

# **AN ASSESSMENT OF THE AFRICAN UNION'S ENGAGEMENTS IN MEDIATION INTERVENTION IN AFRICA: ACHIEVEMENTS AND CHALLENGES**

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## **Abstract**

The African region (AU) has been beset by armed conflicts, which have constituted severe repercussions, especially on humanitarian loss of lives, population displacement and refugee flows. Responding to manage, resolve and prevent a re-occurrence of these challenges has evolved from the African Union (AU)'s mediation endeavors. Through secondary sources of data collection and application of content analysis, the research found out that the African union has made some appreciable achievements in its mediation interventions, but these are overshadowed by much challenges that hinders its objective of ensuring regional peace, security and development. For instance, as the AU been able to successfully ensure peace and security through signing and implementation of peace agreement in notable African conflicts (Kenya and Ethiopia-Tigray), so also has it encountered numerous challenges, which tends to spoil the peace process, retrogress the achievements made, thereby incapacitating its mediation intervention mechanism. The study concludes that ensuring peace, security and development of the African continent remains the primary responsibility of the AU, but it needs to effectively and timely address its problems before they affect the achievements.

Keywords: African Union, Armed Conflicts, Achievements, Challenges, Mediation

## **Introduction**

The African Union (AU) is an inter-governmental organization whose sphere of operation mainly concerns issues that involves the African continent. It was established as a replacement to the erstwhile Organization of African Union (OAU) on 9<sup>th</sup> June, 2002, saddled with the responsibilities of ensuring peace, security and development of the African region. In other to achieve its peace and security agenda, the AU is guided by several established legal norms and principles as contained in the Constitutive Act, the Protocols for the Establishment of the Peace and Security Council, the Post-Conflict Reconstruction and Development policy (PCRD) framework etc. (Khadiagala, 2021). These norms and principles were put in place for the AU to intervene in the devastating and pervasive effect of security challenges associated with intra-state armed conflicts and civil wars occurring in several sub-regions from the western region, great-lakes region, mano-river region, eastern region to the horn of Africa (Juma & Mengistu, 2002).

The impacts of these armed hostilities resulting in indiscriminate human decimation became a wake-up call for the AU to intervene mainly as its Responsibility to Protect and prevent a reoccurrence of the devastating episodes unprecedented in Rwanda genocide (800,000 Hutus and Tutsis) that occurred in 1994 to other occurrences in Burundi (200,000), Liberia (250000), Sierra Leone (200,000), Sudan (approximately 2 million lives lost

(Aremu, 2010). The AU Constitutive Act took cognizance of protecting vulnerable populations (women, children and elderly) who are victims of sexual abuse, use as child soldiers, refugees and internally displaced persons (Powel, 2005). The issue of refugees further established additional security challenges for the whole region, because rebels, militias and insurgents also move indiscriminately across the porous borders along with the refugees to further destabilize the whole region (Lischer, 2017). A contemporary, ongoing case in point is between Rwanda and Democratic Republic of Congo, who accuse each other of arming and supporting marauding rebels like the March 23 rebels of Rwanda (the M23) to destabilize the region (Aljazeera, 2024). The issue of the devastating effects of armed conflicts and civil wars became a typical problem requiring urgent intervention for the African Union to devise an effective mechanism to resolve and prevent a reoccurrence in order to ensure peace and security necessary for sustainable development.

The African Union, in order to portray its commitments through setting up of some institutional mechanisms codified in the African Peace and Security Architecture (APSA), which constitutes: the Peace and Security Council (PSC); Panel of the Wise; African Stand-by Force (ASF); Continental Early Warning framework (CEWS); and the Peace Fund (Williams, 2016). Each of these cohort of mechanisms is responsible for the prevention, management and resolution of armed conflicts in Africa (Williams, 2016).

Furthermore, various instruments of engagements are embarked upon previously by the African Union on ad-hoc basis due to the delay in operationalization of some of the APSA mechanisms (that is ASF and CEWS). These instruments are diplomacy, mediation, peacekeeping, peace enforcements, and post-conflict intervention as identified in the AU Constitutive Act and the AU Protocol of the Peace and Security Council (Williams, 2016).

