Conference on National Dialogue and Mediation Processes

National Dialogue and Internal Mediation Processes: Perspectives on Theory and Practice

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Contents

Foreword

Erkki Tuomioja, Minister for Foreign Affairs, Finland

Mediation is an effective instrument for conflict prevention or resolution. It is one of the great priorities of Finnish foreign policy. We have a strong track record in mediation, and we are known as a constructive and respected partner in the international community. We have established our foreign policy trademarks over decades. Our engagement through peacekeeping, civilian crisis management and development cooperation is well known. They also provide a solid background for mediation activities.

We believe mediation has still a lot of untapped potential. This is why Finland has invested so heavily in promoting mediation during the past few years. We have helped to build further the norms and institutions as well as the skills and partnerships that are needed in professional mediation.

In 2010, Finland and Turkey convened the Group of Friends of Mediation at the United Nations. The Group currently brings together 40 countries active in mediation, seven regional organizations (ASEAN, AU, EU, OSCE, League of Arab States, OAS, and OIC) and the United Nations. In September 2014, during the high level week of the UN General Assembly, Finland and Turkey will organise the fifth ministerial meeting of the UN Group of Friends.

With the support from the UN Group of Friends, we have now initiated three UN resolutions on strengthening the normative basis for mediation. The first-ever resolution on mediation was adopted in the General Assembly in June 2011. With the resolution, the United Nations took its role as a standard setter for mediation. The second one followed in 2012. The first two resolutions have already helped mediators in the field by reinforcing their mandate to act.

In July 2014, a third resolution on mediation was unanimously adopted by the UN General Assembly. The third resolution has a special focus on regional and subregional organizations and it aims at creating closer partnerships in mediation between the UN and regional organisations and encourages them to strengthen their collaboration and information exchange. It also highlights the

importance of full and effective participation of women in conflict prevention and resolution.

Finland is convinced that all regional organizations would benefit from similar mobilising force for mediation. One option is creating Friends of Mediation groups in different regional organizations. We have recently launched the OSCE Group of Friends of Mediation, together with Turkey and Switzerland, and the European Union Friends of Mediation, together with Spain.

I am fully convinced that more mediation, not less, is needed in today's world.

While stressing the importance of mediation, it must be admitted that mediation has not always been used optimally in solving armed conflicts. One indication of this is the non-implementation of peace agreements. Although almost all armed conflicts end in peace agreements, the relapse into conflict is all too common.

I believe that in many cases, broader political ownership is the key for success. The present consensus in the field emphasizes inclusivity, national ownership, and the equal participation of men and women in peace efforts. These are reflected in the fundamental principles of the UN Guidance for Effective Mediation, which the UN Secretary General submitted in 2012, as a follow-up to the resolution in 2011.

The conflicting parties and mediators must design strategies that address wide constituencies affected by the conflict. National ownership entails that the peace process cannot engage only the government, but the society at large. That is why national and local dialogues are so essential. They complement traditional third-party mediation in an important way. I want to stress that the concept of national dialogues is not intended to challenge mediation, but to strengthen it. Traditional third-party mediation, for its part, is often necessary in supporting the dialogues.

Finland is convinced that women's full participation is an urgent priority in any mediation effort or inclusive peace process. In spite of many international commitments, including the UN Security Council resolution 1325, the number of women and gender experts in formal peace-making processes remains frustratingly low. Very few peace agreements address gender-related issues.

We are committed to promoting gender equality and women's involvement in all of our mediation work. More women must take part in negotiating teams of conflicting parties, and the voices of women must be heard and listened to in all peace processes including national dialogues.

We should increase our efforts in helping all mediators, and conflict-ridden countries themselves, to increase peace. National dialogues are an important tool in reaching peace. This publication is an effort to raise awareness and debate on the experiences, current and future developments in building on national dialogues as an inherent part of mediation.

Foreword

Pekka Haavisto, Minister for International Development, Finland

Conflict mediation has been and continues to be an essential part of Finnish foreign policy. Our co-presidency of the IDPS (International Dialogue on Peacebuilding & Statebuilding), which started earlier this year, reinforces our commitment and promotes the kind of cooperation we want to bring to the field.

Even though every conflict is unique, there are several lessons we can draw from the past experiences. First of all, inclusiveness should always be at the center of any peace building process. Women, the young, different ethnic groups and all the other marginalized people should be included in the process if we want a truly sustainable solution. Secondly, conflicts never appear in a vacuum. Neighboring countries may have a drastic impact in sustaining or diminishing the conflict. Finally, all the different layers of the conflict should be addressed in the peace building process. If we ignore some minor problem today, we may find it much larger tomorrow.

Through my own experience, I would also like to emphasize the crucial role of civil society. Some years ago when I was on a peace mission in the African horn, a group of Somalian boys holding Kalashnikovs surrounded our vehicle. During this exiting experience, I asked the boys, what are you dreaming about? What do you want to become when grown up? Unanimously, they all wanted to become pirates. They knew it would be dangerous, but – as they saw it – the rewards would be worth it. This experience showed me how important it is to address civil society - we have to guarantee a better future for boys like these so they have a better tomorrow to dream about.

The third issue I would like to highlight is that we should not forget the success stories. We have seen many of them, even though just following the general media might give us a different picture. Conflicts are usually continuously on the news when they are happening, but once the solution is achieved, the media tends to lose its interest quite quickly. However, we should not forget stories, such as Liberia, Sierra Leone and Timor Leste, even if they are not in the day-to-day news anymore. The media also often offers very simple solutions to these

conflicts. They may label them as ethnic conflicts between two groups, even if in reality, there usually are complex political issues in the background. These easy ethnic explanations can be dangerous, as they may help the conflict to spill into civil society.

I have often been asked abroad, what can the ever peaceful Finland bring to conflict mediation? Indeed, at first glance our position may look a bit strange. However, if you dig into our history, you will find that we have had our own share of conflicts, including a violent civil war. How we came together after all that, rather unbroken, is a story we would like to share with others.

Introduction

Kimmo Kiljunen, Special Representative for Mediation of the Minister for Foreign Affairs, Finland

The *Conference on National Dialogue and Mediation Processes* was organized by the Finnish Ministry for Foreign Affairs in cooperation with Common Space Initiative, the UNDP Bureau for Crisis Prevention and Recovery and the Finnish Evangelical Lutheran Mission as well as with other partner organizations.

The purpose of the Conference was:

1. To provide a forum for national stakeholders in Myanmar, Yemen, South Africa, Syria and elsewhere to share their experiences and lessons learned from past, on-going and emerging peace processes and national dialogues.

2. To reflect on the national dialogue concept and its relationship and complementarity with mediation concepts and practice.

3. To improve cooperation and coordination amongst different actors, in order to increase coherence of efforts in mediation-related operations.

The Conference brought together participants inside these processes, in support of them, as well as critical independent experts.

One of the priority areas of the Finnish foreign policy today is mediation. Together with Turkey Finland has chaired The *Group of Friends of Mediation* within the UN. Furthermore, these two countries together with Switzerland have established a similar type of Group of Friends of Mediation within the OSCE. The aims are:

1. To raise awareness of the importance of mediation in conflict prevention and resolution.

2. To help build up mediation capacity within different international and regional organizations.

3. To enhance coordination and cooperation among different actors of mediation.

In parallel with efforts to strengthen the international, regional and national capacities for mediation, Finland has made efforts in specific conflict situations to facilitate peace processes and to provide direct support for mediation.

One concrete example is the support Finland has given to the Government, political actors, civic society and other organizations both in Yemen and Myanmar. In the case of Myanmar, Finland has in particular supported the ethnic armed groups' preparations for the peace process and national dialogue since the year 2012.

Various lessons have been learned from these efforts:

1. Conflicts today are more intra-state than inter-state involving both state and non-state actors. Due to the multitude of stakeholders, including traditional third party actors, neutral outside mediation is not in many cases a feasible way to prevent or resolve conflict situations. South Africa, Myanmar, Yemen and Syria are good examples of this.

2. Inside mediators are required to complement or even replace outside mediation. They may include respected representatives from religious, women, business, trade union or academic communities as well as traditional or elders' group leaders. They are not necessarily non-partisan, but are considered to be fair and trusted in relation to the conflict stakeholders.

3. The evolution of inclusive and participatory processes emphasizes the need for strong national ownership of the peace process. Broad political inclusion, comprehensive national dialogues and local initiatives are paramount for real reconciliation to succeed.

4. The international community isrequired to provide support less through traditional "honest broker" mediation characterized by short-term or even one-time intervention by an external actor, to the benefit of more general long-term peace facilitation and building up internal capacities for peace processes.

5. Mediation efforts carried by state actors or representatives of international organizations are supplemented and facilitated by experts and advisers from "second track", civil society organizations. They may provide, if necessary, delicate services in sensitive situations including contacts with non-recognized interlocutors.

6. Duplication and overlapping is sometimes hampering effective mediation efforts both among state and non-state actors. Competition is unavoidable, and should be seen rather as a driving force than a problem. All should be done to improve coordination and cooperation in international, national and local mediation processes.

7. Learning by doing and understanding the use of different instruments and approaches of mediation is important. Each conflict situation is unique and there is no one model for organizing or supporting mediation and national dialogue processes. Nevertheless, some lessons can be gained from past and on-going experiences and thus, peer to peer exchanges and reflections are useful.

8. There is no peace without justice, but there is no peace without social equality either. Hence, in a real reconciliation process both human rights concerns and challenges of socio-economic development should be addressed.

The Conference on National Dialogue and Mediation Processes was a rewarding experience. It facilitated experience sharing among high-level and competent stakeholders of different mediation and national dialogue processes throughout the world. The prestigious House of Estates in Helsinki provided the venue for the Conference, which transformed itself into a profound and extensive dialogue, hence called the *Helsinki Dialogue*. The participants were unanimous in their aspirations to wish continuity for the Helsinki Dialogue and the Government of Finland indicated its potential preparedness to support this process.

Part I: Conceptual Thinking

1   Conflict – Transformation through Dialogue and Mediation: Keeping Pace with the Times

Pertti Joenniemi

Introduction

The paper explores changes in peace diplomacy and, in particular, the use of dialogue and mediation in the management and settling of violent conflicts. It has been performed against the backdrop of an altered international environment with both war and peace in transition.

Notably, recent trends and developments discernible in the sphere of international security, and in particular the nature and causes of conflicts, blur many of the distinctions integrally part of the established approaches. Quite a number of previous consistencies are up for grabs. Alterations in the causes, dynamics, and nature of actors as well as consequences of wars impact rather profoundly the opportunities and ways of establishing peace. Among other things, the traditional role of state diplomacy has been under pressure by having been complemented if not superseded by other approaches. While some of the established approaches remain valid, there are also considerable discontinuities present and these do not merely originate with the changes present in the unfolding of wars. They are also due to factors such as the appearance of new information technologies and more generally the information age. At large, the alterations are of such magnitude that they call for a re-evaluation of the ways traditionally applied as well as coining of new and innovative approaches.

The paper probes firstly the changing patterns of war and conflict in order to be able to pinpoint some of the main the challenges that peace diplomacy has been more recently faced with and endeavours to settle. It then moves over to examining the ways in which the detectable changes have impacted some of the main international institutions and their ways of approaching and tackling issues of dialogue and mediation in the context of coping with the visible mu-

tation in the nature of wars and conflicts. And thirdly, the paper proceeds by probing the options that have been opened up for dialogue-based approaches part of dealing with current-day wars and conflicts and the role of mediation in that context.

Finally, some general observations are presented regarding the inroads made as well as the remaining challenges within the international community as to the efforts of conflict-transformation, and in particular the supply as well as demand in the application of dialogue and mediation in settling contemporary conflicts.

Changing Patterns of Conflict

As often noted, a quite significant decline has occurred in the amount of wars and deadly conflicts during the recent two decades. Moreover, there has been a reduction in the intensity as well as impact of wars in terms of victims, and it also appears that the classical separation of wars between states and intra-state wars has largely collapsed.

If nonetheless upheld, it seems that the proportion of intra-state conflicts to interstate conflicts has markedly grown. The latter consist either of civil wars, in which at least one of the warring parties is the government of a state, or battles between two or several armed groups of which none is the government of a state. The change, with the amount of intra-state wars peaking in 1992 before declining in number, implies that wars and deadly conflicts have more frequently been internal in nature, although a quarter of these wars also contain features of internationalization.[1] The essentially local nature of the current-day wars does not imply, though, that their impact would remain merely local as the increase in international interdependence suggests that they also affect, despite their intra-state or intercommunity nature, entire regions and may on occasion even influence the unfolding of international relations at large.

In fact, it appears that interstate wars of a Westphalian type have almost vanished from the scene of international relations. Security is hence far less about

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[1] See Human Security Report 2013. The Decline in Global Violence: Evidence, Explanation, and Contestation. Vancouver: Human Security Press, 2013.

securing the state against the surrounding world than used to be the case.[2] In actual fact, the change is so formidable that there are grounds to speak of a formative moment in the unfolding of wars. One of the changes underway consists of the fact that it has become rather difficult to define and delimit wars by the drawing of various categorical distinctions, such as war and non-war, around violent practices.[3] There is no linear path available leading from war to peace in an unambiguous manner as conflicts frequently appear in repeated cycles and escape framing on the basis of the categories traditionally on offer. They rather amount to in-between situations with war and peace existing in parallel.[4] As wars mutate, so does peace, and, more generally, there are considerable spatial and temporal discontinuities present with the consequent ambiguity challenging also various conceptions premised on viewing peace as normal and war as exceptional.

In addition, wars and violent conflicts have become quite asymmetric in nature. There is, as a rule, far less equivalence between the parties with resistance movements, warlords, militias, pirates, mercenaries or criminal gangs contributing to a proliferation of various rather unconventional forms of war and violence. There is the presence of both states and actors beyond state control with formal as well as informal elements co-existing and being intertwined.[5] The lines between combatants and non-combatants have been increasingly diffused this then problematizing, among other things, the use of legal instruments in controlling violence and the conduct of destructive power.

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[2]   Cf. Lotta Themnér and Peter Wallensteen, 'Armed Conflicts 1946–2012'. Journal of Peace Research, 50(4): 501-521. In 2012 the only interstate war consisted of the one fought between South Sudan and Sudan related to borders and bordering whereas altogether 31 conflicts were active in 26 locations worldwide according to data collected by the Uppsala Conflict Data Program (UCDP).

[3]   For this observation, see Karin Aggestam and Annika Björkdahl (2009), 'Introduction', in Karin Aggestam and Annika Björkdahl (eds.), War and Peace in Transition. Changing Roles of External Actors. Lund: Nordic Academic Press, pp. 15-17.

[4]   On this problematique, see David Keen (2001), 'War and Peace: What's the Difference?', in Adekeye Adebajo and Chandra Lekha Sriram (eds.), Managing Armed Conflicts in the 21st Century. London: Frank Cass, pp. 1-22.

[5]   Cf. Monika Heupel and Bernhard Zangl (2010), 'On the Transformation of Warfare: a Plausible Probe on the New Wars Thesis'. *Journal of International Relations and Development*, 13(1): 26-58; Sinisa Malešević (2008), 'The Sociology of New Wars? Assessing the Causes and Objectives of Contemporary Violent Conflicts'. *International Political Sociology*, 2(2): 97-112.

Overall, wars and deadly conflicts seem to have turned rather hybrid. They tend to escape any clear-cut categorization and it has become increasingly difficult to identify the root causes of conflict for these then to be remedied by some particular measures of conflict management and peace-building.

A further consequence of the changes in train consists of the fact that security as a concept has suffered in clarity. Previous, frequently rather state-centered understandings have been complemented by those pertaining to various untraditional forms of threats such as migration, climate change, natural disasters and socio-political violence. The blurring of clarity also pertains to the distinction between political movements and criminal organizations.[6] In one of their consequences the alterations tend to amount to contests between various actors part of the state or civil society or, for that matter, between the state and civil society, as to who is best equipped to handle the issues at stake.

Changes have also been discernible in the logic at play as well as in the underlying causes of war and deadly conflicts. While also some of the current-day wars and conflicts have remained interest-oriented and pertain to specific and power-related aspirations, an increasing amount seems to be driven by existential and identity-based fears. These fears may be so overwhelming that various specific gains and losses decline in salience. The very meaning of security can change with issue-areas such as culture, religion or basic rights coming to the fore and intensity reaching such a high level that some groups and individuals perceive their physical existence as secondary to their other needs and interests.

In consequence, the high intensity, zero-sum conceptions of the prevailing situation as well as of the variance in the nature of the parties exclude the possibility of compromises required for a transition from war to peace. Although pertaining perhaps initially to clashes in interests and displaying some identifiable root causes in terms of political goals and aspiration, they may shift over time and transform into a self-producing pattern of war and violence. They sustain themselves and therefore also resist, despite international and domestic endeavours, efforts of settlement. They gain features of what has sometimes been called 'forever wars' with this labelling pointing to that they are difficult

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[6]   Cf. Jennifer Giroux, David Lanz and Damiano Sguaitamatti (2009), 'The Tormented Triangle: the Regionalisation of Conflict in Sudan, Chad, and the Central African Republic'. *LSE Working Papers, series 2, 47.*

to comprehend on the basis of the conventional codes applied in trying to understand what wars and deadly conflicts are basically about and hence also difficult to sort out and settle.[7] They tend to remain resistant to efforts of settlement through any ordinary approaches and amount at best in an ambivalent type of peace, although peace that remains constantly in danger of relapsing into further violence.

The ambiguity then also implies that it has become difficult to set a time frame for measuring progress in the efforts of settling violent conflicts. Moreover, the very ideas pertaining to success and failure have become somewhat dim, therefore also complicating the various efforts of establishing a broadly agreed balance sheet regarding the negative and positive aspects of the outcome.

Impact on the International Community

Unsurprisingly, the changes discernible in the unfolding of wars and deadly conflicts have impacted the structures of the international community and the conduct of peace diplomacy to a considerable degree. Issues related to armed conflicts remain high on the agenda despite the overall decrease in the number of wars, and they do so, among other reasons, because the consequences are broadly felt due to increased interdependence. Due to the changes, new forms of global security governance have appeared since the end of the Cold War, a number of new norms and standards are in place and a range of capabilities has been accumulated. The tasks and missions have increased to a degree that there are those who argue 'that we live in the age of peacebuilding'.[8]

Efforts to catch up with the task of preventing wars, stopping those that could not have been prevented, and preventing those that have been stopped from re-igniting have characterized the United Nations but also a broad range of other international, regional and sub-regional organizations. An emphasis on change was already present in the Secretary-General's report titled 'In Larger Freedom: Towards Development, Security and Human Rights for All' (2005) as well in the report by the High-level Panel on 'A More Secure World: Our Shared Responsi-

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[7]   See for example Keith Krause (2012), 'Hybrid Violence: Locating the Use of Force in Postconflict Settings'. *Global Governance*, 18(1): 39-56.

[8]   See Daniel Philpott and Gerard Power (2010), *Strategies of Peace. Transforming Conflict in a Violent World*. Oxford: Oxford University Press.

bility' (2004). Both reports devoted much attention to the need to deal effectively and comprehensively with the altered nature of contemporary violent conflicts.

The follow-up then consisted, above all, of the first ever General Assembly resolution (A/RES/65/283) on mediation in the UN system. It was adopted unanimously in June 2011 and accompanied in September of the same year by the presentation of a document entitled 'UN Guidelines for Effective Mediation' on various mediation fundamentals to enhance the prospects of success. The document was prepared by the Secretary-General and subsequently presented to the General Assembly.

As a consequence of the reforms and re-thinking, the UN has been provided with a broader mandate to meet the changing nature of conflicts, although there are still restrains in place in regard to intra-state conflicts. Progress has similarly been made in securing funding for the conduct of different operations in the field of peace diplomacy. In addition, for the processes related to peace to be well-supported, attention has been devoted in developing and extending the competences of the Department of Political Affairs, including its Mediation Support Unit (MSU), the Peacebuilding Support Office (PBSO) and the Bureau for Crisis Prevention and Recovery (BCPR). In fact, the UN has developed into a major actor supporting in various ways national dialogues and contributing to the pursuance of confidence-building measures. An important mediation-related instrument at the disposal of the Secretary-General consists of a system of special representatives or special envoys.

It is further to be noted that countries identifying the UN as a major platform for action and networking established in 2010 the Group of Friends of Mediation. It currently comprises of 38 member states and incudes also eight international organizations: the United Nations (UN), the African Union (AU), ASEAN, the Arab League (AL), the European Union (EU), Organization for Security and Co-operation in Europe (OSCE), the Organization of American States (OAS) and the Organization of the Islamic Conference (OIC).

A similar prioritization and re-orientation has taken place within the international community at large. Numerous institutions, governmental as well as non-governmental, have become increasingly interested in contributing to preventing wars, restoring peace and accumulating resources and competences needed for those ends. The diffusion of power and fragmentation of influ-

ence that has more recently taken place within the international community has implied, in one of its aspects, that there has been both a need and an opportunity to contribute to peace diplomacy in its various forms. Among other things, more emphasis has been placed on regional and sub-regional efforts of addressing problems related to the ending of wars and violent conflicts. With security policy being defined more broadly than was the case during the days of the Cold War, also a number of development agencies and financial institutions have been able to join the ranks of actors interested in and capable of contributing to processes related to peace and conciliation.

At large, various efforts of preventing and ways of dealing with contemporary wars and conflicts have made important strides. Progress has been made in many areas and there has, in general, been a considerable broadening of the institutions and both governmental as well as non-governmental actors engaged in various forms of peace diplomacy. New standards as well as methods of collective action have been developed with this then assumedly contributing not just to a decline in the number but also the severity of wars and violent conflicts. The increase in the number of actors interested in various forms of peacebuilding has actually been so considerable that issues pertaining to leadership and coordination have emerged as issues requiring increased attention.

As also pointed out in a recent World Bank report on the prevailing state of affairs in the field of violence prevention, the list of accomplishment in the sphere of peacebuilding is considerable. Crucially, the efforts of the international community to end wars and promote peace have been transformed and adapted to the current challenges to a considerable degree although it is also stressed that transformation remains incomplete. Among other things, some priority areas have been left under-resourced and, according to the report, much still remains to be done in order for the international community to be able to respond in a coordinated manner, react in time and do so flexibly. It is also pointed out that there is, among other things, a need to be sufficiently responsive in view of the local needs of the societies in peril and there remain structural gaps in knowledge and operational capacity. Furthermore, some institutions are too often occupied with technical 'best practices' rather than adapting to the needs of various, and often local contexts, the report notes.[9]

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[9]   World Development Report 2011. Conflict, Security and Development. The World Bank. Washington, DC. 2011, pp. 180-198.

Likewise, Lakhdar Brahimi and Salman Ahmed have contributed to the identification of the various problems and obstacles related to progress in the sphere of peace diplomacy. The two authors note that the current geo-political landscape is more fragmented than in the immediate post-Cold War 'honeymoon' period when the international community succeeded in brokering solutions to a considerable number of problems, disputes and conflicts. One of the problematic contemporary features consists in their view of that there tends to be divisions present within the UN Security Council as well as between various regional players due to 'competing strategic national interests'. They also think that various divisions might be growing rather than declining, this then pointing to the fact that the international community is still far from perfect despite of the progress made.[10]

Growing Prominence of Dialogue

Notably, various dialogue-based approaches have grown in significance due to instruments applied in the prevention and settling of violent conflicts as well as in coping with post-violence reconstruction. They pertain to efforts of bringing different, if not adversarial views, together in the hope that divides can be bridged, views reshaped and trust generated as a result of established links and contacts. At best, engagement in dialogue allows for the maintenance of difference and amounts to mutual enrichment as well as a widening and deepening of public space. It stands for more than just a process of negotiation with expectations of a pre-set outcome remaining an open, a fluid and also a creative process of communication.

As often noted, complex socio-political conflicts are not solved through once-off dialogue events, but through ongoing, multifaceted and multilevel dialogues. The processes may, as pointed out in an IDPS report on the role of political dialogue in peacebuilding and statebuilding, take decades rather than years. Thus the conduct of political dialogue calls for long-term investments in the capacities of the actors involved. The report notes that the short-term perspective that still holds in some circles of the international community and

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[10]   See Lakhdar Brahimi and Salman Ahmed, 'In Pursuit of Sustainable Peace. The Seven Deadly Sins of Mediation'. Center on International Cooperation. New York University, May.8, 2008. Available at: http://peacemaker.un.org/peacemaker.un.org/files.

that sees the first post-crisis democratic elections as an end to the crisis, has to change.[11]

Dialogues have been pursued first and foremost in the form of intra-country processes. They have often been based on informal mechanisms for the resolution of disputes and make use of trusted and respected individuals with a background in the countries and societies parties to a conflict. National and local dialogues are important, among other reasons, because of their inclusive character and in aiming at confidence and relationship-building at different levels of society. Although mainly national and local in character, also the role of international community and in particular the United Nations has been substantial. The UN has provided concrete support but also offered a normative framework applicable in passing judgment on the merits of the various arguments put forward in the talks conducted.

The accentuation of dialogue as an applied approach obviously pertains to the increased frequency of intra-state wars and in general wars fought between unequal parties. This then also implies, in one of its aspects, that the parties are in most cases not able to recognize the legitimacy of each other. They are not able or willing to use various institutionalized and rule-based channels of communication, such as diplomacy between states, in order to settle their differences but prefer other and less formal approaches.

The inability to resort to traditional approaches stems from a variety of sources. War has in many cases torn apart the social fabric needed for communication but also created profound animosity, resentment as well as distrust. It appears, paradoxically, that the very same factors that make the conduct of dialogue indispensable also contribute to the fact that a reaching across lines of division remains utterly problematic. The conditions are such that an acceptance of the introduction of channels of communication is easily taken for appeasement and provided with other negative readings because the aspiring for non-adversarial relations can potentially contribute to a shift in the policies pursued.

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[11]   See the report 'The Role of Political Dialogue in Peacebuilding and Statebuilding: An Interpretation of Current Experience'. International Dialogue on Peacebuilding and Statebuilding. May 2011, p. 6.

The difficulties may in some cases even pertain to the very concept of dialogue as it has different connotations in different cultural contexts, and some of them can be negative in character. In consequence, dialogue as a term has in some instances been substituted by those of 'conversation' or 'community conversations' and the focus has, on occasion, been directed towards the issues at stake rather than problematizing the processes to be applied.[12]

In any case, approval of dialogue as an approach to be applied stands for a crucial step in the policies conducted by the belligerents, although it would be quite fallacious to think that the introduction of dialogue leads easily to reconciliation, amounts to a joint and more coherent visions among the belligerents or allows for a re-building of rule felt to be legitimate and the restoring of confidence in the institutions of governance. Some of the emotions underlying conflictual relations might actually have been building up during generations and thus tend to remain quite resilient to change. They may be so overwhelming that establishing dialogue is utterly difficult in the first place and the issues at stake are so deep-seated and multi-facetted that it remains quite unrealistic to expect that they would be settled overnight. Establishing a dialogue, thus, stands out as an achievement as such and it would be fallacious to expect any quick results in terms of some break-through. Dialogue-based processes tend to stretch out over a long period of time before yielding results, and dialogue may well be needed in the aftermath of a conflict following the cessation of hostilities and the concluding of a peace treaty.[13]

Keeping dialogue going over a longer period of time is actually an achievement as such because it can easily stall, and it may end in a stalemate without bringing about the desired shift in the policies pursued and subsequently a resolution of conflicts. It can even, in the worst case, strengthen negative views, reduce confidence in a peaceful settlement and amount to an accentuation of adversarial relations. Moreover, the reasons to engage in dialogue may be opposite to reconciliation and increased understanding as the ulterior motivations may rather pertain to efforts of buying time, restore international or internal respectability,

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[12]   For the impact of the cultural context, see Bettye Pruitt and Philip Thomas, *Democratic Dialogue – A Handbook for Practitioners*. Stockholm 2007, pp. 24-25. The preparing of the Handbook was a joint endeavour between CIDA, IDEA, OAS and UNDP.

[13]   See the report 'The Role of Political Dialogue in Peacebuilding and Statebuilding: An Interpretation of Current Experience'. *International Dialogue on Peacebuilding and Statebuilding*, May 2011.

gain recognition or simply impress external actors. The presence of such departures obviously brings about distrust in the dialogue itself, feeds cynicism and at least contributes to 'dialogue fatigue'.

Clearly, dialogue does not offer an easy way out of conflicts but remains nonetheless indispensable in coping with various consequences of war such as feelings of animosity, hatred, anger, fear and guilt.[14] A restoration of contacts and regeneration of channels of communication stand out as a mandatory first step in efforts of breaking any unilateral imposition of the views and interests of one of the belligerents on the others. Such efforts are then to be followed, if possible, by deliberations and negotiations in managing the transition from war to peace. Dialogue stands out in this perspective as an initial step to be followed by other measures and processes needed in bringing the process set in motion to a successful end. It is, as the first step in the chain, primarily relationship-oriented whereas deliberations and negotiations are more focused on outcomes.

One of the crucial features of dialogues consists of the fact that they usually unfold in a relatively informal manner, albeit they might take more formal and quite organized forms as well. The 'lightness' of dialogues is of importance in the sense that they offer contacts and channels for communication also in situations where formal state-to-state diplomacy has become less applicable. Governments may lack diplomatic relations, they can deny the existence of the adversary or refuse to talk to and be in contact with oppositional movements. Hence there is a need for a variety of 'tracks'. Traditional channels, called Track One, are still unfolding between states but they have in many cases been complemented or perhaps even substituted by Track Two diplomacy covering primarily relations between various non-state actors.

Track Two dialogues vary considerably in terms of their structure, content, methodology as well as goals[15] but offer in many cases an off-the-record type of venue for talks when official processes fail or are for some reason not possible. They may contribute to reduction of tensions, facilitate a shift in security think-

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[14]   Isak Svensson and Karen Brounéus note, however, that "surprisingly little is known about how people's propensities to trust can be influenced by policy programs, and in particular, whether dialogue processes indeed enhance trust". See Isak Svensson and Karen Brounéus (2013), 'Dialogue and interethnic trust: A randomized field trial of 'sustained dialogue' in Ethiopia'. *Journal of Peace Research*, 50(5): 563-575.
[15]   See Esra Çuhadar (2009), 'Assessing Transfer from Track Two Diplomacy: The Cases of Water and Jerusalem'. Journal of Peace Research, 46(5): 641-658.

ing and their non-formal nature allows for the airing of ideas and solutions that might not be possible in a more formal context for these ideas, then possibly also impacting, at some juncture, official thinking and policies.[16]

While the Track One and Track Two diplomacies stand clearly apart from each other, it has, on occasion, been necessary to bridge the gap by introducing Track One-and-a-Half diplomacy. The latter form of talks pertains to contacts between a multitude of actors, including perhaps also Track One actors in their personal capacity as well as non-governmental ones. Furthermore, with dialogues taking place on multiple levels and in a variety of forms, the concept of 'tracks' has been extended in one of its forms to cover Track Three, i.e. talks between various civil society actors and sometimes with emphasis on commercial and business-related contacts. Track Nine, in turn, pertains to communication through various forms offered by media, including the social media.[17]

The broadening and dispersion of the channels for dialogue obviously reflect the diversity of current-day wars as well as the increasing heterogeneity of the parties to a conflict. Such a broadening allows flexibility and variance in the chosen approaches, although the proliferation of tracks also amounts to a significant increase in complexity. The various channels of communication and dialogue applied may differ from each other conceptually and have their specific advantages and disadvantages, although the distinctions are far less clear in practice than in principle. In any case, the extension of the approaches available stands for a positive development in the sense that a certain specific dialogue process is not necessarily able to address all the issues and variables underlying conflicts and in consequence, there are obvious advantages in the broadening of the channels of communication, although it also amounts to a growing complexity.[18]

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[16]   For a systematic presentation of the potential impact of track two diplomacy, see Dalia Dassa Kaye (2007), *Talking to the Enemy. Track Two Diplomacy in the Middle East and South Asia.* Rand Corporation: Monica, CA., pp. 21-25.

[17]   On the use of social media as part of peacebuilding, see for example Greg McLaughlin (2009), 'Changing Hearts and Minds? Television, the Paramilitaries and the Peace Process', in Joseph J. Popiolkowski and Nicholas J. Cull (eds.), *Public Diplomacy, Cultural Interventions and the Peace Process in Northern Ireland*. Los Angeles: Figueroa Press, pp. 43-55.

[18]   For an effort of definition, see Jeffrey Mapendere (2005), 'Track One and a Half Diplomacy and the Complementarity of Tracks'. *Culture of Peace Online Journal*, 21(1): 66-81. See also Julian Thomas Hottinger (2005), 'The Relationship between Track One and Track Two Diplomacy'. *Accord*, no. 16, pp. 56-59.

Towards an Increased Use of Third Parties

A common trend, part of contemporary wars, appears to be that the belligerents increasingly move from fighting in the field to 'fighting over the table'. They realize that more can be gained through compromises and settling conflicts than fighting to the end, and they also comprehend that external help from third parties is needed for the parties to discover solutions that they are unable to find and push through by themselves.

In consequence, mediation has gained in centrality. It has turned from being initially seen as something rather questionable to a rather positive approach. The previous aversion was largely brought about by the outbreak of the Second World War with the preceding events furnishing mediation with connotations of appeasement.[19] Notably, the aim of the rather ideologically premised confrontation between the blocs during the Cold War was victory, not compromise. The same attitude was then largely extended to apply to the other disputes of that period, whether related to the Cold War or not. The battle was seen as existential in nature and it was waged between right and wrong, democracy and dictatorship, capitalism and socialism, liberation and imperialism, and what followed was that aspirations towards compromises through the pursuance of dialogue and mediation were hence viewed as morally questionable if comprehended as conceivable in the first place.

