IGAD. In other words, whatever IGAD says, leads

to a perception that it is pursuing Ethiopia's interests. So, an unsettled hegemony in the region is a limitation for IGAD. He concluded, "If you take ECOWAS and SADC, the issue is settled-Nigeria and South Africa, respectively. In the OAS, it is the US which sets the agenda; in the EU, it is Germany and France."

The other limitations of IGAD originate from the nature of the institute. Tarekegn and Martha portrayed IGAD as a typical IGO. Tarekegn said that even member states do not cede their sovereignty, and what they give to IGAD is decided by the heads of state, not by the IGAD secretariat. The secretariat has no tools to coerce states. IGAD cannot operate if the states have no interest. Even hiring an employee requires the approval of the member states. When it needs financial support, it goes to the IGAD-Partners Forum (IPF). Therefore, its limitations stem from the lack of at least some shared minimum consensus due to the very nature of IGAD's member states. Moreover, reliance on external donors is another pitfall for IGAD. It is purely donor dependent. Even member states do not pay their annual contributions on time.

Similarly, Martha remarked as follows:
> IGOs are voluntary creatures of states. So, you cannot make them accountable for what they are doing. Why? From the realist point of view, states not only have national interests but are also suspicious of the state next door. There is always mistrust. What is happening in Somalia, Kenya, Uganda, etc.? Realists say you build military and develop strategy tactics to influence the other state, which we call 'deterrence.' Whatsoever is, it is the national interest that governs the states. The states do not want to compromise their national interest, irrespective of who sets it. The national interest prevents the states from compromising on whatever states need to do for the sake of regional organization. Even though they may falsely assert that they will cooperate, if you ask them to share intelligence information and they assume it would affect their national interest, obviously, they will not share. States are sovereign. Because of the mistrust, it is not easy to cooperate through intergovernmental organizations. That is the limitation in itself. The Institution is not fully empowered. You cannot say to the Ethiopian government, "The last election held was full of flows." Even if IGAD is mandated to criticize member states, it will not be practical and operational due to politics. As realists said, regional institutions are tools of powerful states.

Martha further explained, "Do you know why ECOWAS is so powerful? It is because of Nigeria. ECOWAS is under Nigerian influence due to its power and resource. But here in IGAD, all the countries are unstable, to say the least. There are historical wounds among the member states. The end of the Cold War brought state disintegration in the Horn of Africa- Eritrea, Somaliland." The incomplete state formation process in the region is a challenge. So, the inter-governmental institutions do not have power. The national interest of powerful states can dictate the direction it adopts. That is why sometimes, even if legal/institutional frameworks are sufficient, they become weaker due to power relationships. For example, Ethiopia and Somalia-Ethiopia had a significant influence in the region before 2018, especially in Somalia's politics. Whenever Ethiopia wanted to condemn, it simply convened a meeting. Ethiopia was a chair for ten years. Ethiopia convened a meeting to take a decision on Somalia, and others endorsed it, saying, "We understand why Ethiopia entered Somalia." This is because of Ethiopia's powerful influence in the region.

Therefore, an intergovernmental organization is limited because of that power balance and the existence of weak states.

The inter-state relationship is the other limitation shared by informants. For example, Martha said, "The political and diplomatic relationship between Ethiopia and Somalia is not similar to that of the rhetoric of 'normal' neighborly ties. It is tarnished by, going back to, the 1964 Somali's irredentist policy." So, this is the region in which states are highly suspicious of one another. Furthermore, Ethiopia and Eritrea, as well as Djibouti and Eritrea, still have unresolved border issues. In addition, Zenebe mentioned the outstanding border issues between the Sudan Republic and South Sudan, such as Abiye and the other three regions that have not yet demarcated. Also, mention is needed regarding Kenya and Somalia- disagreement over a maritime island that was ruled in favor of Somalia by the International Court of Justice that Kenya has not accepted. Djibouti is a small country, but politically it is very significant. Suppose the regional Institution created by these member states is expected to make them accountable.

The intra-state instability is another limitation raised by Mohammed. He summarized the major arenas of instability in the region: Somalia is still not a stable state, despite the attempt to establish a seemingly viable functional government just a decade ago; Sudan is still in transition, and there is a huge disagreement between the civilian sector and the military; Ethiopia is still in civil war, and lastly, South Sudan is still struggling to implement the peace agreement. He stated that four countries are trapped in their internal issues in the region, and Mohammed asks, "How can you expect them to invest in the regional organization?"

