



The Role of Parliament in Conflict Resolution in the Great Lakes Region: Way Forward

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Introduction

The Forum of Parliaments of Member-States of the International Conference on the Great Lakes Region (FP-ICGLR) is an inter-parliamentary organization composed of twelve Parliaments of the Member States of the ICGLR. It was established on December 4th, 2008 in Kigali, Republic of Rwanda. It aims to promote, maintain and strengthen peace and security in the Great Lakes Region (GLR) in accordance with the will of the Heads of States and Government in the Pact on Security, Stability and Development in the GLR signed on December 15th, 2006 in Nairobi, Republic of Kenya.

The general objective of the FP-ICGLR is to bring significant parliamentary contributions to the implementation of the Pact on Security, Stability and Development in the GLR as signed on December 15th, 2006. The FP-ICGLR aims to achieve the following specific objectives related to conflict resolution:

- To provide a platform for exchange of experiences, conflict resolution and dialogue between the Parliaments of the member countries of the International Conference on the GLR;
- To support the efforts of Governments in the prevention and resolution of conflicts and to contribute to the consolidation of the peace processes and national reconciliation;
- To contribute to the implementation of the resolutions of the United Nations on the respect and protection of the rights of women, children and vulnerable persons in periods of armed conflicts; and
- To assist in resolving any conflicts that may arise between the Parliaments or between the Member States of the ICGLR.

It should be underscored that for the effective achievement of the objectives set out in Article 2 of the Inter-Parliamentary Accord and as defined by its respective permanent committees, the FP-ICGLR has five main areas of intervention. The one that focuses directly on conflict resolution is on Peace and Security. Peace and security deals with conflict resolution. But what is conflict resolution?

Conceptualizing Conflict Resolution

Tsegaye¹ rightly notes that in the last six decades, conflict resolution has not only attracted considerable scholarly attention but is growing in scope and complexity. He goes on to say that the end of the Cold War and the disintegration of the Communist Bloc, followed by a resurgence of ethnic conflicts, civil wars, and interstate clashes in Eastern and Central Europe, Africa and Asia have necessitated a continuous search for solutions and a renewed emphasis on conflict resolution. He rightly concludes that this is why conflict resolution has remained an important field of research and practice for decades.

By definition, conflict resolution is a process or way by which two or more parties engaged in a disagreement, dispute or debate reach an agreement in resolving it. In other words, it is the methods and processes involved in facilitating the peaceful ending of conflict² and retribution. The notion of conflict resolution may also be used interchangeably with dispute resolution, where arbitration and litigation processes are critically involved. The concept of conflict resolution can be thought to encompass the use of non-violent resistance measures by conflicted parties in an attempt to promote effective resolution.

Within peace and conflict studies, conflict resolution is a social situation where the armed conflicting parties (i.e., formally or informally organized groups engaged in intrastate or interstate conflict) in a voluntary agreement resolve to live peacefully with – and/or dissolve – their “basic incompatibilities” (i.e.,

¹Tsegaye Kebede Kassa (2020), p. 168.

²Conflict is a clash of interests. Its basis could be personal, racial, class, caste, political and international.

a severe disagreement between at least two sides where their demands cannot be met by the same resources at the same time) and, henceforth, cease to use arms against one another.

The type of disagreement we are interested in for which there is need for conflict resolution is political disagreement or issues to do with peace and conflict. Hence, a wide range of methods and procedures for addressing conflict exist, including negotiation, mediation, mediation-arbitration, diplomacy, and creative peacebuilding.

Theoretically, there are a plethora of different theories and/or models linked to conflict resolution, namely; conflict resolution curve (CRC), dual concern model (DCM), relational dialectics theory (RDT), strategy of conflict (SoC), Gandhian technique (GT) (or Satyagraha), and Jaina technique (JT) (or Anekanta). Each of these theories and/or models will be explained in turn and briefly:

- CRC: it separates conflict styles into two separate domains; domain of competing entities and domain of accommodating entities. There is a sort of agreement between targets and aggressors on the CRC.
- DCM: it assumes that individuals' preferred method of dealing with conflict is based on two underlying themes or dimensions; concern for self (assertiveness) and concern for others (empathy). It argues that group members balance their concern for satisfying personal needs and interests with their concern for satisfying the needs and interests of others in different ways. It identifies five conflict resolution styles or strategies that individuals may use depending on their dispositions toward pro-self or pro-social goals.³
- RDT:⁴ it explores the ways in which people in relationships use verbal communication to manage conflict and contradiction as opposed to psychology. It focuses on maintaining a relationship even through contradictions that arise and how relationships are managed through coordinated talk. Its main concepts are: contradictions, totality, process, and praxis.
- SoC: it is the study of negotiation during conflict and strategic behavior that results in the development of "conflict behavior". It is based largely on game theory.⁵
- GT: it is a non-violent struggle against injustice in which non-violence is accepted as a principle by renouncing violence through mind, speech, and deed. There are various types of Satyagraha through which anyone person can fight against truth and injustice and type of conflict can be solved.⁶
- JT: it notes that we do not have the tolerance to listen to each other even if we talk peacefully together. It argues that one group's viewpoint can also be true and other viewpoints can also be true. It has three main conclusions on the basis of which conflict resolution can be done, namely: relativity, co-existence and integration.

Besides the above theories and/or models linked to conflict resolution which can be used to explain the types of conflicts currently being witnessed in the GLR, other scholars make different attempts to theorize conflict resolution. This is why Tsegaye (2020, p. 169) correctly asserts that "each theoretical tradition has its strengths and limitations when critically assessed by outsiders to that tradition".

³The five conflict styles are: avoidance, yielding, competition, conciliation, and cooperation.

⁴It was introduced by Leslie Baxter and Barbara Matgomery in 1988.

⁵Thomas Schelling discusses ways in which one can redirect the focus of a conflict in order to gain advantage over an opponent. He notes that: conflict is a contest; strategy makes predictions using "rational behavior"; and cooperation is always temporary, interests will change.

⁶The Satyagraha types are: non-cooperation, strike, boycott, picketing, demonstration, hijrat, civil disobedience, atrocity, and fasting.

One such theoretical school cited by Tsegaye is “realism”. Realists argue that realism emphasizes much on power-politics and views the end of conflicts in terms of material capabilities in order to protect and promote the national interests of actors. That, current peacebuilding efforts whether in Africa, Asia, or Europe are largely characterized by a language of power, exclusion or defence of international order. He argues further that transformation theorists contend that realists often consider conflict resolution as soft-headed and unrealistic because international politics is a struggle between antagonistic and irreconcilable groups in which power and coercion was the only ultimate currency. On the other hand, he notes that neorealists consider power and national interest as important elements in settling conflicts. Referring to Jackson et. al. (2006, p. 173), he (Ibid., p. 169) notes that “neorealists argue that the anarchical nature of the state system precludes the possibility of genuine conflict resolution or transformation”.

Referring to Hauss’ view, he underscores the fact that both realists and pluralists, including liberal institutionalists, have difficulty in accepting the relevance of ‘win-win’ conflict resolution, reconciliation, and stable peace. As regards the democratic peace and liberal internationalism theoretical perspectives, which draw from the Kantian perspective of ‘perpetual peace’, he notes that societies with liberal political culture tend to avoid confrontations or resolve differences peacefully. He adds that the conditions for peace such as shared values, strong institutions, and economic interdependence, constrain states from seeking solutions through conflicts. That, the costs of war outweigh their gains. He concludes that the democratic peace theory focuses more attention on why there is no conflict between democratic states than on how conflicts between states could be resolved.

The other theory that Tsegaye tackles is liberal institutionalism. He notes that liberal institutionalists argue that even if there is no world government to prevent anarchy, resolve conflicts, or maintain peace, states could be constrained by the rules and norms of various international organizations such as the United Nations (UN) and African Union (AU). He adds that liberal institutionalists believe that such institutions play considerable roles in preventing or mitigating conflicts through the ‘flow of information and opportunities to negotiate, the ability of governments to monitor others’ compliance and to implement their commitments and prevailing expectations about the solidity of international agreements. Hence, he concludes that:

The debate among peace and conflict resolution researchers is that though realism, neo-realism, liberalism, and liberal institutionalism have their own respective merits in certain areas, most of these approaches fall short of providing a process-based explanation to conflict resolution on the one hand, and recognizing the role of non-conventional actors, such as regional parliaments, on the other.