The African Union engagement in mediation intervention to resolve armed conflicts and civil wars is the focus of this research. The study seeks to provide answers to the pertinent research question of what are the achievements and challenges of the AU towards the attainment of a conflict free African continent for peace, security and development to thrive? To proffer answers, the research methodology employs the use of secondary sources of data collection in textbooks, journal articles, internet sources and grey literatures. Research data collected is contently analyzed to elicit scholarly contributions on the research question.

Therefore, the study is be structured in five sections. Section one concerns the introduction, Section two focuses on conceptual and theoretical framework, section three deals with the role of the AU in mediation intervention. Section four, deals with the achievements and challenges of the AU in mediation intervention Section five concludes the study, while section six provides recommendations.

## **Concept of Mediation**

Nathan (2009) defines mediation as a process of dialogue and negotiation in which a third party assist two or more disputant parties with their consent to prevent, manage and resolve conflict, without resorting to force. The third party described here could be an individual, organization or a state, who does not have a direct interest in the discord (Bercovitch and Houston, 1993). The basic mediators is to ensure that parties come to the negotiation table where peace is secured through the signing and implementation of a peace agreement, that includes a ceasefire agreement and addressing the root and immediate causes and impacts of the conflict (Bercovitch & Kadayifci, 2002). Mediation intervention to resolve armed conflicts is a peaceful means a clear deviation from other means of aggressive intervention such as peacekeeping and peace enforcement.

## **Theoretical Framework**

The Structural functionalism theory of Gabriel Almond is used to explain the research findings. Structural functionalism theory states that political systems are made up of structures or institutions (legislature, political parties, etc) composed of various parts or sub-systems that perform an inter-related or inter-dependent function, which ensures the survival or existence of the political system and achievement of equilibrium of political stability (Almond & Coleman, 1960). The theory explains that the African Union as a political system that performs the function of preventing, managing and

resolving armed conflicts through peaceful means of mediation intervention so as to ensure an equilibrium of political stability, peace, security and development.

### **The role of the African Union in mediation**

The AU has shown its commitment since its establishment to engage in mediation as a peaceful non-aggressive mode of resolving armed conflicts in the continent. Such commitment is backed by relevant provisions in its norms as contained in various legal documents (Constitutive Act, Protocols to the Establishment of the Peace and Security Council etc.). Therefore, it will no longer be indifferent to the devastating effects of armed conflicts inflicting heavy toll on the continent, but engage actively based on its right to intervene in situations of genocides, war crimes and crimes against humanity (Article 4h of the Constitutive Act). Although mediation intervention is not an unexplored, new mode of resolving armed hostilities for the AU, for which previously, during its heydays as the Organization of African Unity (OAU), it has engaged in ad-hoc mediation mechanisms of “Good offices” and “Presidential mediation” to resolve inter-state boundary disputes among its member-states (Powel, 2005). Notable example is the OAU’s first ever intervention in the 1964 Algeria – Morocco boundary dispute when emperor Haile Selassie (the serving chairman of OAU) and President Modibo Keita of Mali, successfully ensured that the Leaders of the warring parties signed a ceasefire agreement (Imobighe, 2003).

Unfortunately, the OAU was hamstrung in intervening to mediate the more pervasive and destructive effects of the protracted intra-state armed conflicts or civil wars, plaguing the continent. This is as a result of two provisions of norms or principles contained in its constitutive Act “sovereign equality of member-states” and “non-interference in the internal affairs” (Article 3:2 and Article 3:4, of the OAU Charter). The desire to respect its norms and protect individual Member States sovereignty by not interfering in their domestic national affairs limited the erstwhile OAU to the devastating effects of armed conflicts within the region.