The CEWARN channel is also mentioned as one of the limitations. For example, Jonas said that the CEWARN channel is -early warning experts report to the CEWARN Director and then to the Executive Secretary. Jonas asks, "When you define early warning information, how early is early?" Every stage/ step of the way, like any ladder, takes a long time and adds its own bias at every point. So, the institutional hierarchy is not effective in implementing the mechanism. He also mentioned that the concept of early warning has receded over time. As he indicated, most reports are written chronologically rather than analytically. It needs to build a scenario that describes a course of action and connect the items analytically to get a clear picture. Moreover, most of the early warning reports are media reports. Such a type of report does not help to get farther. It may raise awareness, but nothing will serve as an early warning over time. The decision-makers here may like such reports because they show no effort to seek recommendations for intervention if the need is observed. IGAD has situation room and is supported by the AU, but it produces weak analysis. Although there is a hierarchy, structure, and human capacity, it lacks methodology. Nobody also thinks about preventive diplomacy until the last minute. If prevention is to succeed, it should be done at the right time and in partnership with the right stakeholders.

The Effectiveness of the Statutes
Regarding the question of whether member states honor and respect the legal and institutional framework of IGAD or not, some answered yes. Peter explained affirmatively "they do respect it and consider IGAD as their organization." First, it is through their yearly monetary contribution. When we take CEWARN, member states have an annual contribution that is supposed to be used for salary, administrative costs, etc. Second, each member state assigns personnel to work with

IGAD in the day-to-day functions of the institution. One example is the early warning unit in each country. Though paid by their respective governments, these staffs usually work with IGAD. Third, one staff is assigned, usually from the Ministry of Foreign Affairs, who serves as the focal person for IGAD. So, this person liaises with the Secretariat and coordinates when there is an issue. According to Peter, this indicates the institution's acceptance as a long-term partner.

Similarly, Hamad appreciated the honor and respect bestowed by member states to IGAD. He further elaborates, "I have told you about IGAD being a creation of member states, and all these programs show that member states see the need to establish either a program or an office to support that. So, of course, they see the value and respect it." He also remarked that the member states meet so many times in the extraordinary council or session, not to mention the meeting of the Committee of Ambassadors that is even more frequent than the others. It is a show of commitment that the member states see value in IGAD. He said, "This is the region where the extraordinary councils have been taking place many times, probably because of the nature of the conflict dynamics we are dealing with." This idea was shared by Charles and Martha.

However, contrary to the above, certain informants did note that member states do not honor and respect the legal and institutional framework of IGAD. Belay, for example, responded that some member states try to use and utilize IGAD for their advantage and immediate interest. They always perceive IGAD as a vehicle to advocate for a certain agenda. So, they are eager to work with IGAD whenever their interest is promoted and/or maintained; otherwise, they disappear or try to bring IGAD in line. Belay maintained that Ethiopia used IGAD better than others, while the Eritreans were constantly dissatisfied with IGAD because they considered it more of an instrument that kept them under a punitive watch. So, they became vengeful and strive for the total demise of IGAD because, knowing that for twenty years, IGAD was the instrument that kept the sanction against them going. It needs to mention here that IGAD and other RECs face a similar problem.

Similarly, Johannes said that they do not honor and respect IGAD, particularly as it pertains to serious peace and security and conflict prevention issues. He elucidated that when one talks about conflict prevention, it focuses on both the operational and structural elements. The structural aspect of conflict prevention is closely related to the genuine practicing of democracy, good governance within each member state, etc. As a result, since most countries are not genuinely 'democratic,' they are reluctant to implement the norms. Another fact is the understanding of sovereignty. Everything is connected with that, and states are first and foremost positioned to defend against any perceived challenges. As Johannes put it: in fact, the issue of sovereignty is much more pronounced at the UN level. When one observes the concept of sovereignty from the human security point of view, tiny Albania and large Russia are essentially equal, but coming to the UNSC is something else. The same goes for the AU, which addresses intervention under Article 4(h) of its Constitutive Act, though it is another thing in practice. Perhaps, AU and regional organizations are better when it comes to human security.

Furthermore, Johannes explained that the other thing complicating the issue of honor and respect can be found in the gap between early warning and response in the conflict prevention scenario. Especially in a politically motivated conflict, member states are much less inclined to call for the intervention of other member states, and indeed, the subject country is not at all willing to accept

any intervention, given the strict interpretation of sovereignty. That is why IGAD/ CEWARN has for so long been preoccupied with apolitical issues such as conflict among pastoralists. In fact, between 2002-2012, CEWARN's focus in its pilot operations was on pastoralist conflicts in border areas, which can prove evidence for member states' preference to deal with apolitical issues. Conflicts that bear less risk of mutual entanglement.