A Brief Narrative on the Conflicts in the Great Lakes Region

For several years the GLR has been engulfed in all sorts of conflicts.⁷ Consequently, the incessant breaches of the peace by conflicts or other crises have plunged the GLR into a profound level of instability, compromising efforts to consolidate the rule-of-law and socio-economic development in the region. While there have been initiatives to restore lasting peace, parliaments, which have a leading role to play in such efforts, have been virtually absent from the peace process.⁸

It is well-known that the conflicts in the GLR have been of two types: intra-state (within the state) and inter-state (between states).⁹ It is acknowledged that at times, a number of states have been embroiled

⁷ See FP-ICGLR (2021) The Role of FP-ICGLR in Conflict Resolution in the Great Lakes Region (Updated), February, p. 1 – unpublished.

⁸ Ibid., p. 1.

⁹ Ibid., p. 1.

in a conflict within one state such as in the DRC in the 1990s.¹⁰ The FP-ICGLR notes that the inter-state conflict in the GLR currently include: the civil in the CAR, the eastern part of DRC with the involvement of armed groups from neighboring countries, the conflict in the Republic of South Sudan, and the instability in the Republic of Sudan.

Further, it notes that Uganda went through a similar civil strife with the Lord's Resistance Army (LRA) whose remnants fled to CAR. It adds that Rwanda and Burundi have also had their fair share of civil strife. Thus, the FP-ICGLR notes that at the inter-state level, there is misunderstanding between Rwanda and Uganda whereupon the former has closed its borders with Uganda and Burundi.

The Root Causes of Conflicts in the Great Lakes Region

Historically, the GLR is a region with interlinked conflicts and common fundamental problems that emanate from post-colonial challenges to both state and nation building.¹¹ The conflicts in the GLR tend to expand geographically and their epicenter shifts from one locus to another.¹² It, therefore, has to be said that because conflicts in the GLR involve multiple and interlocking regional and international actors, they are dynamic and complex.

The causes of the conflicts in the GLR are both direct and indirect, in the political, economic and socio-cultural spheres including forced displacement and migration which are regional phenomena that require regional solutions and deserve dedicated attention. In fact, these violent conflicts in the GLR countries, have inflicted enormous cost (e.g., to lives and properties, damage to public and private infrastructure, national economies most of which are weak and fragile, and criminalization of the regional economy, drug and mineral trafficking, money laundering, arms flow, and the use of mercenaries and armed groups to destabilize neighboring weak states with fragile institutions) at national and regional levels.

These conflicts have common causes and features, namely:

- ***Ethnic Divisions***: Ethnic dynamics is a strong conflict driver in the GLR countries. Indeed, the GLR countries are polarized along identity and ethnic dimensions that are regionalized and frequently manifest in political violence. Although the presence of diverse ethnic groups in a specific country, in and of itself, is insufficient to trigger conflict, conflicts in Burundi, Rwanda, Democratic Republic of Congo (DRC) and Uganda have been motivated not by ideology, but typically by ethnicity or by political leaders' ability to arouse ethnic hostility for their own ends;
- ***Inequitable Access to Land***: Land use and land access are significant factors in a number of high-intensity conflicts in the GLR. Limited access to land, exacerbated by its inequitable distribution, and similarly insecurity, have been described as key aspects of the 'structural conflict' – patterns of economic domination and exclusion that create deprivation and social tension, and prepare the way for violence. Indeed, land disputes, for example, in Rwanda and Burundi, are the greatest factor hindering sustainable peace and the cause of structural conflict;
- ***Exploitation of Natural Resources***: Two different types of conflict over the exploitation of natural resources are found in the GLR. One is when two or more states engage in an open conflict over the exploitation of natural resources that are present along common borders. The other is related to the illegal exploitation of natural resources, which are then used to finance conflict in the GLR;

¹⁰ Ibid., p. 1.

¹¹See Kanyangara Patrick (20016). Available at www.accord.org.za

¹²Ibid.