It thus appears that a considerable re-thinking and re-evaluation has taken place since that period with not only dialogue but also mediation gaining in standing. It has not just become conceivable but has also turned increasingly acceptable as efforts of mediation have actually become something of a standard approach. It has, in fact, become something of an international norm.[20] It is rarely spontaneous in character but rather rests on structured approaches with the UN, various inter-governmental organizations (IGOs), actors part of the civil society, such as various prominent personalities and private groups, or religious networks engaging themselves in mediation. Also the supply of mediators has significantly increased

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[19]   For these arguments, see Peter Wallensteen (2009), *Understanding Conflict Resolution. War, Peace and the Global System.* London: Sage, p.4.

[20]   Some 20 per cent of political conflicts were mediated between 1945 and 1962 against 34 per cent between 1963 and 1989, and 64 per cent between 1990 and 1996. See *International Crisis Behavior Project Data Archive*. Available at: www.icbnet.org.

and the growing complexity of conflicts calls in some instances for co-mediation and complementary mediation, approaches have to be streamlined and mediation coordinated. Mediation may thus have to take place under the leadership of a lead mediator and the task of mediating can be handed over to a different mediator pending the phase of negotiations and the issues at stake.

Mediation may yet, despite a stronger standing and improved reputation, on occasion be furnished with connotations of something questionable. It can still be equated with unwarranted intrusion and transformative ambitions or be seen as something dubious in amounting to the introduction of ideas and proposals considered as bringing about confusion rather than clarity. Moreover, it may be viewed as a move contributing to some of the parties gaining in standing and achieving recognition in a manner that does not meet the approval of some other parties, or for that matter, the international community at large.

This is by no means a major issue as negative readings of mediation tend to remain rare. Moreover, the problem can be circumvented through the application of some less loaded concepts such as those of dialogue, deliberation or facilitation with these three having connotations of being less directive or formal than mediation. They also tend to be more experimental as well as open-ended but at the same time less issue-oriented in essence and therefore also less vulnerable to accusations of being biased or pointing to something imposed and enforced. While there are some advantages in keeping concepts such as dialogue, facilitation and deliberation apart from mediation, there is yet no escaping from the issue that the differences between these concepts remain rather subtle. All of them pertain to communication and their meaning is often blurred and they can be comprehended well as being part of a larger constellation and related in this context to differences in sequence rather than substance.

The increased acceptance and presence of third parties obviously stands for a positive development, although it has to be also noted that wars and deadly conflicts have turned more complex and difficult to handle. A major difficulty consists of that the inequality between the parties as to power and resources have increased due to the proliferation of intra-state and intercommunity conflict. Although some degree of standardization seems to have taken place in the applied peace processes and norms, the stronger standing of some norms and

departures may well be at odds with the norms held and departures favoured by some of the partiers to a conflict.[21]

As to changes over time, the attempts of settling conflicts through mediation have increased significantly particularly since the beginning of the 1990s[22] and the trend seems to remain.[23] There has been both success and failures present, albeit passing judgment on achievements and losses is neither an easy nor a straight-forward undertaking. Success may already pertain to the initiation of mediation as fostering recognition and bringing the parties together can well be viewed as an achievement on its own terms.[24] Furthermore, success can be defined as standing for a ceasefire, it may be narrowed down to the signing of peace agreements or related to their durability. It can, in one of its aspects, also boil down to that more wars and deadly conflicts have been terminated with the help of peace agreement than military victories.[25]

Nonetheless, a major problem consists of passing judgment in the context of the so-called protracted conflicts. Peace can be achieved through the cessation of hostilities, albeit nearly half of the countries that have experienced intra-state wars and intercommunal conflicts have fallen back into conflict within the first decade.[26] It appears, though, that mediation significantly increases the probability of ending wars and reaching an agreement and it also adds to the probability of a longer-term tension reduction.[27]

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[21] For this aspect, see Simon A. Mason (2007), 'Mediation and Facilitation in Peace Processes'. *International Relations and Security Network*, EHT, Zurich, p. 6.

[22] See Joakim Kreutz (2010), 'How and When Armed Conflicts End: Introducing the UCDP Conflict Termination Dataset'. *Journal of Peace Research,* 47(2): 243-250.

[23] This is the conclusion drawn by Lotta Themnér and Peter Wallensteen (2013), 'Armed Conflicts 1946–2012'. *Journal of Peace Research*, 50(4): 509-521.

[24] Simon A. Mason concludes by summarizing the results from a variety of studies that mediation has since the Cold War used in about 50 per cent of all international crisis. See Simon A. Mason, 'Mediation and Facilitation in Peace Processes'. *International Relations and Security Network*, ETH, Zurich, p. 4.

[25] The data presented by Joakim Kreutz testifies that this has been the case since the 1990s. According to Kyle Beardsley et.al., there is a five-fold probability of reaching an agreement once conflicts are mediated and more than a two-fold probability of longer-term tension reduction compared to non-mediated conflicts. See Kyle C. Beardsley, David M. Quinn, Bidisha Biswas, and Jonathan Wilkenfeld, 'Mediation Style and Crisis Outcome'. *Journal of Conflict Resolution*, 50(1): 58-86.

[26] See P. Collier et.al. (2003), *Breaking the Conflict Trap – Civil War and Development Policy*. Oxford: Oxford University Press.

[27] See Kyle Beardsley et.al., ibid.

As to the mode of mediation in civil wars, it seems that the efforts have most frequently been procedural in nature followed by facilitative and communicative endeavours, while various transformative efforts have been used least often.[28] It should also be noted that the presence of mediation has been conducive to longer-lasting peace whereas the lack of mediation and the use of more coercive approaches has increased the probability of renewed fighting.[29]

Overall, much seems to point to the fact that there is a greater utility in fostering rather than forcing as the latter approach easily amounts to mediators losing the trust of the parties to a conflict, although it has also been noted that pushing the parties towards settlement appears to have been more effective in high-intensity conflicts but less effective in low-intensity ones. In the latter case the procedural strategies seem to have been more optimal.[30] In any case, there is an obvious need to develop a more thorough understanding of the impact of various approaches as well as the conditions under which the different mediation strategies are most effective.

Concluding Remarks

With a significant change in causes, dynamics, parties as well as consequences and in general in the unfolding of wars and deadly conflicts, the need has emerged to probe the applicability and utility of the approaches traditionally applied in the endeavours of restoring peace.

It would be an exaggeration to claim that the challenges have been fully met, although good progress has been made. The record of the international community undoubtedly leaves much to be hoped for but it is also clear that it has much improved. New skills and competences have been developed along with a change in the approaches applied and an increase in the human as well as material resources required in responding to the challenges posed by the mutation of wars and conflicts. Similarly, structural reforms and alterations have taken

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[28] See Mehmet Gurses, Nicolas Rost and Patrick McLeod (2008), 'Mediating civil war settlements and the duration of peace'. *International Interactions*, 34(2): 129-155.

[29] For a good summary, see Peter Wallensteen and Isak Svensson (2014), 'Talking Peace: International Mediation in Armed Conflicts'. *Journal of Peace Research*, online article.

[30] This is the conclusion drawn by Jacob Bercovitch and Scott Sigmund Gardner (2006), 'Is There Method in the Madness of Mediation? Some Lessons for Mediators from Quantitative Studies of Mediation'. *International Interaction*, 32(4): 329-354.

place on various levels of the international system and in general the ability of a variety of actors to tackle various problems flowing from changes in the nature of wars has improved.

There is some continuity present in the approaches applied in the sense that traditional state-to-state diplomacy is still in demand. It is somewhat less central than it used to be during the era of state-to-state wars, but still relevant and applicable also in view of some of the current challenges. There are, however, also notable discontinuities present calling for new and somewhat different approaches as quite many unconventional type of wars and conflicts have proved themselves to be rather difficult to settle by merely resorting to the conventional ways and means of solution.

There has hence been a need to fill the gap, and this then appears to account for the improved standing and also more frequent use of dialogue as well as mediation in counteracting contemporary wars and violent conflicts. Both approaches refer to a range of activities and have been employed in a flexible manner in aiming at addressing conflict drivers and fostering reconciliation. They are distinct from each other in a number of ways but the relationship contains nonetheless also numerous complementary elements in pertaining to efforts of finding peaceful solutions to disputes and the conduct of violence. In general, there appears to exist a need for multiple interventions that complement each other and operate on different levels of the international society in dealing with multi-faceted dilemmas caused by new type of wars and acts of violence.

Importantly, both dialogue and mediation are increasingly in supply but there are also shortcomings, inadequately addressed questions, mismatches in definition and ways of understanding the two approaches as well as a lack of coherence in the pursuance of dialogue as well as mediation. Both approaches are in need of further development and have to be adapted better to the prevailing challenges part of current-day international relations. There is room for improvement, although the overall picture is yet one of progress and improved performance.

2 Role of External Actors in supporting National Dialogue Processes

Hannes Siebert, Chetan Kumar and Sanna Tasala

Introduction

Formally mandated National Dialogue processes are either taking place or emerging in Burma, Egypt, Jordan, Lebanon, Libya and Morocco. Recently the National Dialogue process in Yemen was completed with a set of recommendations for follow-up.

These formal National Dialogue processes are usually designed and mandated to develop constitutional frameworks and to support constitutional review processes with the aim of forming a basis for new constitution to be adopted by the parliaments in the countries' in question. In some instances, they aim to develop the parameters of new systems of governance, or governance reform. However, the different national dialogue processes differ in their exact legal status, the independence of the formal political process in the country as well as in how directly they contribute to the constitutional or other transition processes in the country.

National Dialogue processes can also provide an opportunity to address root causes of conflict and issues caused by failures of the previous constitutions to provide a basis for an inclusive social contract, and for satisfying the needs of the citizens. In an ideal case, National Dialogue processes should be inclusive processes, providing an opportunity for all sectors to participate in shaping their country's governance.

A lot of interest has been generated by the emerging national dialogue processes in the multilateral and bilateral donor community, and a wide range of stakeholders now claim to have a role in supporting these processes. A few pointers and best practices towards effective external roles are identified below.

Who Are the External Actors in National Dialogue Processes?

This paper defines external actors as those without direct participation in the dialogue, or a direct stake in the outcomes of the process. Most often, these external actors are constituted from a myriad of United Nations representatives and agencies, diplomatic missions and international and sometimes also local NGOs.

The participants and stakeholders of the National Dialogue processes usually possess a deep knowledge and understanding of the national circumstances and the political situation, as well as the historical, social, economic and cultural factors that need to be considered for designing and leading a participatory and productive dialogue process.

'Outsiders', or external actors, often do not possess as deep understanding of the history of the country and rarely fully grasp the intricate specificities of the society they are not submerged into. On the other hand, they may have useful experience from other countries, as well as of supporting national dialogue and other similar processes, and can hence be helpful in supporting the national actors in the process.

Unfortunately, quite often external actors possess their own biases and preferences and represent a vast variety of different sometimes opposing perspectives that can at best confuse the national stakeholders and at worst lead the process to a direction where important elements of the society are excluded.

Useful roles the external actors and conditions that can be conducive for their beneficial engagement are identified below, as well as challenges to their engagement. Lessons learnt for enhancing the partnerships between the national stakeholders and the external actors are also identified.

Positive Contributions of External Actors

Most formally mandated National Dialogue processes have invited some level of engagement of external actors and the ND processes taking place or emerging today attract much more attention from the external actors than those of the past. In South Africa, external actors played a role in pushing for the end of the apartheid and a fairly minor role in the succeeding dialogues. In Yemen, the Gulf Cooperation Council and the United Nations, the G10 countries, as well as

other international actors played a far more extensive role – although the decisions were made by the Yemenis. National Dialogue processes today are taking place in an increasingly globalized context.

External actors can often play a critical role in demonstrating the benefits of National Dialogue processes and pushing for the different conflicting parties to organize and participate in a dialogue with the aim of resolving the key issues leading to conflict or polarization in the country. In Yemen, the United Nations played an important role in convincing the key stakeholders to start a dialogue and in also clarifying what a National Dialogue means and what the possible benefits of such a process are.

Most of the participants of the National Dialogue conference in Finland agreed that the preparation and planning phase of the ND process is critical to its success. External actors can play a useful role in this process when they focus on providing options and enhancing innovation through providing perspectives obtained from comparative experiences in other countries whilst remembering to respect the national context and priorities.

As is now widely recognized, each country is unique and the causes and drivers that precipitate conflict are myriad. There is no right or wrong formula to a National Dialogue – rather each country needs to design a process that works in their context. Yet, during a transition period which often follows decades of limited political expression, all stakeholders - including governments, civil society, political parties, and security agencies - have an urgent need to learn and apply new skills and habits of dialogue, collaboration, inclusion and constructive negotiation. This is important because if consensus on vital reforms cannot be achieved on time, countries and societies can find themselves on the brink of relapsing into conflict. In this context it is useful to engage external partners who have experience of setting up consensual processes and those with good lessons learnt from National Dialogue processes elsewhere.

Most National Dialogues could benefit from different types of peace support structures such as common spaces and deadlock-breaking mechanisms. Often these structures require some level of support from external actors whilst respecting the national ownership. In Yemen, the National Dialogue Secretariat played a crucial role in the organization and facilitation of the National Dialogue Conference. It was led by the Yemenis but benefitted from the engagement and

advise of different external advisors. In Lebanon, the Common Space Initiative is an initiative providing research, facilitation and knowledge sharing services in Lebanon. It is a Lebanese initiative that benefits from support of a wide range of 'external' partners and different processes of shared knowledge creation.

Engagement of credible 'insider mediators' is often crucial to the success of national dialogue processes. Insider mediators are often able to convene actors and facilitate conversations due to their intimate knowledge of the situation as well as their personal relationships which the external mediators often lack. However, these insiders can often benefit from the support and partnership of external actors to be able to capitalize on their skills and to learn alternative methods through formal training or 'accompaniment' offered by those with comparative experience from other countries.

Finally, National Dialogue processes are expensive processes and one of the most important reasons for engaging external actors is often to obtain financing for these processes. The estimated budget of the Yemen NDC was 37 million US dollars .The Myanmar process may cost about 35 Million US dollars per annum. Often these processes cannot be successfully completed without funding from external donors. It is important to ensure that funding is made available and to note that unpredictable funding may cause delays and additional challenges to a difficult process.

Challenges in the Involvement of External Actors

The supply of external support to National Dialogue processes today far exceeds the demand. The national stakeholders are bombarded with different advice and approaches and offers of assistance. However, most of these offers come with a specific bias either from the organizational or political perspective depending on the actor. In Myanmar, where the National Dialogue process is in the very beginning and still emerging, 126 external organizations participated in a recent planning meeting. Often these organizations are also competing against each other and engage in very little coordination. This chaos prevalent in the international community runs the risk of transferring the problems among those offering support to the process itself.

The different biases in shaping the National Dialogue processes will reduce the likelihood that the process can resolve some of the long-standing issues that

have caused conflict in the country. In Yemen, some feel that since the NDC was initiated and financed by the foreigners, it lacked the necessary domestic buy-in and feeling of responsibility. In addition, the poor efforts to include the secessionists in the South led to a firm stance against the process and will continue to challenge the reform process under the new federalist state. The unrealistic timeframes often suggested by external actors do not leave enough time for the preparations needed prior to the dialogue process starts.

In the midst of serious conflicts or deadlocks, national stakeholders are often tempted to adopt or explore "good models" that have worked in other countries. However, good models can be deceptive, as it is not always clear how these models evolved and what the nuances and particularities were of the context in which they developed. It is important that more consideration be given to adopting any models from other countries and that those making recommendations have a deep understanding of the benefits as well as shortcomings of the different 'models' utilized in other countries.

Having recognized the crucial importance of providing financial support to the National Dialogue processes, the provision of financial support has also provided additional challenges to the process. Donors have been guilty of pledging resources and not providing them in a predictable manner. The different approaches to financial management can also challenge the national actors who need to dedicate a lot of energy to financial management and reporting according to varying demands and schedules.

Lessons from the Involvement of External Actors in National Dialogue Processes

The clearest lesson from the different national dialogue processes is that the they should be mainly internally led processes, with national stakeholders taking the lead in all aspects of the it. External actors can only play a productive role in national dialogue processes when they work in full understanding of their role in supporting the national stakeholders in their process. This does not mean that there is no role for external actors, but that it is important to be careful about crossing the lines of getting involved in the process itself. This is important not only to ensure ownership for decisions and agreements, but also because the success of the process depends on wider acceptance of the outcomes by all citizens.

Inclusive National Dialogue processes offer enormous potential for providing the opportunity to citizens to take part in the transition process and to participate in shaping their nations. In order to be relevant, external actors urgently need to enhance their understanding on how national dialogue processes can help consolidate peace and resolve long-standing social, economic and institutional issues, and how they can best provide impartial but necessary and consistent support to these processes.

Different types of support structures have emerged and have been found to provide useful mechanisms for providing assistance to the National Dialogue processes based on need. External actors need to strengthen those structures and enable them to work without political interference.

Whilst competition among the support actors can be detrimental for the National Dialogue process, the unified position of the international community can provide a strong guarantee for a peaceful transition. External actors need to reduce the involvement of their political and institutional biases in the support they are providing. External actors need to foster better cooperation and partnerships to make sure that support is provided based on consensus around what is needed, so that problems irrelevant to the dialogue do not hinder the assistance being provided.

Getting inclusion and participation right in the National Dialogue process is key to success in the long-term. It also necessitates a deeper understanding of the relative importance of including elites vis-à-vis including all citizens and interest groups in the process. This requires that the external support actors fundamentally understand their role as supporting national processes, not attempting to dictate them, and further utilize the skills of active listening that they are often trying to promote.

Ultimately, given the globalized context that we live in today, no National Dialogue will succeed unless the international community stands behind the outcomes of the process. Similarly, the process is also likely to fail if not all groups within the country feel included in the process. Unless a right balance can be struck between national sovereignty and international frameworks, it will be impossible to also find the right balance for international engagement in National Dialogue processes.

3   National Dialogues as Catalyst of Fundamental Change

Hannes Siebert

Uprisings around the world over the past three decades have seen mass peoples' movements claiming back their history from autocratic and oppressive powers. New political forces and popular movements have been re-defining nationhood, innovating new forms of representative government and reconsidering the nation-state concept. Many among them have been diligently working to transform and advance their societies from within.

The role of non-state actors has also grown as they have struggled to protect minority rights and fight political and economic oppression. Many non-state actors have been barred from negotiation processes both by state antagonists and by some dominant international actors. This exclusion has often accompanied a counter-terrorism agenda and has been applied selectively, despite the fact that many non-state actors are credible and legitimate representatives of groups that have suffered state oppression and discrimination. Non-state actors have often resorted to armed struggles because states have refused to listen and address grievances through dignified mechanisms and credible processes.

Accompanying the rise of these movements has been the evolution of inclusive and participatory mechanisms for change. In particular processes of national dialogue have developed internally as tools for political transformation, whereby local and national peacemakers and concerned parties work together to resolve their conflicts through the creation of joint instruments and supporting peace infrastructures.

Emergence of National Dialogues

National dialogues have been used in one form or other for several centuries, but more recently there has been a profusion of public consultations or political dialogues that go by this name. National dialogues and constitutional change processes are today taking place or evolving in Nepal, Burma, Tunisia, Egypt,

Yemen, Lebanon, Morocco and Jordan, and are gradually emerging in Libya, the Basque Country and Syria.

Several forms of National Dialogue have developed from change processes. The South African, Yemen and Burma processes discussed in this conference are formally mandated "National Dialogues" (capitalised). As three of the most significant examples of such processes, they emerged after civil wars, successful people's uprisings or resistance, a ceasefire (15 signed agreements in the case of Burma), or a peace accord (the Gulf Cooperation Agreement in the case of Yemen), and a multi-party agreement (in the case of South Africa). These formal processes are mandated to develop constitutional frameworks as basis for a new constitution to be adopted by their countries' parliaments.

The fourth country, Syria, can be described as a case of emerging informal "national dialogues" (not capitalised) that has evolved from technical thematic dialogues (Agenda for a Future Syria), civil society dialogues, international dialogues and ongoing confidential negotiations. In the case of the latter observers have witnessed more than 50 agreed ceasefires over the past three years. These fragile processes managed by courageous and committed inside mediators are slowly forming a base to build a more formal political process. In all four cases the existing constitutional frameworks and mechanisms were not acceptable or were "broken" and needed to be changed through inclusive extra constitutional decision-making mechanisms – representing parties both inside and outside constitutional representative bodies, i.e. the parliament or government. A major challenge that each of these processes has faced (or facing) has been how to link change processes to existing constitutional bodies and stimulate real structural change.

Looking at the issues on the agenda and the work of the various committees and structures, mandated dialogue structures have not only provided new constitutional frameworks to address the root causes of the conflict or constitutional failures, they have also served a much broader function than their intended purpose – specifically to provide spaces and instruments for reconciliation, developing joint visions between former enemies, and slowly evolving an understanding of the needs, perceptions and perspectives of the "other".

We have seen in both Yemen and South Africa that dialogue structures are by their nature vulnerable and imperfect instruments. In Yemen some of the key issues have not yet been resolved by the time the National Dialogue Conference has reached the end of it mandated period at the end of 2013. In South Africa, the Convention for a Democratic South Africa (CODESA) – the formal mandated structure for peace talks through a multiparty forum for negotiations – failed twice before it delivered a final framework in its third attempt. To the leaders in these transformative dialogue processes, who carry the burden to deliver peace on behalf of the people or the ideals they represent, peace and dialogue structures are temporary symbols of hope and an alternative to armed conflict.

To ensure formal dialogue structures function well and to create a conducive environment to break deadlocks, generate options and create joint innovative solutions, a number of safety nets or peace support structures have been developed to backstop national dialogue processes. In Burma the stakeholders are in the process of establishing a joint ceasefire monitoring and peace structures; in South Africa they developed the National Peace Accord structures with over 300 local peace committees; and in Yemen, with the support of international institutions such as CMI and Berghof Foundation, numerous local and regional dialogues were established as public participatory and safety net mechanisms.

Authentic National Dialogues as Mechanisms for Legitimate Change

In the midst of serious conflicts or deadlocks, national stakeholders are often tempted to adopt or explore "good models" that have worked in other countries. However, good models can be deceptive, as it is not always clear how these models evolved and what are the nuances and particularities of the context in which they developed.

Sometimes we would be better served learning from our own and others' failed models and experiences. Many cultures in the world have practices, rituals and inherent assets that they have drawn on for centuries to survive. Building on and strengthening good cultural assets in societies in conflict, the design and ownership of the national dialogue process and best practice models from relevant international experiences, are equally significant to develop good national dialogue.

The most effective dialogue and peace structures are the ones carefully designed by national stakeholders themselves to collectively address their conflict and broken constitutional instruments. These authentic structures and common spaces have grown into the "immune system" that has strengthened societies from within.

National Dialogues hold the potential to strengthen constitutional, state and political reform processes with joint knowledge creation and comprehensive approaches to reform and transformation. Strong and inclusive national dialogues with the participation and mandate of all key stakeholders based on national ownership and political inclusion can address key political reform issues. Integrated multi-disciplinary assessment and diagnostic frameworks for process design and conflict analysis need to be further developed beyond the current frameworks of third-party mediation in order to further evolve and develop national dialogue instruments looking forward. Many informal and formal dialogues have wider process and change impact than its intended purpose, such as for reconciliation among the participants.

National Dialogue processes share some common elements. They are mechanisms to bring all major political decision-makers and stakeholders together after serious conflict or when constitutional bodies (parliament or government) or the constitution itself fail to address needs, rights and expectations of all groups and communities. National dialogue processes can constitute political representation and should reflect all major interest groups in society. They are non-constitutional entities that function best when linked to existing constitutional bodies or interim structures in order to guarantee implementation. They develop and decide on binding frameworks for political reforms and constitutional changes, and the national dialogue table, process, decision-making and implementation mechanisms are determined by the parties themselves. National dialogues are mandated by participating political stakeholders to effect constitutional change.

Key elements to consider during the process of designing national dialogue processes include: the mandate of the mechanisms by all relevant and legitimate stakeholders; the constitutional links to mechanisms for implementation, constitutional change and adoption of its agreements; criteria for participation; decision-making processes and procedures; framing, structuring and deciding on the agenda; management and support structures; and public participation mechanisms.

NATIONAL DIALOGUE PROCESS TOOL

KEY COMMON ELEMENTS OF NATIONAL DIALOGUES

- Mechanism bringing all major political decision makers and stakeholders together after serious conflict or when constitutional bodies (e.g. Parliament, Government) and constitution fail to address needs, rights and expectations of all groups and communities
- National dialogue constitutes political representation and reflect all major interest group in society
- National dialogue is a non-constitutional entity that functions best when it is linked to existing constitutional bodies or interim structures to guarantee implementation
- National dialogue results in decisions and binding frameworks for political reforms and constitutional changes
- National dialogue table, process, decision making and implementation mechanisms are determined by the parties themselves
- National dialogues are mandated by participating political stakeholders and parties

MECHANISMS

- DECISION MAKING
- PRINCIPLES
- AGENDA
- PARTICIPANTS

SEQUENCING · SUPPORT STRUCTURE · MANDATE

MANDATE

- Agreement of all major parties
- Formal mandate through cease fire or peace agreements
- Call by the majority of citizens
- National dialogue mandated by Parliament
- Recommendation by highest judicial body
- National dialogue by regional or international pressure or treaties

MECHANISMS

- Technical committees and task forces
- Expert advisors
- Research unit for joint knowledge creation and options generation
- Parties research units
- University networks and strategic partners
- Common language dictionary of dialogue terms
- Steering, management or planning committee
- Implementation mechanisms

SEQUENCING

- Urgency
- Immediate demands and needs
- External events and influence
- Ripeness and capacity of participants
- Long term policy issues

PROCESS PRINCIPLES

- Northern Island-Mitchell principles
- Lebanon-Suleiman constants
- South Africa-Codessa principles
- Sri Lanka: One text shared values

DECISION MAKING

- Consensus
- Sufficient consensus
- Voting by simple majority
- Voting by 2/3 majority
- One text process
- Other process procedures

SUPPORT STRUCTURES

- Common spaces for dialogue and shared knowledge
- Local and regional peace structures
- Civil society programs
- Citizens' assemblies and dialogue
- Media programs
- Parliamentary committees
- Multisectoral safety net areas

AGENDA SETTING

- Mandated issues
  - Identify relevant common national issues and priorities
  - Related root cause issues
  - Addressing 'unacceptable' issues
  - Addressing 'conditional' issues
- Confidence and trust building issues
- Framing / Re-framing
- Sequencing

PARTICIPATION CRITERIAS

- Political representatives
- Communal
- Confessional / Religion
- Ethnic
- Gender
- Historical
- Power / Balance
- Economic
- Security / Arms

ANATOMY OF A PEACE PROCESS

Non Formal Negotiations · Cease Fire · Formal Negotiations · Peace & Framework Agreement · Constitutional Elections · Constitutional Assembly · General & Local Elections · Creation of Parliament · State Reform & Restructuring · Reconstruction & Development · Security Sector Reform & Integrated National Defense Strategy · Truth & Reconciliation Process

Part II: Evidence on the Ground

4   South Africa: Ending Apartheid Through "Self-Mediation"

Andries Odendaal

Introduction

Historic Overview: the Colonial Roots of Conflict

The conflict in South Africa had (and still has) its roots in its colonial history that stretched over more than 340 years. Colonial practices produced very specific patterns of relationship between different race groups, systems of ownership of economic production, and political control that were racist to the core. The transformation of the conflict required that this racist foundation of society be restructured.

In the course of history four specific racial groups acquired political and economic salience: coloured, black, white and Indian. Coloured has been and still is a controversial concept. The core of this group are descendants of the San and Khoe. They are the First Peoples of the land. They had inhabited the country for many thousands of years before the Common Era. At the time of contact with other cultures, the San were predominantly hunter-gatherers, whereas the Khoe were cattle-owning nomads. Coloureds, however, also included people of mixed race and descendants of Malaysian slaves and political prisoners that were forcibly settled in the country by Dutch colonialists. In 1990 coloureds constituted 9.1% of South Africa's approximately 40 million inhabitants.

The second racial group, black Africans, settled in the country during the first millennium of the Common Era following a slow migration south from central and western Africa. They are divided in 9 major language groups and constituted 73.8% of the population in 1990.

Whites settled in South Africa during two successive colonial occupations, the first by the Dutch *"Vereenigde Oost-Indische Compagnie"* or *VOC* ("United East

India Company") (1652-1795) and secondly by Britain (1806-1961). When diamonds and gold were discovered in the mid-nineteenth century, it attracted another wave of white immigrants from a number of countries. Whites are divided in two language groups, Afrikaans and English. Together they constituted 14.3% of the population in 1990.

In 1860 South Africa received immigrants that would constitute the fourth distinct racial category: Indians. The colony of Natal proved to be well-suited for sugar production, but could not supply the labour needs for this industry. Therefore indentured labourers from India were imported. By 1880 there were almost 13 000 Indians that chose to settle in Natal. In 1990 they constituted 2.8% of the population.

A number of key historical developments and experiences helped to shape the particular nature of the conflict:

a. The VOC never intended to establish a full-blown colony; nor did the VOC employees planned to settle in South Africa. The idea was merely to establish a half-way house at the Cape for VOC fleets en route to the East to re-supply water, meat and vegetable rations. The VOC, however, soon decided to release some of the company servants as 'free burghers'. It was done mainly as a cost-cutting enterprise. The burghers, who were mostly poor, humble and ignorant, were largely left to their own meagre resources to produce food for sale to visiting fleets – at prices determined by the VOC. The monopoly exercised by the VOC coupled with their lack of resources placed a financial stranglehold on the burghers that led to the first open rebellion in 1706. The antipathy towards the company soon led to a sense of alienation among burghers and thus the foundation was laid for the development of a distinct identity group - the "Afrikaners" or "Boere" – settlers who identified themselves as locally born, distinct from and with little sentiment towards their country of origin.

b. The VOC was a chartered company; its sole purpose was to generate income for its shareholders in Holland. But its charter included the right to recruit soldiers, wage war, enter into treaties with other powers and maintain order in the settlements it had founded. For the next 150 years this company would control the fate of what became, unintentionally, a colony. The VOC, however, had little interest in colonial governance. Very little development in terms of physical infrastruc-

ture, governance structures or education took place under their watch. As burghers moved inland in an ongoing search for suitable land, the VOC did little either to stem the expansion or to bring basic governance to new areas. Its overriding interest was in minimizing the cost of the settlement. It meant that, especially at the fast-expanding eastern frontier, its 'citizens' lived in virtual stateless conditions.

c.   The VOC decided, soon after settlement, to import slaves and sell them to free burghers. It was a decision with a decisive impact on the social and moral structure of the settlement. Furthermore, both the VOC and burghers increasingly looked towards the Khoe to provide manual labour. It meant that, from the beginning, the Cape colony was a multi-racial society with the Europeans in charge and non-Europeans largely in servant or labourer roles. It set the template for relationships between white and black that were to follow.

d.   The impact of the settlement on the Khoe-San was disastrous. The San were almost completely wiped out, and the numbers of Khoe severely depleted in unequal battles with men on horses with guns. With no natural resistance, substantial numbers died of smallpox. As the colony expanded, regulations were enforced that required the Khoe to be "booked in" with farmers as labourers, a regulation that effectively reduced a once-nomadic people to a form of serfdom; all within the course of a century after first contact with the Europeans.

e.   Towards the end of the eighteenth century the VOC collapsed under the weight of its own corruption. In 1806 the British finally took control of the Cape. It sought to improve the quality of administration and to stamp order on society, particularly at the turbulent eastern frontier. At this frontier the eastward migration of the free burghers was blocked by the Xhosa, a black African nation, who were slowly expanding westward to meet their growing needs for pasture. They met at the Fish River. A complex pattern of violent conflict and trade developed between the two groups. The British decided to establish the Fish River as the boundary of the colony and forbade further trade and interaction. They also settled a group of 4 000 British colonists in this region to serve as a stabilizing presence. Thus South Africa received its second distinct group of white settlers.