At its establishment, the AU made changes to these norms, especially introducing Article 4h of the established Constitutive Act to replace Articles (3:2 and 3:4) the OAU Charter. These newly introduced Article, gave the right of the AU to engage in internal conflicts for human protection purpose (Powel, 2005). But the AU still continued with utilizing the previous ad-hoc mediation instrument of utilizing elder statesmen, chosen for their wisdom, imprimatur, charisma or stature, perseverance and sufficient time to devote to conflict resolution (Khadiagala, 2016). These qualities anoint them with the needed respect, obedience and acceptance as mediators by the belligerents (Khadiagala, 2016). A noble example is the African Union first mediation intervention in the Burundian civil war, here the AU, utilized first Julius Nyerere (before his untimely death), Nelson Mandela and lastly

Jacob Zuma to ensure the historical Arusha Peace accords was signed by all the belligerents (Powel, 2005).

The AU, after its successful utilization of former presidents as its mediation instrument in Burundi, broadens its choice of elder statesmen from former presidents to include other prominent personalities like former top government and inter-governmental functionaries (Prime Ministers, vice Presidents, Ministers of Foreign Affairs, diplomats etc.). They act as its special envoys, special representatives and members of High-level Panels who are deployed to mediate peace in various armed conflicts (Amani Africa Media and Research services, 2021). Prominent among them includes Thabo Mbeki (former president of South Africa), Salim Ahmed Salim (former Secretary-General of the OAU), Kofi Annan (former Secretary-General of the UN), Raila Odinga (former Prime Minister Kenya. They were appointed as the AU special envoys with a mediation mandate to intervene in the civil wars occurring in Sudan, Darfur, Kenya, and Côte d'Ivoire respectively (Khadiagala, 2016; Apuuli, 2012).

According to the Amani Africa media and research services (2021), there are basically five (5) peacemaking and mediation interventions that the AU deploys, either on the directive of AU Assembly, Peace and Security Council, or the AU Commission Chairperson. These are:

- **High level ad-hoc committees** provided for in Article 8(5) of Peace and Security Council (PSC) Protocol. Example is the ad-hoc

committee on Cote d' Ivoire. Another example is the current ad-hoc committee on South Sudan, established to support the Inter-Governmental Authority on Development (IGAD) led mediation process and ensure compromise of the parties to support the Revitalized-Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS);

- **High level Panels** are a team of eminent personalities who might not be majorly former Heads of states or government officials, but who possess the required political and diplomatic dignity and grandeur to command acknowledgement and legitimacy. Example is the High level Panel on Egypt and the High level Panel for Darfur;
- **High Representative of the AU Commission Chairperson** is a very senior minister or Heads of state with leadership skills. They are appointed to address a specific issue. For instance, Nigerian former president Olusegun Obasanjo was appointed as the AU High Representative for the Horn of Africa in 2021.
- **Special envoys;** they are appointed by the AU Commission chairperson to deal with specific thematic issue. For instance, the special envoy for the Lord's Resistance Army is Jackson Tuwei from Kenya

- **Special Representatives:** they are appointed by the AU Commission chairperson to implement the mandate of the peace support operations or the liaison offices.

### **African Union (AU) mediation strategy for conflict management and resolution**

According to the AU Mediation Support Handbook (2014), the AU designed twelve (12) guidelines to guide its successful mediation intervention in various conflict settings. Among these, the ones that to the study are:

- the parties must own the agreement
- mediation and negotiations should be inclusive of all significant political actors
- civil society must be involved in the mediation and negotiation
- the mediator(s) must help the parties develop a relationship of trust and cooperation
- mediation must be a non-threatening venture for the parties
- mediators must be impartial
- mediators must help the parties address the root causes of the conflict
- the process must address the regional dimensions of the conflict

### **Achievements of the African Union in mediation intervention in Africa**

The AU has made commendable feat in its mediation endeavor through deployment of various mediation initiatives (envoys, high representatives, high level panels etc.) thereby achieving core mandates of successfully bringing the belligerents to the negotiation table, where the underlying cause of the conflict are addressed and lasting peace agreements are signed and implemented in the interest of both parties. These AU mediation initiatives are conducted or deployed by the AU Peace and Security Council or by the AU Commission Chairman.