- **Transitional Links and the Diffusion of Violent Conflicts:** transitional ethnic groups and porous boundaries facilitate the 'inter-contamination' of violent conflict, e.g., the genocide in Rwanda increased cross-border ethnic affiliations between it, the DRC and regional ethnic-based rebel groups. It further resulted in a significant number of 'warrior' refugees, who destabilized Rwanda and the eastern part of the DRC at the same time. The instability in the eastern DRC then gave Burundian armed groups the opportunity and a rear base to attack their country. In addition, the availability of land and mineral resources in the DRC resulted in enormous economic interests for neighboring and other countries, who benefit from the illegal trade in minerals during civil wars. Also, massive displacements and refugee flows across borders in each GLR country also spreads the effects of the conflicts within and across neighboring countries. The other factor that plays a crucial role in spreading conflict from one GLR country to another is *forced migration flows*. Some refugee situations have created new conflicts in host countries, while worsening the conflict in their country of origin through cross-border attacks, e.g., the 1994 Tutsi genocide in Rwanda, which saw the Hutus fleeing to the DRC with their arms. From their refugee camps, they perpetrated attacks in Rwanda and later on created an armed group, the Democratic Forces for the Liberation of Rwanda (FDLR), which has been destabilizing the eastern DRC, thus causing tension and conflict between Rwanda and the DRC, and between Rwanda and Burundi; and
- **Democratization and Governance Issues:** The GLR has experienced a paradox of democracy and elections triggering violence, instead of entrenching good governance and contributing to political stability, thus leading to weak governance. Indeed, the GLR countries have been struggling to establish a consensual electoral system which would, *inter alia*, guarantee a peaceful transfer of power. Also, they have failed to establish inclusive political institutions, thus resulting in unequal representation in decision-making. Many of the GLR countries do not seem to be prepared and able to embrace multiparty democracy in the form it has been defined and in the way it has been practiced in other Western countries. Consequently, the tendency in the GLR countries is to restrict some democratic rights – e.g., freedom of speech and free political activity – in the name of peace and stability.

Other major causes of conflict in the GLR include:

- Extreme poverty;
- Historical and colonial legacy;
- Violation of human rights;
- Non-respect for the law
- Irregular democratic alternation
- Institutional weaknesses;
- Lack of visionary leadership;
- Corruption;
- Popular alienation vis-à-vis political elites and the decline of civic morality
- Patronage/cronyism;
- Illiteracy;
- Exclusion of minorities;
- Lack of natural resources management;
- Engrained cultural assumptions;
- Influence of climate change discrimination of all kinds and the manipulation of tribal and religious sentiments;
- Weak administration;
- Flow of illicit arms; and
- Political differences within and between Member-States.

These conflicts have to be resolved urgently using various avenues. One such avenue is through Parliament.

The Role of Parliament in Conflict Resolution in the Great Lakes Region

In any modern democracy, parliament plays the following vital functions: legislation, financial control, providing and exercising control over Cabinet, and representing the interests of the people who elected them. They "... are regarded as one of the mechanisms offered by the new institutional and political landscapes of countries emerging from conflict..."¹³

Indeed, Parliaments can play a critical role in conflict resolution *and* peace building. In Uganda, for instance, constitutionally, Parliament has powers to make laws on any matter "for peace, order, development and good governance of Uganda". It has also the duty to: protect the Constitution and promote the democratic governance of Uganda; provide for taxation and acquisition of loans and thereby enable government to work; scrutinize government policy and administration, and; approve presidential nominations for ministers, judges, ambassadors and other positions specified in the Constitution. Mel (2013) noted that:

Contrary to conventional wisdom that executive branch authorities bear sole responsibility for all potential sources of conflict ... parliaments have an essential role to play by virtue of their place within the structure, functioning and activities of the State. As representatives of the people, parliaments also enjoy legal, political and social legitimacy ... parliaments should be mindful of this legitimacy in determining the scope of their activity.