However, these steps did not bring peace and order. A total of nine wars were fought with the Xhosa from 1779 to 1879. The first three were under the reluctant command of the VOC; the rest under British

command, pitting British soldiers, frontiersmen and Khoe soldiers on the one side against the Xhosa on the other. At the core of this conflict was control of the land – the most important resource for cattle-owning peoples. The Xhosa lost these wars and had to give up large swathes of land (the area between the Fish and Kei Rivers) that were incorporated into the Cape Colony.

f. Conflict between the British colonial administration and the frontier settlers of Dutch descent did not stay out. The frontiersmen, used to conditions of practical statelessness, did not appreciate British attempts at control. They felt increasingly insecure in a volatile area where they had to rely on a distrusted foreign power for their own security. They left the area in droves and migrated to the interior of the country. This movement was seen by the migrants as an act of liberation from unwanted British control, but for the indigenous peoples of the interior it introduced the reality of subjugation to a foreign invader. Eventually two independent "Boer Republics" were established: the "Zuid-Afrikaansche Republiek" (or the Transvaal Republic) in 1852 and the Republic of the Orange Free State in 1854. Both these states explicitly rejected black citizenship and the notion of equality between races.

g. The Boer migration to the interior followed closely on significant developments in the eastern part of the country. The Zulu, a fairly minor tribe in the region known today as KwaZulu-Natal, acquired a formidable military reputation under their new king, Shaka. He built a highly efficient but merciless army and set out subjecting neighbouring groups, expanding westwards and northwards. The period of his campaigns of conquest (roughly 1815-1830) became known as the *mfecane* ("crushing" or "scattering"). It stimulated waves of conquest and destruction, not only by the Zulu, but others too (such as Mantatisi, the female leader of the Tlokwa). It was a period of traumatic social turmoil, death and destruction. It contributed to the scattering of people, but also the formation of new nations (such as the Ndebele and the Sotho). The *mfecane* aided the Boer (or Afrikaner) migration and establishment of the two republics in two ways: vast areas of the interior was depopulated by the time of their arrival, creating the illusion of emptiness; and at the time the capacity of indigenous communities to resist their arrival was significantly weakened.

h.   Natal, the eastern part that was to form the fourth province in the future South Africa, was eyed by Afrikaners, who won a significant battle in 1838 against Dingane, Shaka's successor as Zulu leader. However, the British were not going to allow them to control a vital harbour on the trade route to the East. In 1838 the Cape Colony annexed Port Natal and in 1842 they took final control of Natal. Most of the Afrikaners left. Zululand continued an independent existence, but under continuous pressure from the Transvaal on their northern border and Natal. In 1879 war broke out between the British and the Zulu. The British suffered humiliating defeats at Isandlwana and Rorke's Drift, but eventually the Zulu had to bend the knee before British power and in 1887 Zululand was annexed and incorporated into Natal.

i.   By the end of the nineteenth century, therefore, the two white tribes, the Afrikaner and the English, had established effective control of what was to become South Africa. Relations between them were tense, especially after discovery of significant diamond and gold deposits in the two Boer Republics. In October 1899 the British Empire formally declared war. It lasted three years. It was an event that matched the *Mfecane* in destruction and suffering. Though an innocent third party, black inhabitants of the republics suffered greatly, as did Boer families under the "scorched earth" policy of the British. In May 1902 the two republics acknowledged defeat – and the ground was prepared for the declaration of a united nation under the British flag: the Union of South Africa.

j.   The Constitution of the Union of South Africa was ratified by the British Parliament in 1910, establishing a self-governing territory within the British Empire. The constitution, however, restricted voting rights (and thereby meaningful citizenship) to the English and Afrikaner inhabitants of South Africa - with the exception of the 'coloured vote' in the Cape. A small number of coloureds who qualified according to strict property and education criteria could vote in the Cape. In reality South Africa was to belong to its white inhabitants. Two years later, in 1912, the African National Congress (ANC - South Africa's main liberation movement) was formed as a direct response to the exclusion of South Africa's indigenous peoples from the new political dispensation. In 1913 the Parliament of South Africa adopted the Natives Land Act, essentially segregating South Africa into land that belonged exclusively to whites and "locations" and "reservations" allocated for black use. This law formalised exclusive white possession of 87% of

South African land and its most important mineral resources. It final-ised almost 300 years of contest for control of the land and laid the foundation for the *apartheid* policy to follow.

k.   *Apartheid* ("separateness") was the policy of the National Party (NP) that gained control of the South African Parliament in 1948. The NP was the political vehicle of Afrikaner nationalism – a nationalism that was shaped by two specific psycho-social drivers. The first was the resent-ment and bitterness for the humiliation suffered at British hands and the loss of their independence. Post-war hardships and poverty, enhanced by the economic conditions and severe droughts of the 1930s, deepened the drive for Afrikaner self-determination and the restoration of their pride. The second was the Afrikaner's perceived precarious position as a racial minority in Africa. With decolonization gaining pace after the Second World War, the prospect of black rule over a small white mi-nority created a deep sense of insecurity. In the absence of an overseas home-base typical of colonial settler communities, Afrikaners had no-where to return to. *Apartheid* was the desperate, though arrogant and ultimately disastrous, answer. In terms of the apartheid blueprint black ethnic groups would achieve political independence in the areas cur-rently reserved for their use. That would justify the continued political exclusion of blacks in white South Africa.

l.   The apartheid policy encountered fierce local and international resist-ance on political, economic, and moral grounds. Locally the plan en-joyed little meaningful black support. On the contrary, the ANC in its very formation challenged the core assumptions of the apartheid ideol-ogy. The ANC was consciously non-ethnic and non-racial. The Freedom Charter, adopted in 1955 as a statement and affirmation of the ANC's core principles, emphatically stated that South Africa belonged "to all who live in it, black and white". The ANC therefore rejected the no-tion of ethnic self-determination in favour of an inclusive South Afri-can identity. Rather than seeking the restoration of the now defeated African kingdoms, they embraced the new unitary state and claimed their rights in it. Whereas ANC tactics during the first half of the 20th century mostly relied on petitions and appeals, the onset of NP rule was met by more radical approaches such as the Defiance Campaign of 1952 and the establishment of an armed wing in 1961. The latter led to the banning of all liberation movements. The resistance intensified with the "youth revolution" of Soweto in 1976 and the establishment of the United Democratic Front (UDF) following the introduction of a Tri-

cameral Parliament in 1983 (that accommodated coloureds and Indians in separate chambers of parliament, but still excluded blacks). The UDF was an umbrella body of 565 community and social organisations that contributed significantly to a state of internal 'ungovernability' and the collapse of apartheid institutions in black communities. (In the 1980s "black" was increasingly used as a political concept, not denoting race, but all those on the wrong side of the apartheid system.) By the end of the 1980s the apartheid system was, in political terms, on its knees, suffering a serious crisis of legitimacy not only in black circles, but increasingly in white circles and among former supporters.

m. Internationally the apartheid state was tolerated by some western countries in the context of the Cold War. The fact that the ANC and other liberation movements were supported by the Soviet bloc and China ensured such selective support. International isolation and sanctions, though, gathered pace. In 1963 a voluntary arms embargo was imposed by the UN Security Council, made mandatory in 1977. In 1976 the UN General Assembly declared apartheid a crime against humanity. OPEC imposed an oil embargo in 1973 and multi-lateral trade sanctions increased in volume especially since 1983. In 1986 the US Congress overruled president Reagan's veto of federal legislation on disinvestment in South Africa. Extensive cultural and sport boycotts were also in place.

n. Economically South Africa was on its knees by the end of the 1980s. The homeland policy proved to be financially expensive and unsustainable; the cost of military and security operations, both externally (in Angola) and internally (to contain unrest), escalated; economic sanctions bit deep; and the increasing politicization and militancy of black labour unions put pressure on the cost of mining and industry. In essence apartheid failed economically because of the paradoxical interdependence of South Africa's communities – a fact that characterised the settlement from the beginning.

o. The damage done by apartheid had several dimensions, *i.a.* material (through exclusion from the resources and economic opportunities offered by South Africa); educational (through exclusion from South Africa's centres of excellence); psychological (through the sheer insult to human dignity caused by laws that symbolized and communicated racist rejection and distaste, such as those that prohibited interracial marriage and the sharing of public amenities); and at family level (through influx control that disallowed families to stay with the bread-

winner at the place of work). More than three million people were displaced in the effort to segregate racial communities; and approximately 20 000 people lost their lives in the violence of the struggle. The nature of the violence used by both sides increasingly traumatized and dehumanised society.

p.   With the arrival of 1990 South Africa was at a crossroad. There was clearly no military solution in sight as the liberation movements could not match the military muscle of the state, but the state was unable to subdue the unrest. The demise of the Soviet Union presented a crisis for the liberation movements because it meant the loss of political and financial support by a super power. Both sides, therefore, were hurting, and both sides were under enormous international pressure to resolve the conflict. On 2 February, 1990 President FW de Klerk made the astounding announcement at the opening of parliament that all banned political movements will be unbanned and that negotiations will start for "a new South Africa". Nelson Mandela was released from prison on 11 February, 1990.

Main Issues and Challenges

The challenges that had to be addressed by the negotiators were daunting indeed, and included the following:

The Political Dilemma

The core political conflict was the exclusion of the vast majority of the population from the unitary state of South Africa; and the anxiety of the white community that black inclusion would spell political and economic disaster. The challenge, therefore, was to craft a political dispensation that would address the legitimate demand for inclusion, but with sufficient safeguards for the rights of minorities. The issue was complicated by the fact that the minorities, and particularly whites, did not have a geographical base. This took the option of a geographically based federal state out of the equation. The two major parties held deeply contradictory positions: the ANC insisted on a simple majoritarian state with a central government elected by popular vote. They resented and wished to abolish the salience of identity in South African politics; and saw all talk of a form of white veto as a back-handed manner to retain white political control. The NP, however, wanted entrenched minority safeguards and a form of consociational-

ist democracy to prevent or dilute majoritarian dominance. In a parliamentary speech on 18 April 1990 President de Klerk, for example, ruled out any possibility of black majority rule.

The Economic Contradictions

Much of the contest during the years of apartheid took place in the economic idiom of the Cold War period. In a country where the ownership of economic means was determined not by class, but by race, the attraction for black society of a socialist economic policy that would address this injustice and repair the devastation wrought by past exclusionary practices was strong indeed. Conversely, the spectre of a revolutionary restructuring of the economy haunted not only the captains of industry, but also the white middleclass who stood to lose private property and, perhaps, much of their savings. The ANC, in its formal communications, wanted an economic dispensation that was distributive; and sought to restructure the ownership of the economy, including the nationalisation of mines. The NP was a (late) believer in the potential of a free market to correct economic distortions. The negotiation process would have to find a compromise between socialist and capitalist positions. It was more than a mere philosophical or ideological contest. Negotiators were faced with the hard realities of extreme inequality and poverty and the fact that the economy was in a very bad shape.

Security Reform

South Africa had been a very violent country throughout its colonial history. Colonialism was, by definition, a violent enterprise. Black communities had been the disproportionate victims of violence. Violence, furthermore, became entrenched in the political and socio-economic structures of society. In other words, structural conditions damaged the well-being of black communities and individuals. The security forces, the police in particular, had the task to ensure that the laws that enforced discrimination and inequality were implemented. Black society, consequently, came to see the police as the face of violence, and the justice system as a mere extension of the intrinsic violence of the system.

White society, on the other hand, perceived the police as the "thin blue line" that stood between them and anarchy. As decolonization progressed in Africa,

images of white settlers being attacked by Africans (as in the Congo or Kenya) and the collapse of newly liberated countries into authoritarianism and misrule imprinted themselves on the already anxious psyche of white society.

During the 1980s violence escalated dramatically. Between 1985 and 1990 more than 6 000 people died as a result of political violence, more than 1 000 per year. The vast majority of these casualties were black. The violence took on disparate forms. There was the violence of the security forces suppressing unrest and dissent; and the violence of the liberation armies against government or civilian targets. There was also community violence against perceived spies, traitors or collaborators of the government. Violence was not always political. In many cases long-standing local conflicts got "addressed" violently because of the opportunity to reframe the conflict in terms of the bigger conflict, and criminals found many opportunities to exploit the general climate of violence. Perceptions differed widely regarding the causes of the violence. The government blamed the intolerance and intimidatory tactics of the ANC and its calls for 'ungovernability' for the general breakdown in law and order. The ANC blamed the government and its security forces, and the existence of a so-called 'Third Force' that sought to de-stabilize the ANC through acts of random violence. The latter was assumed to be a secret initiative by the security forces.

The biggest number of casualties in the 1980s resulted from the conflict between followers of the ANC and the Inkatha Freedom Party (IFP) under leadership of Chief Mangosuthu Buthelezi. The IFP was a Zulu nationalist party with a strong federalist agenda. Buthelezi had been a member of the ANC in the past, but they broke ranks in the early 1980s', *i.a.* because of Buthelezi's decision to collaborate (though in a fairly obstructionist manner) with the government in its homeland policy. Therefore, not only did the IFP challenge the ANC's position on non-collaboration and its distaste of ethnic politics, they also challenged the ANC's claim to being the sole voice of the oppressed. The struggle between the ANC and IFP was, however, also a proxy battle between the government and the ANC with elements of the security services providing discreet support, including training and weapons, to the IFP.

The challenge that had to be addressed through negotiations was how to stop the violence and restore stability and order – and how to reform the sector without causing greater instability.

Justice, Truth and Amnesty

An issue that gained in importance as it became clear that the transition was irreversible, was that of justice and amnesty. Atrocities had been committed on both sides, and with apartheid formally declared a crime against humanity by the UN, the prospect of the apartheid elite being called to account in courts of law was real if a formal agreement on amnesty was not reached.

Nuremberg-styled prosecutions were not an option. No military victory was achieved, hence nobody was in a position to enforce so-called victor's justice. Furthermore, there was a real fear that members of the security establishment would scupper any agreement if they thought they would be prosecuted. The resources in time, money and personnel needed for such an operation were, in any way, unavailable.

On the other hand blanket amnesty was not an option. Strong resistance to this option came from civil society, especially those representing the rights of victims of apartheid. A blanket amnesty would have kept the past alive and blocked the potential for a sustainable reconciliation.

With white parties, the NP in particular, demanding a blanket amnesty and the ANC and civil society requiring an accounting for the past, the dilemma was to find an agreement that would address both the need for security and peace, and the need for justice.

Psycho-social Dimensions

Superiority and Inferiority

It should be no surprise that 340 years of conflict established deeply ingrained and complex psycho-social dispositions that had a direct impact on the potential for negotiations to succeed. Colonialism was at its core a racist enterprise, driven by the assumption that the white race was superior to other races on grounds of its religion, civilization and cognitive abilities. The subjugation of non-white peoples and the expropriation of their property took place in the self-belief that it was a pre-ordained right, and even a solemn duty. The apartheid policy built on this foundation. It proceeded from the assumption that

social and political equality between white and black was impossible and undesirable. Deeply internalised attitudes of superiority and inferiority came to infest personal interactions in South Africa between race groups. If anything, the struggle in South Africa was about the restoration of the dignity and humanity of the non-white races. It had to mean a radical transformation not only of the political and economic structures, but of the personal attitudes that these structures had bred.

Distrust

A key determinant of successful negotiations is the quality of trust that negotiating partners develop in the process and in the commitment of negotiating partners to implement agreements. South African history, though, is littered with broken agreements. At times the difference in cultural worldviews caused agreements to fail, but raw self-interest was the greater cause. The popular perception that the negotiations between the NP and ANC would be the first between black and white in South African was false. From the first meeting between the Dutch and the Khoe negotiations had taken place. It took place at the highest levels between colonial and indigenous rulers, but also at numerous sub-national and personal levels. White and black were not foreigners to each other when they met around the table in 1990. They knew each other and looked at each other with a distrust bred into their bones. The success of negotiations would hang on the ability of the leadership on both sides to overcome their distrust and demonstrate trustworthiness.

The key dilemmas negotiators faced:

1. How to balance the need for inclusion of the majority with that for constitutional safeguards for minorities?

2. How to ensure economic transformation that would address the skewed ownership of production without damaging the economy?

3. How to ensure security during the negotiations; and how to reform the security sector without deepening a sense of insecurity?

4. How to deal with the strong psycho-social drivers of the conflict: the anger and humiliation of black society; and the insecurity and sense of superiority of the white community?

5. How to ensure justice in a manner that would not destabilize peace?

6. How to promote reconciliation and peaceful co-existence not only between former oppressors and the oppressed, but also between people with fundamentally different cultures and worldviews?

The National Dialogue

The dialogue that produced South Africa's political transition to an inclusive democracy was not a singular event, but a process of diverse dialogues. It lasted more than a decade and culminated in the ratification of a new constitution on 10 December 1996 by President Nelson Mandela, South Africa's first black president. In what follows a distinction is made between the confidence-building phase, the various stages of the formal negotiation process, threats to the central process, and the National Peace Accord and its structures.

Confidence Building

Between 1985 and 1990 three different initiatives contributed to building confidence in the potential of negotiations. The first initiative was by Nelson Mandela who, while still in prison, wrote a letter to Kobie Coetsee, the Minister of

Justice. It resulted in 44 secret meetings between them over a period of five years. Mandela took this initiative without a formal mandate from the ANC-in-exile. The second initiative resulted in secret direct meetings between the ANC-in-exile and prominent academics associated with the ruling party. These meetings were facilitated by Consolidated Gold Fields, an international mining company based in London with large investments in South Africa. The National Intelligence Service of South Africa played an important role in supporting the proxies of government in these talks. Eight meetings were held between October 1987 and 1990. They were exploratory talks that tested the waters. The fact that these meetings were productive established considerable confidence on both sides in the potential of formal negotiations.

The third initiative consisted of various efforts by civil society to bring the two sides into face-to-face talks. The Institute for Democracy in South Africa (IDASA), for example, led a group of mostly Afrikaner opinion-makers to Dakar, Senegal, for a face-to-face meeting with exiled ANC leaders in July 1987. It was an event that drew much public interest. Its symbolic value was considerable. Eventually approximately 75 encounters between white opinion-makers and the ANC-in-exile were conducted through civil society initiatives during this period.

These initiatives took place at a time when the violence and unrest within the country reached peak proportions. Of importance, though, was the general conclusion that a negotiated settlement was possible. They had achieved a sufficient – albeit tenuous - level of mutual understanding and common purpose. There was no dispute that apartheid had to go – a consensus that was unthinkable 10 years earlier. The question was what should come in its place, and how to get there.

The Formal Negotiation Process

A Chronology of the Talks

On 2-4 May 1990 the first formal meeting took place between the NP government and the ANC at Groote Schuur. The Groote Schuur Minute revealed that the release of political prisoners, immunity from prosecution for returning exiles, and the ongoing violence in the country were the main topics of discus-

sion. The parties stated their "commitment to stability and to a peaceful process of negotiations", and announced that efficient channels of communication would be established between the government and the ANC.

The second meeting took place on 7 August 1990 in Pretoria. The Pretoria Minute contained the announcement by the ANC of the suspension of the armed struggle; while the government undertook to consider lifting the state of emergency in Natal "as early as possible", and to continue reviewing the security legislation and its application "in order to ensure free political activity".

It took sixteen months to set up the first multi-party negotiation forum, called CODESA (Convention for a Democratic South Africa) in December 1991. The hurdles that had to be overcome to reach this point were formidable. The government had to untangle complex security laws to enable the return of exiles and provide provisional immunity from prosecution. The liberation movements had to set up structures within the country, and secure and organize the return of exiles. Both sides had to manage the discontent within their own circles of influence. The government had to contain the very angry response of its more conservative supporters and the political parties to its right. Incidents of right-wing violence occurred and the NP lost by-elections to the right-wing Conservative Party. On its part not all ANC supporters welcomed the rapprochement and wanted to push for all-out victory. A prominent ANC leader, Mac Maharaj, was arrested during this time for allegedly planning to overthrow the government.

Violence escalated not only in terms of quantitative data (2 649 people died in political violence during September 1990 to August 1991, more than double the figure for the previous year), but also in its vicious nature. The two sides continued to blame each other. The tensions between them reached breaking point on more than one occasion. The fact that both sides remained committed to negotiations in spite of the tension was in no small measure attributable to the quality of their leadership.

When an effort by government to organize a conference on ending violence in May 1991 was boycotted by the ANC (because they accused government of fomenting the violence), a combination of church and business leaders sponsored a conference that was attended by a wide spectrum of political parties and trade unions. It set in motion a process of negotiations, facilitated by church and

business leaders, that produced the National Peace Accord. It was an agreement on a code of conduct to prevent violence during the transition period. It included rules for political parties and the security forces, including measures to facilitate compliance. The Accord was publicly signed on 14 September 1991 by 23 political parties and organisations including the ANC, the IFP and the NP government. Others, such as the Pan African Congress (PAC), endorsed it, but did not sign. The Conservative Party and other right-wing movements, however, did not attend the proceedings neither signed the Accord. This was the first truly inclusive dialogue on a topic of major concern and signified a shift from bi-lateralism to multi-lateralism, including representatives of civil society.

Arrangements for CODESA were made at a 2-day preparatory meeting attended by 19 political and other organizations and chaired by two senior judges. At the meeting participants agreed to an agenda, the establishment of a steering committee to facilitate its convening, and on who to invite as international observers (the United Nations, the Organisation of African Unity, the Movement of Non-Aligned countries, the Commonwealth and the European Community). The main objective for the first CODESA would be to discuss constitutional principles, a constitution-making body or process and transitional arrangements. Not all participants, however, agreed to the outcome. Chief Mangosuthu Buthelezi, leader of the IFP, announced that he would not attend the first session of CODESA as the decision taken not to invite Zulu King Goodwill Zwelithini to lead a separate delegation from the IFP amounted to an "insult".

CODESA was characterised by a highly publicised verbal spat between FW de Klerk and Nelson Mandela. However, 17 of the 19 parties signed a Declaration of Intent, committing themselves to multiparty politics. Five working groups were established to report to the next plenary. CODESA's proceedings were facilitated by the senior judges.

Negotiations in the working groups provided mixed results. Working groups agreed on the establishment of a multiparty Transitional Executive Council (TEC) to oversee the transition and which could take decisions by an 80 per cent majority, and that all security forces should be placed under the control of the TEC. However, a deadlock arose on the nature of the constitution-making process. The ANC wanted the constitution to be written by a constituent assembly elected through popular vote, while the NP wanted the current negotiation pro-

cess to deliver the constitution. The fear of the NP was that in the first scenario the ANC would have a majority based on demographic realities with little concern for constitutional models to safeguard minority rights.

In March 1992 the Government called a whites-only referendum seeking a mandate to continue with negotiations. It was done in response to right-wing critique that the Government had no mandate to "sell out" the country. The National Party Government achieved an almost 70% victory. The ANC, while objecting in principle to another racially exclusive vote, did not raise it as a major issue.

The next plenary meeting, called CODESA II, convened in May 1992 but made no significant progress because of the deadlock on the constitution-making process. They mandated the management committee to resolve the outstanding issues and draft legislation for the implementation of agreements reached thus far.

On 17 June 1992 the township of Boipatong was attacked by a group of armed men, assumed to be IFP supporters with help from the security forces. The attack left 40 persons dead and scores injured. The ANC announced that it was suspending all negotiations with government and called for the UN Security Council to discuss the issue. The Tripartite Alliance, consisting of the ANC, the SA Communist Party (SACP) and COSATU, the biggest trade union federation, announced "mass action" from the beginning of August and the occupation of cities on 5 August. "Mass action" referred to public protest action such as marches, boycotts and strikes. While the anger because of Boipatong was real, the suspension of negotiations was actually a response to the deadlock at CODESA II.

The period following the suspension of negotiations was fraught with tension, with the ongoing and intensifying violence a main source of polarisation. The Goldstone Commission – named after its chairperson, Judge Richard Goldstone, and established under mandate of the National Peace Accord to investigate the causes of violence – released an interim report in May implicating all three main actors (government, ANC and IFP). In July, though, agreement was reached between the South African Police, ANC, SACP and COSATU on the principles outlined by a panel of experts on how mass demonstrations should be controlled. The IFP, however, said it was unable to agree to terms restricting the carrying of weapons (spears and fighting sticks) deemed culturally symbolic.

In spite of the collapse of the CODESA process, discreet talks continued between the government and the ANC, particularly between the two leaders of the negotiation teams, Roelf Meyer and Cyril Ramaphosa respectively. It led to a summit meeting between the two parties in September and the forging of a "Record of Understanding" which laid the basis for the resumption of negotiations. Agreement was reached, in particular, on the banning of dangerous weapons (*read*: cultural weapons) throughout the country, the fencing of a number of hostels (mostly inhabited by IFP supporters), and the release of all remaining political prisoners before 15 November. The kernel of a compromise regarding the debilitating deadlock of CODESA II emerged. The NP agreed to an elected constituent assembly that would arrive at its decisions through a democratic process "with certain agreed to majorities". On the other hand, the constituent assembly would be bound by agreed constitutional principles. These constitutional principles would be formulated through the negotiation process.

This compromise, however, came at the cost of the participation of the IFP. Buthelezi was not long in responding. The next week he stated that the deals struck between the ANC and the South African Government were "illegitimate" and "unimplementable" and that Zulus would continue carrying cultural weapons. He rejected once again the concept of a constituent assembly.

Formal multi-party negotiations got on track again in March 1993. The Multiparty Negotiation Forum (MPNP), as the new negotiation platform was called, was initially as inclusive as one could have in a polarised society such as South Africa. Twenty-six parties, including the IFP, participated. The only major political parties not present were the Azanian People's Organisation (AZAPO) and the Afrikaner Resistance Movement (AWB). The MPNF made steady progress. The road, however, was not less bumpy. In April the popular secretary-general of the SACP, Chris Hani, was assassinated by a Polish immigrant in collusion with a Conservative Party MP. The country once more hovered on the edge of the abyss, but calm leadership in particular by Nelson Mandela saved the day.

By June 1993 it was clear that a point of no return had been reached. The election dates were set for 27 - 29 April 1994.

On 26 June the venue of the MPNF was stormed and entered by members of the AWB, a white supremacist organization with symbols and a political culture suspiciously reminiscent of Naziism.

In July the MPNF formalized the compromise on the constitution-making process by adopting by consensus 27 constitutional principles. (Eventually 34 such principles were formulated.) The constitution would be written by an elected constituent assembly, but it had to conform to these principles. In addition a Bill of Rights would be included in both the interim constitution and the final constitution. This compromise, however, contributed to the withdrawal of COSAG (Concerned Citizens of South Africa) from the MPNF. COSAG was an alliance between the IFP, some homeland parties, the Conservative Party and the Afrikaner Volksfront, an Afrikaner right-wing group led by a group of generals. They understood that this procedural compromise would inevitably lead to black majority rule. The withdrawal was somewhat subdued by the fact that it took place in phases. First the IFP, Conservative Party and the KwaZulu government withdrew, then, at a later stage, the Bophuthatswana and Ciskei governments, and finally the Afrikaner Volksfront. This withdrawal, conversely, strengthened the "procedural alliance" between the ANC and NP because both now had an added incentive to make it work.

In September the South African Parliament passed a bill establishing the Transitional Executive Council (TEC), whose main purpose was to ensure free and fair elections. It began its work on 6 December. The IFP, who had refused to register for the elections, decided at the very last moment, on 19 April 1994, to participate in the elections following mediated talks between De Klerk, Mandela and Buthelezi. Zulu King Goodwill Zwelithini subsequently called on his subjects to take part in the election.

The elections of 27-29 April took place based on the interim constitution finalised at the MPNF. It was a momentous moment in the history of the country, characterised by a peaceful and almost sacred atmosphere. The dream of the black majority of full political inclusion was accomplished.

The ANC won the election with 62.6% support from voters, followed by the NP with 20.4%, IFP with 10.5% and the Freedom Front (representing Afrikaners in favour of self-determination) 2%.

The constituent assembly thus elected set out to write a new constitution. This process was characterised by extensive efforts to canvass public opinion. Assembly members held public meetings across the country listening to what

people want included in the constitution. The Women's Coalition (a multi-party coalition) actively canvassed the opinion of women, *i.a.* by putting up flipcharts at shopping centres where women could write their proposals, and by consulting with women at regular church meetings for women. More than 2 million written submissions were received. These contributions were collated, summarized, published and responded to. When ratified, the Constitution of South Africa of 1996 represented the collective determination of the people of South Africa as no other document ever had.

The Management of the Talks

The two main actors in the talks, the NP government and the ANC, were opposed to international mediation. They had separate reasons for this stance. The NP government had been the subject of considerable international pressure and critique. In their view they would not be treated fairly by an international mediator. The ANC, on its part, was sceptical of international (*read:* western) mediation and had reservations about international mediation in Zimbabwe and Namibia. The fact that both actors developed sufficient confidence during the confidence-building phase in their joint ability to make negotiations work supported their stance. The result was that the talks were largely self-mediated.

The CODESA talks were chaired by senior judges and administered by a management committee. The format of these talks, however, was rather unwieldy. Five working groups were established, but each consisted of approximately 80 people. Each party presented its position on every issue in writing and verbally. It encouraged unproductive positional bargaining. All parties were represented on the management committee, but its operating culture did not encourage consensus-seeking.

The MPNF implemented substantial changes to the management of the dialogue. It did away with the role of the judges. Individual members of the negotiation teams chaired meetings on a rotating basis. A Negotiating Council was established consisting of two delegates and two advisers per party. One of the party delegates had to be a woman. The meetings of the council was open to the media to encourage an informed public. The public were encouraged to submit proposals to any technical committee on a variety of issues, and they could witness the proceedings in a media "overflow room" with television monitors. Various youth groups and researchers made use of this facility.

The Negotiating Council received reports from the planning committee, a body consisting of prominent negotiators serving in their individual capacity, but nevertheless spanning the political spectrum. These individuals were appointed on basis of the confidence they enjoyed from their peers. Their task was to manage the process of dialogue and ensure its productivity. They did not have the mandate to make any decisions on substantive matters, but advised on the process to follow, and anticipated and pre-empted potential problems.

The 26 political groups participated on the basis of formal equality, irrespective of the size of their estimated support. In order that none of the parties had the ability to veto progress, decisions were taken on the basis of consensus; failing which, the device of "sufficient consensus" was introduced. "Sufficient consensus" was determined by the members of the planning committee. In reality sufficient consensus came to mean consensus between the NP and ANC. They had sufficient clout in their respective circles of influence amongst most of the smaller parties to carry the day. However, resort to this mechanism also had serious casualties as will be discussed below.

The Negotiating Council also made extensive use of 7 technical committees. These consisted of non-party political experts who enjoyed confidence across the political spectrum. Parties had to submit their position papers on specific issues to these committees, who then presented reports to the Negotiating Council through the planning committee. These reports often contained the seeds of compromise and made interest-based (as opposed to position-based) proposals. It meant that the Negotiation Council operated on a "one-text" basis and, instead of positional grandstanding, collectively considered the proposals. When the technical committees could not come up with a compromise, the matter was either dealt with by the planning committee, or by an ad hoc task group consisting of both politicians and technical experts.

The planning committees were very ably supported by the Consultative Business Movement (CBM). The CBM was formed in 1989 by a group of prominent business leaders as a vehicle to assist processes of political and social change away from apartheid. CBM was lead and staffed by well qualified professionals. They were deeply involved in the planning and facilitation of the talks that led to the signing of the National Peace Accord, and served as the secretariat of CODESA and administrator of the MPNF. Their role extended well beyond merely bureaucratic duties. They worked closely with the planning committee

and had a substantial influence on the design of the process. The success of the CBM can be ascribed largely to the manner in which they combined a low public profile with a highly professional input.

When the Negotiating Council had achieved sufficient consensus, their recommendations were submitted to the plenary of the MPNF for the final decision.

Threats to the Central Process

The process as outlined above failed to satisfy three constituencies: the Pan Africanist Congress (PAC), the IFP, and the Afrikaner right-wing. The PAC had an armed wing (APLA) that continued to engage in acts of "armed struggle" as late as July 1993. Initially they refused to participate in CODESA, and they did not sign the National Peace Accord. They attended the MPNF, though with reservations, but, as a sign of their growing acceptance of the process, participated in the elections and took up seats in the constituent assembly.

"Right-wing" is a clumsy category for a fairly disparate group of people, ranging from racial supremacists to nationalists who wanted self-determination for the Afrikaner in a "volkstaat" – an exclusive ethnic state. The Afrikaner group posed a substantial military threat as it included senior and very popular former army generals with, reputedly, 50 000 former soldiers at their command.

In case of the IFP a low-level civil war raged between the IFP and the ANC. The IFP actually announced a constitution for a federal state of KwaZulu-Natal in 1993 that was an ill-disguised threat to secede. The manner in which Chief Buthelezi approached the negotiations contributed to the exasperation of the others. Buthelezi played a brinkmanship game. He seemed to be stuck in a positional, confrontational approach that did not serve his cause well. He habitually withdrew from the process when dissatisfied and ended up having to condone a constitution that he had no role in shaping.

Matters came to a head with the election of April 1994 looming and the IFP boycotting it. The boycott threatened the security of the election and its legitimacy. This stand-off provided the only moment in the process when international mediators were brought in – a team under the leadership of Henry Kissinger, former US Secretary of State, and Lord Carrington, former British Foreign Minister. They left after two days. The IFP demanded that the elections be postponed

till the mediation produced an outcome – a matter that the ANC in particular would not consider. A member of the team, the Kenyan academic Washington Okumu, stayed behind and used his personal relationship with Buthelezi to convince him to reconsider his position. With help of the CBM, he mediated an agreement between the IFP, ANC and NP government that included the IFP's participation in the elections, recognition of the Zulu kingdom, and referral of outstanding issues regarding the Zulu king to international mediation. It defused the threat to the safety and credibility of the election. In fact, the IFP won the province of KwaZulu-Natal and could appoint the premier. However, nothing came of the promise to refer outstanding matters to international mediation. It left Buthelezi embittered. He withdrew from the constitution-writing process, and in the province of KwaZulu-Natal violence continued to rage between IFP and ANC supporters until a peace agreement was forged in 1996.

The Afrikaner Volksfront was a coalition of right-wing parties established in May 1993 under leadership of genl. Constand Viljoen. They became increasingly disillusioned by the MPNF process because their demand for an Afrikaner "volkstaat" was not taken seriously by the others. They eventually withdrew from the MPNF. Matters came to a head when, in March 1994, the citizens of the "independent" Bophuthatswana, one of apartheid's creations, demanded to be re-united with South Africa and participate in the elections. The president, Lucas Mangope, called on Viljoen to assist him. Before Viljoen, however, could deploy his troops, the supremacist AWB invaded the area in an ill-considered and ultimately humiliating and disastrous manner. This event finally convinced Viljoen that the military option was not feasible. He entered into negotiations primarily with the ANC and secured the inclusion in the package of constitutional principles of the principle of self-determination for any South African community. The ANC conceded to the inclusion of this principle on condition that there had to be substantial and proven support for this option before it could be implemented. Viljoen subsequently registered for the elections, but his party, the Freedom Front, never achieved sufficient support to ensure the implementation of this principle. The matter had subsequently faded away from the political scene.

The MPNF therefore allowed considerable threats to its success to build up outside its formal reach. The calculation, possibly, was that the growing consensus within the MPNF provided sufficient momentum and force to offset this threat. This calculation proved to be correct, but it was a risky affair.