This research identifies two respective scenarios (Kenya and Ethiopia – Tigray) as constituting the AU successful mediation intervention.

### **The African Union engagement in mediating the post-election conflict in Kenya**

The AU role in Kenya post-election crises is an indication for a successful mediation intervention. The post-election conflict erupted in Kenya after the 30<sup>th</sup> December, 2007 presidential election, instigated by two opposing parties – Party of National Unity (PNU) headed by the incumbent president Mwai Kibaki and the opposition Orange Democratic Movement (ODM) of Raila Odinga (Sithole and Asuelime, 2017). The discord between the two political parties bothers on allegations of electoral malpractices as the ODM party accused the incumbent PNU party of using its power of incumbency to steal the electoral mandate, while the PNU party responded that it can make its grievances known in court. The ODM party relied on the statement

made by the Chairmen of the Kenyan Electoral Commission (KEC), Samuel Kivuitu that he does not think that Kibarki won fairly (Sithole and Asuelime, 2017). Therefore, both party supporters claimed electoral victory and resorted to instigating violence in total violation of democratic principles and constitutional provisions. The air of animosity and war mongery between the two opposing parties resulted in severe humanitarian consequences of approximately 1,135 people were murdered, 3000 persons were raped and 350000 individuals became refugees or internally displaced persons (Sithole and Asuelime, 2007).

There were several failed responses to mediate peace between the opposing sides, especially coming from the former British Prime Minister, Gordon Brown, through a telephone call, Desmond Tutu under the umbrella of the All African Conference of churches, the US Assistant Secretary of State for African Affairs, affairs, Jendayi Frazier, and former Heads of states such as Benjamin Mkapa (Tanzania), Kenneth Kaunda (Zambia), Joachim Chissano (Mozambique), and Ketumile Massire (Botswana) (Liaison Office of the African Union, 2013).

The successful response came from the AU, through the AU Commission Chairman, John Kufou who appointed the mediators to be led by the Eminent Panel of African Personalities, which comprise Kofi Annan (chairman), Graca Machel and Benjamin Mkapa. After their arrival in 22<sup>nd</sup> January, 2008, they called on both parties to the negotiation table. The ODM

put forward its demands of: resignation of President Kibarki; re-run or re-count of the presidential election; power sharing in a transitional government (Liaison Office of the African Union, 2013). The PNU on its part, stated its requests which includes: recognition of Kibarki as the winner, failure of which there can be a re-count or re-run and if not, the ODM can decide to go to court (Liaison Office of the African Union, 2013). Kofi Annan urged both parties to forgo the option of a re-run or re-count and accept that the election result was disputed. He encouraged both parties to refrain from further acts of violence but to give peace a chance in the interest of the citizens through dialogue (Liaison Office of the African Union, 2013).

On the 28<sup>th</sup> day of February, 2008, Kofi Annan and his team were finally able to reach a truce with both parties who signed An Agreement on the Principles of Partnership of a Coalition Government (Lindenmayer and Kaye, 2009). Other issues agreed on includes: a power sharing agreement between the position of the President (Mwai Kibarki) and Prime Minister (Raila Odinga); Amendment of the constitution that will legalize the coalition government (Tsuda, 2013). The power sharing agreement brought a positive impact to peace in Kenya (Changala, 2011).

### **The African Union (AU) mediation of the Ethiopia – Tigray civil war**

The genesis of the Ethiopia – Tigray civil war occurred in November when the main Tigrayan political party – Tigray Peoples Liberation Front (TPLF)

– attacked a military command post in the Northern region (BBC, 2021). This was a responsive act to the power struggle and sidelining between them and the Abiy government who removed their three-decade long influence at the federal government. In a retaliatory response, Abiy Ahmed (Ethiopian Prime Minister) ordered a law enforcement military intervention (comprising of the armies of the federal government of Ethiopia and the state of Eritrea) against the TPLF in their stronghold in the North (Berhe, 2022). The war resulted in severe humanitarian challenges for the people of Tigray of living under a siege of nearly two years of devastating famine, vulnerable to rape, indiscriminate killings, and lack of access to banks and telecommunications (Miller, 2024).