Thus, in the broader context of the GLR, Parliaments can do a number of things to resolve conflicts as follows:

- ✓ Exercise heightened vigilance regarding rule-of-law, as part of their government oversight mission;
- ✓ Ensure that human rights legislation is in place, up-to-date with prevailing international norms, effectively enforced and disseminated to constituents;
- ✓ Ensure that their own governance provides a model that adheres to democratic principle, respects the rights of minorities and the underprivileged and reflects a pluralistic, inclusive society;
- ✓ Ensure accountability and transparency for their own parliaments as well as other institutions, to reduce the risk of corruption;
- ✓ Ensure that political parties instill amongst their members a spirit of tolerance, discipline, and respect for electoral verdicts, and to keep them well-informed on issues of national interest and potential causes of violence. Accordingly, to make the political system more operational, they should ensure democratic alternation by establishing a transparent electoral system and reordering political party culture to accommodate increased participation by key actors (e.g., women, youth and minorities) with mechanisms to facilitate regular elections.
- ✓ Guard against the creation of an enabling environment that can escalate conflict: By addressing issues of poverty, equitable distribution of resources, and economic development, Parliamentarians can attempt to guard against the creation of an enabling environment that is prone to the escalation of conflict.¹⁴

¹³See Mel (2021).

¹⁴See O'Brien Mitchell et. al. (2008).

- ✓ Conflict Prevention: to avoid conflicts, Parliaments should take measures and enact laws which do not provoke conflicts. Also, the Parliaments should ensure that they are not weak in relation to the Executive by behaving as if they are secondary bodies which only exist to ‘rubberstamp’ the decisions of the Executive. They should behave professionally with clear working sessions.
- ✓ Conflict Resolution: Parliament should mobilize the necessary resources so as to deal with conflicts which have turned violent. This is especially so in secessionist conflicts where interests of other countries are involved as well. Although the Executives of the GLR countries have to step in during violent conflicts, the Parliaments are crucial in terms of granting *post facto* control over the legitimacy of Executive action and in, say, adopting amnesty laws.
- ✓ Negotiations and Settlements: Although Parliaments are not particularly well suited for negotiating settlements, they are indispensable for their endorsement and ultimate legitimation. They should, therefore, be involved in the process from the very beginning and not at the end.
- ✓ Post-Conflict Recovery: Parliament has a key role to play in post-conflict recovery. Hence, they need to avoid the traps of nationalism, majoritarianism and subservience to the Executive; thus, they ought to become rationalized legislatures. Parliaments should actively participate in the negotiations and de-escalation of conflicts as well as influencing, to a large extent, the post-conflict situation.
- ✓ Transitional Administrations: Parliaments can potentially play a critical role in transitional administrations. Their role should be broad and efficient to cover issues like peace-building. Although the Executives are the internationally recognized and politically effective branches, the Parliaments should also have legitimacy to get involved, and, therefore, not sidelined by the Executives or by the peacekeeping international administration.
- ✓ Reflect on Composition of Society as a Whole: Mel (2013, p. 2) rightly notes that: “In a post-conflict context, it is imperative for parliaments to reflect on the composition of society as a whole. Their rules of procedure must provide for the equal treatment of all members and ensure that they are represented in all parliamentary bodies. The rules also need to specify new arrangements for interacting with other institutions – the executive and judicial branches in particular – as required for inter-institutional collaboration in pursuit of harmonized policies. They must also cover parliament’s relations with civil society”.
- ✓ In the processes of reconstruction and the establishment of lasting peace, Parliaments should undertake a number of reforms, e.g., institutional, constitutional, administrative, economic, judicial, social and security (because of the dysfunction in the sector given the circulation of firearms, especially small arms and light weapons which pose serious threat to a peaceful society and to lasting peace, thus heightening the risk of renewed conflict)¹⁵ reforms.
- ✓ Give particular attention to persons in distress such as refugees and displaced persons and ensure that specific measures are taken to provide relief until they can return to their countries, or their cities and villages.

The Role of FP-ICGLR in Conflict Resolution

The FP-ICGLR has been active in conflict resolution in the GLR from the time it was formed in 2012. Its involvement has been in form of research, meetings and fact-finding missions with tacit approval of its Plenary Assembly.¹⁶ The FP-ICGLR has made significant contribution in resolving intrastate conflicts through fact-finding missions. Indeed, its recommendations and resolutions have been critical in resolving intra-state conflicts such as civil strife.¹⁷

¹⁵The reforms must form part of a strategic thinking of security arrangements to meet the new requirements and encourage transition from the classic security framework to a more humane approach to security issues.