The National Peace Accord and its Structures

As mentioned above, the escalating violence posed, in 1991, a serious threat to the prospects of national negotiations. The nature of the violence, however, necessitated an approach that would not only address the responsibility of national actors, but also of sub-national actors. Subsequent research had illustrated how violence spiked at times when the national process was in crisis or when fundamental decisions had to be made. Violence was therefore a manifestation of the climate of insecurity at the national level, and was used instrumentally to achieve political aims. However, violence was also driven by local actors, causes and dynamics, sometimes at odds with national agendas and processes.

Since the 1970s a culture of violence had grown in black communities. It was primarily a political response to oppression with the expressed aim to make the country ungovernable. However, in the absence of strong central control of this development, the dynamics of local protest and violence were mostly determined by local actors and their agendas. The formation of the UDF in 1983 as a coalition of hundreds of community organizations and movements demonstrated the extent and power of community organizations. It also confirmed that the real ownership of political protest at that time was at the local level.

The opening up of the political process in 1990 inevitably led to much uncertainty and a significant lessening of state control that further encouraged local agency in matters of violence and peace.

In short, any attempt to deal with the escalation of violence had to invent measures that would be effective at both national and local levels.

The National Peace Accord (NPA) had a primary objective: to bring an end to political violence. To achieve this objective an elaborate infrastructure for peace was put in place.

Not all of the intended functions of the infrastructure functioned well. The bulk of the work that the NPA could be credited for took place at the levels of the peace committees (RPCs and LPCs), and the Goldstone Commission. In a sense these two arms of the NPA co-existed uneasily because of their fundamentally

different approaches to the task of preventing violence. The Goldstone Commission's task was to investigate the causes of violence, exposing a world of para-military "defence" structures, gun smuggling, police informers, orchestrated massacres, and manipulation of state resources to either derail or skew the political negotiation process. Its findings raised tensions and were often used by political parties to score points. Yet, its work also served as a serious check on illegal activities and, in uncovering some of the truth regarding the violence, it prevented further abuses.

The peace committees, on the other hand, had no teeth and relied solely on consensus building techniques such as dialogue and mediation. Hundreds of conflicts were addressed and managed in this way. These included conflicts over recruitment of political followers and expressions of political loyalties; conflicts associated with political marches and rallies; police conduct during marches and rallies; disputes between mini bus taxi associations over taxi routes; threatened or actual consumer boycotts or refusal to pay for municipal services such as water and electricity; the withholding of these services; conflict over development and reconstruction (e.g., when people's homes were destroyed in political violence and needed rebuilding); and other issues. The fact that the committees relied solely on "soft" techniques made them vulnerable to forms of violence that were externally orchestrated or deliberately planned for specific political or economic gain.

The assessment of the success of the peace committees had been ambivalent. On the one hand they were unable to contain the violence. In fact, the rate of political killings steadily increased, from 2 649 during the previous year to 3 404 during the period September 1991 – August 1992, to 3 565 during the same period in 1992 - 93. But most researchers concluded that the peace committees were able to contain the rate of escalation. In other words, if not for the peace committees, the escalation of violence would have been worse.

The peace committees, however, made other important contributions. First, they involved thousands of South Africans at all levels of society in processes where they had to face each other and hold each other to a code of conduct. It required a form of dialogue and an approach to conflict resolution that was previously unknown. The concepts of negotiation and mediation as primary conflict resolution strategies were legitimized. Thus the peace committees pre-

pared many South Africans for a future non-racial society and the importance of dialogue and good conflict resolution techniques.

It was never easy. Community conflict at the time and under those conditions was often chaotic, with virtually no structure, no legal framework, no set procedures, and no accountability structures. New approaches had to be worked out in the rough and tumble of the conflict. In this respect the experience in conflict resolution that a small number of NGOs had acquired throughout the difficult 1980s became an invaluable resource for the peace committees. These NGOs added value through collaboration with the peace committees and by providing training.

Second, the establishment of peace committees meant that the ownership of the peace process was spread much wider and to all levels of society. Importantly, the ownership was a joint, *inclusive* ownership. The formation of a peace committee was voluntary – it was not enforced from the top. The act of agreeing to form a peace committee meant, therefore, that local ownership of peace in that location was consciously and jointly accepted and exercised by all relevant actors. It was noteworthy that in a number of places it was impossible to form a peace committee. It demonstrated that the formation of these structures was not an imposed process (even though the formulation of the NPA was a rather elitist affair).

Third, the fact that the police were full members of the peace committees had two positive consequences. It heightened police interaction with and accountability to particularly the black community in a forum that emphasised dialogue and consensus. And it enabled more appropriate violence prevention strategies because of the collaboration between the police and community leaders in the design of those strategies.

In summary, the NPA and, in particular, its peace committees provided unique opportunities for dialogue across society and, with the specific emphasis on local ownership, inclusivity, and consensus-building, they offered a very important opportunity to South Africans at all levels of society to buy into and contribute to the larger dialogue and peace process.

The NPA's infrastructure for peace:

- A Code of Conduct for political parties and organizations. Signatories committed themselves to desist from resorting to violence and intimidation and agreed to declare all planned political meetings or activities in advance, and to the monitoring of these events.

- A Code of Conduct for the Security Forces. The police and army, where appropriate, were to work with other signatories to promote peace, and to allow monitoring of their activities. They had to wear name tags and their vehicles had to be clearly marked.

- A National Peace Committee was established consisting of all the signatories to provide joint political ownership and leadership.

- Regional Peace Committees (RPCs) were established in 11 regions. These regions excluded the so-called independent states of Transkei, Ciskei, Bophuthastwana and Venda. Members of the RPCs were regional representatives of the signatories as well as relevant regional organizations or institutions (such as traditional authorities) that might be relevant.

- Local Peace Committees (LPCs) established at the local level (district, town, village), composed of the local representatives of signatories as well as any local organizations or movements that were relevant for the peace process.

- A National Peace Secretariat that was to be the executive arm of the NPA. It was comprised of one representative each from the ANC, NP, IFP, Democratic Party, and the Labour Party. The legal profession could appoint one representative, and the Department of Justice, that was legally and financially responsible for the NPA, one member.

- A Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation (subsequently named the Goldstone Commission after its chairperson, Judge Richard Goldstone).

- A Socio-economic Reconstruction and Development section that had to respond to post-violence needs of communities and facilitate collaborative development.

- A Police Board designed to promote more effective policing and better police-community relations.

Key Issues and their Resolution

The National Dialogue had to provide solutions to excruciatingly difficult dilemmas – as described above. In what follows the outcome of the process will be described regarding three key issues: the political dilemma (how to accommodate both black aspirations for full inclusion and white fear of black domination); the security dilemma (how to reform the security sector when this has been the principal safeguard of the white minority); and the peace vs justice dilemma (how to ensure justice without endangering the peace).

The Political Dilemma

The Constitution of the Republic of South Africa of 1996 states that "South Africa is one, sovereign, democratic state with a common South African citizenship founded on the following values: (a) human dignity, the achievement of equality and the advancement of human rights and freedoms; (b) non-racialism and non-sexism; (c) supremacy of the constitution and the rule of law; (d) universal adult suffrage, a national common voters roll, regular elections and a multi-party system of democratic government, to ensure accountability, responsiveness and openness." The constitution includes a Bill of Rights to safeguard human rights and dignity; and it outlaws any form of discrimination on the basis of identity. Furthermore, the constitution includes socio-economic rights, covering labour relations, the environment, housing, education, healthcare, food, water and social security. It imposes an obligation on the state to take "reasonable legislative and other measures, within its available resources" to achieve the realisation of these rights.

The very intention of the constitution, therefore, is to guarantee and safeguard the human dignity of all its citizens, to the extent that it obligates all future governments to ensure that the basic socio-economic needs of its citizens are met. A stronger affirmation of the right to full inclusion and dignity of all its citizens is scarcely possible.

The concerns of minorities have been met in a number of ways. First, the very same right to inclusion and dignity extends to all minorities. Second, though the constitution does not confer group rights to specifically defined groups, the right of freedom of association is guaranteed. The 11 main languages have been

accorded equal status, and the right to be educated and served by the state in the language of your choice is guaranteed. Freedom of religion, the press and of speech is also guaranteed. In other words, the Bill of Rights provides sufficient safeguards against the possibility of discrimination or oppression of any individual or group on the basis of their racial, ethnic, religious or sexual identity. Third, the supremacy of the constitution protects minorities and, in fact, all citizens from the possibility of the abuse of power by the government. The establishment of a constitutional court is a very important safeguard in this respect. A number of independent statutory bodies, furthermore, have to safeguard the rights of citizens against the state, including the Electoral Commission, the Public Protector, the Auditor-General, the Human Rights Commission, the Commission for Gender Equality, and the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Language Communities.

Fourth, the constitution establishes three "spheres" of government: national, provincial and local. These spheres of government are "distinctive, inter-related and inter-dependent". The relationship between the spheres is therefore not hierarchical. At the same time they all operate according to the constitution and laws and policies made by the national parliament. Provinces have the right to develop their own constitutions on condition that it would not contradict the national constitution. The national and provincial spheres of government have concurrent legislative competence, meaning that they have the power to make laws in accordance with their areas of jurisdiction. The second chamber of parliament, the National Council of Provinces represents the provinces to ensure that provincial interests are taken into account in the national legislative process. This is done by participating in the national legislative process and by providing a national forum for the public consideration of issues affecting the provinces. This arrangement, therefore, allows larger concentrations of specific communities at provincial and local level to adopt measures that would meet their specific concerns and aspirations – provided these are not at odds with the constitution of the country.

Fifth, the electoral system is based on proportional representation which provides better safeguards for fair representation than a "winner-takes-all" system.

Finally, the MPNF agreed to significant "sunset clauses", which included a government of national unity for the first 5 years composed on basis of the

election outcome. It also included safeguards regarding the job security of civil servants and security personnel during the transition period.

In summary, the ANC conceded that the concerns of minorities for security against future abuses by the state are valid; as the NP conceded that the right to inclusion and dignity is valid. Ironically, in the end both parties wanted the same outcome: a state that was responsive to the needs of its citizens, that did not abuse its powers, and that acknowledged the fundamental freedoms of individuals and communities as captured in the Bill of Rights.

Security Reform

The Constitution of the Republic of South Africa of 1996 has adopted a "human security paradigm" as its point of departure. In terms of this paradigm the security of people is not primarily a military matter, but rather, as the constitution formulates, "the resolve of South Africans, as individuals and as a nation, to live as equals, to live in peace and harmony, to be free from fear and want and to seek a better life." In contrast to the apartheid state, national security cannot be in conflict with human rights, fundamental freedoms and human security. Rather, national security is defined as the fulfilment of these aspirations.

Consequently all the security forces were brought under democratic supervision. In case of the police, an independent body has been established to investigate complaints by the public of the abuse of powers.

The integration process between the old apartheid army, the military wings of the liberation movements, and the armies of the former independent homelands had been facilitated by two major agreements. The first was the sunset clauses that the MPNF agreed to be provided as safeguards to the positions of senior officials in the civil service, including the security sector. The second was the appointment, by mutual agreement, of the British Military Advisory Team (BMAT) until 2003 to assist with the transformation of the defence force. BMAT *i.a.* acted as an independent referee to adjudicate all disputes regarding the integration process, including the ranks that were given to candidates in the new defence force. BMAT's intervention strengthened a culture of professionalism in the army.

The transition was also aided by wise political leadership. The first minister of defence in the new government was an ANC member and his deputy NP. The former white chief of the army was re-appointed. The transition was therefore jointly managed and completed without major disruptions. Furthermore, the new ANC government decided that defence policy had to be national policy arrived at by consensus. Consequently the White Paper on Defence (1996) and the Defence Review (1998) had been adopted with full support of all the parties in parliament.

As with the political dilemma, therefore, the conflict regarding control of the security sector was resolved by grounding its role in a culture of human rights.

Truth, Justice and Amnesty

The Truth and Reconciliation Committee (TRC) was the primary mechanism designed to deal with the issues of justice and amnesty and was established by the Government of National Unity in 1995. The interim constitution of 1993 stated that there was "a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for ubuntu (*human-ness)* but not for victimisation. In order to advance such reconciliation and reconstruction, amnesty shall be granted in respect of acts, omissions and offences associated with political objectives and committed in the course of the conflicts of the past."

The enabling Act (Act 34/1995) of the TRC relied on this text to motivate its mandate. It stated four objectives with the TRC: to establish as complete a picture as possible of the causes, nature and extent of the gross violations of human rights which were committed during a specified period (eventually finalised as 1 March 1960 till 10 May 1994); to facilitate the granting of amnesty to persons who made full disclosure of all the relevant facts; to grant victims the opportunity to relate their accounts, to recommend reparation measures and compile a full report; and to make recommendations to prevent future violations of human rights.

The by now well-known innovative formula of the TRC therefore was to provide individual amnesty in exchange for revealing the truth. The incident for which amnesty was sought had to take place within the specific time parameters; it had to be an act associated with a political objective; the applicant had to make full disclosure of all the relevant facts; and the nature of the violation had to be proportionate to the objective sought. Blanket amnesty was ruled out.

Opposition to this arrangement came from various quarters. An aggrieved party (AZAPO) lodged a complaint with the Constitutional Court because of its objection to amnesty. The Constitutional Court, in declaring the act constitutional, stated that it was part of "a difficult, sensitive, perhaps even agonising, balancing act between the need for justice to victims of past abuse and the need for reconciliation and rapid transition to a new future; between encouragement to wrongdoers to help in the discovery of the truth and the need for reparations for the victims of that truth… It is an exercise of immense difficulty interacting in a vast network of political, emotional, ethical and logistical considerations."

The main political actors had their reservations too. The TRC Bill, in fact, initially determined that the conditional amnesty process would be conducted *in camera*. Civil society groupings, however, mounted a strident and successful campaign against the secrecy clauses.

The NP wanted blanket amnesty. In fact, weeks before the April 1994 elections De Klerk published a list of over 4 000 security force members, mainly police officers, whom he claimed had been indemnified. Within weeks of the subsequent election, however, the ANC dominated cabinet reviewed and overturned this decision. The NP then agreed to individual application for amnesty and disclosure, but behind closed doors. That was also overruled. The NP, and the Afrikaner establishment, were never at ease with the TRC and the manner of its operation. To them it smacked of an anti-Afrikaner public shaming exercise. Leading Afrikaans newspapers were vocal in their support for blanket amnesty and highly critical of the TRC.

The ANC, on its part, were horrified to learn that the TRC had the intent to treat their leaders and cadres in the same way as the apartheid security forces. They claimed that the struggle against apartheid was morally justified; they were fighting a just war. They refused to allow their members to apply for amnesty. In response the TRC chairperson, Archbishop Desmond Tutu, threatened to resign. The fact that the ANC's struggle was just, Tutu said, did not mean that all methods used in this struggle were necessarily just. The ANC backed off, but some resentment lingered.

The IFP was simply distrustful and uncooperative.

Eventually the Amnesty Committee of the TRC granted full amnesty to 1 167 individuals out of 7 116 applications. Almost half of the cases were rejected because the committee found no political objective. A relatively small, but significant, number of applications were received from the apartheid security force, especially former security police officials, including a significant number of senior officers. Only a handful of applications were received from the IFP, former homeland security force members, and other groupings such as the right wing and the United Democratic Front.

The verdict on the impact of the TRC has been ambivalent. The TRC recorded over 30 000 violations, but only a small percentage of these matters were addressed through the amnesty process. Despite many important revelations, many, if not most, apartheid era torturers and killers from all sides of the conflict clearly did not come clean. The TRC forwarded a list of 800 of its cases to the National Prosecuting Authority. These, and the other still undisclosed and unresolved cases, continue to linger with no satisfactory solution in sight.

The other main initiative of the TRC was its public hearings for victims to tell their stories. These took place across the country and were extensively covered by the media. Over 20.000 persons came forward to tell their stories. It was a cathartic event. Though criticised for the once-off nature of what should have been a more sustained therapeutic intervention, and for the fact that testimonies went largely untested, there was no doubt that the process provided a voice to victims which went some way towards the restoration of their dignity. Furthermore, it punctured the balloon of denial that white society was living in. They were confronted with a different mirror of their society to what they were used to – and the reflection was not pretty. The report of the TRC is, at the same time, harrowing reading for the extent and nature of what was revealed, and uplifting for its general resolve to overcome the past and build a new future.

But the report also revealed the disappointment of the commission with the general response by white society. In his foreword to the report, Tutu said that "… the greatest sadness that we have encountered in the Commission has been the reluctance of white leaders to urge their followers to respond to the remarkable generosity of spirit shown by the victims. This reluctance, indeed this hostility, to the Commission has been like spitting in the face of the victims." There may well be cultural differences at play between white and black regard-

ing the nature of justice and of restorative processes. More likely, though, the reluctance was rooted in the now seriously discredited notion of white moral superiority and the sheer moral and emotional effort it would take to acknowledge as much.

South Africa would have been much the poorer without the TRC, but it was not the perfect solution. Dissatisfaction is still lingering among victims who had to wait an inexplicably long time before the symbolic reparations that the TRC recommended were paid out. Some, such as the Khulumani Support Group, have resorted to legal processes locally and internationally to seek proper reparations. There is still much anger that those who were really responsible for atrocities escaped censure by blaming lower ranking officers for being misinterpreting instructions and for illegal behaviour.

The TRC was an innovative, brave, utterly demanding and essentially positive intervention, but the road to reconciliation remained bumpy and the task unfinished.

Twenty Years Later

A number of studies have been released lately to assess the lasting impact of South Africa's negotiated agreement. They agree in one respect: much has been achieved, but much remains to be done. In a survey conducted by the Institute for Justice and Reconciliation (IJR) in 2013 61.4% of respondents believed that progress has been made in reconciliation since 1994. 44% of South Africans believed that the South Africa of 2013 is a better place than 1994, against 17% who think conditions have worsened. The constitution enjoys strong legitimacy, even though at times the ruling party has shown signs of feeling restrained by it. Politically the country is stable, and the salience of race is diminishing in some respects. The IJR 2013 report found that race has dropped to the fourth position as the main polarising factor. In the first position is class, followed by HIV-AIDS and political parties. There is, however, a large, but no longer exclusive, overlap between race and class, especially at the lower end of the economic ladder. The poor, in other words, are almost exclusively black.

South Africa's economic inequality remains dangerously high. Between 1996 and 2009 the Gini coefficient has dropped slightly from 0.69 to 0.63. Unem-

ployment, broadly defined to include those who have given up looking for employment, has grown from 31.5% in 1994 to 35.6% in 2013. The percentage of people living with less than $2 a day, however, have decreased from 40% to 31% largely because of social grants distributed by government. South Africa is spending, in relation to other countries, a substantial proportion of its budget on social services and support. The budget of 2014 allocated 54% of its expenditure to education, health, housing and community amenities. In spite of this the delivery of quality education and health services to the poor have been woefully poor.

In short: South Africa has an underclass of approximately 40% of the population that are black, unemployed and young (70.6% of the unemployed are 15 – 34 years) and that are excluded from the wellbeing of the middle class and the opulent prosperity of the elite.

There are two notable symptoms of the continuing malaise in society. The first is the extraordinary high levels of inter-personal violence. The annual crime report of the South African Police of 2013 declared an overall improvement in the crime situation, yet 16 259 homicides took place during the year 2012-13, 16 363 attempted murders, and 66 387 sexual offences. To this figure can be added - admittedly not quite in the same category, but nevertheless indicative of a society plagued by a violent disregard of human lives - road accident fatalities of almost 14 000 per year.

The second symptom is the increasing occurrence and volatility of community level protests. These protests, generally referred to as "service delivery protests", take place at community level and are normally aimed at the failure of local municipal authorities to deliver adequate services. The local government sphere, in fact, is in a serious crisis. For example, the Auditor-General reported in 2013 that a mere 5% of municipalities achieved clean audits. Vacancies in key positions and key officials without the minimum competencies and skills caused 73% of the municipalities to fail to produce credible financial statements and performance reports. Communities are enraged by this failure in governance and concomitant perceptions of corruption and ineptitude. The protests take place at the astounding rate of five protests per day and have brought more than two million people (roughly 4% of the entire population) onto the streets every year since 2008. They are increasingly violent, both in terms of the

destruction of property and the loss of lives. Thirty protesters have been killed in police action over the past three years, but in January 2014 alone eight have been killed. According to Gauteng province's acting police commissioner the Gauteng police had dealt with 569 protest marches in the period November 2013 to January 2014, of which 122 were violent. These protest are driven by a complex mixture of factors: frustration with the failure in service delivery, rising expectations, relative deprivation, local intra- and interparty political battles for control of the municipality, and the continuing legacy of violent protest as the most effective way to draw attention to your cause. At the core, though, they seem to be driven by a lingering sense of exclusion. Despite the promise of a new dawn, they still find themselves marginalised at the fringes of the new South Africa.

A wide spectrum of opinion exists regarding the failure of society to address the underlying causes of this condition. The economic policy of government has come in for particular criticism, but such critique differed according to ideological bias: there was too much reliance on the free market or too little; too much government interference in the economy or too little; too much labour regulation or too little. Worrying signs of an elite and civil service that is increasingly corrupt and self-serving further darken the general mood in society.

Two interpretations, though, are particularly relevant. The first is that South African society is, in the words of the Nicaraguan social psychologist, Martha Cabrera, one that is "multiply wounded, multiply traumatized, multiply mourning". The constitution laid a new foundation, but concerted efforts to address the psycho-social wounds of society have not been sustained. The second is that the healing of the psycho-social wounds had to include a sense of belonging; of inclusion not only in political processes via the right to vote, but in the socio-economic well-being of society. A lingering sense of exclusion means, for those affected, that peace has not yet been achieved.

What is clear is that the promise of the constitution to deliver on human security has not (yet?) been fulfilled. Few are blaming the constitution; fingers point, rather, at the failure of the collective political, labour and business leadership to sustain the culture of productive negotiation and to live up to the ideals of the constitution.

Conclusions

In 1990 a unique window of opportunity opened for South Africa to address its intractable conflict. The conflict was indeed ripe for resolution; yet the moment had to be seized.

The key insights and learnings that South Africa's process presented were:

- Leadership quality at all levels of society was a vital precondition to success. Nelson Mandela and FW de Klerk had rightly been awarded the Nobel Peace Prize; while Mandela acquired almost saintly status in the country and over the world for his contribution. Leadership, however, was not restricted to them. At all levels of society and within all sectors (religious, labour, business) people stepped forward to help manage difficult moments in the transition.

- The negotiations were unavoidably an elite affair; yet concerted steps had been taken to encourage public participation as widely as possible. The National Peace Accord and its infrastructure for peace, in particular, provided opportunities for participation in dialogue and joint problem-solving at all levels of society.

- South Africa is rather unique in its self-mediation of the process. It is a question whether an official mediator would have been able to keep parties such as COSAG within the process. It is a speculative question, and even when answered affirmatively a further question would be whether the value of keeping all together in one tent would outweigh the sense of common achievement generated by the success of South Africa's efforts at self-mediation.

- Self-mediation succeeded largely because of the success of confidence-building processes. The resolve to manage negotiations internally developed during the initial contacts.

- The notion of "sufficient consensus" is helpful in terms of dealing with obstructionist tactics. It is, however, very risky and potentially self-destructive. It is a strategy that has to be used with much care.

- The shift from a negotiation style that encouraged public grandstanding and positional bargaining to one focused on one text that was informed by both procedural professionalism and technical knowledge made a substantial difference. It points to the importance of having professional support available regarding matters of procedure and objective, reliable knowledge regarding the substance of issues.

- South African negotiators were able to find common ground in the notion of human security. In the context of a conflict caused by the sheer disregard for human dignity and security, this was a crucial shared insight.

5   Yemen: Managing Change following the Arab Uprising

Ali Saif Hassan and Alia Eshaq

Introduction

On March 2013, Yemen declared it was about to have a national dialogue bringing together all major components in the country. The National Dialogue Conference (NDC) ended on January 2014, its outcomes are supposed to be the means for forming a new social contract and a new Yemen. The NDC concluded with some major decisions including that Yemen will become a federal state composed of six regions, and will have a fifty percent allocation of positions in the executive and legislative authorities to southerners for two electoral cycles.

Many Yemenis saw the NDC as the only non- violent means to resolve the crisis which followed the uprising in 2011. The uprising began as a series of protests inspired by the Arab Spring protests in both Tunisia and Egypt. What started as a "youth revolution" was soon paralleled with a political crisis as opposition movements spear-headed by the Islah Party[31] dominated the scene and as the army split between the ruling elite. Hence, the need for mediation became urgent and with it came what became known as the Gulf Cooperation Council (GCC) initiative. The main points in the agreement were that former president Saleh would resign from his position and hand the presidency of Yemen to his deputy Abd-Rabo Mansour Hadi, a joint transition government between the opposition and the former ruling party would be formed, and a national dialogue between all the major components in the country would take place. According to the agreement, this national dialogue would form the basis for a new constitution and a new Yemen.

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[31]   The Islah Party is an Islamist party. It is considered the political arm of the Muslim Brotherhood movement in Yemen. The party officially allied with former president Saleh between 1993-1997. Afterwards, it turned into an opposition party.

Historic Overview

Pre-Uprising Yemen

To understand the nature of the political transition process, one has to look back into the factors that led to the uprising as well as the relatively new political players in the scene. Multiple factors eventually led to the uprising in 2011, including underlying causes such as poverty, corruption, population growth etc. For the purpose of this paper, we will focus on the two most recent factors, the Houthi armed rebellion in the north which began in 2004 and the escalating tension in the south which began in 2007 with a series of peaceful protests forming what became known as the Peaceful Southern Movement (PSM), or Hirak. These two popular movements gradually shock the stronghold of former president Ali Abdullah Saleh. By 2006, President Saleh's faith in his grip on power had also been already seriously dented by the newfound audacity of opposition parties, now allied as the Joint Meeting Parties (JMP). Despite the fact that Saleh won the elections in 2006, the JMP made a bold statement by nominating a southern challenger in the elections. All these factors combined undermined the stronghold of the former president's rule, leaving it in a fragile state once the uprising erupted.

On 22 May 1990 the contemporary State of Yemen was established under a unification agreement between the Yemen Arab Republic (YAR) in the north and the People's Democratic Republic of Yemen (PDRY) in the south. The new state incorporated all the contradictions and conflicts of its forebears, which had been respectively allied to the two opposing Cold War blocs: YAR with the West, and PDRY with the Soviet Union.

Residual tension between north and south escalated into war in 1994, which culminated in the defeat of the south and northern hegemony over the whole of Yemen – including imposition of conservative Islamic practices on the predominantly leftist and socialist society in the south. The victorious political elite comprised northerners and their allies from the southern military leadership in the 1994 war. It did not govern equitably or effectively – in relation to the south, and regarding the various political and economic challenges that faced nascent state of Yemen as a whole.

In 2007, the PSM began as popular protest movement demanding social justice and increased local autonomy. Spurred by government indifference to their cause and emboldened by increasing support from former political leaders from the south, the movement's demands became increasingly radical – ultimately calling for secession. Today, the PSM is comprised of different factions, also known as Hirak. These factions differ in their leadership, demands, methods of protest and how far their leadership could negotiate with the central state in Sana'a and the international community.

The other factor which led to political failure by 2010 was the increasing power of rebel movements in Sa'dah governorate in the north. The Houthi resistance movement that emerged in Sa'dah in 2004 pitted Shia Zaydi revivalists against the predominantly Salafist military and political elite. The Yemeni army conducted six wars against the Houthi rebellion, the wars however made them stronger. By the end of the decade Houthi fighters (by now named Ansar Allah) controlled the whole governorate of Sa'dah.

Today, Ansar Allah are a strong popular force on the ground. Many tribes follow their lead or at least are allied with them. Their armed presence extends from the north to the borders of Sana'a. Their presence in politics is however recent. Their first participation in Yemeni politics was through their representatives in the NDC.

The Uprising and the Gulf Cooperation Council (GCC) Initiative

By the end of 2010, the regime had exhausted much of its social and political legitimacy amongst large parts of the population. The onset of the Arab Spring inspired Yemeni youth to mobilize in a non-violent movement. Massive demonstrations involving hundreds of thousands of pro-democracy protesters erupted in the capital Sana'a and other cities in early 2011.

President Saleh's long-time ally, General Ali Mohsen al-Ahmar, defected from the regime to support the revolution on 21 March 2011. Many political and military leaders, and a number of senior Yemeni tribal chieftains, soon joined him. These defections strengthened the uprising, but also politicized it and challenged its peaceful nature and pro-democracy objectives, raising serious concerns that Yemen could slide into bloody civil war.

Concern that growing instability would leave Yemen exposed to al-Qaeda and other extremist organizations helped to consolidate international response. Combined with the comparative weakness of conflicting parties in Yemen, international partners, in particular the European Union, Saudi Arabia, the United Kingdom and the United States, were able to persuade a number of major Yemeni parties to enter talks.

Some opposition political forces such as the PSM and Ansar Allah refused to take part, and did not endorse or recognize the resultant agreement. Nevertheless, Saleh signed an initiative under the aegis of the Gulf Cooperation Council on 23 November 2011 in Riyadh, which included a series of steps that together added up to a comprehensive political deal to end the conflict.

The initiative gave Saleh legal immunity in return for conceding power to his deputy (and current president) Abd Rabbuh Mansour Hadi. A consensus government was set up, which shared power between the former ruling General People's Congress (GPC) and the opposition JMP alliance.

National Dialogue Conference

The establishment of a national dialogue in the country was the most important part of the GCC initiative. The dialogue was the means to incorporate new forces for change in Yemen – predominantly driven by women and youth – as well as serious challengers to the state – Ansar Allah in Sa'dah and the Hirak – involving them in a process to draft a new social contract through comprehensive national participation. There were further hopes that the dialogue in Yemen would present an auspicious model of what can be achieved through international consensus in resolving armed conflicts and civil wars, in the Arab Spring countries and more generally. The initiative stipulates that the dialogue process would lead to the drafting of a new constitution, including holding a referendum, with the initial planned end of the transitional period (February 2014) culminating in parliamentary and presidential elections.

 In July 2012, Hadi issued a decree to set up a Technical Committee (TC) composed of 25 members coming from different political backgrounds including women and youth. The TC made the preparations and drafted the internal by-law of the Conference. The committee stipulated that the NDC would comprise

565 members. It set terms for representation in the Conference, designed to promote 'achieving change and facilitating Yemen's transition', through the 'establishment of principles of reconciliation and true partnerships in building a new Yemen'. In addition to this, the TC drafted twenty points as requirements for trust building before commencing the NDC. The twenty points mainly addressed the southern issue and the Saada issue, some of the main points include public apologies to the South and Saada for the past injustices, addressing land issues, release of prisoners... etc. President Hadi accepted the twenty-point document; however, the implementation question is a different one as very little has been done to address the twenty points.

The TC declared that the components participating in the NDC were the GPC[32] and its allies[33], JMP[34], Ansar Allah, Hirak, women and youth in addition to members from civil society organization, newly established parties, namely Al-Rashad Salafi party and the Justice and Development party, as well as some members who were appointed by the president. In the composition of the Conference, fifty percent of the seats were allocated to southerners, twenty percent to youth, and thirty percent to women.

After the TC committee allocated a certain percentage of seats to each of the participating components, each component had to nominate its members given that fifty percent had to be southerners, twenty percent youth and thirty percent women. Other components such as civil society organizations and independents were chosen by the TC which developed a selection process. The final list of participants for each working group, including those nominated by the president was then announced after the presidium of the conference decided the assignment of members to the working groups.

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[32]   General People's Congress, former ruling party established by Ali Abdullah Saleh in 1982
[33]   The allies include the Democratic Nasserite Party, National Democratic Front, September Democratic Organization, Liberation Front Party, Yemen League Party, National Social Party, Popular Unionist Liberation Party, Yemeni Popular Unity Party, Democratic People's Party (Assembly), Green Social Party, Democratic Union of Popular Forces, Arab Socialist Nationalist Baath Party and Republican Union of Popular Forces.
[34]   Joint Meeting Parties, a coalition between opposition political parties which was established in 2003. The coalition includes the Yemeni Congregation for Reform also known as Islah Party which was the strongest opposition party, the Yemen Socialist Party (once the ruling party in the south), Al-Haq party, the Nasserite Unionist party, the Popular Forces Union party, and Arab Socialist Baath party.

As the NDC prepared to begin, Yemen faced severe problems: national surviv-al, strong national divides, threatened identity, dysfunctional state bodies and structures, and severe economic strains. All these problems were compounded by overarching challenges of corruption and terrorism. However, despite all this, there was major hope among many Yemeni people that the NDC could be a gateway to peace and national reconciliation

The NDC was inaugurated on 18 March 2013 with a remarkable presence of regional and international partners which manifested their support. Initially, the conference was designed to end in six months, however, several deadlines were missed and the NDC officially concluded on 25 January 2014. This was partially due to the large number of topics covered and the detailed nature of the discussions. The TC identified nine specific topics to be addressed at the Conference and designated a working group to address each. The topics addressed were the Southern Issue; the Sa'ada Issue; transitional justice; state building; good governance; the armed and security forces restructuring; 'spe-cial entities'; rights and freedoms; and development. The procedures defined the Conference structure, presidium, decision-making mechanism and consen-sus-building mechanism.

The NDC commenced with a plenary session that lasted for two weeks. After that, working groups began their work. In total, there were three plenary ses-sions, a first plenary session, a mid-plenary session and a final plenary session. In between the plenaries, the working groups were supposed to reach at least ninety percent consensus on their decisions. If consensus was not reached on some issues, they were then transferred to the consensus committee. The con-sensus committee was composed of the nine heads of the working groups, the presidium of the conference in addition to some additional members who were appointed by the president. The role of the consensus committee was to look at the disputed issues and try to find a middle ground solution. The proposed changes were then sent back to the working groups as this time it was enough to have seventy five percent consensus. In case a seventy percent consensus was not reached, the president had the right to make a decision on the matter.