The AU after a year of engagement with the appointment of its chief mediator, was finally able to achieve a mediation success of influencing the approval and legitimacy of both parties in the war. The three AU appointed mediators comprising Olusegun Obasanjo (former president of Nigeria) Uhuru Kenyata (former president of Kenya), Dr Phumzile Mlambo-Ngcuka (former deputy president of republic of South Africa) were able bring both parties to dialogue, negotiate and sign a peace agreement, called the Pretoria agreement or Permanent Cessation of Hostilities Agreement (COHA). According to Moussa Faki Mahamat, former AU Commissioner, implementation of the Pretoria agreement was a success on issues which includes: cessation of hostilities and restoration of peace, handover of heavy

weapons as part of the Disarmament, Demobilization and Reintegration (DDR) agenda, resumption of schools and economic activities, establishment of the interim Regional Administration in Tigray, transitional justice programme and the AU Peace Fund to support the DDR programme (African Union, 2024). Another notable achievement is the lifting of the blockade (a two-year siege) around Tigray which enabled access to humanitarian relief materials such as food aid, medical supplies, and provision of essential services such as telecommunications, transportation, banking services (Mekonen, 2023). Others includes: removal of the designation of the TPLF designation as a terrorist organization and dropping all charges against the TPLF leaders by the Federal House of Peoples Representatives; Tigrayan prisoners including some Tigrayan members of the Ethiopian army were set free; a visit by all Presidents of the Ethiopian regional states and all federal ministers to the regional capital Mekelle; and re-establishment of the Tigray Police to provide internal security and maintain law and order (Yatene, 2023).

### **Challenges of the African Union in mediation of African conflicts**

The African Union has encountered numerous challenges in its mediation engagements in Africa. The following arguments explains the failings of the AU.

First, late entry role into the mediation process due to belligerent's opposition to choice and offer of mediators: The AU has at times been

unable to enter the field of mediation, early enough to ensure peace, due to opposition by the parties in conflict, who accuse it of appointing biased mediators. Instances of these includes, first, in the Cote d' Ivoire 2010/2011 post-election crisis, Alassane Ouattara rejected the appointment of AU mediator, Jose Pinto citing reasons of his biased relationship to fellow opponent Laurent Gbagbo, while Gbagbo also rejected the stepping down and safe exit guarantee offer given to him by the AU High-level panel (VOA 2011 and Aljazeera, 2011). Next, in the previously cited Ethiopia-Tigray war, AU chief mediator - former president Olusegun Obasanjo, was rejected by the TPLF, who accused him of colluding with the Government of the Federal Republic of Ethiopia (Demissie, 2023). Finally, The AU through its Commission Chairman Moussa Faki Mahamat supported the military campaign of the law enforcement siege of the Prime Minister, Abiy Ahmed government on Tigrayan citizens (Meldrum, 2020).

Second, failed mediation process: The AU mediation process as at times failed to achieve the needed goal of ensuring peace and security on the continent (Cascais, 2023). Issues abound of resumption of hostilities in various armed conflict settings (such as Mali, Burundi, Sudan, etc) where several failed mediation peace agreements are signed but peace and security is always elusive as a result of non-acceptance and non-compliance by coerced parties to some controversial issues contained in the agreement (Adetula, Murithi & Buchanan-Clarke, 2018).

Third, Criticisms for late mediation response to protect vulnerable civilian lives: The AU has often been criticized of solely reacting to wars and armed conflicts after the massive loss of civilian lives through mediation interventions, instead of engaging in preventative measures (such as preventive diplomacy) as its Responsibility to Protect agenda (Murithi, 2012). A typical example is the aforementioned Kenyan and Ethiopia – Tigray civil war, where non-combatants (comprising vulnerable women, children and elderly) are made the bear the brunt of the devastating consequences of sexual slavery and forcible conscription as child soldiers.