Along the same lines, Tesfaye noted that when one looked at how Ethiopia behaved when it held the Chair post, he was at the foreign ministry and added, "I have a serious question about whether we fairly discharged our responsibilities. How long did we occupy the position of the Chair, and what did we do when we were 'the chair'? Did we not abuse our authority in terms of personnel appointment, overstaying as the Chair of the organization while the member states were not putting pressure on Ethiopia to vacate the Chair? It was because other member states were not committed to the organization. They ignored the organization, and that was what was happening."

Seyoum and Desalegn also noted that not all member states aggregately denied honor and respect for the legal and institutional framework of IGAD. For example, Desalegn described that this depended on the individual commitments of each member state. For example, CEWARN's information gathering, collection, and sharing efforts were supposed to be supported by all member states. They have all agreed in principle, but do they all assist in practice? It is a timely question. In his view, they all do not. If one asks why? Eritrea is one of the eight-member countries that does not recognize IGAD. It does not believe IGAD to be a useful organization. Thus, let alone helping out with information and its dissemination, Eritrea, for the past years, officially declined to be a formal member. IGAD, on its part, claimed that it suspended Eritrea. However, the reason behind the suspension is Eritrea's refusal to join.

Seyoum reflected on the issue of honor and respect, suggesting that it may depend on the burning issue or agenda at hand. In his view, If the issue is considered beneficial or enhances their personal or state interest, then those concerned states and/ or representatives will be willing to facilitate it and vice versa. It is not like all have a similar outlook and/or attitude like 'it is working for 'our' peace, to resolve 'our' conflict, it is 'our' organization, so let us respect and follow it.' It could vary from issue to issue, from one individual member state to the next. Thus, it is not safe to say that all honor and respect the organization frameworks at the same level. More correctly, it depends on individual perceptions of their interest vis-à-vis the issue at hand. Moreover, this is one of the sources of weakness for the institution.

Tarekegn observed that member states do not see IGAD seriously. He pointed out that there are two RECs in the HoA- IGAD and the EAC. Kenya, Uganda, and South Sudan have joined both organizations; Sudan and Djibouti are members of the Arab League; Eritrea is skeptical of IGAD and even other multi-lateral organizations. So, there is the absence of any loyalty, or conversely, double or multiple loyalties. Thus, he points out that it is challenging to take IGAD seriously. For example, Tarekegn asks, within this study's time frame, 2015-2020, how many statements and communique have been released and issued? Did IGAD convene a summit during the period above? Tarekegn answers negatively and adds that we have never heard of IGAD convening a summit on Ethiopia's conflict. If the heads of state probably discussed it during the tea break, we

do not know… if so, it remained with them then. When it does convene a summit, it calls on the South Sudan or Somalia issue because these are the weakest states.

Moreover, IGAD was instrumental when Ethiopia and Kenya had common security interests in Somalia. Nevertheless, one cannot say that member states prefer the non-existence of IGAD. Therefore, they go along with IGAD according to their interest. He stated, "In my view, it is Ethiopia that may take IGAD seriously. I must be honest with you because, in its interest, there should be IGAD as an institution. If IGAD is successful, the major IGAD sponsor states should be Djibouti, Ethiopia, Eritrea, Somalia, and Sudan to some extent. Kenya and Uganda have few issues, unlike the original horn countries (Ethiopia, Djibouti, Eritrea, and Somalia), because of many problems intertwining these countries."

On the contrary, for Robel the issue is not honoring the legal and institutional framework. As he pointed out, "I told you, it is a problem of political commitment. It is incompatible with perceived interests. For example, it is difficult to imagine Uganda and Sudan standing together on any issue because there is a concrete reason why they cannot." If we look at the case of Ethiopia and Somalia, the Somali leader before Farmaajo was Sheik Hassan, who wanted to work with the EPRDF government. There was a controversy that Ethiopia brought in Abdulahi Yusuf. During this time, Ethiopia's name was repeatedly mentioned regarding the conflicting border claims between Somalia and Ethiopia, and it did not create problems. After that, Abiy, Farmaajo, and Isaias discussed working together. However, Farmaajo did not think that the incompatible positions over the border were somehow reconciled or laid to rest. After all, the two countries had fought two wars and put up with numerous incursions over the issue. So, it is not a question of who owns it now. It is an observation that political cohesiveness is not much seen.

Similarly, Martha responded, "Well, the Institution is engaging in various activities. We are closely working with the ministries of foreign affairs of each state. The ministries are our entry points. We invite them for capacity-building training and workshops. For example, when there is a policy direction, all would agree, but ratifying it is a problem." She gave another example of the mediation support unit; member states agreed on this unit's necessity when it was established. A roster of mediators was created with a list of three senior individuals from each member state. However, even though the Committee of Ambassadors cleared the protocol in 2019, the ministers have not ratified it. So, nobody was using that roster, as Martha said, "I understand the sensitivity." One cannot pick a mediator and at least should get acceptance from parties experienced in conflict. Member states know the institution is functional and has useful institutional frameworks; however, they have not fully empowered it. It is an institution run by donor funding.