Decisions of the working groups were discussed at the plenary where at least a ninety percent consensus had to be reached in order for the decisions to pass as outcomes of the NDC. In case this percentage was not reached, the presi-

dent had again the right to make a decision on the matter. This was the official mechanism set for the proceedings of the NDC. To a large extent, these were the steps that were followed. However, on some exceptional circumstances, such as with the deadlock at the Southern Issue Working Group, the president authorized the formation of an additional committee to resolve some details. An additional committee of 8+8 was set in order to look into some of the remaining issues unresolved. The committee had eight members from the Hirak and eight members from the north.

Resolving Deadlock and the Role of the International Community

Throughout the work of the NDC, deadlocks were usually resolved through the role played by president Hadi, mediation by the UN Special Advisor on Yemen, Jamal Benomar and his team, as well as pressure by ambassadors of the G10 countries supporting the transition process in Yemen. President Hadi's often neutral position between different components enabled him to help resolve deadlocks wisely. On the other hand, Benomar and the UN team in general had a strong presence stemming from the UN Security Council support for their work in Yemen.

International support has accompanied Yemen's political settlement since its inception. Members of the UN Security Council visited Sana'a in January 2013 demonstrating the attention the Security Council gave Yemen. The unified position of the international community towards Yemen has been one of the strongest guarantees for a peaceful transition. This unified approach was manifested through the work of the G10 committee of ambassadors which was formed to safeguard the process of transition. The G10 is composed of a group of ten ambassadors of the permanent five members of the UN Security Council, the GCC and EU. Other EU states such as Germany provided technical expertise to support the NDC and the transition process in general.

International and regional actors are unified in their fear of what a collapsed Yemen could lead to. To begin with, Al-Qaeda in the Arabian Peninsula (AQAP) is considered the most threatening branch of Al-Qaeda, further security vacuum could give the terrorist organization a stronger hold in Yemen, and needless to say, a bigger threat to international and regional peace and security. Ad-

ditionally, Yemen's Bab al-Mandab, a strait between the Red Sea and the Gulf of Aden, gave Yemen a relative importance, given that almost a third of maritime trade passes through this strait. These two factors gave the international community a strong reason to stay unified on their policy towards Yemen.

In general, none of the Yemeni political forces reject the strong role of the international community in Yemen, at least temporarily until the country completes a safe transition. In some ways, Yemenis understand the need for a foreign mediator when the situation becomes tough. Given the tribal nature of the Yemeni society and the long history of wars between tribes, Yemenis developed a high degree of pragmatism; in other words, they understand the cost of armed confrontations. It is for this reason that third party mediation is usually welcomed and at times desperately needed. This has been the case since the political crisis in 2011, the GCC initiative negotiations, and until this current phase.

The NDC suffered major challenges and confrontations, sometimes reaching deadlock. The Southern Issue Working Group has faced especially severe problems to secure a workable compromise, as the Hirak for a long time continued to demand the restoration of the southern state and the right to self-determination for southerners – against the stipulations of the GCC initiative and relevant UN Resolutions that preserve Yemen's unity. The failure of the government to implement the technical committee's twenty-point package of measures to address key challenges did not make things easier.

Eleven points were later added to the twenty points as demands by the Southern Issue Working Group, which increased the pressure further. During latest deadlock the Southern Issue Working Group faced, Benomar and the UN team had an apparent role in resolving the deadlock. While the Hirak representatives, and later on Ansar Allah, insisted on a two regions federation, other components argued for a multiple regions federation. The deadlock continued until Benomar presented what became known as the Southern Issue Document; a document suggesting that the president assigns a committee to look into the number of regions after the NDC was concluded. The document summarized some of the general principles that were agreed upon by the 8+8 committee discussions, such as general resource sharing principles as well as a fifty percent allocation of positions in the executive and legislative authority to southerners for a period of two electoral cycles. Initially, some components including the GPC refused to sign the document. After

some negotiations, all components in the NDC agreed to sign the document. This was the last major deadlock. After the document was finally signed, the NDC was concluded weeks later.

After the NDC was concluded, the president formed a committee to decide on the number of regions. Based on the Southern Issue Document, the committee had to decide a number between two to six regions. The committee eventually decided on six regions, a decision that came as no surprise to many since a two regions solution was likely to lead to instability and the separation of the south, a result that neither Sana'a nor the international community were willing to accept.

NDC Legitimacy in the South

The legitimacy of the Conference was essential to success; however this issue has been complicated and contested. The NDC has been supported – or at least accepted – by most Yemeni political parties and major components, with the exception of some of the most influential factions within the Hirak. This rejection of influential southern leaders to participate in the national dialogue increased the isolation of the southern street from the discussions that were taking place in the capital. The rejection of the NDC among many southerners was one of the major challenges the NDC faced throughout its work. Despite the fact that southerners were given fifty percent of the seats in the NDC, this did not create much support for the national dialogue in the southern street. By providing the south with equal representation with the north, the NDC sought to encourage Hirak participation. Hirak representatives were also given special representation and voting privileges in the Southern Issue working Group. However, southerners participating in the NDC remained for the large part disconnected from the southern street.

Part of the argument of those against the NDC was that the participating southern members do not represent the secession-demanding street. On the other hand, influential southern leaders such as former south president Ali Salim al-Beidh and Hassan Baoum, head of the Southern Movement's Supreme Council continued to boycott the dialogue. Many Southerners therefore refused the whole NDC process and denied its legitimacy. Southern leaders considered the establishment of the NDC as defying their will and as a challenge to their own authority. When NDC working groups wanted to visit Aden in South Yemen, as part of the outreach consultations, they were not welcomed.

A major complication has been tensions between Hirak representatives inside the NDC and Hirak leaders outside the process, and in particular gamesmanship between these two groups over who was doing the most to protect the interests and rights of the Southern Yemeni people. This made it very difficult for Hirak representatives in the NDC to show accommodation or flexibility for fear of being accused of surrendering southern priorities. The president and the government, and even some international conveners, unhelpfully disregarded the boycott and considered the NDC to be fully inclusive. In fact, a preliminary south-south dialogue may have helped the north-south dialogue (i.e. the NDC) to function more smoothly. There were some attempts to facilitate such a process in the Dead Sea in Jordan in 2012 before the NDC; however, these efforts were not followed up.

As the NDC neared conclusion, the government, fearing that the Southern Issue could torpedo the whole process, eventually began to respond to concerns by making some tangible efforts on the ground – although these efforts came a bit late and are not enough to calm the southern street completely. Some of these efforts include presidential decrees to address land issues in the south as well as the issue of the 1994 forcibly retired army officers. The biggest question however remains regarding the implementation of these decisions, which has not been apparent so far.

International pressure from the Friends of Yemen – a group of 39 countries and international organizations, co-chaired by Saudi Arabia, the United Kingdom and Yemen –further tried to concentrate efforts to resolve challenges related to the south. Hirak NDC participants subsequently softened their secessionist demands, but maintained a minimum prerequisite of a federal state composed of two provinces, southern and northern, demarcated along the former international border. Northern parties, on the other hand, conceded that they had waived their insistence on the simple form of a unified state and would now accept what they described as the 'maximum' federation – a federal state comprising several overlapping provinces that traverse the old border.

This 'reluctant consensus' on a federal state, albeit of either two or of several provinces, nevertheless has remained unpopular in both the south and the north. In this 'federal tug-of-war', southern and northern negotiators tried to pull the rope as hard as they could in opposite directions – to something resembling restoration of the previous southern state at one end, to something resembling a local government system at the other. The middle ground outcome reached as a

result was the multiple regions federations, namely six regions. The fact is that Yemen is now officially a federal state, at least based on the republican decrees stating that, the question which remains is regarding the implementation and how far will people in the south accept this solution.

Public Outreach and Community Participation

Since its inauguration, the NDC had an intense dialogue, with technical and expert assistance from the UN team led by Benomar, and support from a number of specialized international and local non-governmental organizations. The NDC Secretariat, comprising Yemeni experts to provide administrative and facilitation support, has played a key role in assisting the work of the conference bodies, media, communication and education, and documentation. However, the outreach and community participation had been one aspect where there were shortcomings.

With the exception of the south, the huge media campaign that surrounded the inauguration of the NDC in March 2013 helped persuade many Yemenis that it could bring them closer to stability and peace. Careful efforts to build equitable representation in the process have sought to promote popular buy-in and ownership. But, as the process unfolded, many Yemenis felt disconnected from the discussions that took place in the conference. The outreach component, through participation of citizens both directly and indirectly, has been a means to try to increase the legitimacy of the NDC process. But outreach consultations were carried in a shallow way, where the input and feedback gathered was not properly streamed into the deliberations of the NDC. With the exception of one field visit to some governorates, which was poorly planned, the NDC members did not have any official contact with people from the governorates.

Overall, the NDC outreach and community participations activities were conducted through the 'NDC tents'[35] as well as open lines, social media websites and emails. Despite having the means to gather information, what was missing from the NDC outreach and community participation strategy were the tools to filter the information and deliver them to the NDC working groups.

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[35] According to the NDC website, "Organizations pitch tents in public places in rural areas to provide people with the opportunity to observe NDC activities via televisions and lead detailed discussions on conference activities. The same tents also host Secretariat General representatives, who answer queries concerning the NDC and relevant topics."

Challenges

With the completion of the NDC, Yemen has made a great step forward; however, there are still some major challenges before it can make a safe transition. Terrorism continues to be a threat as there is still a continued wave of assassinations in different cities in Yemen. Southern cities in particular are more prone to terrorist attacks since there is a bigger security vacuum there. This security vacuum is not only giving AQAP an environment to thrive in Yemen, but is also allowing a continued state of lack of order where many armed groups or tribes continue to challenge the authority of the state. Some of these practices are for example the continuing attacks of some tribes on electricity stations to blackmail the state into responding to some of their demands. Additionally, fighting between Ansar Allah and some of the Islah affiliated militias and tribes has spread in different parts of the north, ending in one area and starting in the other. Efforts to end the wars between the two groups are usually through forming "presidential committees" composed of different tribal leaders and respected social figures who mediate between the two sides. Apart from that, the army, perhaps wisely, has not interfered in the fighting. Before a neutral and professional army leadership is in place, interfering in the fighting could only make matters worse.

Additionally, Yemen faces deep economic and financial difficulties. Reports indicate that the government will soon be unable to pay all its employees. The strict division of posts between the GPC and the JMP in the coalition government is not making matters better where qualifications are scarificed for political affiliation. Removing unqualified ministers has not been an easy task as this balance of power dominated the scene.

Army Restructuring and Security

One of the biggest challenges is the security vacuum that followed the political crisis in 2011. As explained above, Yemen was on the verge of a civil war as the army split between the ruling elite. This crack in the heart of the security system continues, although less visibly, until this day.

One of the working groups was designated to tackle the issue of army and security restructuring. On the ground, president Hadi had to make urgent, yet careful decisions within the army leadership before it was too late. On December 2012, Hadi issued a presidential decree removing the two powerful army

generals Ali Mohsen al-Ahmar, and Ahmed Ali Abdullah Saleh. Each of the two generals headed a side of the divided army during the political crisis 2011. Al-Ahmar was assigned as an advisor for Hadi, whereas, Saleh was assigned to be an ambassador at the UAE. Despite these changes, the influence of the two generals and their supporting camps still exists visibly within the army which signals the need for further restructuring.

The Army and Security Restructuring Working Group came up with a number of recommendations that if implemented could lead to a much effective army and security system in Yemen. It is fair to say that the final report of the working group was balanced, indicating that neither of the sides were able to influence the final outcome of the discussions. Some of the main recommendations of the working group were:

- Prohibiting any groups from creating armed militias whether they were tribes, parties or organizations or any other group.

- The leadership positions in the army, security and intelligence, during the foundational period, should have 50% representation for the south and 50% for the north.

- A higher council for defense and national security is established. This council looks into creating strategies to face internal and external threats.

- Denouncing terrorism as a grave danger to the country and the world and therefore identifies a need for a national strategy to combat terrorism in cooperation with the international community. However, this cooperation should not infringe on national sovereignty and hence cooperation should be restricted to the fields of training and capacity building of the Yemeni forces.

- Illegality of prosecuting civilians under military courts.

- Illegality of practicing in politics while being a member of the army or security forces.

- The president, prime minister, ministers of defense and interior do not have the right to appoint relatives in the army.

- Criminalizing the use of child soldiers.

- The army is reduced to 1-1.5% of the total population.

- Returning the forcibly retired army officers from the south and compensating them.

Moving to Federalism

The NDC tackled the issue of moving to federalism under the State Building Working Group. The working group focused on several aspects: state identity, state structure, governance system, elections system, administrative system, legislative authority and judicial authority. One can argue that the state building working group was the most important of the nine working groups within the NDC. It is through finding consensus with regards to the new form of the state in Yemen that many of the other issues could be solved, e.g. Southern Issue and Saada. One of the objectives stated in the bylaw of the group was forming the foundations for the new constitution.

The need to move to federalism came as a natural response to the increasing inefficiency of the overly centralized approach in governing Yemen for the past decades. Examining the history and nature of the Yemeni population, one will realize that Yemen has always been naturally decentralized. Composed of hundreds of tribes, and areas that vary in their history and culture, it was exhausting for the powers in the center to reach out and respond to the demands of the local population.

Moving into federalism also came as mid-way solution in responding to the increasing southern demands of secession. Deciding on the state form and the number of regions was left to the outcomes of the Southern Issue Working Group. This manifests that the general desire towards moving to a decentralized system came primarily as a result of the southern demands for secession. From the start, there was apparent general consensus on the need for a form of decentralization, at least this was what different components stated publicly. Arguing for the same old centralized approach was no longer an accepted speech. The degree of decentralization however was what the debate was all about. Now that the final agreement was on six regions, the question left is regarding the implementation process.

If implemented efficiently, federalism could reduce much of the anger in the southern street. As powers gradually move from the center to the regions, and as the local populations begin to sense that they are more in control of their local issues, anger and feeling of injustice will decrease. Also, this decentralization of power could allow capacity building in the regions and economic

development. The question of resource sharing is still an open one. As stated above, the Southern Issue Document highlighted general principles regarding resource sharing. Specifically, article 8 of the document states:

> Natural resources belong to the people of Yemen. Management and development of natural resources, including oil and gas, as well as the process of issuing exploration contacts and development, are the responsibility of authorities in the producing states in cooperation with the regional and federal authorities, based on the federal law. Based on the same law, management of local services contracts is the responsibility of the producing states in cooperation with regional authorities. In all of what was stated, higher national benefit is considered in order to guarantee the management of natural resources in transparency, efficiency and continuity. Based on the same law, a national independent body is formed which is composed of all the authorities stated above with the goal of developing public policies and empowering producing states and regions to manage natural resources efficiently.

Additionally, article 9 of the same document states:

> A federal law, drafted in consultation with the regions and states, decides on standards and equations to distribute the profits of natural resources, including oil and gas, in a transparent and just way to all the people of Yemen, keeping in consideration the needs of the producing states and regions and determining a percentage of profits for the federal government.

> As apparent from the articles above, the formula for resource sharing is yet to be determined. What we know is that there is an agreement on the principle of sharing, what needs to be decided is to what extent will the traditional powers in the center allow regions to control resources.

Rights, Freedoms and Transitional Justice

Rights, freedoms and transitional justice are the biggest challenge facing the forces calling for civil change in Yemen, led by women and youth, and there has been intense confrontation between these and conservative powers throughout the process. Thanks to their persistent (at times pushy) participation and per-

severance, women and youth have managed to create political dynamism in the conference that was enhanced by unprecedented support by Yemeni and international civil organizations.

Of course, neither Yemeni women nor youth groups are politically homogenous, but comprise independent individuals as well as supporters of several political parties within the NDC. This reality has made it hard for these components to agree, organize themselves and choose their representatives. Nevertheless, they brought a particular dynamic of inclusiveness and participation, and also strong advocacy voices for freedoms and rights that traditional Yemeni politicians rarely consider or emphasize.

Women made major advances during negotiations to guarantee their right to 30 per cent political representation. But many human rights gains won during the first rounds of the NDC were later clawed back under sharp counter-attacks by conservative powers. Transitional justice experienced especially tough challenges from inside and outside the Conference– not least as many key players in the process are themselves guilty of gross violations of human rights.

The challenge for women and youth now that the Conference has ended is to continue pushing for their existence at the political scene and not allow the traditional powers to keep them out of the decision making process. One of the achievements of the uprising in 2011 was that it allowed youth and women into the politics of Yemen with the support of the international community. However, youth and women have to form more unified bodies that represent their demands, their continuous fragmentation will make them lose the advances they have made.

Implementation?

After the Conference ended, it became clear that the conference was successfully creating powerful political dynamism in Yemen to challenge the dominance of the former regime and its political and social alliances and structure. But the wave of popular expectation of the outcome of the NDC has regressed from its auspicious beginning. International aspirations have also progressively moderated to local realities, as international partners have come to better understand the traditional culture of Yemenis, which does not say 'no' directly, but replaces it with 'yes, but ...'.

There are still many concerns and questions looking ahead. Can the parties that participated in the Conference, northern and southern, sell the agreed decisions on the Southern Issue and state building to their respective publics? Can the fragile Yemeni state provide the necessary conditions to complete the transition to federalism and to the remaining requirements of the GCC initiative, including the referendum on the constitution and holding parliamentary and presidential elections in the near future?

And can political parties accommodate the new political variables in Yemen, required by the peaceful youth movement and reinforced by the political dynamism generated by the active participation of women and youth in the NDC, in light of on-going instability and the enduring conservative muscle of traditional powers? Failure of implementing the outcomes of the NDC would allow the road map of the peace process to be designed exclusively by conservative parties and under the auspices of the president – with no progressive participation of women and youth.

Overall, the Yemeni experience with the NDC has been a success in incorporating new political actors into the decision making process, in creating a roadmap for the coming period and a general reference for all competing powers. What remains necessary for the remaining period of the transition phase is the continued neutrality and careful balance that president Hadi started with, the continued support of the international community as well as full support and monitoring of the bodies that will implement the NDC outcomes.

Yemen: Structure of the National Dialogue Conference

Leadership Committee (nominated/approved)	Consensus Committee (leadership com, chairs of WG, 10 nominated by President)

Plenary: Opening Meeting (2 weeks)
- 565 participants: representing Political Parties (GPC, JMP, et al), Southern Movement, Houthis, Women, Youth, Civil Society; 50% from South; 30% women
- Opening speeches; to agree on procedures; elect committees

Working Groups (2 months)

Working Group (South)	Working Group (Sa'ada)	Working Group (State building)	Working Group (Security)	Working Group (Rights & Freedoms)	Working Group (Develop-ment)	Working Group (Trans. Justice)	Working Group (Indep. of Institut.)	Working Group (Good Govern.)

Plenary: Meeting (1 months)
- to review state of discussion in working groups

Working Groups (2 months)

Working Group	Working Group	Working Group	Working Group	Working Group	Working Group	Working Group	Working Group	Working Group

Plenary: Final Meeting (1 months)
- to finalize all open issues
- approval of final report
- closing session

Committee for Norms and Discipline	General Secretariat

Decision-Making by voting

Plenary and Working Groups: 90% majority vote → Consensus Committee: 75% majority vote → Discussion & proposals until 75% consensus

Source: http://www.ndc.ye/default.aspx

6   Myanmar/Burma: Armed Groups, Contested Legitimacy and Political Transition

Harn Yawnghwe

Legitimacy is the key challenge for the Burma Army or *Tatmadaw*, even after 50 years of absolute rule. It no doubt has the coercive power to continue ruling. But no one, not the ethnic population, not the person in the street, and not even the international community, sees the military as the legitimate and rightful ruler.

The armed struggles that have beset Burma since independence in 1948 have involved multiple armed groups seeking recognition and representation, and demands for political transition of the military regime. Recent reformist moves by the state have given hope of an opportunity for real change. A proposed nationwide ceasefire aims to bring in all armed groups – those that have already signed ceasefires and those that have not. A subsequent National Dialogue looks to include all stakeholders – armed groups, political parties and civil society. The Dialogue is not just about resolving armed insurgencies, but about the future of the country.

State Legitimacy

Even after writing a new constitution in 2008, holding elections and establishing a 'democratic' system of government, President Thein Sein's administration of ex-generals still face a legitimacy deficit. For many Burmese, the rightful heirs to political authority are symbolised in Daw Aung San Suu Kyi (DASSK), daughter of independence hero General Aung San, her National League for Democracy (NLD), and the ethnic nationalities.

The *Tatmadaw's* vision of the great Myanmar nation began in 1044 with King Anawrahtaand, and continued by Tabinshwehti (1531) and Alaungpaya (1752), who conquered neighbouring kingdoms from Manipur in India to Thailand. According to this narrative, the British conquest (1886–1948) was an aberration of 62 years. The *Tatmadaw's* mission is to re-establish this

mighty empire – at the expense of the ethnic nationalities who constitute at least 40 per cent of the population and whose homelands make up about 60 per cent of the territory.

The ethnic nationalities' competing national vision acknowledges their temporary subjugation by three Myanmar kings, but mostly they had their own kings and traditional rulers, including during British rule, and were not part of the Myanmar empire. In fact, they agreed to join their territories to Myanmar at the 1947 Panglong Conference and claim that they and not the *Tatmadaw* are the legitimate co-rulers of the nation.

British annexation of Burma in 1886 had excluded a number of provinces: Chin Hills (now Chin State) Frontier Area; Kachin Hills (now Kachin State) Frontier Area; Shan States (later Federated Shan States – now Shan State) Protectorat; Karenni States (now Kayah State) independent Protectorate; and Trans-Salween area (now Karen State) Frontier Area. These were nominally administered separately as a buffer zone with French Indochina. The current Arakan and Mon States were part of British Burma.

In the process of independence after World War II, Prime Minister Aung San (from the predominant Bamar ethnic group) negotiated the Panglong Agreement with ethnic leaders, which promised them equality – hence subsequent demands for federalism. But while the 1947 Constitution recognised the various constituent states it gave them no power. Everything was centralised – Burma effectively replaced the British as the new colonial power.

In 1962 the Tatmadaw, claiming that federalism would break up the country, seized power, promising to oversee gradual democratisation. Since then the Tatmadaw has re-written history. Many Bamar are not aware of ethnic viewpoints and few understand why ethnic people have been so 'troublesome'.

Competing Claims to Legitimacy

Given the disappointment with the 1947 Constitution, most ethnic political movements began as independence movements. At the grassroots, ethnic people still want to be freed from the Bamar, whom they do not distinguish from the Tatmadaw. But in the last 25 years, ethnic leaders have been per-

suaded that independence is not an option and have generally accepted the idea of a federal union with equal power and autonomy.

In addition to President Thein Sein's government, the Tatmadaw, DASSK, and the ethnic nationalities, competing claimants to legitimacy include:

- the ruling Union Solidarity and Development Party (USDP),

- the previous ruling National Unity Party (NUP),

- the governments of the seven ethnic States and seven Regions,

- the more than 18 ethnic armed groups who are negotiating ceasefires with the government,

- the ethnic parties that won seats in the 1990 elections,

- the ethnic parties that won seats in the 2010 elections,

- the more than 50 opposition parties,

- thousands of civil society movements, rights-based groups and informal community groups that have over the years spoken up on behalf of the 'people', in the absence of organised opposition.

USDP is a military creation – no more than 30 per cent of the Bamar population supports it. Most people – Bamar and non--Bamar – support the NLD because they believe DASSK can bring about freedom from military rule. However, observers and activists question NLD's capacity to run the country. Instead of building up the party it waited 25 years for DASSK's release. All ethnic armed groups include both hardliners bent on armed struggle and moderates who want to convert to a political struggle. The situation is fluid, but generally today moderates predominate.

In Burma, policies and strategies are second to personalities. Disputes (between or within groups) are generally over who will lead. Burmese society was 'atomised' under 50 years of military rule. There was no organised societal groupings or political parties. Civil society and political parties have started to revive but remain small, localised and often ethnically based.

Other than the USDP, NUP (previous government party) and the NLD, there are no national political bodies.

Women in Burma have equal status – in theory. But in reality most Burmese women play a supporting role and are generally discouraged from leadership. Women are active and are the 'doers', but they are rarely recognized as such. Various cultural perceptions and practices sustain gender inequality. For instance, in some communities and locations, women's touching men's heads is considered to diminish men's power.

Peace Process

The Myanmar peace process came from within, not from international pressure. President Thein Sein, in his inaugural speech on 30 March 2011, surprised everyone by stating that his top priority was to build national unity by addressing decades of armed conflicts with ethnic nationalities caused by 'dogmatism, sectarian strife and racism'. Never before had any ruler made it a priority to address the ethnic problem let alone acknowledge its root causes.

This was followed on 18 August 2011 with an offer of talks with armed groups seeking peace. Informal talks began on 19 November and the first ceasefire was signed on 11 December with the Restoration Council for the Shan State/Shan State Army – South (RCSS/SSA--S). To date, 13 other ceasefire agreements have been signed, and a nationwide ceasefire is being proposed. However, while the government is signing agreements and making commitments, it does not seem to be able to control the Tatmadaw. Serious ceasefire violations continue.

The government initially mimicked 1990s ceasefire models, which were negotiated surreptitiously as 'gentlemen's agreements', which granted special economic privileges in exchange for an undertaking not to join the democracy movement. Except with the Kachins, nothing was put on paper. Similarly the President and his Chief Negotiator, Minister Aung Min, thought they could grant special economic privileges, sign ceasefire agreements and get the ethnic armed groups to disband. The idea was that the armed groups would embrace democracy, form political parties, contest elections, and argue their case for a federal system in parliament.

A critical flaw in this concept was that most armed groups that agreed to ceasefires in the 1990s (again except the Kachins) were not the main ethnic political movements. Most used their privileges to trade in opium and other illicit drugs.

The ethnic nationalists want political settlement, not economic privileges. They have also rejected the notion of surrendering their arms without guarantee that their grievances would be favourably heard in a parliament that is more than 95 per cent controlled by the government.

Ethnic civil society groups have protested their exclusion from talks and the possibility of armed groups 'selling out'. A Norwegian initiative to provide 'peace dividends' for ceasefire areas, intended to support implementation, was criticised by some civil society actors as an economic incentive to deliver ceasefires. The EU's promotion of the government's Myanmar Peace Centre as a neutral inclusive space was also disputed as an attempt to impose the government's programme. Also, the newly unfettered Myanmar press tended to equate ceasefires simplistically with peace, causing other stakeholders to worry they were being excluded from negotiations.

Initially the government did not have a clear plan as two different government negotiators pursued competing agendas. In May 2012 the government consolidated its peace initiative behind Aung Min and formed the Union Peacemaking Central Committee (UPCC). Under the UPCC is the Union Peace Working Committee (UPWC) led by Minister Aung Min as Chief Negotiator. The MPC was also established in November 2012 to support Aung Min.

The Birth of the National Dialogue

Ethnic groups in Myanmar are extremely diverse with different historical and cultural backgrounds, religious affiliations, political aspirations and revolutionary histories. They are geographically dispersed along the nation's international borders.

In February 2012, 19 ethnic armed groups were invited to coordinate their individual ceasefire negotiations and plan together how to transform their ceasefire talks into a collective political dialogue as part of an inclusive peace process. An Ethnic Peace Plan emerged that called for an extra-parliamentary dialogue to seek a political solution in the form of a federal union. Subsequently, the ethnic armed groups met monthly to share notes and coordinate. In response to growing resistance to the government's plan, the Chief Negotiator proposed a Panglong-type conference (which was extra-parliamentary) to resolve the

problem, instead of his original scheme to amend the constitution through parliamentary debate.

Recognising that they alone could not force the government to agree to a federal system, the ethnic armed groups invited some of the 2010 election-winning ethnic parties and ethnic civil society actors to a workshop in May 2012. They discussed the approaching end of President Thein Sein's government in 2015, whereas the solution to the problems may entail negotiations beyond that, especially as armed groups did not plan to relinquish arms before 2015. How could they ensure that the next government would continue the talks? What guarantees could they seek?

The rudimentary concept of an inclusive National Dialogue with deadlock-breaking and consensus-building mechanisms began to emerge. A more permanent Working Group for Ethnic Coordination (WGEC) was established in June 2012. To gain an even broader acceptance for the National Dialogue concept, an Ethnic Nationalities Conference was convened in September 2012. The Conference endorsed the idea and tasked the WGEC to further develop a Six-Step Road Map:

1. develop a Framework for Political Dialogue,

2. agree the Framework with the government,

3. organise conferences by States and Regions, as well as by ethnic nationalities,

4. hold a nationwide Ethnic Nationalities' Conference to discuss the Framework,

5. hold a Convention based on the Panglong spirit, with equal representation from ethnic nationalities, democratic forces and the government,

6. implement the Union Accord within the agreed timeframe.

From September to January 2013, the WGEC Core Group worked out the details for a National Dialogue, which was then taken in February 2013 to all the ethnic armed groups' headquarters for their endorsement. The documents were subsequently released for public consultation with ethnic political parties and civil society in March 2013.

The key concepts of the Framework, as presented to Aung Min in May 2013, include that it must be jointly managed, must continue beyond 2015 and must be inclusive. It stipulates a nationwide ceasefire to facilitate the peace process, and a joint military code of conduct to ensure that the ceasefire holds. A joint monitoring mechanism would then oversee adherence to the code, with a joint ceasefire committee to facilitate the monitoring mechanism. All signatories must be removed from the government's Unlawful Association List and other restrictive laws.

The concepts were all accepted by Aung Min, who was so enthusiastic he prematurely announced in June that a nationwide ceasefire would be signed by all groups in July 2013. Caught by surprise, the armed groups back-pedalled. But despite the negative reaction and criticism from within the government's own ranks, the MPC began seriously negotiating the draft Framework and the text of the Nationwide Ceasefire Agreement.

Transforming the Process

Originally, the government may have envisioned the process narrowly as a quick win: provide economic incentives in exchange for laying down arms, gain support for the government's democratisation plan, and win international kudos. But the ethnic armed groups saw an opportunity to push for what they really wanted – a political dialogue on the future of the country. There had been no opening in the last 50 years and they were determined to make it work in their favour.

The government could not depend on its own support base, which was not open to such rapid changes. Instead, small circle of reformers began to see that winning over the ethnic armed groups would help build the momentum they needed to press ahead with the reform agenda. The armed groups also saw that if the reformers gained momentum, they could actually get the government to commit to a political dialogue. So what began as a one-sided push became a common process. The government and the armed groups both then began parallel informal campaigns to win over doubters within the parliament, military, political parties, civil society actors and the ethnic population.

This effort received an unexpected boost when the Speaker of the Lower House of Parliament in alliance with DASSK, started to publicly attack Minister Aung Min and the MPC for not being inclusive enough and for being too tentative. This fit the ethnic armed groups' agenda exactly: in defending itself the MPC fully endorsed the Framework.

The armed groups were then encouraged to brief DASSK, the Commander-in-Chief, and finally on 31 August, the Union Peacemaking Work Committee (UPWC) chaired by Vice President

Dr Sai Mawk Hkam, an ethnic Shan. This was a key move since the Work Committee includes key actors within the executive, the military and the parliament. The proposal was well received and UPWC agreed to report to the UPCC and meet again on a regular basis with the ethnic armed groups, thereby elevating the negotiations to a higher level.

New developments have been achieved on the part of ethnic armed groups. In October 2013, an ethnic leaders' summit was held in Laiza, Kachin State in northern Myanmar. This is the first time in the post-independence history of Burma that top leaders from major ethnic armed organizations could have a summit 'in' the country. The summit formed the Nationwide Ceasefire Coordinating Team (NCCT) to draft the nationwide ceasefire agreement and lead negotiation efforts. In November (right after the summit), ethnic leaders held a meeting in Myintkina, Kachin State, with military representatives to discuss nationwide ceasefire. In the meeting, military representatives proposed its own nationwide ceasefire agreement draft. Strong wording and demands surprised ethnic leaders, but both sides agreed to study each other's draft proposals.

In January 2014, NCCT held another ethnic leaders' conference in Law Khee Lar, Karen State. The outcome was the updated version of the Nationwide Ceasefire Agreement.

In March 2014, NCCT and representatives from the government's negotiation team, military and parliament met in Yangon. They agreed to form a joint committee to jointly develop a nationwide ceasefire agreement - known as "One Text" or "Single Text". Up to this meeting, both sides were proposing its own drafts one version after another. The joint committee will consist of nine mem-

bers each from the NCCT and the government (three each from the executive branch, the military, and the parliament). The government proposes that the NCA be signed no later than the first of August. A National Dialogue might begin in late 2014. Major threats to the process include the commitment of the Tatmadaw, which will be determined by whether the Commander-in-Chief is prepared to sign the agreement and to arrange intra-military talks to separate troops in the conflict zones; and the inclusion of the Kachin Independence Organisation and the United Wa State Army, the two largest armed groups.

The situation remains uncertain at the time of writing and much could go wrong, but the opportunity is there for Burma to resolve its outstanding problem of the last 60 years. A lot of preparatory work has already begun on fundamental issues: power- and revenue-sharing; reform of the security sector, the judiciary and land; and community, ethnic and minority rights – to name but a few!

How can international peacebuilders best support this domestic process? The conflicts are too diverse, multi-layered, deep-rooted and complex for a single mediator. The National Dialogue will require technical support of domestic and international experts. International peacebuilders might best use their experience and knowledge to help build capacity of multiple local stakeholders and allow them to work their way through, rather than try to impose a solution.