Fourth, AU biased mediation response: The AU, through its Commission Chairman Moussa Faki supported the military campaign of the law enforcement siege of the Prime Minister, Abiy government on Tigrayan citizens (Meldrum, 2020). For this reason, the AU mediation intervention was assessed to have failed the people of Tigray, who are under a two-year siege of human rights violations of mass executions, rape, and ethnic cleansing (Omna Tigray, 2022; Berhe, 2021).

Fifth, the challenge of armed conflict relapse as a result of activities of spoilers of mediation agreements: Most peace agreements in Africa have the challenge of relapsing back to armed conflict as can be seen from the recent peace agreements in Burundi, Sudan, South Sudan, Democratic Republic of Congo, Central African Republic, Ethiopia - Tigray etc. In these countries, armed hostilities renewed after peace agreements were signed as

a result of the activities of spoilers (leaders who believe peace agreements threaten their power or interests) of the peace process, who felt that their demands are not met or are not included in the mediation processes (Stedman, 1997). For example, in the conflict in Ethiopia-Tigray conflict, the spoilers signify the Gebremichael Debretsion faction of Tigray and the Eritrean army who were excluded from the Pretoria agreement (Yatene, 2023).

### **Conclusion**

The African region has been beset by armed conflicts, which have constituted severe repercussions, especially on humanitarian loss of lives, population displacement and refugee flows. Responding to manage, resolve and prevent a re-occurrence of these challenges is the primary responsibility of African Union mediation intervention endeavor. The African Union has made notable accomplishments in its mediation intervention where peace agreements are successfully signed among parties, notably in Kenya and Ethiopia. But challenges in the peace agreements signed remains to spoil the peace process.

### **Recommendations**

The following recommendations were proffered for the study:

First, the AU should be more effective and eschew delayed response in its mediation engagement as this makes for positive engagement in protecting civilian lives, as it assists parties to timely sign a peace agreement.

Second, the AU should employ mediators with specialized skills, objective disposition, and the needed experience of the nature, causes and impacts of selected conflict settings. This will guide against the lapses encountered in its mediation interventions of inability to acquire the needed legitimacy from belligerents of some of its mediators as identified from the examples in the study.

Third, the AU should implement its mediation policies and strategies to the letter with an objective mindset as regards to the guidelines set in its Mediation Support Handbook (2014). These are especially on the issue of ownership, inclusivity, resolving the root causes and addressing the regional dimensions of the conflict. These issues take center stage in the armed conflict especially in Ethiopia – Tigray region.

Fourth, the AU fifty-five (55) member-states should show the needed political will in funding their mediation interventions. They should show less enthusiasm in depending on external multilateral assistance from the United Nations and European Union and bilateral assistance from major contributing countries from United States, Germany, Norway and Finland. The AU member-states should regularly make their assessed contributions to the AU Peace Fund, from which mediation intervention needs can be sourced, thereby addressing the challenges of the mediators (High level Panels, special envoys and special representatives) engaged in various conflict settings.

Fifth, the AU should work closely with parties to ensure that peace agreements made are implemented in order to sustain the peace in the short and long run period of time. This is because most peace agreements mediated by the AU has the capacity to renew as can observed from the example of the Ethiopia – Tigray armed conflict after the signing of the Pretoria agreement. Instances can be seen on issues concerning failure to include certain factions in peace agreement (e.g. leadership crises between Debretsion Gebremichael and Getachew Reda who were not recognized in the Pretoria agreement), or regions like the Amhara where an ethnic militia group (Fano) is currently brewing another civil war (Tesfaye & Debebe, 2025).

Sixth, AU should engage in joint mediation interventional with international organizations like the United Nations whose exploits (guided by principles contained in its Charter) in mediation have recorded successful outcome of ensuring peace especially in conflicts centers like Cambodia, El Salvador, and collaboratively with ECOWAS in Sierra Leone.

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