Assertive Mandates
Informants were asked if IGAD requires a more assertive mandate to prevent conflict in the member states. The majority answered -no. For example, Tesfaye stressed: "No, the mandate is sufficient." That is not a major problem regardless of how sound the constitution/the charter of the organization unable going to change the performance of the organization. It is not the legal basis that has weakened the organization's appearance. It is the commitment of member states, or lack thereof, that should be the focus of attention, not the legal basis. He also asked, "What are

you going to achieve if you change the constitution? If the constitution is respected fully, more attention should be paid to why member states are not fully discharging their responsibilities. That is what you should focus on."

Likewise, Seyoum pointed out, "I do not think it is a lack of mandate." It is the lack of capacity to implement. He further explains that if the mandate is to be real and carried over, then all member-states should relinquish a certain acceptance of what they may consider as sovereign right/power, and succumb the necessary authority over to the institution, believing it is on their behalf and for their good. Otherwise, if the order of the day is to accept or reject a particular mandate over them at whim, then whether the mandates added more will remain just a piece of document, nothing more.

Moreover, Johannes stated that there could be a robust mandate; however, the implementation will always depend on member states' political will and commitment. It is a similar situation with the AU itself, as it had the panel of the Wise as a tool for conflict prevention, yet we have not heard of its summoning in the Ethiopian case. So, it had nothing to do with the mandate, institutional framework, or mechanism. The member states zealously protect their perceived sovereignty and do not allow interference in what they understand as internal affairs. In other words, they do not empower the regional institution beyond the mandate. In his view, "IGAD should revisit and rediscover itself, find its identity, and reclaim itself. As I said earlier, Article 4(h) of the AU establishes the right of the Union to intervene in a member state in a serious of massive violations of human rights, it also has Panel of the Wise as a conflict prevention tool, but the question is what did it do with it?"

Johannes recalled that research was done with his colleague on the AU-Continental Early Warning Systems, hoping to learn some lessons from it. The Early Warning experts told them in an interview- "we worked on areas where elections were facing difficulties and planned to send observers, and where they observed problems, we intended to deploy a team from the panel of the wise (it should be noted that observation missions are also a tool for conflict prevention). However, around 2017, two countries refused to accept our panel team. We did not have the enforcement capacity, the experience, or tradition in this sort of activity." This tendency of not respecting the norms and decisions is common and visible both at IGAD and the AU. He reiterated, "It is not a problem of mandate. It is what I had referred to earlier as deep political problems having a lot to do with complex issues such as problems in state formation, state nature, and state-to-state interaction. All these are related to regional relations."

In striving to prevent conflict, the mandate helps somewhat, but that does not infer that it adequately enables one to take necessary and timely measures. As Desalegn described it, there is no appropriate institution also, for that matter, like the Security Council in the UN case or the PSC regarding the AU. These are both important and frequently meeting entities created under the protocol, and their resolutions are binding to all members. IGAD has no such organ, limiting its perceived mandate. So, we can view it from this perspective. It is one thing to engage in information gathering, analysis, and sharing, followed by perhaps preventive diplomacy, lobbying, and even applying political pressure while the conflict is developing but still yet to be imminent. Once it passes this stage, the situation escalates to the need to deploy force. IGAD is not well placed/equipped structurally to manage this. That is why earlier, the decision-making

mechanism/structure deficiency is alluded to. Decisions are made not by a specialized organ created for this but by all the member heads of state during their annual meetings. Thus, the absence of an independently functioning and empowered apparatus for decision-making, in his view, indicates the lack of a meaningful mandate for IGAD, as an assertive mandate implies the functionality of an effective structure.

However, Belay believed that IGAD requires a more assertive mandate. He elaborates as follows: "Sure, like the AU, IGAD also is in high demand for such a mandate. But will these regional member states give such a mandate to IGAD, no?"Because handing over such a mandate indicates a democratic establishment throughout the institution, including within its member states. But in this case, the institution and its members leave much to desire. First, the political transformation reform process has to be re-finalized in each member state. Now more than before, we are facing the rise of authoritarian governments all over the IGAD region. Even in Kenya, with its relatively developed democratic institutions, the system of governance is less convincing. It is more discouraging when looking at the problems in Ethiopia, Sudan, Eritrea, South Sudan, etc. In the absence of a meaningful political will from those quasi-democratic member countries, expecting them to hand over some legal/structural mandate to IGAD is asking too much.