PANGLONG 2014 CONFERENCE

Legend:
- Government & Army
- Ethnic Nationalities
- Democratic forces & Opposition
- Civil Society, Business, Religious Leaders and Professional Association

Panglong Union Conference:
Constituted by 900 members representing the Ethnic Nationalities (300); Government & Army (300); Democratic Forces & Opposition (300). It will be formally mandated and agree on core constitutional and state restructuring issues. "The conference will agree on a Union Accord and its final decisions will be adopted by parliament and serve as a new constitutional framework.

Pie chart: 300 / 300 / 300

High Level Peace Committee

Pie chart: 20 / 20 / 20 / 20

National Dialogue Steering Committee: Appointed by High Level Peace Committee; Consists of 20 members each from 3 main groups and mandated by the conference to coordinate and facilitate: the agenda, the deliberations of the conference, the work of the the thematic groups and technical committees, finalize and agree on joint proposals to be submitted to the conference and service as deadlock-breaking mechanism.

Pie chart: 190 / 190 / 190 / 190

10 Task Forces (TF–Constitutional and reform areas); **9 Thematic Committees** (TC Issues and concerns): Each of the TFs and TCs will consist of 40 members – 10 each from the 3 main groups in the conference PLUS 10 from civil society, experts and independent advisors. The TFs and TCs will commission joint research, discuss all technical elements of issues, study all parties and stakeholders' proposals, explore common ground and develop joint proposals and drafts to be submitted to the National Dialogue Steering Committee and Conference.

Thematic boxes:
- Constitutional, Federal Democracy, Self-determination
- Power sharing, Decentralization, National Equality, Non-Disintegration of the Union
- Security sector reform
- Economic development & reform
- Humanitarian aid & relief
- Judicial reform, Public security, Access to Justice & Basic rights
- National Reconciliation
- Other (See Issues in Agreement)

SUPPORT STRUCTURE

Joint dialogue management committee	Facilitation and coordination	Drafting committee / Documentation and Library	Joint National Peace Secretariat and Regional/ State Peace & Monitoring Committees

SAFETY NETS

| Non formal ongoing dialogue	Facilitation, monitoring, and deadlock breaking	Shared knowledge creation and database	Technical expert support

STEPS AND SEQUENCING

PANGLONG

- Comprehensive Ceasefire and Peace Agreement
- Implementation of the agreements, public consultation, and monitoring
- Create common ground among armed groups, and political parties and civil society step by step (intra and inter – ethnic)
- Nation-wide nationalities conference for developing common strategies and framework
- Agree with Government and Opposition on framework for political dialogue
- All parties, government, opposition, army and ethnic nationalities formally mandate dialogue and implementation mechanisms within agreed framework

BEYOND PANGLONG

- Legalizing conference agreements and establish joint national and international monitoring group to oversee the implementation
- Referendum and agreed constitutional mechanisms to finalize Constitution
- Establish transitional structures and national elections
- Establish federal union which guarantees right to self-determination
- Security sector reform and integration
- Transitional justice process

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7   Syria: An Eye on Peace
Assessing Options and Entry Points for Peacebuilding & National Dialogue(s)

Omar Abdulaziz Hallaj

Introduction

The events taking place in Syria are part of a tsunami of change shaking the political map of the Near East and North Africa. Most stakeholders and players involved were caught by surprise at the rapid pace of events. Almost everyone, including young people taking to the streets, the media, the main opposition forces, government institutions, regional powers and superpowers, is behaving in a reactive manner. The Syrian case, however, is proving more complex than any of the stereotypical reactions by those informing the stakeholders and influencing their positions. It is therefore important to consider the events in their local and historical context in order to be able to move on a realistic trajectory towards peacebuilding. While international interventions have played various direct and indirect roles, the search for peace in Syria will require a refocus on the Syrian stakeholders themselves. It is not possible for any intervention to succeed unless the Syrians themselves are understood to be the main protagonists of the conflict. External stakeholders can at best play a catalyst role, either prolonging the war or bringing it to a halt, but in this case only if the Syrian social and political forces are engaged. This paper is an attempt to reframe the internal context of the conflict. It provides a broad perspective by looking at various social, political and economic interests as well as the cultural and ideological identities that motivated the local actors in the past. However, the main objective is to provide an assessment of the various entry points for a peace process built on the agency of the Syrian stakeholders, following realistic opportunities available within the local dynamics of the conflict.

The Syrian conflict is one of the most mediatized ever, yet it remains largely misunderstood. Building a higher moral ground was instrumental for the government as well as the opposition to rally the Syrians. This has encouraged a simplistic reading of the social fabric and reduced the political discourse to the

level of propaganda. Reductionist narratives have pushed the political conflict deeper towards civil war in the country. Subsequently, the agony discourses of the various belligerents have pushed them into intractable positions. As the conflict was transforming into a fully-fledged civil war, multiple layers of violence were being perpetrated, naturally in an asymmetrical manner. Thus, the longer the conflict has been prolonged the more fragmented and unstable the dynamics on the ground have become. Creed has turned to greed in many parts of the country. The larger stakeholders are fragmenting into smaller units. A continuous mapping project for local conflict dynamics is urgently needed. The following text should be read as a first attempt to highlight the main issues and themes to be explored and verified through such a mapping exercise. Many of the assumptions and hypothesis provided below will need continuous refinement and detailing. This initial step to forge a new reading of the conflict dynamics is part of ongoing civil society efforts among Syrians to develop a new narrative and, therefore, new entry points to tackle the peace process.

Building peace in Syria will be a long and complex process. Different approaches will have to be tested along the way. External mediators and stakeholders have tried alternative methodologies; however, as is natural with processes that are not led by the local stakeholders, these approaches will remain shy and subject to considerable fluctuations. Many spoilers are not interested in advancing a vision for a viable end to the conflict. Though international stakeholders may be the biggest spoilers of the process, the local ones constitute the real blockages that can actually hamper efforts on the ground. Moreover, the people who are peace assets have not been fully identified as they exist both in loyalists and opposition camps, and are not simply situated in the middle. Many of them are afraid to stick their necks out for fear of being shamed and ostracized by their own people. To that extent, it would be very useful to understand what the spheres of influence are that define their operations. Empowering the Syrian peace assets to take charge of the peace process is essential for its success. If Syrians are not in the positions to fend off the spoilers, the process will be truncated.

This paper is not meant as a scientific research paper as much as an exploration into the various narratives used to frame the Syrian conflict. Its main use will be to test how a new narrative to support the peacebuilding process can be forged. It will help alert of the potential dead ends and bottle necks encountered while pursuing the different leads and entry points. The historical record of Syria is very diversified and biased in one way or another. Mounting typical historical

research is not going to resolve the diverging points of view on how the conflict evolved nor on its deep roots in the society. With a few exceptions, the research on Syria's modern history is marred by ideological biases, political agendas, and outright prejudice. Sticking to age old narratives on one side or another is not going to help resolve the conflict. Thus, this paper is not an attempt at setting the record straight, as much as it is an attempt to map the full spectrum of options to read the historical record. Arguments are presented purposefully without the specific "authority" of the academic historians. While the wide bibliography provided at the end of the text may refer the interested reader to follow further readings, the paper does not intend to approve or disapprove any of the past or current research on Syria. It mainly wants to explore the wide spectrum of perspectives to look into the root causes and the unfolding of the conflict.

The paper is divided into four sections. The first section will outline a broad historical perspective on the formation of the Syrian state and the main forces that defined its modern history. The second section will attempt to draw a timeline for the crisis that takes into consideration the different narratives framing the conflict and how they emerged. The third section will look at the key stakeholders that must be considered when preparing a vision for a peace process. Finally, the last section will highlight the different entry points for a peace process in the country and the possibilities of working on multiple tracks to progressively bring the country out of its very violent and bleak predicament and move it into a gradual recovery.

While an eventual "National Dialogue" process will be an essential part of that process, laying the ground for this eventual step will require more than top-down mediation efforts. A myriad of bottom up processes will need to take place to support the high level track-one approaches adopted thus far by the UN envoys. Building a viable infrastructure for peace will require that Syrian stakeholders be directly engaged and in charge of multiple local and national interventions. Eventually, the design, mandate and participation in the national dialogue can only be successful if it reflects the breadth and depth of the complex Syrian mosaic of social, economic, cultural, ideological and political actors. This paper will make a first attempt at exploring how Syrian stakeholders could be engaged in the various steps towards building a viable national dialogue platform, with the explicit understanding that this process can only emerge from Syrians negotiating it among themselves, and not from anyone pre-defining it for them.

Part 1: Historical Background

Like many of the countries in the region, Syria has two main structuring social forces. On the one hand, the traditional ethnic, religious, regional, and tribal social configurations are still very prominent and effective in mustering social loyalties, while on the other hand more modern-day economic political and ideological interests are at work. This historical review is meant to provide a rapid reminder of some of the more relevant historical markers that are at play in the current crisis.

In the late 19th century, the "millet" system or "sectarian law" was imposed to regulate religious matters in the Ottoman domain. Ever since, sectarian identities became formalized by law. Schools, religious courts, inheritance regulations, marital affairs, and even taxes became formally defined as boundaries between communities. The Ottoman "millet" law was devised as an attempt to reform and mitigate sectarian strife in the Middle East and a response to the emergence of new national identities within the Empire based on ethnic and religious affiliations. The "millet" system could not however hold the tide of local national identities splintering from the main body of the empire. The largest religious and ethnic groups in the empire were seeking independence and working towards their own national statehood. In the Arab regions of the empire the emergent Arab nationalism was particularly supported by religious minorities as the solution for their long subjugation to the Muslim Sunni "Khilafat" (religiously ordained succession of power). The idea of a state built around citizenship based on national rather than religious identity however, was not always well taken in certain circles of the still religiously minded parts of society.

The 19th century also witnessed the attempt to settle most rogue tribes in the periphery of urban areas to pacify the countryside and allow for an agrarian reform to take place. The settlement of the tribes took place over successive waves; the state used a mixture of coercion and incentive to convince tribal leaders to abandon their main sources of livelihood: seeking pasture on agricultural lands as well as raiding settlements and commercial routes. It took this transition one century to complete. Long after the Ottoman Empire ceased to exist, the successive national governments of Syria had to complete the job. The tribal structures that remained after the mid-fifties of the twentieth century

were mainly social affiliations without economic and military muscle to sustain them. Yet, as social affiliation they maintained a strong hold on their members.

The French mandate of Syria (1920-1946) attempted to bring many western style reforms to the country. The French managed to introduce bureaucratic innovations that affected mainly the urban centers of the country. However, the French devised a divide and rule approach to local politics. The mandate authorities attempted to promulgate the very short-lived Syrian constitution of 1920, established just before their arrival. The constitution envisioned a federal system for aggregating the different Syrian regions into one national entity. The French, however, used the idea more concretely to drive sectarian wedges between the regions and clearly labeled the different regions of the newly nascent Syrian state along sectarian lines. The traditional notable classes benefited greatly from the administrative reforms promulgated by the French mandate. However, the artificial boundaries created between the different federal entities went against their interests. After much political upheaval, they managed to finally revoke the federal framework codified by the colonial powers in the wake of the First World War. A draft constitution, issued in 1928, establishing the territorial integrity of the Syrian state under a central government was affirmed in 1936. A more centralized political entity emerged and the fragile nationalist forces eventually mustered sufficient clout, having benefited from the international consequences of the Second World War, to negotiate the country's final drive for independence in 1946.

The two decades that followed witnessed a series of attempts to elect western style democratic governments interspersed by a number of military coups. In 1950 a landmark constitution was approved by a general assembly elected especially for the purpose of developing the text. The 1950 constitution was in many ways a compromise between the different social and ideological forces in the country. It envisioned a parliamentary system and limited the powers of the president. However, political instability created several intervals in which top military leaders took over the government to resolve disputes among the civilians, hence, the constitution was frequently suspended. In the process, several interim constitutions were developed, often to be revoked in favor for a return to the 1950 founding text. A progressive acceptance of a strong presidency was being established to mitigate the periodic failure of the parliament to resolve internal political failures. This trend was finally fully codified in the

wake of the union with Egypt in 1958. Today many Syrians look back to the early fifties of the twentieth century as the bell époque of Syrian democracy. In fact, the constitution of 1950 is often put forward as a possible baseline for resolving the current conflict. This, rather romanticizing historicism, often fails to critically examine the shortfalls of the text in defining checks and balances that can sustain the political process and protect it from the dominant interests of urban notables.

Also, in this period the establishment of the state of Israel left a major mark on the local mood. The rapid pace of social and economic transition combined by the need to consolidate the formation of a modern nation marked a troubled period. Most of the early political movements were naïve, relied mainly on personal networks of patronage, and were structured along regionalist, tribal, ethnic and religious affiliations rather than on the basis of philosophical and ideological ideas. However, by the mid-fifties three main currents were well defined. One current was mainly representative of the urban notables. This current was divided into two main political parties (center left and center right). A second large faction of leftist/nationalist parties quibbled among themselves but eventually managed to form a coalition around the Baath party. The third main political current was formed around a few Muslim Sunni religious thinkers. This latter group was eventually identified by its largest political faction modeled after the Egyptian Muslim Brotherhood.

The pan-Arab sentiments led most political factions in the late 1950's to agree to hand over to Egypt's Gamal Abdulnasser full control over the country, in what was hoped to become the first concrete example of Arab unity. The short lived experience was reversed in 1961 when Syria seceded from the union. The dissolved political parties of Syria almost unanimously participated in the separatist move, though most of them were afraid to declare their position in the open for fear of popular pan-Arab sentiments.

Soon after Syria's secession from the union with Egypt, a coalition of leftist parties led by the Baath party took power through a major coup in 1963. The event marked a major transition in the country's internal governance. The centrist parties never recuperated after the union with Egypt. The Muslim Brotherhood went underground as their ideology was at complete odds with that of the Baath party. However, the Brotherhood maintained a large base of sympathizers among

the traditional religious networks, particularly in the main urban areas in the north of the country. Its antagonistic position vis-à-vis the state grew stronger as the Baath consolidated its control over power. In 1970 President Hafez al-Assad assumed power through a coup that culminated 7 years of power struggle within the Baath party in favor of a small faction among military leaders that were mainly, but not exclusively, members of the minority Alawi sect.

The traditional Sunni religious leaders were unhappy with the direction taken by the Baath to move the country towards secularism. This was further reinforced as the power struggle within the Baath brought mainly Alawite figures to the front of the political and security systems. Secularism became associated in their mind with the dominance of minorities and particularly Alawite forces on a society that they had dominated for so long under the aegis of Sunni majoritarian leadership in society. They made their unhappiness manifest in major street demonstrations in 1964. However, the first major confrontation with the state came in 1973. Angered by the rise to prominence of religious minorities who favored a secular constitution, the religious Sunni leaders led a major strife across the country to reject the proposed constitution. President Hafez al-Assad backed down and settled for a compromise where a minimum reference to Islam was maintained in the constitution. Assad, an arch-pragmatist politician, tried to sway the religious leaders and business elites to consolidate his regime. His first years in power marked a reversal of many of the hardline leftist policies taken by the preceding Baath hawks. He also attempted to codify the political status quo by engaging the main leftist political parties under the banner of the Progressive Front. The Progressive Front remained an empty shell designed to appease old allies, without giving them any real power. The Baath was virtually in control of every aspect of the country. Independent leftists and splinter groups from the communist party went underground and formed an important force to challenge President Assad's rule in the years to come. However, their real presence as an opposition force was always secondary to that of the Islamists.

The leaders of the Muslim Brotherhood were not satisfied with the symbolic acknowledgement of the role of Islam in the constitution and were further frustrated by the regime's dependence on Alawi and other minorities as recruits for the army and other sensitive government control nodes. Though officially the Sunnis were still a majority in all formal power structures in Syria, the real

power remained in the hands of a very close circle of Assad's trusted friends, who happened to be mainly Alawi, although not exclusively. The Sunni leaders, cautious as they were not to advocate for a violent overthrow of the regime, were being superseded by a militant splinter faction that started after the 1964 strife to promote violence as the only way to establish an Islamic government in Syria. The Vanguard as they called themselves, initiated a series of violent attacks against the state and many prominent figures of the Alawi community. Violence and counter violence culminated in 1979 with the beginning of a major uprising in the urban centers, particularly in the north of the country.

Though the militants were a minority among the ranks of the Islamic opposition they managed to attract a considerable body of sympathizers among the followers of the traditional religious leaders. The old leadership of the Brotherhood was eventually dragged into the armed conflict and they accepted the principle of violent resistance, especially since the regime did not distinguish in its retribution between the violent and non-violent elements of the Islamic movement. This fatal tactical error turned out to be the Brotherhood's main strategic mistake in the years to come, as the stigma of violence would be attached to them years after they officially abandoned violence in their struggle for power in Syria.

The regime managed to quell the resistance mainly using brutal force. However, in addition to force, the government initiated a shrewd campaign to portray the Muslim Brotherhood as a violent gang funded and supported by outside regional and international forces. The regime also managed in a clever way to separate the Islamic opposition from the secular leftist opposition. Also, the regime used local social forces against each other. In Aleppo the urban conservative religious leaders teamed up with the merchant class against the regime, so the regime used tribal leaders to balance out the urban notables. In Hama, the regime used the loyal social elements in the rural areas around the city to counterbalance the conservative urban religious mainstream. In Damascus, the merchants stood behind the regime and they were duly rewarded with major privileges as a result. The pattern of loyalties, which emerged in the aftermath of the crisis, was to endure for years to come in most areas. Thus, the supporters of the regime emerged as a privileged group and amassed the resentment of the defeated social groups.

After one last stand on the part of the Brotherhood and their supporters in the City of Hama, the regime emerged victorious from a 29 day street to street

battle that left several tens of thousands killed (estimates vary between 10,000 to 30,000 residents killed). Eventually, the pyramidal structure of the uprising was demolished from the top down. Some would claim later that this took place after Syria brokered deals with the Saudis (the main regional supporter of the uprising against the government of Hafez al-Assad) and the US (the main international nemesis of the Syrian regime). The total costs in human and economic losses were tremendous. Thousands of young people were killed or imprisoned (particularly in the cities of Hama, Aleppo and Jisr al-Chougour). Thousands more escaped and were exiled. The wrath of the state against the Muslim Brotherhood's violent uprising was sustained for years to come. The government issued a law criminalizing the Brotherhood and proscribing capital punishment for belonging to it. Many opposition activists, secular as well as religious, spent long sentences in jail. The toll was particularly hard on the Syrian human capital, as the Islamists were particularly popular among the professional trades.

The remainder of the leadership of the Brotherhood fled the country and started a process of re-evaluation. They officially reversed their stance on violence as a way to change the regime, and announced that they would work through political and peaceful channels to promote democratic reform in the country. Their new direction gained them the sympathy of some leftist opposition leaders. However, their refusal to come right out and apologize for their use of violence in the past was always used against them by the regime to maintain its refusal to accept any future rapprochement with Islamic movements. Instead the regime promoted a network of alternative loyal religious leaders to control the aspiration of the conservative Sunni population. This network was not unlike the traditional networks prevalent before the uprising, however, they were closely monitored by the security services. The regime was hoping to start a new page with the conservative forces in the society through a formal recognition of the role of the religious leaders, albeit after breeding a new generation of loyalist ones.

On the other hand, the Vanguard did not undergo a self-reexamination. If anything, many of them went on to join forces with Al-Qaeda and other radical fundamentalist Jihadist groups. A second generation of warriors was trained in Afghanistan and then following the 2001 invasion of the country (in retribution against the World Trade Center attacks) a third generation of these warriors

was dispersed throughout the world with the necessary skills to carry out sustained crusades for Jihad. Many of these itinerant warriors returned to Syria on their way to Iraq after the American-led invasion of the country. Some of them recruited young Syrians to join in the holy quest (perhaps with the tacit approval of the security forces in Syria as long as the recruits were being led to fight the American presence in the neighboring country). In that context, Syria witnessed a slow and semi clandestine re-emergence of the jihadist ideology.

The coming of Bashar al-Assad to power succeeding his father in 2000 witnessed many signs of reconciliation and opening up of the political arena in Syria. Many political prisoners were released, the infamous Mezzeh detention center used mainly to hold political prisoners was closed, and the security forces were reined in. However, internal pressure from the old guards of the regime combined with the aftermath of the 2001 World Trade Center attacks and the subsequent use of that event as a pretext to invade Iraq put the Syrian leadership in a dire predicament. Pressure was mounted by the United States on Syria to align with new American policies in the region or face severe consequences. The pressure culminated by the US led move to force Syria out of Lebanon in 2005.

The Syrian leadership responded to the increasing pressure by cracking down on political dissent internally, and by re-aligning itself regionally to secure new points of support by strengthening its relation with Iran and opening a new page in its relation to Turkey. This latter relationship necessitated major concessions on the part of Syria. In return these concessions opened up the door for Turkey to consolidate its role as a major player in the region. Syria subsequently re-engineered its political positioning and opened up to European and Arab partners, balancing its poor relations with the US with what promised to be great relations with its closer regional neighbors. This latter issue was not acceptable to many hawks in Washington. The situation was further exacerbated by the Syrians turning a blind eye to, or, according to US accusations, supporting fundamentalist jihadist infiltrators using Syria as a base to go into Iraq and engage in anti-American activities there.

On the internal front, President Assad, the son, tried to slowly cleanse his entourage from key old guards by replacing them with younger people. In the meanwhile, he had to keep in mind a very careful balance of power to meet external challenges without losing his traditional base of support. His main fo-

cus in mustering local support was concentrated on creating sufficient stimulus in the local economy to attract a new class of economic elites to build a strong interest group around his regime, as well as create a surplus to improve the living standard of the middle class. His entry point to reform was specifically centered on economic reform, as it was the path of least resistance and the main priority voiced by the majority of Syrians at the time after years of failed socialist policies promoted by the Baath.

However, the focus on economic reform was not matched with equal attention to political reform, which in turn allowed for a business-as-usual attitude. Corruption ran wild in many circles of personal patronage networks comprised of key figures in government, party, and security forces. Often key figures in the family of Assad were either directly linked or closely associated with these networks, creating a perception of a closed circuit of top beneficiaries from the economic liberalization efforts allowed by the regime. Yet, the network was still wide enough that both new and traditional business elites in the main urban centers went along with it. Where the circle was much closer was on the level of political power. Here, in contrast to his openness to expand the business stakeholder pool, Assad narrowed the pool of power brokers. The formal powers of the state were never the real center of power in the Baathist Syria. However, President Assad, the son, went on redefining the authority of the informal and hidden power structures of the security apparatus. A close knit circle of key figures among the president's relatives and close advisers consolidated power in an ever narrowing spectrum of actors. This alienated many of the key figures even in the security sector. While the move was essential to curb the abuses of the security sector, it had two unintended results. On the one hand, the move created a bottle neck for decision making at the very top of the pyramid. This was detrimental to being able to systematically respond to the challenges that the regime would face in 2011. On the other hand, the move visibly put Assad himself and his close family members directly in the public eye as the motor behind any action taken by his security officers. A mistake his father was always keen to avoid. Indeed, many jokes in Syria were promulgated by the regime of Havez al-Assad to dissociate the head of the regime from the crimes of his regime.

An uneven emphasis on economic liberalization created a strong emphasis on development in the major urban areas, but this development was disproportionate. Smaller cities and rural areas received less than their fair share of at-

tention; services for poorer neighborhoods in the big cities were marred by cumbersome bureaucracies and corrupt officials. New land for housing development did not match the rapid pace of population growth in the cities. Despite the fact that by the end of the first decade of the 21st century Syria was able to supersede, through key incentives to the private sector, peak production rates in the 1980's the housing gap remained largely insurmountable. By the end of the first decade of the twenty first century, the culmination of several decades of neglect made more than a third of the urban residents of major cities into slum dwellers (the percentages are even higher for Damascus and Aleppo, the two largest cities).

Western aid to resolve the problem was hampered by petty bureaucrats who refused to let go of their personal interests and support the reform process. International aid agencies were reluctant to rock the boat for fear of jeopardizing their position and disturbing the delicate diplomacy with the Syrian government. Reforms focusing on municipal and local government faced major resistance and coercion from the centralist bureaucracies in Damascus.

In the laissez-faire attitude toward corruption, various communities in Syria cultivated informal economies defined only by their highly localized advantages and disadvantages. The economic networks linking different parts of the country together remained very formal and influential on the macro-economic level, but hardly trickled down to affect people's lives directly. Economic growth in most of the border towns and villages was hampered by a longstanding war ordinance severely limiting opportunities for real-estate development; the government had to scrutinize every real-estate deal for fear of demographic shifts taking place in security fragile areas. Most residents in these areas turned to smuggling networks to support their livelihoods, often with the tacit approval of local officials and sometimes in partnership with local security officials. In the bigger towns, plagued by inefficient bureaucracies and corrupt planning authorities, residents had to bribe their way to establish the right for their informal businesses to operate in the dense bureaucratic web of socialist time regulations, still operative despite the proclaimed economic reforms pushed on the national level. The structure of the economy was creating two policy frameworks one for the formal economy, which benefited a growing but still limited elite, and one for the population at large. Though the national economy overall was growing at a relatively rapid pace, especially after major

reforms to vital sectors (such as banking) kicked in after 2004, the dividends of the growth were being inequitably distributed. The middle class was growing; poverty was being reduced progressively (though success was fragile and shallow); and new sectors were emerging to create white collar jobs. Yet for the majority of the population, the perception of in-equality combined by the subjugation to daily corruption and indignation added insult to injury.

The tenth five-year plan (2005-2010) achieved most of its economic reform goals and actually produced remarkable shifts on many fronts (expanding the middle class, reducing unemployment, rejuvenating the housing construction industry, etc.). Yet, even according to the government's own evaluation it failed miserably at achieving any of the intended, albeit modest, institutional and political reforms. The patronage networks created between top government officials, Baath party cadres, security officers, and business elites were extremely powerful and involved people in the immediate entourage of the president. No one dared challenge their interests, though perceptions of their power were often larger than life. Reforms therefore were often seen as selective. Many in the population started to see them as nothing more than legitimization techniques for the crony networks. The impact of the economic reforms was not allowed to trickle down fast enough as political reforms were being stalled.

Internally, many opposition forces, quelled after pressure was mounted on President Assad by his old guard, managed to regroup. Ironically some of the ousted old guards joined forces with key opposition leaders. Also, in a strange twist of events, the leftist opposition (mainly working on human rights monitoring and advocacy in the country) started taking affinity to the Islamist opposition. The official position of the Muslim Brotherhood leadership and their sympathizers was heralded by the leftists as a return to the democratic base of the outlawed party. The leftist and independent opposition leaders focused on the official discourse of the Brotherhood, ignoring or downplaying the existence of serious violent elements adopting hardened fundamentalist Islamist ideology. These tendencies re-emerged at the first confrontations with the regime in 2011, as we shall see later. Only this time the confusion about the stance of the Brotherhood masked the surprisingly more powerful role played by the third generation of Jihadists returning from Iraq.

The government's crackdown on the jihadists in the wake of several terrorist attacks in the country (as Syria was trying to curb the more hardened fundamentalist networks to re-establish good security liaisons with the west) was criticized by the human rights advocates, but in their attempt to blame the Syrian regime for its crack-down on human rights most of these activists failed to see the danger of an emerging jihadist ideology among the followers of traditional religious leaders. Human rights activists tend to have diversified social and political backgrounds, but they mainly represent a new young leftist vision for activism in the country. They are a vocal but small group and often lack popular understanding for their activism. A re-alliance was being inadvertently created (just like the uprising of 1979) between secular opposition and fundamentalist forces in the country. As the two groups diverge on almost all other issues, there was little coordination on developing a political platform or vision for challenging the regime, and to a lesser degree on what to do after the regime was removed, and still less on how to oppose the regime.

Nonetheless, an uneasy alliance emerged between the secular leftist opposition leaders and the Brotherhood. With each side benefiting from the activism of the other, putting to the side the need to forgive each other's previous trespasses. The joint objective of toppling the regime took precedent over all other considerations. All disagreements relating to the nature of the "post-Assad" state would have to wait until later. Some kind of basic outline for a future democratic state was seen as a sufficient common denominator to provide a shared objective. The common denominators were reduced to abstract slogans like dignity, civility, etc., slogans that were articulated innocently by the first demonstrators in March of 2011, who took to the streets to express their refusal to live in fear and to remain subjugated to petty cronyism and corruption. Yet, these slogans greatly obscured the complex and diversified web of interests and ideologies at play within the Syrian society at large and the opposition in particular.

Part 2: Timeline of the Conflict

The following is a basic narrative to start outlining a timeline for the conflict. A full-blown effort to draw an exhaustive timeline would require more detailed research. This research would need to be more inclusive and focus on the different narratives. The aim here is not to produce an academic text as much as to work with different stakeholders in order to develop a new narrative for peacebuilding out of the quagmire of narratives fomenting conflict and war. To that extent, this text is an attempt to redress different viewpoints so as to understand the situation as it evolved and as a way to shift intransigent positions and perceptions on how the violence started and, most importantly, on where the violence has taken the country.

The Initial Phase

The Arab Spring, as the series of revolts and uprisings that rocked many of the regimes in the Near East and North Africa came to be called, caught everyone by surprise. The first two revolts in the sequence happened very quickly. No one was able to understand the sequence of events that led to them. Nor did any one analyze the specifics of each revolt in order to understand its inner workings. Every real and bogus expert engaged by the media ventured an explanation of what happened and drew conclusions on lessons learned. Most attempts at analyzing the situation provided superficial analyses that required further substantiation and verification. The flow of events is still too rapid to allow for any comprehensive bird's-eye-view of the process, particularly, as the ebb and flow of democratic outcomes are not yet very secure in many of the Arab Spring countries.

The revolts in Tunisia and Egypt set the tone for the hastily constructed reductionist stories about the nature of the social movements that were unfolding more quickly than what the international media could decipher was happening. These two stories were soon thwarted. For the most part it was impossible to continue to portray the events under the rubric of defunct narratives. Nonetheless, the two revolts were certainly instrumental in developing key parallels that were used to explain the situation in other countries later on. Libya, Yemen, Bahrain, Syria, and Iraq were only the most prominent and evident examples. Agitations in Saudi Arabia, Morocco and Algeria were brewing under

the surface, but were quickly quelled or contained. It is evident that the barrier of fear was now broken. Disenchanted young people everywhere were quick to learn from each other the tricks of revolution, albeit without understanding the deeper implications of their revolts and in many cases without having a clear plan of what to do and certainly without any clear political vision beyond the downfall of their regimes.

The absence of a clear agency to explain the narratives in sociological, political and psychological terms often led to the sort of mythologized portrayals we came to hear often in the news: the people want, the regime killed, the outside agitators, the bullies, they, us, etc. These categories reflected little reality and often served no other purpose but to obfuscate either the ignorance of social behavior, the complicit obscuring of external agency, or a combination of both. Those critical moments that framed the Arab Spring narratives were instrumental in instilling intransigent positions that are not very helpful today in attempting to develop counter positions for peacebuilding and social cohesion in the region as a whole.

Thus, that first framing of the rebellions developed lasting and characteristic trademarks. Young people emulated each other across the region to ensure that they did not miss out on any of the distinguishing trendy features of a revolution. Every revolution had to have certain hand gestures, serious and funny slogans, benchmark names to mark the successive Friday demonstrations, a liberated public space to claim as theirs, Facebook sites, twitter networks, etc. The sudden emergence of a new pop culture did not elude major media outlets that started to cater to this new audience and promote its culture. But more importantly, the patterns that emerged became a self-fulfilling and self-perpetuating prophecy. On the opposite side, the responses of governments, regime figures and power elites proved ineffective. Government heads fell one after another, leading to important lessons learned for remaining regimes in the area. A search for alternative narratives was needed, but more importantly a search for new mechanisms to substantiate those narratives was also in order. The conflict in Syria is partially born from the Syrian regime's reworking of its basic propaganda machine, but it is also a field where other Arab rulers were trying to work out a new narrative for the Arab Spring as an Islamist movement and not a democratic one.

In Syria, the initial demonstrations were to follow the then almost standard pattern of Arab Spring revolutions. The starting point of the revolt, however, was not exactly similar to that of other Arab countries. It took the new insurrection a few weeks before it could align the specific starting point of the Syrian rebellion with the acknowledged format of other Arab Spring rebellions. During those first few weeks, the story just did not fit: the slogans were out of place, obviously the work of an outside model that did not match the specific Syrian flow of events. That discrepancy allowed the regime to drive a major wedge into the credibility of the story and to cast a shadow on the legitimacy of the opposition. It was obvious that the interior voices of opposition were not in accord with the external voices being egged on by Syrians in exile. Despite major mistakes conducted by the regime in terms of crowd control, the propaganda machine was able to amass a considerable following and to quickly group its loyal social forces before the opposition was able to consolidate a credible position in the sphere of public opinion, thereby depriving the opposition the advantage of surprise.

Public opinion is not a unitary mass of people. From a sociological point of view, public opinion can best be described as a dynamic multitude of intersecting spheres of influence. People enter into and out of these spheres. Their positions are usually divided between economic, social, ethnic, religious and regionalist priorities. Therefore, their opinions will be influenced by contradictory and/or overlapping sets of considerations. It is, therefore, naïve to think that Syria's diversified society, as outlined earlier, could be summed up in one position or another (see part 3 for a more elaborate attempt at mapping key stakeholders). To understand the Syrian crisis one must by all means avoid easy generalizations, the sorts used both by the regime as well as the diverse opposition forces. Unfortunately, most public discourse on the Syrian crisis is nothing more than a crude regurgitating of the sort of stereotypes popularized by other Arab Spring revolutions. Slogans like "the people demand", "the rights of the Syrian people", and, the official discourse's favorite, "our people" may be popular in the media but are actually causing more harm than good in terms of understanding the situation in order to reduce the violence.