¹⁶ See FP-ICGLR (2021), p. 1.

¹⁷ Ibid., p. 1.

However, interstate conflicts or conflicts between states have proved difficult for the Forum. The main reason behind this difficulty is because inter-state issues between the ICGLR Member-States are directly handled by the Summit of Heads of State of the mainstream ICGLR under the coordination of the ICGLR Conference Secretariat headed by the Executive Secretary based in Bujumbura.¹⁸

Nevertheless, the contribution of the FP-ICGLR in conflict resolution in the GLR is best embodied in the role played by the General Secretariat as follows:

- Commissioning and discussing research studies on conflicts in the region¹⁹;
- Holding committee and plenary meetings on conflicts in the region;
- Organizing and participating in fact finding missions and presenting the findings and outcome of the activities to the Plenary Assembly for collective decision-making. The most recent missions include:²⁰
 - i. Republic of Burundi in July 2018, led by the then Outgoing President of FP-ICGLR and Speaker of the Council of States (Senate) of the Republic of Sudan, RT. Hon. D. Omer Suleiman Adam;
 - ii. Central African Republic in April 2019, led by the then President of the Executive Committee, Hon. Daniel Abib, from the Senate of the Republic of Congo; and
 - iii. Republic of South Sudan in October/November 2019, led by the then sitting President of FP-ICGLR and Speaker of the National Assembly of the Republic of Congo, Rt. Hon. Isidore Mvouba;
- Monitoring closely the political, security and humanitarian situation prevailing in the GLR - more especially in countries with persisting pockets of tensions such as Republic of South Sudan, CAR, DRC, and Sudan - and updating Member Parliaments as part of the Activity and Financial Reports shared on quarterly basis.

However, in conducting its role, the FP-ICGLR has faced three major challenges, namely:

- The conventional thinking that inter-state conflicts are under the exclusive jurisdiction of the executive branch of government;
- FP-ICGLR being a consultative and advisory constituent organisation of the mainstream ICGLR, thus the Forum plays a supplementary role as approved by the Plenary Assembly of the organization;
- Covid-19, which has affected many of FP-ICGLR's activities such as the Forum failing to implement some of its the fact-finding missions like the one it had planned to Republic of Sudan in 2020.

¹⁸ Ibid., p. 1.

¹⁹ The findings of this commissioned research were presented to the 10th Ordinary Session of the Plenary Assembly held in Bujumbura in December in 2019 and resulted into the following decisions by the Plenary Assembly as contained in the Bujumbura Final Declaration: (a) Calling upon ICGLR Member-States to respect the strict obligations contained in the ICGLR Protocol of Non-aggression and Mutual Defence, particularly that of not allowing the use of its territory as a basis for subversion or aggression against other States (Point Number 4 of the Declaration); and (b) Recommending that the Heads of State of the ICGLR meet in order to find a peaceful solution to the ongoing situation between the Republic of Burundi and the Republic of Rwanda (Point No. 5 of the Declaration).

²⁰ See FP-ICGLR (2021).

Conclusion: Way Forward

The GLR countries face a number of conflict challenges. However, they have some similarities that may explain their interconnected endemic violent conflicts. The causes of the conflicts range from ethnic divisions, inequitable access to land, exploitation of natural resources, transitional links and the diffusion of violent conflicts, to democratization and governance issues. Given these causes, it is imperative that the Parliaments of the ICGLR should take the initiative to deescalate the conflicts in the GLR by playing the following roles:

- exercise heightened vigilance regarding rule-of-law;
- ensure human rights legislation is enacted, up-to-date with prevailing international norms, effectively enforced and disseminated to constituents;
- guard against the creation of an enabling environment that can escalate conflict;
- ensure that political parties do what is expected of them;
- prevent conflict;
- resolve conflict;
- engage in negotiations and settlements;
- ensure post-conflict recovery; put in place transitional administrations;
- reflect on composition of society as a whole; undertake a number of reforms, and;
- give particular attention to persons in distress.

Lastly, the FP-ICGLR has played a significant role in resolving the conflicts in the GLR especially regarding intra-state conflicts and not inter-state conflicts mainly because the Forum is a consultative and advisory organisation.

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