Tarekegn answered, "Yes, it needs to be more assertive, but this is normative." But for him, the question is from where that mandate originated. Assertive mandates vary from sector to sector. For example, it would be good if IGAD is given an assertive mandate on social affairs such as health, education, infrastructure, etc. It would also be good for peace and security; however, the problem is unsettled hegemony. So, it would not be implemented even if it is written on paper. Let alone IGAD, even the UN, whatever statement is released, will not go beyond the P5. So, we should not forget that IGAD is an IGO. A strong mandate is necessary only on the common agenda, and countries in the HoA better collaborate on issues of low politics.

Moreover, Tarekegn elucidated, "If you take this into early-warning conflict prevention, for example, CEWARN may effectively facilitate specific issues like cross-border conflicts." So, giving this mandate would enable CEWARN to collect more data and compensate for member states' limitations. Concerning intra-state conflict prevention, "if one says IGAD needs to have more mandate in regional cooperation issues, a more assertive mandate may not be beyond what it has been given because it is an IGO, he said." Probably assertive mandate needs to convene a meeting by a majority or qualified majority to issue a communique.

Like Tarekegn, Charles, and Martha supported the need for assertive mandates. Both agreed that assertiveness comes from ownership. So, political commitment is necessary to empower and strengthen the Institution. However, they praised the commitment once conflict erupted. As Charles put it, "At the political level, they are committed when problems arise; for example, in the South Sudan case, I remember they held over twenty high-level policy meetings at the Council of Ministers and heads of state level. They exerted effort into resolving the conflict. So, it is difficult to say that they are not committed because you see them engaging though it was ad hoc."

Improvement of the Legal and Institutional Framework

The individual informants have different responses regarding the question of how the legal and institutional framework for conflict prevention can be improved. Hamad responded as follows, "We need a body other than the council where it is likely outside the normal ordinary kind of arrangements, something that can provide an opportunity for harder decisions to be made and followed up, that is what I would say." Otherwise, if one steps back in terms of conflict prevention, the system is there. For example, IGAD has had an early warning system operational since 2002. It is functioning well, but everything good can always be made better. For him, "one thing needed to be improved is assertiveness, the ability to enforce some of the decisions."

Peter highlighted as follows:

> To find ways of improving the functionality of IGAD, serious and structured research is needed. It has to be seen whether the structures of CEWARN, peace and security division, especially the early warning, need modification or change. This should be seen relative to current conflicts. As a team, we have discussed a lot, but we have not reached a common binding conclusion. At the end of the day, serious research is wanting. Yes, the legal framework we are using now is over 20 years old, and obviously, it may not match the current conflict dynamics. So, we need a structure and legal framework which captures that. Again, this needs deep research, no doubt about that.

Desalegn responded as follows:

> I still do not believe this will happen. One thing can be asserted in any case.Under currently existing conjecture, we need a standing decision-making organ. A suggestion could be to create a full-time Committee of Ambassadors with some added powers, whose daily function should be to analyze and decide on important peace and security issues exclusively. It could be a special body of delegates from each country, which could also be in the form of special envoys to be summoned periodically and in emergency cases. I do not expect this to happen now. But skipping the need for an extraordinary summit of Heads of State, at least this body can issue a stern warning/statement, thereby applying pressure. Such an office is necessary.

Furthermore, Desalegn emphasized that IGAD can work on the conflict prevention aspect. It can collect information and provide its analysis. Even after significant structural changes, the hitherto discussed hindrances like the non-intervention and sovereignty concepts are barriers to the mandate, making it unnecessary. However, it can facilitate the mandate implementation by inviting other- outside stakeholders, as exemplified by the Troika in the South Sudan case, and taking lessons from that experience. Seeking outside partnerships may indeed be beneficial. Fundamental policy innovation, along with structural reform, is in order. On the one side will be CEWARN's early warning and early response component, and on the other side, an entity is needed under peace and security, where countries will be represented along with experts who can assist. Finally, there will be the higher-standing decision-making component.

Yet for Johannes, Seyoum, and Tesfaye, it is worth noting that mandates have legal backing on paper. Seyoum, for example, stated, "I do not think it is a lack of legal framework. It is already bestowed with legal coverage. In addition, there is a memorandum of understanding already in place as to how the mandate is supposed to find life. I do not think the issue has to do with a deficiency or gap in legality. In addition, they have a monitoring and evaluation mechanism, so I

do not think it is also an issue of a follow-up gap." Probablyone should consider scrutinizing how the leadership is put in place. Especially regarding the higher-up echelons of power, "I do not think the criterion is a delivery orientation or pro-active capability, like sincerely searching for a person(s) who relentlessly can move and shake the organization in the right direction." It is more of a hodgepodge where appointments are made due to political considerations or to elevate a patron. So, from the appointee's perspective, the attitude is probably, "I am not interested in rocking the boat." So, he/she opts to calmly or dully finish the term of duty. Also, the type of leadership at a given time determines the degree of effectiveness or lack thereof. Presumably, even the country representative could matter. He stated, "perhaps it is not a good example, but if Isaias were to be head of IGAD now, given his disdain for the institution, he would probably consider his office not more than a lounge, so it all depends on who is heading it."