As we have observed earlier, there is no one body or ideology that can group or meld the various disenchanted groups standing against a political order. The immediate stimulus for the Syrian uprising happened to be a conflict between a

few tribal leaders in the southern city of Daraa with local party and security officials there. It could have been any other trigger. However, the first blood was shed in a tribal context. Regardless, of who started that blood shed (the government has still to publish the results of the investigation it promised to launch on the subject) the tribal context produced a certain pattern of retributions and counter-retributions that was soon to spread throughout Syria.

What is interesting, on the other hand, is the distribution of the cities and localities that followed suite. The subsequent demonstrations emerged in governorates where the Baath party had its largest membership (Idleb, Deir Zorr, Latakia and Tartous), in addition to Daraa that was particularly famous for being the "reservoir of the Baath". If the pattern is indicative of anything it is that the strong presence of the Baath in those regions was being perceived particularly negatively by the local population, who generally had seen a few climb up the corrupt ladder of public service, party echelons and security sector ranks while the gap between those who had power and those who did not had grown wider over the previous four decades. This perception would be worth studying in more detail at a future stage as the standing narrative of both the external opposition in exile and the regime has mainly focused on the economic root causes of discontent. The opposition, however, started changing its narrative in order to point out corruption and the indignity to which people had been subjugated during the last 40 years of Assad family rule. Indeed, neither narrative is complete. Despite attempts by the different think tanks no evidence can clearly point to a very specific condition that led to people taking to the street, at least not a generalized cause that can explain the turn of events in every locality.

One of the biggest motors for the aggravated situation in Syria as opposed to the other Arab Spring countries is that everyone perceived that their own story and agony was representative of all other Syrians, therefore, almost everyone took for granted the motivations of others. A good deal of time would lapse before Syrians discovered that their narratives were at odds. Even today many still refuse to admit this divergence for fear of undermining their initial position and delegitimizing their current intransigence. The unfolding of the Syrian conflict is very much interlinked to the way narratives of agony were constructed to frame it. Future efforts to stop the war will need to develop alternative narratives if progress is to be made towards negotiation and reconciliation.

Many of the disenchanted groups throughout the country were quick to seize the opportunity to launch demonstrations against state brutality and in solidarity with the Daraa uprising. The first manifestations were timid and addressed only the need to stop violence and initiate reforms. However, within the first few weeks, slogans shifted to demanding the downfall of the regime, with a minority of them already using sectarian language. The brutality of the security forces in response to the demonstrators was pointed to by opposition activists as the main reason for this shift. Thus, with a bit of irony it was the regime's brutality that gave the opposition a common platform to stand on. At the beginning of the crisis there was no opposition political formation to speak of. State brutality consolidated nascent opposition groups and gave them a shared identity as victims. In reality there was no political agenda or vision under which the various opposition ideologies could unite, except their rejection of the current regime. The downfall of the regime was the only possible rallying point for the interests of a diverse stakeholder pool (please refer to part three for more detail).

As the uprising expanded and the brutality of the security forces increased, a pattern of counter-violence became evident. Though the international media still like to promote their simplified version of events, it is now commonly noted by researchers that very crude self-defense attempts were used by the demonstrators and that a few started arming themselves, perhaps as early as April 2011, within a matter of two weeks, if not earlier, from the beginning of the uprising. Most of the early opposition initiated violence represents no more than crude techniques adopted by some young people on the margins of local demonstrations to deter security forces from coming too close or to divert their attention while the demonstrations went on elsewhere. However, in a few incidents complicated ambushes were organized. Regime propagandists were quick to use the existence of this minor level of counter violence in outlining a claim that a conspiracy against Syria was behind the insurrection.

The narrative was being consolidated on the loyalist side around the following lines: violence against army and police officers was proof that foreign support, funds, arms, strategic thinking, and even militants were part of a grander scheme working against Syria's nationalist stance in the Arab-Israeli conflict. President Assad used a large part of his first speech after the beginning of the crisis to highlight the elements of the conspiracy, which further agitated young

opposition groups, as they were angered by his refusal to see their uprising as a peaceful one. President Assad identified two forces at play: the conspirators and the legitimate demands for reform. However, in the subsequent days and weeks the public media, state and party officials and groups loyal to the state were quick to take public stances against any one daring to criticize the government. Retributions included public ridicule, discontinuing on-air interviews, firing people from their jobs and outright assault. In the three years that followed, the pro-regime narrative became more and more hardened. Progressively the circle of culprits expanded, beginning with targeting demonstrators, then critics and later moving to a policy of denouncing what they called the "social incubator" of the conspiracy. Along the way, the levels of violence targeting these culprits also increased.

Within the first few weeks, two poles emerged. One was with, the other against: a bullhorn for the regime or an infiltrator; a Shabih (a member of the pro-regime gangs) or a Mundas (the Arabic word for infiltrator). This polarization was to persist even when both sides started fragmenting politically and militarily, as we shall see in later phases of the conflict. A certain moral boundary was forged. It would become difficult for all sides to cross over it from now on.

The term Shabih itself is very interesting. Before the uprising, the term referred to a specific class of rich people, often sons of corrupt officials, who drove state issued Mercedes Benz cars of the model known in Arabic as the Shabah (Ghost) and their entourage and chauffeurs. Many of these people were also involved in the underground smuggling business, hence another reason to slap the ghost metaphor on them. The term has some racist undertones as it is often used as a derogatory term for Alawites in general. However, after the beginning of the uprising, the opposition was seeking a term to refer to thugs loyal to the state, not unlike the Egyptian "baltagi" that became famous after state hired thugs rushed into the Maydan Tahrir in Cairo on camel backs. The use of the term emerged as an imitation of an essential leitmotif of the Arab Spring. Regardless of how the term evolved, groups loyal to the regime started clashing with groups in the opposition (in only some parts of the country at first). Each side was accusing the other of committing violence on the street in order to earn a little pocket money, implying that the other side is only motivated by greed. Indeed, cash incentives were occasionally disbursed on both sides of the fence, albeit the astronomical sums suggested were clearly over exaggerated.

In an attempt to gain the upper hand in the moral battle, each side mobilized media sympathetic to their cause. Crude clips taken by shaky mobile phones and vague distant shots fueled web sites and were subsequently aired by major TV stations. Though many of the films are genuine, a considerable part was actually either doctored or staged. The regime in this regard is as guilty as the demonstrators. The footage was produced by both sides to play a major role in the emotional battle waged by the both sides over the minds and souls of the Syrian people. Whereas the government official news agencies, renowned for their false and biased reporting, were immediately rejected by many Syrians (except those wholeheartedly loyal to the regime), even those sitting on the fence, the clips produced by the opposition were at first accepted as credible. The Western and Arab media were uploading them with almost complete lack of consideration for journalistic ethics regarding the verification of one's source of information.

The media played a major role in polarizing people in the country. The Syrian media was quick to accuse anyone who dared to question the official narrative of aiding the conspiracy against Syria. While the international media, particularly some Arab media channels funded by key gulf States, were upset about being chased out of the main story and frustrated about not being allowed to play the same role they played in other Arab Spring revolutions, took to delegitimizing anything that remotely resembled the official Syrian discourse. One of the interesting aspects of the media war is the way the media channels reported on each other's reports, trying to undermine the credibility of the other side's story. In an ironic twist, certain videos were passed to the other side. Betting on the lack of diligence in verifying sources and the media's hunger for any material that would prove its point of view, many videos were passed as authentic proof of the other side's crimes. Then after these were aired and circulated on social media, the original party would issue a more complete version of the video showing how the scene was actually staged. The media wars were an essential weapon in the ongoing conflict and a major precursor to the actual fully fledged war.

However, despite some innovative local messages, the main pattern of the media coverage of the Syrian events remained within the confines of stereotypical portrayals of the Arab Spring in general. In order to explain to international audiences what was happening in Syria, it was much easier to relate it to nar-

ratives that were already being codified in other countries in the region. The pace of events was so rapid that the media had little time to process, verify, cross check, research or uphold journalistic standards. The easiest way to keep pace was to use simplified concepts that emerged as the defining narrative of an Arab revolt in the international media: Corrupt Arab ruler; anyone who supports them is a mercenary; peaceful demonstrators being killed by the regime; Western powers stand on the side of the moral right; justice prevails; democracy is introduced to the region; Islamists make a turn around and participate in the democratic process alongside the secularists; of course, such a culture will have some difficulty adjusting to democracy at first; and, there might be some sectarian strife but it will soon be overcome and everyone will live happily ever after.

To counter such narratives the pro-government media developed a story that went along the following lines: A nationalist leader stands in opposition to Western imperialist intrigues; traitor Arab regimes conspire with the Islamist extremists in the country to launch a fifth column to destabilize the county (by specifically targeting minorities and threatening the peaceful coexistence among Syrian communities); Western colonialists put pressure on the Security Council; Western powers are positioning themselves to divide the country; and, Israel would emerge as the victor but for the vigilance of the Leader and his wisdom. Of course, there are rightful demands by the protesters, but they are being misused by the conspirators. So, the government is working very hard to meet people's demands, thus, demonstrations are very unpatriotic as they give a pretext for the terrorist to operate freely. People would do better to go home because reform is coming, after the conspiracy is defeated.

The caricaturistic summary of events was constructed to simplify the moral questions and to meet the need for a quick answer to the crisis. Hardly anyone expected the rebellion to drag on. The opposition was hoping to take the regime by surprise, thinking that the flow of events in Tunisia and Egypt would be repeated in Syria with the help of international pressure. Indeed, international pressure was mounting, either in the form of "friendly advice" coming from Turkey and Qatar to bring the Muslim Brotherhood into the government, or, in the form of European and American embargos and the blacklisting of regime figures, not to mention some initial shipments of weapons. On the other hand, the regime protagonists thought this would require no more than a quick fix.

If they just did not panic like Bin Ali and Mubarak, and endured the first wave of protests, they would emerge victorious. After all, the regime was assured the support of its international friends. The opposition was employing cut and paste revolutionary clichés from the Arab Spring; the regime was rehashing its old techniques of handling popular disenchantment from its previous encounters with Islamists some thirty years ago.

In turn, one should also be careful not to simplify the analysis. Neither the opposition nor the regime comprised a unified body with centralized command and control structures. Although the regime had more of a core command structure it was rapidly delegating local decision making to commanders in the field and these people often acted according to limited tactical visions and/or personal interests. Despite the attempts of the media inside and outside Syria to reduce the complexity of the moral narrative, Syrian society must be seen as a complex model of loyalties, interests and, above all, histories. In a strange turn of events both sides have helped each other in consolidating an identity by reducing the other side to a caricature.

Militarization

The uprising took approximately 7-8 months before things took a turn for the worst and the limited violence exhibited by a few rogue elements in the midst of generally peaceful demonstrations was to be irrevocably transformed into an armed insurgency. Two issues defined that transformation. The first was two highly publicized massacres committed by militants in the cities of Jisr al-Shoghour (a small city that has a long standing grudge against the regime from the earlier days of 1979) and Deir Zorr. The regime stepped up its violent repression as a consequence, convinced this time that the opposition was being moved and/or supported by foreign powers beyond the initial sympathies of local youths, and that radical elements among its old Islamist nemesis were igniting a sectarian based fight. The other turning point was the beginning of defections in the ranks of the army by petty officers and regular soldiers refusing to participate in the killing. These initial defectors were hidden byand protected among sympathetic communities. The first turn of events, thus, contradicts the usually accepted narrative that the free Syrian army was created to protect the peaceful demonstrators. At first it was the peaceful demonstrators that provided refuge for defectors.

Almost seven months after the beginning of the uprising in Syria, small groups of defectors decided to make a stand in demonstrations to protect the demonstrators from the brutality of the regime operatives, be it army, security, or thugs. The turnover was highly mediatized, Arab networks were eager to promote the militarization of the conflict and various anecdotes exist and have been noted by many researchers to suggest that a certain pattern of incentives was provided for specific types of stories, mainly those with army and public servant defections, to the detriment of stories covering peaceful demonstrations. The largest prices paid by some media outlets for videos coming out of Syria were tagged for videos where the insurgents would carry specific references to Islamic symbols and nomenclature.

At that same time various non-state networks were collecting funds in conservative Gulf circles and were delivering the money by hand to representatives of the newly formed armed groups in Turkey, Jordan and Lebanon. The vetting of the right recipients was naturally taking place along lines suitable to the donor's ideology. Many of the initial brigades were created with specifically symbolic Islamic names and their commanders adopted a visibly more conservative outlook in their dress code and language to ensure the flow of money and support to their operations inside Syria. The flow of resources progressively produced a real shift of attitudes as the clothing disguises combined with an increasing brutality by the regime hardened the traditionally conservative Syrians into increasingly more hard line stances.

Small groups in search of patrons soon established a certain code for operation that matched their patron's expectations. Regular feeds on the social media networks would support their claims and justify the use of resources. YouTube was not just a manner of boasting, it was also the "monitoring and evaluation" mechanism adopted by most donors (including at times the humanitarian ones). As a result, the conflict in Syria became the first major conflict to be almost fully mediatized. It became subsequently possible to track the geometry and structure of the insurgents by simple data mining techniques. Many outside observers have established such data mining functions either to map peaceful resistance to the regime or to track the militants. Subsequently, a particular pattern can be carefully qualified as the dominant pattern in the conflict. The basic building blocks with the insurgents involved small units that have a high level of solidarity under the command of a local charismatic leader.

These units would move for the most part to join other units and establish local alliances and/or would splinter from larger alliances and establish new ones. Eventually some of the better endowed leaders emerge by virtue of their access to external funds and/or resources. Being scarce, weapons were being traded (particularly munitions). Small amounts were being smuggled from across the border, but the bulk had to be won by fighting remote regime units and capturing their small munitions' caches. Many local leaders started focusing on trading in light arms and bullets. The market suddenly created a major demand that informal economies in neighboring countries were quick to fill. The beginning of a small war time economy was set in motion. By 2013, the trade in bullets for the AK-47 machine guns alone is estimated to have created a market exceeding in volume the record values of Syria's wheat production (after a particularly rainy season).

Early attempts at consolidating these small units showed very limited success. Such an effort went against the grain of the funding and support mechanism. Branding the brigades was an essential part of their obtaining funds. A structured army must have command and control hierarchies, standard operating procedures and a unified brand. No one was willing to give up their structure and brand without having something in return. Yet, no one was able to create a viable funding source to sustain the efforts of consolidation. As a result the emerging Free Syrian Army was more of a franchise than an army. Commanders led by charisma rather than by order. Local priorities superseded strategic ones. And the more radically inclined donors refused letting their units fight under any banners other than strictly Islamist ones. Thus, whole brigades remained nominally part of the FSA, but operated entirely independently. Every new operation needed the re-invention of vital coordination protocols, thus wasting valuable resources and time.

On the regime end, the sheer geographic distribution of the conflict spread the regime's resources very thin. At that stage the regime was still operating mainly under a regular command and control structure, albeit local commanders were given some leeway to manage the battle field from their vantage point. Yet, already some early signs of the dissolution of the original mandates of particular units were evident. The different security branches were competing for visibility with top commanders as well as access to looting and other wartime small favors. Little coordination was taking place. Haphazard judgments were

involved in deciding whether a particular person would be taken for investigation by the military branch or by the political branch. Initial reforms to create a unified data base to allow the different branches to share intelligence led to some very crude coordination techniques to ensure that a person would not be released until all branches had reviewed the file. The changes often heralded by the regime as a sign of reform were frequently translated into further tools of repression.

Little by little, the regime's assets were no longer required to follow their mandates based on a defined scope of security competencies. In each region, they were divided along geographic lines, where each commander was partly in control of the affairs of his own sector. At first, the informal Shaibiha units were used as a trump card to respond rapidly to demonstrators. Eventually, they were also given particular sectors to control. Having to leave their sector was treated as a raid and would then have to be compensated for either with extra incentives or with part of the loot. In many places individual rogue officers allowed their Shabiha recruits to loot the areas they had just pacified. A pattern would emerge in later phases of the conflict where the loot became part of the vicious cycle of the war. However, the loot pattern was not universal at first. Many local commanders actually stood firm on the official rules of engagement and earned the respect of the local communities where they operated. Nonetheless, a few rogue elements eventually filled the public imagination and created a dominant pattern, despite the existing exceptions.

In the months that followed the militarization of the conflict, levels of violence had risen several fold culminating in July of 2012 with a major opposition offensive on Damascus and Aleppo, the two largest cities in the country. The push was further complicated when a major explosion rocked the main meeting place where the top government commanders had their daily coordination meeting. The explosion claimed the lives of Assad's brother-in-law (General Asef Shawkat) and the vice president and chief military advisor (General Hasan Torkmani). It also seriously injured the minister of defense. This push marked another major turning point in the conflict.

While the regime was focusing on protecting Damascus from the attack, various opposition units improved their positions particularly inside the city of Aleppo, which ended up being divided into two parts before the regime re-

gained enough force to halt the advance. The city of Rakka was completely evacuated by the regime and almost handed over to a coalition of the most radical jihadist groups among the rebels, even though the city had barely witnessed any troubles in the past and was mainly the refuge for the internally displaced people coming from further east. Major gains for the rebels also took place in central Syria and in Daraa. By the end of 2012 it looked like the regime was losing grounds. Even the presidential palace in Damascus had come into the firing range of the oppositional mortar shells.

The militarization of the conflict, it should be pointed out, was often justified by most opposition forces as a necessary predicament that was forced on them to protect civilians. Yet, in real time what the militarization actually achieved was augmenting the cycle of violence. A timeline of the deaths and killing shows a dramatic increase in the number of dead among militants as well as civilians after the militarization. People involved in the fighting say that they had no chance, that it was not a decision to fight, but that they were forced to do so to defend their communities from regime violence. One of the most important aspects regarding shifting the narrative and transforming the conflict must focus on how the militarization has brought more death and mayhem to civilians. The main achievement of the militarization of the conflict was not a reduction in the number of the dead, but ensuring that the killers did not go free. In the overall figures that have been accumulated by the Center for Human Rights in London, over half of the approximately 170,000 figure proposed as the number of dead in Syria (at the time of writing) represents army and loyalist militia casualties. Militarization would level the killing field, but it is the single most determining factor for the increased number of civilian casualties (the asymmetrical responsibility of the regime over the violence not withstanding).

On the political front, the situation was equally precarious. The various efforts to amalgamate the different factions, old as well as new, were not very effective. The Syrian regime had assured the population over decades that the political life of Syria was devoid of any social roots. Though many political parties and opposition groups had operated clandestinely in the past, and though many Syrians never gave up the idea of opposing the regime over the years despite the regime's carrot and stick policy to dissuade them, most pre-conflict political entities had a negligible representational mandate. Personal cult was the dominant feature and for the most part disparities among groups often

involved personal rather than clear ideological disagreements. International stakeholders eager to oust Assad were in turn not particularly interested in creating a viable process to allow the oppositional forces to expand their roots on the ground and negotiate the emergence of a new leadership. Most envoys were scoping for names they could install at the helm of a unified political body that could act as an interim government. The model was again borrowed very rapidly from Libya. The search was on for credible figures that could provide a symbolic rallying point to the largest opposition spectrum.

In the process, a mindset was being created among Syrians oppositional figures that they should be the ones occupying the front row. As resources for sustaining many of the political processes could not be amassed from the grassroots, the attention of most opposition leaders was set on outside patrons to provide the necessary resources to solidify their visibility and role. A few of the main opposition groups that emerged are highlighted in the next part in a greater detail. However, for the sake of completing the time frame exercise, it is important to mark the rift that emerged between two main groupings at this early stage of the conflict. On the one hand, there were forces that were whole-heartedly committed to supporting the armed revolution all the way, seeking to remove the regime from the top down. Their main strategy was to create sufficient international clout to support their positioning as the sole representative of the Syrian people (claiming legitimacy through international recognition). While the second type of smaller opposition groups were skeptical about the prospect of using violence as a tool for resolving the conflict. To different degrees they were amenable to explore political options to negotiate.

Attempts to coordinate the two types culminated in a meeting in Cairo where an important protocol was devised, but never actually implemented. The international stakeholders who in turn formed a friends-of-Syria group were clearly in favor of working with the first group and providing substantial, but not sufficient, resources to consolidate their position as the sole representative of the Syrian people, a position the rest of the Syrian opposition was not willing to concede to. Both sides would stick to that original rift and another intransigent dividing line would persist with its own narratives. The more permanent pattern of searching for credible figures that could be acceptable to all external stakeholders, rather than a credible process of representing the different social forces in Syria, continued to undermine the emergence of a reliable

political leadership. Turkey and Qatar were particularly keen on having the Muslim Brotherhood lead the process and the first version of this body (the Syrian National Council or SNC) was heavily dominated by the Brotherhood. Under pressure to diversify and satisfy other donor states a wider coalition was formed. It was called the Syrian National Coalition for Revolutionary and Oppositional Forces (NC). The SNC decided to join the SOC as one block, thus forming the NC's major voting block and allowing the Brotherhood to continue to hold sway over the SOC through their control over the SNC. The body was hosted in Turkey and was given just enough resources to provide some basic management and oversight over the less radical units of the FSA as well as provide limited humanitarian aid and minimal governance functions.

Clearly the SOC was lifted to a position of prominence among the opposition, outweighing the other groups. Yet, in the final count, none of the political opposition groups, be they independent or sponsored by external stakeholders, remained detached from the ground. Attempts to expand political roots mandated either by a self-conscious need for legitimization or under pressure from international sponsors remained shy of their goal. On the ground, alliances were being formed and dismantled everyday depending on where the funding was coming from. The political game had long been lost from the hands of Syrian stakeholders. Political factions could effectuate the situation only in so far as they could provide funds to rebel areas. Individual factions in the opposition were more eager to build personal patronage political networks than to build political constituency for the SOC as such. Funds were therefore arriving in small chunks, some times in the name of the Brotherhood, other times in the name of this or that figure among the top leadership of the NC. Local actors on the ground learned to play the patrons against each other to maximize their return. The political climate was anything but conducive to the emergence of viable political bodies that could take the initiative and lead the process.

This has consecrated a situation where the militants had considerably more visibility among local communities than the political leaders. Brigade leaders had the added advantage of monopolizing aid going into their local constituencies. Local communities could not verify who the sender of aid was, but they could tell that the militants were the ones delivering. This was a ripe climate for new types of alliances to emerge. The militants eager to develop a voice for their movement turned to the more radical Islamist figures willing to be on the

ground with them. Progressively, the political outlook of the conflict was being painted along lines that the regime warned from the very beginning would happen. The scene was set for the next transformation of the conflict.

The Civil War

In the narrow definition of civil wars, Syria entered into civil war the moment the conflict became militarized. The number of victims had already reached over a 1000 people and the conflict was already acquiring sectarian and regionalist undertones. To that extent the civil war is not a new phase along the timeline of the conflict. Yet the longer the conflict is drawn out the more the impact of the war is visible along lines often associated in the public imagination as clear civil war narratives. Sectarian narratives, violence for greed not creed, disintegrated state functions, and mass exodus of civilian populations, etc.

Many in Syria would object to the term "civil war" as they still see the situation in light of their initial perceptions of the starting conditions (revolution against a repressive regime or a conspiracy by outside forces employing radical and terrorist elements). The term civil war is a de-legitimization of their moral positioning in the conflict. Ironically with the entrance of so many outside parties to support this side or that, many have the perception that the conflict in Syria has transformed the situation into a proxy war between the regional and international superpowers on Syrian land. Indeed both sides, those who legitimize their belligerence by adopting the moral precepts of the revolution or those fighting terrorism and international conspiracy, share abhorrence to the term because it questions their own responsibility for the continuation of the violence, if not for starting it. The anti-regime forces have particular difficulty in accepting this as they refer to the initial phases of the conflict where the regime was the main perpetrator of the killing.

Assad personally rejected the term on various occasions, indirectly refereeing to the State's right to monopolize violence as an essential element of keeping the social contract. In his construction of a narrative, the insurgency is an external conspiracy. But when some Syrians sympathize with it, they become legitimate targets of state violence as they are abandoning the social contract. Any narrative based on defining civil war on the basis of the failure of state and social institutions to contain disagreement leading to an outbreak of substan-

tive violence (the technical definition of civil war) would discredit the legalistic basis of his argument, not to mention the populist fear mongering against radical Islamists.

To that extent, the intensification of the fighting is not the defining marker of this phase. Indeed, while the major military theatre was occupying the attention of the main media coverage on Syria in the previous phase, some deep transformations were taking place in the geometry of the conflict from the onset, but only emerged as the dominant leitmotif by mid-2013. It would take the regime a year to reverse the main military gains achieved by the opposition in mid-2012, having to use major indiscriminate shelling of suburbs and increasingly rely on foreign volunteer fighters and commando regiments of the Lebanese Hizbollah in the more difficult operations. Yet, the main transformation in the battle field masked more important shifts in terms of the dynamics of the conflict.

One of the main shifts in the scene was the rise of the most radical Islamist brigades to prominence in the leadership of major battles, mainly, the indigenous al-Qaedaa affiliate al-Nusra Front and the even more radical version coming from Iraq known as the Islamic State in Iraq and Greater Syria (ISIS). At first the more local and mainstream local brigades, operating under the loose brand of the Free Syrian Army, were hard pressed to receive support from any fighting partners and refused to criticize some of the more radical ways of the more hardline groups. At one point, the head of the main opposition group known as the National Coalition for Revolutionary and Oppositional Forces (NC) went on to defend them as an important component in the revolution against Assad. They were better financed and armed thanks to support coming from non-state parties in the Gulf (including Syrian expatriates). Many young warriors shifted sides and joined them at first because they saw them as more rigorous and less corrupt, but also because they had access to better arms. However, their ferocious fighting techniques and military prowess were gradually being offset by the more radical interpretations of Islamic law in areas where they held control. Particularly ISIS started turning its back on old partners and many other brigades and brigade leaders were labeled as heathens and became targets of ISIS's wrath. The increased radicalization of the rebels confused the outlook of the conflict and as a result Western supporters started developing cold feet when considering their support to the opposition.

The lack of resources for the SOC made its capacity to support rebels on the ground very limited. The Supreme Revolutionary Military Council remained a largely nominal body capable of exercising only minimal coordination functions among the FSA units. Its inability to provide resources to the main FSA brigades slowly persuaded many among them to move into closer alliance with the radical forces while maintaining a vague branding allegiance to the FSA. Saudi Arabia, eager to undermine the Turkish and Qatari over-reliance on the Muslim Brotherhood started expanding its funding to more radical groups with the aim of building a critical mass of forces loyal to them and capable of standing out to take the lead from the command and control functions of the FSA dominated by Turkey, but more importantly capable of stemming the tide of the al-Quaeda offshoots.

As is typical with civil wars, alliances shift rapidly. Old allies often turn to fight each other, and then they switch sides without major trouble to work together again. For a good deal of 2014, ISIS was singled out by the other brigades as working for its own agenda and not for the sole common denominator aggregating opposition forces on the ground: mainly the ousting of the Assad regime. Most FSA and Islamic brigades supported by Saudi Arabia rallied to oust ISIS from the north and south of the country. Western powers were relieved by this turn of events, though they were still uneasy about the refusal of most mainstream Islamic brigades to abandon their alliance with the al-Nusra Front, the official affiliate of al-Qaeda in Syria. At the time of writing this comment, ISIS was on its way to regaining credibility among the Sunni militants, after forging an alliance with the main Sunni tribal forces in both Iraq and the Syrian East and declaring the formation of a Khilafat applying Sharia law and rebranding itself as the Islamic State. Its new push has to still prove that it can regain the trust of the Syrian mainstream Islamic militants. Individual warriors as well as entire groups are shifting sides and joining the new IS.

This trend is not definitive and should not yet be portrayed as a turning point in the conflict. One thing for sure is that we will witness many shifts and reversals in the course of this conflict, as the main building blocks of opposition stakeholders are localized and generally very small in size. The overall dynamic of the war will remain largely dependent on outside interference in reshaping these building blocks. Although the consolidation of most oil fields in the east of the country being in the hands of one group, mainly the IS, is bound

to create, for the first time, a sustainable force, for the purpose of our analysis however, it is important to look at how the basic structure of the smallest local units are being codified through local alliances and the emergence of small time warlords in the different parts of the country. IS is already very successful in consolidating its hegemonic power because, despite its claim of establishing a central government, it has actually mastered the art of negotiating among the local forces. This is no guarantee, however, that they will continue to success-fully manage this on a large scale in the future. To that extent this paper will not attempt to speculate on the outlook of the IS's new role. It proposes instead that for the foreseeable future, the local power dynamics will be the most relevant viable basic unit defining the geography of the conflict.

Thus, on the ground, the basic dynamic is structured through small rebel for-mations that have learned to manage their regional entourage to secure their local dominance. Any alliance on a larger scale has to respect their role and presence and has to negotiate with them over access and resources rather than undergoing the costly fight to purge them out. For over two years now, bri-gades have been consolidating the areas under control, developing clear de-marcations for their jurisdictions (although sometimes more successful ones have been able to assimilate the less successful ones) and defending their lim-ited but still substantive resource streams. Smuggling looted archaeology, fees for border crossings, extortions from civilian populations, fees for provisions of genuine urban services like water and electricity, control of remittances to local populations, shares of local oil wells, fees for access of humanitarian assis-tance to neighboring areas have featured to varying degrees among the fund-ing streams for the different brigades. Some militants have even ventured to form parallel NGO's to tap into revenue streams from Western donors eager to work with civil society but not wanting to engage the militants.

These local power structures were also keen to develop their own brand of lo-cal governance and judiciary. At first, several areas developed temporary cop-ing mechanisms out of necessity and as a result of the vacuum of the official government as the bureaucrats loyal to Assad either fled or were persecuted and killed. Many of the temporary solutions had to be codified to avoid the continual friction among the rebel groups who were often little equipped to manage civilian affairs. The fallback position in most cases was to rely on local sheikhs to establish religious commissions that act both as management for ci-

vilian affairs as well as rudimentary courts to administer the increasingly more pressing need of controlling crime. The different brands of religious authorities naturally advocated more conservative, if not entirely radical, interpretations of Islam further codifying an already established perception that the rebels were only fighting for a sectarian agenda in the country.

The more radical religious authorities were rising to prominence as they were supported by the more funded and ferocious rebel groups in their areas. In certain cases, as has had happened in Aleppo, the more radical authorities were established by force with the direct intervention of the more conservative Islamist brigades who intervened to remove the more moderate ones from the court house. The religious authorities maintained a nominal respect for Christians in some areas but for the most part their sectarian rhetoric and the confusion over who is for and who is not for turning Christians into second class citizens never managed to win them the hearts and minds of populations other than the more conservative Sunni and often the more impoverished parts of that community. A combination of fear from the rebels and fear from the government bombardments of rebel controlled areas destabilized local communities. Since the main push by rebels in 2012 that allowed them to take control over as much as 40% of the Syrian population, the areas under the rebel control today control no more than 20-25 percent of the population (this excludes about 5-7 % of the population living mainly in IS controlled areas). The communities left behind are clearly hardened in their support of the local militant rebels in their area. The rest fled either to join the more than 4 million refugees in nearby countries, or joined the over 6 million internally displaced persons with an overwhelming majority living in the more secure though still very precarious regime controlled areas. The result is that remaining communities are for the most part solidly aligned with the local brigades. Any future peace process must take this particular dynamic into consideration. Top down processes will be meaningless if they can not reach down to this micro level of stakeholders to construct a model for engaging these basic stakeholder units.

The SOC attempted to reach down to this grass roots level and create its own presence on the ground by consolidating local governance and formalizing the process through which local councils are formed and supported. The thousand or so local councils were each managed haphazardly by a combination of local volunteers and local religious authorities. International donors

wanting to support civilian opposition rather than military efforts focused their efforts on training and capacity building for these councils. However, rather than coordinating their work and establishing a unified governance system, each western donor adopted a few councils and provided them with an alternative version of local governance, further consecrating the division of the geography of the areas that are no longer under the regime control. The compilation of fragmentation due to differences among rebel groups and differences among the civilians further reduced the ability of the SOC to present itself as a credible force on the ground. The efforts by the SOC to regain credibility by establishing a government in exile further exacerbated the internal quibbling within the NC.

On the other side, to consolidate its forces and focus its fighting power, the regime bargained with many localities to relieve itself from the duty of protecting them, which was weighing down the army and security assets (particularly in areas where minorities lived in higher concentrations and therefore were subject to more threats from the increasingly more sectarian based attacks). Local popular committees were formed and armed by the regime. The idea was to outsource the defense of the regime's back yard to local residents while regular army units would be mobilized to the main front lines. The move was consolidated by concessions to these nascent groups in terms of allowing young conscripts from those areas to serve in their own neighborhoods, therefore reducing the defections and draft dodging. The new Popular Committees soon gained momentum in many areas to control local governance issues and not just defense. While this has allowed the regime the flexibility to free army units, it created local conditions within regime areas that consolidated the fragmentation of decision making processes and incubated many illicit war time economic activities burgeoning in those areas.

The regime also established paramilitary units known as the National Defense army that supported regional military operations and often worked outside the main army conventional norms. Additionally, the regime was increasingly dependent on foreign fighters much like the radical rebel units were recruiting foreign jihadists to fight in Syria. Foreign units have different levels of discipline and many run renegade operations on all sides of the conflict. Syrians who refuse to accept that the war raging on in the country is a civil war are often pointing to foreign fighters and blaming them for the ferocious fighting

and chaos. However, despite the major publicity regarding the role of foreign fighters and jihadists, their presence on the scene is still limited and the main violence is still perpetrated, justified and supported by different ideological and personal interests among Syrians.