Johannes added that the problem is not the framework. It is an ingrained tradition. He said that this is why he is repeating it again and again. It is not because they do not have a mandate, nor is there anything wrong with the institutional framework. Muluneh followed, "As I told you, that political commitment is the central point." States have to abide by the governing principles and organization set up by the UN and AU. The treaty has to be signed, and the revised protocol of CEWARN has to be implemented.

Tarekegn, on his part, emphasized that the member states should have a common understanding of why they need IGAD. Do they need it to be an actor, regional actor, instrument, arena, or a combination? Knowing its role in conflict prevention would be difficult if this were unaddressed. In his view, that is the starting point, and the given legal and institutional mandates for conflict prevention emanate from that. Member states should create a minimalist consensus among themselves even though reducing/preventing conflict is the prime responsibility of states. IGAD should exercise that responsibility when states fail to do so. IGAD can collectively take measures that individual states cannot handle- just like in Somalia. But he underlined, "Do not forget what I said earlier about the mandates. We cannot ask for the mandate that IGAD has not given." So, the revitalized mandate itself needs revitalization.

Mohammed, Anna, Martha, and John talked about the new draft treaty. They stated that the new treaty was drafted in 2013/14 but has not been approved by the member states. And they are hopeful that once the treaty is approved, it will fill the gap that IGAD lacks. Martha further stated that member states should be politically committed to investing in the Institution. According to her, "ninety percent of the Institution programs are donor funded; this is a limitation. She said that the donors tell them they are implementing their strategies. Even though it is the member states' strategy, they would claim that they are theirs when they invested in it.So, member states are not investing in it." Suppose there is a contribution or funding for some sensitive political issues, to a minimum, like the AU and ECOWAS, such as mediation and factfinding missions; in that case, there will be a sense of ownership. Otherwise, how effective would the institution be without a sense of ownership? So, if IGAD is to be effective and improve some of its activities, member states should approve the new treaty to empower the Institution and mobilize resources; otherwise, it would be difficult to talk about the legal and institutional frameworks.

Discussion

This qualitative case study aimed to examine the legal and institutional framework of IGAD for conflict preventionThis section includes a discussion of significant findings related to the literature on conflict prevention and regional institutions. It also contains translating statements by informants into meanings to provide answers to the study question: The legal and institutional framework for conflict prevention explains the failure of IGAD to prevent conflict in Ethiopia. The regional documents were entailed: the IGAD establishing agreement 1996, the CEWARN Protocol and its strategic plan 2012-2019, and the Authority's Strategic Plan 2016-2020.

The legal and institutional framework for conflict prevention comprised of five themes: the legal and institutional framework; limitations of the legal and institutional framework; the effectiveness of the statutes; assertive mandates; and improving the legal and institutional framework for conflict prevention. Concerning the legal and institutional framework of IGAD, the data obtained shows that it is valuable to prevent conflict. It is considered as the legal base requirement to enable IGAD to carry out its obligations and establish the institution as follows: Article 6A (c) stated, "The Member States solemnly reaffirm their commitment to the following principles: The peaceful settlement of inter- and intra-State conflicts through dialogue." Article 7(g) also emphasizes on "promoting peace and stability in the sub-region and creating mechanisms within the sub-region for the prevention, management, and resolution of inter and intra-State conflicts through dialogue." Moreover, Article 8 talked about the structure and operation of the Authority's organs, such as the Assembly of Heads of State and Government; the Council of Ministers; the Committee of Ambassadors; and the Secretariats. On the contrary, the document reviewed and the interview results reveal issues of sovereignty and non-interference in the internal affairs of member states. These are some of the governing principles in the establishing agreement of IGAD that pushed the institution not to involve in the intra-state conflict. This not only contradicts the Authority's objectives underlined in Article 7 (g); but alsoit is unclear how IGAD, the sub-regional organization, prevents intra-state conflict in the region. A similar observation (Welsh, 2016) is that regional organizations are constantly at odds with their member states on issues of sovereignty and mandate to make independent decisions that will be abided by member states.

The study also identified several limitations within and beyond the scope of the legal and institutional framework, such as institutional hierarchy and absence of a decision-making organ; incompatibility of interest; sovereignty; the issue of hegemony; the nature of the organizations and the member states themselves; the gap between early warning and response; and reliance on external donors are among others. The study indicated that the institutional hierarchy (the structure) of IGAD is political. In the establishing document of IGAD Article 9(2c), the Assembly is mandated "to guide and monitor political issues, especially on conflict prevention, management, and resolution. It also noted that "the Assembly is the highest decision-making body of the Authority in which decisions are taken based on consensus." The Assembly comprised Heads of State and Government. Therefore, one can realize how sensitive it would be to the member states' issues in terms of robustness. While a positive development in decentralizing preventive action to the regional and local levels has yielded successes, it also undermines the likelihood of conflict prevention to occur. This is also evidenced in the study by Zyck &Muggah (2012) that regional bodies are blind to problems within neighbouring countries as part of an implicit agreement that members of the club will not interfere in each other's affairs.

IGAD is a typical IGO. The member states do not cede their sovereignty as opposed to a supra-international organization. Furthermore, what they give to IGAD is decided by the heads of state and government, which means that the ultimate authority is wielded not by the organization per se; but byits member states. Several cases cited in a research piece by Babbitt (2012) concludedthat regional organizations are governed by their member states, and political considerations within organizations will impact whether and how regional organizations get involved in affairs within these countries. Moreover, incompatibility or conflict of interest among the member states is another constraint revealed in the study. As most enjoy multiple memberships with similar organizations, these divisions of interest create conflicts of interest and make it difficult to function in unison for the institution. A similar observation was made by (Mesfin & Lucey, 2016; Brett, 2013; Desmidt & Hauck, 2017) that overlapping jurisdictions among RECs lead to reluctance on the part of member states to fully commit in one regional process, which in turn undermines the effectiveness of regional security coordination and cooperation.

When one thinks of regional institutions, the character of the member countries should be considered vis a viz intra-state conflict prevention. A limitation identified for preventing a conflict is the nature of the member states in relation to their historical state formation process and inter-state relations. Unlike the other regions, the Horn of Africa has experienced state failure and disintegration in the wake of the Cold War in Somalia and Ethiopia. Eritrea and South Sudan become sovereign political entities after the longest bloody civil war, while Somaliland has not still gained independence. However, the post-secession era was characterized by severe domestic repression, political instability, and fueled by border conflicts. For example, Eritrea confronted its neighbors Djibouti and Sudan with threats and military actions. It also went to a bleeding war over the demarcation of a border with Ethiopia. In line with the inter-state relationship, Ethiopia and Sudan; Sudan and South Sudan; Kenya and Somalia still have unresolved border issues. Proxy warfare has been a common practice in the region where states use rebel movements that originate from the territories of their adversaries (neighboring countries). This is to weaken actual and presumed adversaries, hoping to bolster their bargaining position in their dealings with each other. As a result, states are highly suspicious of one another. Therefore, it is difficult for countries facing different types of instability to come together to deliver peace. Consistent with this, Tanner also argued that sovereignty issues, local rivalries, and unfriendly neighbourhoods could complicate preventive diplomacy in statesat riskof civil war (Tanner, 2000).

The issue of unsettled hegemony is also another constraint reflected in the findings. In IGAD, there is no clear-cut emergence of an accepted hegemon. What was before and now is the Ethiopian government's aspiration for the role. Perhaps in a broader and loosely defined sense, one can talk about Ethiopia's regional hegemony considering factors like population, military strength, etc., though it is one country; one vote is the binding norm. The existence of hegemonic power is a necessary condition for international institutions to be able to enforce institutional norms and rules. However, when it comes to IGAD, it seems Ethiopia, Sudan, Uganda, and Kenya all aspire for hegemony; perhaps this is one-factor inhibiting unity. This is also cited in a study byElowson& De Albuquerque (2016), thatthe competing interests for hegemony have led to the nonexistence of a principal security cooperation organization in the Eastern African region.

Moreover, the study indicated that the policy framework implementation and the regional organization's decisions depend on the member states' willingness. This revelation goes similarlytoKhadiagala's (2018) conclusion that regional norms function well when there is an existing density of interstate relations and where nations respect regional institutions. Moreover, conflict prevention is and remains a primarily political issue (Call & Campbell, 2018; Letouzé et al., 2013). Specifically, the operational preventive measures have often been ad hoc and require the buy-in of high-level decision-makers to mobilize the required coalition of states for each preventive intervention.

In line with the effectiveness of the statutes, the finding point to establishing a program or an office and holding extraordinary councils considered as commitments of member states. On the contrary, the study also indicated that member states use IGAD as a vehicle when it is beneficial or enhances their personal or state interest. Though the state interest determines by the type of government, prior to 2018, Ethiopia has been widely perceived to single-handedly dominate the regional organization. For example, Ethiopia was instrumental in lobbying the AU and mobilizing African states to deploy a peacekeeping mission in Somalia in 2007 and the call for sanctions against Eritrea "as a regional spoiler." Even after Ethiopia's AU-PSC membership ended in 2009, it had the leverage to influence the PSC's decisions as the Chair of IGAD. Moreover, political cohesiveness is not seen among the member states, particularly regarding deep peace and security and conflict prevention issues. When discussing conflict prevention, it focuses on the operational and structural elements. The structural aspect of conflict prevention is closely related to good governance through strengthening democratic culture, respect for human rights, upholding the rule of law, and so forth. Nevertheless, most countries are not keen to implement norms.

Concerning assertive mandates, the study indicated that the commitment of member states should be the focus of attention, not the legal basis. In striving to prevent conflict, the mandate helps, but that does not infer it adequately enables taking necessary and timely measures. This is because regional institutions tend to be primarily concerned with the interests of their member governments and not necessarily fulfilling their mandates. A similar observation was made by Tanner in his final analysis that "states remain the most important players in today's international system, and if their national interests are at stake, they may tend to short-cut international organizations in favour of international contact groups or unilateral action (Tanner, 2000:547)." Baylis (2001), Sinclair & Byers (2007), Meierhenrich (2012) also argued that organizations are the product of states' interests; thus, they cannot independently function; instead, it is the states' interests that determine the decision whether states cooperate or compete.

On the issue of improving the legal and institutional framework, the data obtained put IGAD to have a standing decision-making organ with the typical ordinary kind of arrangements that can provide an opportunity for more challenging decisions to be made and followed back. When looking at IGAD, the Assembly and the Council are the two upper echelons that deal with and follow up on peace and security issues, respectively. As the existing establishing document indicated, "the Assembly of Heads of State and Government is the supreme organ of the Authority, which meets once in a year to give guidelines and monitor political issues, especially on conflict prevention, management, and resolution (IGAD, 1996: Article 9(1), (2c) & (3))." By

the same token the Council of ministers, which is the other organ "meets twice a year to follow up the political and security affairs that include conflict prevention, management, and resolution as well as post-conflict peacebuilding (Article 10 (2k) & (4))." Even though IGAD has a specific decision-making organ dealing with peace and security issues, it is not meeting regularly. Now the question is, has the Assembly to be awaited when timely decisions are needed? Even if it is stated that both the Assembly and Council meet at any time at the request of any member states upon the majority agreement, convening an extraordinary meeting is also prone to subjective influence.

The other suggestion put forward to improve the legal and institutional framework is that IGAD be a facilitator of the mandate implementation by inviting other-outside stakeholders. IGAD has not yet become an economic instrument, as it consists of several states with varying interests. Neither has the historical tradition of successful implementation of such goals nor is capable of taking an independent position. Although this is strongly the case in most parts of sub-Saharan Africa, it is much more pronounced in the Horn of Africa. Thus, consolidating the state and its defending sovereignty becomes a preoccupation for the states in the region. This situation not only delays but also undermines the appropriate prevention activities. A conclusion drawn from Ibrahim & Rani (2021) asserted that regional institutions that are designed carefully and link explicitly the peace and security agendas with trade and development cooperation are more likely to facilitate peace and stability. Regional institutions are potentially to have a significant impact on the relationship between economic interdependence and conflict prevention and management.

Conclusion

This research study examined why IGAD was not successful in preventing the Ethiopian conflict. Several conclusions can be drawn from the findings of the research. First, the study concludes that there is a controversy over the founding document of IGAD. On the one hand, the document has stated the peaceful settlement of inter- and intra-state conflicts through dialogue. It has also created mechanisms within the sub-region to prevent, manage and resolve inter and intra-state conflicts. On the other hand, the document reveals issues of sovereignty and non-interference in the internal affairs of member states.This contradicts the Authority's objectives to prevent intra-state conflict in the region.With regards to the institutional framework of IGAD (structure), although the existing structure of IGAD is there, it is unlikely to prevent intra-state conflict. Because in IGAD, the Assembly Heads of State and Government is the highest decision-making organ; in other words, this is a political organ that would be highly sensitive to the member states' issues in terms of robustness. The study has also underlined the various factors that undermine the likelihood of conflict prevention beyond the legal and institutional framework of IGAD. In striving to prevent conflict, the mandate helps, but that does not infer it adequately enables taking necessary and timely measures.

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