As the rebellion was maturing the initial line dividing the country into people wanting to fight Assad and people loyal to him became increasingly blurred. The country now is witnessing a complex layering of conflict dynamics that vary considerably from one area to the next and shift rapidly as international and regional interests are re-aligning. The latest rift between al-Nusra and ISIS and the new alliance among the Islamist jihadist against ISIS is but the latest shift and is likely to shift again, as al-Nusra is being pushed by IS from its basic resource stream of exploiting oil wells in the east of the country. Al-Nusra immediately moved to compensate its economic loss by staking claim to the border crossings with Turkey in the North West region of Idleb. Local FSA and other Islamist brigades are at the time of writing this paper already reconsidering their alliance with al-Nusra as a result. The conflict as it stands today is moved by various ideological interests, supported by different donors and outside stakeholders, structured along very small geographical units, and sustained by local war time economic networks. The main building blocks for conflict dynamics are the emerging zones of influence for local warlords (even in areas loyal to the regime).

International powers have had little positive effect on curbing the violence or on forging a resolution. The main threats by the United States of America to intervene militarily after accusations that the regime used chemical weapons in its fight against rebel areas was averted after eleventh hour diplomacy by the Russians to hand over the Syrian Chemical weapons. However, the deal was perceived by many as allowing the regime some leeway otherwise to increase its use of conventional weapons to target rebel areas. Targeting of civilian areas remains a favorite technique of mounting pressure on opponents. Many rebels have also been implicated in using this. As the civil war is growing more vicious, civilians are bearing the brunt of the war.

The country has witnessed major destruction of housing, infrastructure, and livelihoods. More than 4 million Syrians are now refugees outside the country, with two to three million more estimated to have left either on a temporary

or permanent basis without registering themselves with UNHCR. Inside the country over 6 million people have been internally displaced. Half of the Syrian economy has been lost as the GDP was reduced from about 58 million USD per annum to less than 30. Over 15% of the housing stock has been reduced to rubble with another 15% in various degrees of damage. The most conservative estimates for reconstruction estimate that the war has claimed all the development achieved in the country over the last 30 years. The country's main economic and social indexes show that the country has slipped in the overall to the lowest ranks of development after having been in the middle range. The country has lost the critical mass of its economy and entered a vicious cycle of poverty that will breed and sustain violence that will in return increase poverty. As things stand today, over half of the Syrian population is now under the poverty line with an estimated half of those living in absolute poverty and showing the beginning signs of serious malnutrition.

The Peace Process

The main international efforts to mitigate the conflict have concentrated on the "track one" for political negotiations led by Mr. Lakhdar Ibrahimi, the special envoy of the United Nations and the Arab League. Mr. Ibrahim inherited the job when Mr. Kofi Anan quit after frustrations from the lack of seriousness among local as well as international stakeholders to find a solution. Ibrahimi's approach was to focus on the communiqué reached in Geneva in the middle 2012 that maps a process for a transitional government, which would assume all executive powers and would work on reunifying the county, stop violence and repel the terrorist threat. The communiqué, agreed to by most stakeholders, left the question of Assad's personal role in the transitional phase vague and subject to the next round of negotiations that would not eventually take place till early 2014. The process has yet to produce any credible results.

The difficulty stemmed from the fact that formal positions on the peace process were too far apart and expectations of all sides were still hard to manage. All sides have set the highest ceiling for their expectations, but have not identified the lowest common denominator that they would be willing to reach as a compromise. Another main obstacle resulted from the difficulty in identifying who the real stakeholders to the conflict are. In his traditional approach to mediation, Mr. Ibrahimi has set to define two clearly recognizable entities, and has

invested great time and effort to get international stakeholders to put pressure on their protégés in the country to align to either one or the other side of the table. This approach was limited at best. There being a compromise as to who gets to sit at the table meant that people chosen to be there were not the real power brokers in the conflict.

Meanwhile, the failure to achieve a halt to the violence was by now a self-perpetuating predicament. The killing and injury stemming directly from hostilities has long ceased to be the main perpetrator of death in Syria. Already for every person being killed in the war there were two who died from common and chronic diseases due to lack of access to adequate medical services. It is expected that by 2015 the death from illnesses, malnutrition, famine, and harsh weather will reach ten times the number of people being killed by violence directly. Whatever, their main prerogative for starting the cycle of violence, the belligerents need to come to the understanding that, at this stage, it is their personal inability to reach a compromise that has become the main culprit for this new wave of death and mayhem. This should not elude international stakeholders, who are egging on the warring sides to continue. To this day, the main narratives structuring the moral positioning of the belligerents are still centered on the killing caused directly by the other side. For local actors, the conflict is still defined as a zero sum game. For international actors, the marginal costs for continuing the conflict outweigh the new investments they would need to put on the ground to move the peace process and start reconstruction. For all stakeholders moral prerogatives for prolonging the fight are masking their inability to reach real solutions.

Of course moral prerogatives have never been enough to halt civil wars. The opposition forces will need to come to an understanding that removal of Assad from power cannot happen by an international intervention if the international community is not in agreement on the process (something that has by now become very clear). They also need to know that a painstaking bottom up process to build the necessary political coalitions will be essential for the long turn transformation of the political system in the country. This would require them to think about taking the time to form the right political platforms and prove their ability to compromise and deal with realpolitik rather than sticking to moral posturing.

Likewise, the regime needs to understand that a military victory over the opposition is impossible. Any momentary gain on the ground is shadowed by a regression of the government's ability to continue as a viable entity. Military gain is some areas is causing the transformation of violence but not ending it. The paradigm of holding onto useful terrain and gradually recapturing none-useful terrain is proving that at the end of the day the only winner from the process is the radical forces that he is proclaiming to fight. The strategy used thus far has reached the limits of its potential success, especially with IS now running renegade in vast swatches of the country. Syrian army losses have reached critical levels and the dependence on foreign fighters coming from Lebanon and Iraq has also its limitations, as the regime is being forced to make major concessions to its religiously motivated supporters backed by Iran. Furthermore, though the regime has made major strides in winning territory, it has consistently lost the hearts and minds of the people. The show of force made by the president by organizing an election should not be mistaken by the regime as a return to business as usual in Syria.

The total devastation of the country and the inability of any future regime-led government to achieve credibility among the international community to muster the kind of funding and support needed for reconstruction will mean that the country will only sink further into chaos. The pretense of the regime to lead a legitimate government is based not only on its ability to gain territory but to provide prosperity and security for the territory it controls. Creed based violence will transform into greed based violence, prohibiting any viable economy to emerge. The state coffers are almost empty and the ability of the regime to continue as a leader of a legitimate government is dwindling as a result.

No one knows for sure how long the regime can maintain the charade of a defunct government. Furthermore, no one knows for sure how long the opposition can withstand the fight on two fronts, against the regime and against the extremists. At this stage all international stakeholders are hoping that their protégés will be able to endure just a little longer until the other side finally gives in. This was the paradigm that Mr. Ibrahim was hoping would eventually lead to fatigue and an agreement on the part of national and international stakeholders to start a peace process. History from other civil wars indicates that fatigue has never by itself been a good enough motive for ending the fighting. A search for a new paradigm is now in order.

In the lapse of time from 2012 to 2014 the dynamics of the conflict have shifted dramatically. The bilateral nature of the conflict has now become multilateral. The armed rebellion against Assad became a fully-fledged civil war. Stakeholders have developed different alliances on the ground and major social rifts have been created. War time economic networks will continue to ensure that a minimum resource is always available to the warring factions to continue their fight. The conflict dynamics today involve inter-personal, inter-communal, interregional as well as international dimensions. With the resignation of Mr. Ibrahimi and the assignment of a new envoy, hopefully the dead-end approach of pursuing peace exclusively from the top down will be relinquished.

Syria's near descent into a failed state will not be reversed automatically once the overall political outcome of the conflict is redressed on the national level. Neither will economic recovery, nor social reconciliation be self-propelled forces. Years of rebuilding the country will require a new developmental framework. Reconciliation will not start from transitional justice but will require concerted efforts to build a national consensus for the process. Political rights will not be handed down to people; they will have to be enabled and empowered to use the political system to represent their grievances. All sides will need to learn to negotiate as a means to advance their interests. A long term peacebuilding approach must accompany any political negotiation to establish a national transitional government. Both top down and bottom up approaches are needed. In the last part of this document there is a basic outline of various possible entry points to the peace process that need to be considered in parallel.

Part 3: Key Social Forces and Stakeholders Affecting the Conflict Dynamics

The diverse protagonists of the crisis in Syria have differing priorities and interests. It would be a mistake to lump them into simple categories, nonetheless, one has to somewhat envision the complexity of the situation by identifying certain trends and patterns of association and aggregation of stakeholders engaged in any future national dialogue and/or peace process. The categories listed below should not be seen as definitive. Instead, the following part of the paper defines a broad spectrum of social and political pools from which the real stakeholders will emerge. Political actors will stake claims to being representatives of social forces. The extent to which they can establish their legitimate positions among constituencies is yet to be proven through a transparent and democratic process.

The narratives of belligerents are trying to bypass that process and establish de-facto claims of legitimacy. While many belligerents are now ready to negotiate, they have yet to define the political fields in a manner that would enable them to maximize their symbolic place at the national dialogue table. Laying symbolic claims over imagined constituencies is an age old technique to avoid the scrutiny of effective political representation. Conservative Sunni rebels will attempt to portray the Syrian Society as divided among sects, where the Sunnis constitute a majority. Therefore, they as the natural defenders of the Sunnis are the main interlocutors. The tribal leaders will position themselves as the natural spokespersons for their tribes. The clergy will naturally claim to represent the Christian minority, and the regime will of course attempt to exempt itself from proving through transparent elections that it has a claim to the political majority.

The list below is not exhaustive. It is meant to demonstrate the very broad spectrum of social and political building blocks from which true representation of the Syrian people will eventually emerge. The text is meant to challenge conventional stereotypes and debunk pre-conceived notions of who the stakeholders in the Syrian conflict are. In reality the moral, social and economic demarcations defining stakeholders will continue to shift. The attempt of the international stakeholders to select credible figures that could represent all of the complex mixture of social and political forces should by now be understood

to be mission impossible. Perhaps, this will aid the peace process to abandon the search for who to be at the table and start looking at how we can create a process that would bring people to the table.

The Youth

Syria's youth form the majority of its population. As typical in many countries in the region, most have poor job opportunities and little prospects for advancement in life. Years of government control over the economy have forged a certain dependency on the State for work. The Syrian education system did not encourage initiative and creativity; if anything it fostered passive conformity and dependency.

Unemployment ran high among the ranks of young people, and despite some progress in reducing the rate of official unemployment among the youth in the last few years before the onset of the conflict, the rate of people who have abandoned job searching all together and/or sought temporary informal jobs was by far greater than the number of young people who had steady jobs. However, unemployment by itself was not the problem. There was also the feeling of dependency that most young people experience in a conservative society where social obligations are as confining as the government's control over the public sphere. Many young people from affluent backgrounds shared a sense of despair with the less fortunate members of their generation. Indeed, the majority of people going out on the street were angry young people demonstrating their sense of frustration against both state and society. Most had no political agenda at all. It was on the street with other young people that they became politicized. Many have shown an extreme sense of self awareness, discipline and creativity in planning and executing the demonstrations. These young people became the fodder of the violent conflict. Protagonists of the crisis tried to use them, represent them, manipulate them, recruit them, put words into their mouths, or silence them. However, for their part, they considered the uprising entirely theirs and resented the attempts of others to hijack it. Their extreme sense of ownership over the event and their lack of strategic leadership have instigated, on the other hand, shortsightedness as to the roles played by the other protagonists.

Though young people on the street were mostly professing non-sectarian stances, most came from social circles where religion had played an impor-

tant role in their formation. To compensate for the lack of support from society many young people had sought solidarity in religious congregations. Over the years the state had actually supported this trend and promoted a network of religious leaders approved by the regime to ensure that young people's religious activism remained well under the watchful eye of the security forces. Most of the religious leaders were risk aversive people who instilled in their congregations a sense of respect for religious values and cults. However, as they were not themselves well versed in religious ethics, what was produced in religious circles was often nothing more than reverence to formal religiosity and ritual. To that extent many young people became prone to change their religious mentors when they saw other mentors who possessed a stronger aura of religiosity. This was, of course, fertile ground for the recruitment of an increasingly radicalized young person. Indeed, we have seen a growing tendency for transforming the uprising into a holy crusade, and in certain circles it is becoming dangerously infiltrated by jihadist fundamentalist ideology to the point that most of the remaining fighting brigades are now Islamist in nature to various degrees. The more liberal and secular leaning youth have either stayed in the regime camp, moved to work on humanitarian relief issues and abandoned the dream of revolution, or moved to form civil society groups to fend for themselves from both regime as well as Islamist rebels.

Urban Merchants and the Middle Class

The urban merchants were the fodder of the uprising in 1979-1982. They tended to be conservative both religiously as well as fiscally. Their main concern was their dwindling fortunes in the socialist regime of the Baath party. The cities where the urban merchants took an active role against the State in the 1979-1982 uprising paid a heavy price in diminishing state investments. Moreover, these cities were administratively abandoned; and corrupt security and party officials were left unchecked to run these places like little fiefdoms.

With the liberalization of the economy and the economic reforms carried by President Assad after he came to power in 2000, the merchants saw a new opportunity to improve their fortunes. By and large most merchants have seen a considerable rise in their bottom-line over the last ten years. They were very reluctant to endeavor in another adventure against the state. However, they resented the fact that the economic liberalization was not accompanied by true

and anti-corruption measures. They were frustrated from seeing "less deserving" merchants make huge fortunes by partnering with corrupt officials or members of the close family of the President. They were further insulted by the obligatory illegal bribes and tithes they had to pay to have their affairs move through the nightmarish Syrian bureaucracies. However, any portrayal of this class in a unitary manner is unrealistic. Like all middle classes in the world, political opinions and ideologies tend to be diversified. Though political organizing in Syria was always very tightly controlled by the state security system, access to political ideas could no longer be hampered after the advent of satellite dishes and the Internet. The higher education and financial resources of the middle class allowed it a wide exposure to political thought, only to be continuously frustrated for not being able to practice and test its ideas.

In the decade leading up to the crisis, the urban middle class grew substantially, contrary to their perception of themselves as a rare and threatened species. The economic policy of the state expanded the gap between the rich and poor for sure, but the middle class in the classic economic sense of the term did not shrink. Instead, new entrants into the ranks of the middle class have changed the dominant cultural and urbane nature of this class. Those who supported the regime and those who opposed it, saw themselves as the natural leaders of the Syrian society. They perceived their morals and ethics to be the rightful representatives of the middle class. A point that still requires serious sociological and historical research is how the political stances of the middle class were reflective of its relative positioning in society. There is scant evidence that the traditional urban middle class that felt that it was losing ground to the emerging one (coming mainly from rural areas) tended to be more conservative and the new one tended to be more eager to break away from the moral codes imposed by the older urban elites. But it would be a mistake to think that pro-regime and pro-opposition positions were divided along the old money/new money sociological divide. Indeed, opposition actors came from both, just like loyalist ones. It is not strange in Syria to see a conservative urban Sunni merchant supporting the regime and a migrant from the Alawite rural hinterland, whose father made the middle class ranks by joining the army, standing with the opposition. Though some stereotypes tend to persist, they are not dominant patterns per se.

Throughout the conflict, the middle classes slipped backwards in wealth. Poverty levels have swelled, now incorporating most of the lower middle class and

reaching many in the upper middle class. By the end of 2013 the general poverty line was already swallowing more than half the population and it is estimated that continuation of the fighting until 2015 will drag over 85% of the population below the line. Many in this social group would be amenable to reconsider their initial emotional responses to the conflict. Naturally, many in this social class feel that they are the main intellectual force who should be negotiating the final resolution of the conflict. Indeed, many have abandoned earlier opposition or pro-regime political positions and have decided to play a more active role as humanitarian agents and peace builders.

However, as the war is taking its toll, many are also abandoning ship and leaving the country. Though, they could articulate social and political agendas far better than the militants on all sides, they are not in a direct position to effectuate things on the ground. Their role in the peace process is important to usher an aura of reconciliation and peacebuilding. However, that role should not overwhelm the concerns and representational needs of lower classes. The prejudices of the Syrian mercantile society have to be mitigated. Their emotions are often expressed vocally and they can agitate and spoil peace opportunities just as easily as they can contribute to a moral high-ground for peace. They often operate from outside the country or from the safety of regime controlled bastions. Mostly concerned with assuaging their guilt feelings for not being inside the conflict, their responses to the situation are often stuck to intractable moral positions and lag behind the unfolding of events on the ground. Nonetheless, the ability of the younger members of this class to articulate a vision for an inclusive future for Syria is of the utmost importance. Working on developing a new moral higher-ground that can attract them to work for peace is going to be a vital entry point for the peacebuilding process.

Religious Minorities

Leaders of religious minorities have long ago resolved their stance in favor of the regime. Ever since the end of the Ottoman Empire, religious minorities were at the forefront of the movement to establish a nationalist non-religiously led state. Clearly, they were interested in a state that ran the risk of being dominated by Muslim majorities. Yet, they were not interested in a truly secular state that would weaken their hold over their communities. Experience has shown them repeatedly, that the failure of the nationalist state in any country in the

region was translated directly into tragedy for their communities. The experience in Iraq after the American led invasion was a case at hand. No one among the conservative clergy or the exiled Muslim Brotherhood did as much as issue a statement to condemn the violence against the Christians in Iraq; only the liberal pro-regime Grand Mufti spoke vehemently against the bombings. Moreover, he sustained throughout his tenure active contacts with all religious minorities. By contrast, some of the conservative and radical clerics have had infamous records of ascribing inferior citizenship status to religious minorities in their political vision of the Islamic state.

The new leadership of the Brotherhood proclaimed that it has changed and that it was more accepting of the idea of a civil state as the solution for Syria's ultimate social contract, however, their track record and the fact that they have never stood up for minority rights nor really specified how far they are willing to go with the idea of equal rights are still points of contention. It also has to be noted that many of the slogans being circulated on the street by the early demonstrators carried sectarian undertones despite all the assurances given in the communiqués of the coordination committees. The unfolding of events has only confirmed the minorities' worst nightmares. As the fighting was mainly attracting religiously motivated fighters, the discourse of the rebels was becoming vocally sectarian in nature. Moreover, the sectarian problems that merged in Egypt after its own Arab Spring revolution have also contributed to consolidating sectarian fears.

The leaders of the religious minorities were very comfortable with the status quo in Syria before the beginning of the crisis. The continuation of the "millet" system in the matters of family law and the legal framework for religious affairs in Syria combines the added advantages of protecting the minorities from the dominance of the Sunni majority, while also ensuring the dominance of the clergy over their flock. Any change in the status quo risks to go in one of two directions: either bring in a religious Sunni majority to power, or establish a civil state where they risk losing their grip on their congregations.

For now the majority of religious minorities in Syria are steadfast in their stance behind the regime. The regime has actually played on their fears and perhaps even encouraged them. There is considerable evidence that the security forces have directly engaged in playing on this fear in the cities of Lattakiya and

Homs. Religious minorities comprise about 25% of the population and they comprise an asset the regime cannot lose. Yet, playing the sectarian card cannot be overplayed, as excess violence against minorities could also be viewed as failing to protect the minorities. Thus, calculated doses of stories appearing on official media had to be carefully balanced. At critical incidences, where the violence was very close to the major Alawite population areas, vital information was withheld and some re-writing of events necessary.

Nonetheless, the state's security forces have used and encouraged the fear of sectarian strife to consolidate minority communities and have actually even passed basic weaponry in certain minority neighborhoods and/or looked the other way as some minority groups started arming themselves. Many members of religious minority groups are becoming very uncomfortable with their forced positioning against the Sunni majority. In many places members of religious minorities, whether practicing or secularized, have started to rethink their options. Calculating the risk of having the regime lose the battle, many are starting to contemplate opening overtures to the opposition fearing of retribution if the uprising managed to overthrow the regime. However, secretly many are planning their exit strategies out of Syria. Assuaging the fears of the minorities must not be confined to the concerns of the religious leaders. A true dialogue needs to take place among these communities. A national dialogue process cannot take minorities for granted. Defining the spokespersons of the various communities cannot be based on the traditional roles of the religious leaders. This will be another hurdle for the national dialogue. Defining how minorities will be represented in the dialogue will have to reverse various preconceived stereotypes. That process in itself will require long preparations.

The Kurds

The Kurds are the largest ethnic minority in the country, mostly they are Sunni, however, their primary identification is not religious but ethnic. To that extent lumping them as part of the approximately 75% Sunni majority is a gross misrepresentation of how they behave politically and ideologically. They are not a unified body though a majority is comprised of sympathizers of the banned Kurdish Workers Party (PKK). Today, the disbanded PKK has regrouped locally in Syria under the banner of the Democratic Union Party (PYD). Other important parties include affiliates of the different blocks of Iraq's Kurdish

powerhouses. A myriad of smaller local parties is also operative and represents an important part of the political scene. Their ability to join alliances with the bigger parties does not by any means make them easily influenced. The Kurdish community is very diverse and alliances are very carefully nurtured by the bigger stakeholders.

The historical position of most Kurdish political factions rejected the idea of secession from Syria. Their stated objective was often to have full citizenship in a civil state guaranteeing their rights as an ethnic group in Syria. Politically, this has been often expressed in terms of establishing a federal system, giving the Kurds some sizable leeway to administer their own areas and guaranteeing their ability to express their cultural rights without direct interference from the central government. The demand for full citizenship included the recognition of tens of thousands of Kurds (by some estimates over 300,000) that were denied Syrian citizenship because Baath Party policies were antagonistic towards the Kurdish identity within the framework of a "pan Arab" ideology. The Kurds hold tremendous resentment towards local Baath party officials, security officers, and government civil servants. But most of their disgruntlement is directed to the recent Syrian Turkish rapprochements that delivered their historical leader Ocalan to Turkey to face trial for terrorism charges. In 2004 a small tiff between two local football teams in the east of the country, escalated into major riots in Kurdish areas. The regime swiftly and severely crushed the riots. However, since then, the regime has been trying to reopen doors to the community. In the process, many undeclared agreements have realigned some of the Kurdish interests to those of the regime.

At the beginning of the crisis, the regime was quick to defuse their major complaint by granting citizenship to the Kurds denied this right since the early sixties. Tens of thousands of families were quick to seize the opportunity, transform their status and obtain Syrian identity cards. Their local leaders have been careful not to engage in any overt anti regime activities since. This did not stop many disgruntled young people from engaging in anti-regime demonstrations alongside young Arabs in their villages and towns. The slogans of the revolution tried to play on Kurdish aspirations to encourage them to revolt en mass. However, they are uncomfortable with launching into a full revolt without guarantees by the other opposition elements that the outcome of the revolution would entail full citizenship rights and a distancing from pan-Arab policies. The initial opposition

meeting in Turkey did not allow for such rapprochement; many of the Kurdish delegates walked out because the banner in the room included the official name of Syria as the Syrian Arab Republic. They made it very clear that they will not participate in a revolt and would not put their neck on the line against the regime if the outcome is not a democratic Syria (without the pan Arab bias).

Eventually, the main alliance of Kurdish groups (excluding the PYD) joined the SOC. On the ground however, the main power broker in terms of mobilizing militants and developing the fighting power to protect the Kurdish areas form the incursions of the radical Islamists remains the PYD. In addition to its military capabilities, the PYD began working on some basic form of self-governance in the three main Kurdish regions in the country (Rojova/Hasaka, Kobani, Ain alarab, and Afreen). It has been careful to negotiate the process through dialogue with all the demographic and social components of those areas including the Arab tribes and local Christian and Assyrian communities. The Kurds have not yet moved to demand independence but they are preparing the grounds to do so in case the outcome of the Syrian conflict does not lead to a fair process under which they would be included as full citizens with high decision making power over the areas where they constitute the majority. Turkey is very suspicious of the move and fears ramification on its own Kurdish southern regions. It has tacitly supported the radical insurgents to attack Kurdish areas and encouraged the SOC to develop its own network of support in the Kurdish areas.

Engaging the Kurds in the National Dialogue will require a broad mapping of all forces and not only the larger stakeholders. Most importantly the critical balance in those areas cannot ignore the smaller ethnic and religious minorities. The Kurdish stakeholders themselves are fully aware of the need to bring their close neighbors along with them. Though on a national stage, these minorities represent but a very small fraction that has little political weight in the conflict dynamics, but in the Kurdish areas they are an important part of the social fabric. Indeed, many of the smaller minority groups are afraid that their dispersal throughout different pockets in the country and their relative limited numbers would not allow them to aggregate their voices in any national dialogue process. They constitute a minority in geographical, ethnic, and political terms. The Kurds are becoming increasingly more sensitive to this issue, and so should the other stakeholders claiming to work for an inclusive Syria.

Tribes and Tribal Leaders

As we have noted earlier, after decades of concerted efforts, Syria's nomadic tribes were finally settled by the 1950's. Many of their traditional leaders were duly compensated, financially and socially, for their role in settling their tribes. During the 1979-1982 crises, their role was further consolidated when they put their tribesmen in the service of the State to quell what was mainly a religious uprising by the urban middle class. Cities like Aleppo, Homs, Hama and Deir Zorr were basically handed over to the tribes to run their municipal departments and local councils. This reinforced age-old resentments by the traditional urbanites against what they perceive as the backward and untrustworthy tribes.

Twenty years later tribal leaders became too comfortable in their privileged status. However, most of their rank and file members are downtrodden lumpenproletarians living in the peri-urban areas of the bigger cities. The traditional leaders of these tribes slowly lost their grip on their constituents. A new generation of leaders emerged. They managed to amass a following by engaging their fellow tribesmen in petty crime, smuggling (particularly drugs and livestock, but also subsidized fuel to neighboring countries where fuel is not subsidized). The old leadership was increasingly concerned about cleaning its image and appearing as respectable businessmen, the actual commanders of the operations on the ground became more and more disheartened by their leaders' change of ways.

A succession struggle has been evolving silently for the last fifteen years in many of the larger clans. At the beginning of the crises, as many of the traditional tribal leaders flanked to the regime to reassert their loyalty, they were surprised that they were unable to affect the behavior of their tribal kinsmen. The tribes were effectively seeking to reposition themselves under a new leadership. Engaging in the uprising was one way a new tribal identity could be forged. Indeed, the coordination committees were soon to capitalize on this social movement, and many of the uprising's defining symbols were directly related to reinforcing the re-emerging tribalism in the country.

As the conflict was militarized, the tribes gained an increasingly more prominent role particularly in the eastern part of the country. An alliance of interests

emerged between the local tribal leaders and the brigades, the boundaries between tribal fighters and the FSA, the Islamic Front, al-Nusra or for that matter ISIS became very blurry. Allegiances had to ensure that the share of local tribal leaders form oil, extortions, tolls, exploitation of non-renewable water resources, etc, was respected. Beyond that it mattered little what was the brand they lived under. Eventually IS mastered this formula and developed a framework for a win-win situation allowing the tribes a major share of their own wealth in return of their heralding the black flags of the IS. The traditional clan leaders had to concede to the new realities on the ground consenting to this transition to maintain some nominal role over their clan's different tribal members. However, when considering the future peace process, it is the local leaders acting on the ground that must be sought for engagement. They represent the direct stakeholders who could truly effectuate things among the tribal rank and file.

Traditional Sunni Religious Leaders and the Formation of the Religious Authorities

Ever since 1963, when the Baath party took over power in Syria in conjunction with several other nationalist and leftist parties, the religious clergy in Syria were infuriated. Their dreams for a religious state were continuously frustrated. Some opted to join the Brotherhood and were subsequently banished from the country. While others made their peace with the regime. After the end of the 1979-1982 crises, the regime allowed some key Sunni clergy a relatively wide margin of freedom to preach and to develop large congregations as long as they abstained from outright criticism of the regime. Their relative privileged position further alienated the banished Brotherhood outside Syria.

A select few of the privileged clergy grew a substantial following. Their influence became a source of alarm to the proclaimed secular ideology of the state. Starting in the late eighties, the state started preparing a new generation of clergy that would promote more liberalized ideas. Eventually one of the new "liberal" clergy became the Grand Mufti of Syria; he was previously the Mufti in the city of Aleppo, the second largest city in Syria. His appointment to succeed the late ultra-conservative Damascene Mufti alienated many of the conservative Ulama, particularly the Damascene ones. The new Mufti started positioning his aids and followers in key committees working on new laws. Their liberal stances on family law, gender balance in the education system

and other sensitive issues were widely unacceptable in the conservative circles. Some of the conservative clergy started to exhibit signs of disgruntlement several months before the beginning of the crises. These warning signs went largely unnoticed.

Some eight months into the crisis, the son of the Grand Mufti was assassinated. The murder of this young man on his way home back from his college just outside Aleppo should not only be seen as a mere retribution against his father's loyal stand with the regime; it should also send warning signs that some in the opposition were being radicalized against the liberal position of the Grand Mufti.

Most of the widely influential clergy in Syria, who command a very large following, remained on the side lines, sending messages to their congregations to calm down and avoid rash reactions. However, their followers were being emotionally blackmailed with the images of blood on the street and grew steadily impatient. As we have seen earlier, their indoctrination favors reverence and respect for the aura of religiosity rather than deep theological arguments; the devotees started abandoning the calming positions of their masters and turned to the more radical clergy. A recurrence of the 1979-1982 scenarios took place where the conservative but peaceful clergy found themselves drawn behind their young followers for fear of losing total control over their following.

Eventually, many among the religious clergy could no longer sit on the fence. On the local level many joined the ranks of the rebels. Their contribution was mainly to set up governance structures inspired by Islamic jurisprudence. Each brigade established such a body to serve as a legitimizing technique, provide jurisprudential advice to the rebels, resolve disputes with other groups, but most importantly, to lay the foundation for the governance of day to day services and define certain parameters for administering crude justice. In an environment where petty crime ran wild, the rebels were losing credibility among local populations. The rebels needed some basic way of dealing with the problem. Religious authorities became fashionable in various rebel controlled areas. Some were famous for their effectiveness; others were nothing but crude expressions of religious symbolism without significant capacity to manage anything.

In their crude form, the religious authorities are a mix between the local police, the local courthouse and the local municipality combined into one. Most are entirely controlled and move through the directives of the militants, while others are gaining some independence and are able to assert power over the armed rebels. A few have actually evolved to become political actors in their own rights. Often these authorities are as territorial as the rebel groups that helped to establish them. This has hindered any level of effective coordination. Occasionally the larger rebel groups are capable of aggregating the voices of several religious authorities on particularly high profile issues, but for the most part coordination is limited to issues of shared concern among neighboring towns and villages.

A grouping of some of the most authoritative conservative Ulama that have joined the ranks of the rebellion has attempted to set up an umbrella moral force to aggregate all the religious authorities. Nominally, a large number of the local authorities defer to the moral position of these Ulama. However, on the ground, operations are still defined by local actors and prerogatives. Moreover, a substantial number of religious authorities are not willing to concede to this emerging role of the Higher Islamic Council, not even nominally. Religious authorities are an important stakeholder to consider in their own right in any future mapping of stakeholders in Syria.

The Muslim Brotherhood

The movement is an ideological international network of loosely integrated national branches. The Syrian Branch has had a long bloody history with the regime, as has been mentioned in the historical background at the beginning of this document. They have since adopted a more open and inclusive ideology and declared their interest in following a non-violent track for democratic change in Syria. However, as the conflict in Syria was militarized they were eager not to lose credibility on the ground. They undertook to fund various local efforts to resist Assad, at first by supporting communities that would agree to show allegiance and later by actually supporting various armed units.

Mainly supported by Turkey and Qatar the group forged alliances to establish the SNC and then the SOC, where they maintain a considerable sway over the decision making of the largest external political body representing the politi-

cal opposition recognized by the West. The Brotherhood developed its own networks for education, health and considerable sway over local governance in the regions of Aleppo and Idleb. It recently established a political front party as it did in many Arab Spring countries. The new party with a Christian as its deputy chair follows a model that was used in Egypt upon the arrival of the Brotherhood to power there. However, as the Egyptian branch was ousted by a coup and the subsequent declaration of most Gulf monarchies of their outright hostility to it, it has lost considerable regional influence. The Syrian Branch is increasingly isolated with only Turkey and sometimes Qatar still providing nominal support.

The Brotherhood has often developed its politics in a very pragmatic manner. By positioning people loyal or sympathetic to them in different key junctions they play to different ideological constituencies ranging from the mildly moderate to the very conservative trends within political Islamic movements. This has afforded them many entry points to operate from and a wide range of alliances to engage in advancing their political agenda. On the other hand, it has made more secular elements in the opposition, not to mention the Syrian society at large, be worried about their ultimate goals. The Syrian regime was often pressured by its previous allies in Turkey and Qatar to bridge the age old animosity between the Baath and the Brotherhood. However, the regime has consistently refused to do so. The regime itself has also operated from a realpolitik point of view. Its rejection of a conciliatory move was not simply born of old grudges. It went all the way in rejecting such a rapprochement to the point of losing its very useful Turkish and Qatari allies, who were providing "friendly advice" to bring the Brotherhood on board, not to mention mobilizing financial and media resources in that direction. On various occasions direct and indirect hints were made to President Assad regarding the possibility of ending the conflict if that demand was met. The rejection of the regime of the Brotherhood was not a matter of vanity; it was and still is deeply rooted in a conviction that the Brotherhood is not the moderate Islamic voice it proclaims to be. The turn of events in Egypt, and to a lesser extent Libya, has afforded the regime propagandists with important ammunition for this argument, and their loyalists are buying it whole heartedly. Any future deal in Syria would have to bridge this very difficult divide.

The Free Syrian Army

The Free Syrian Army, as we have seen in the historical background earlier in this paper, was mainly established to emulate the pattern of events in Libya, a scenario that was closely linked to the process of military intervention by Western powers to oust Qaddafi. The few soldiers that deserted their units and refused to fight were welcomed by some local communities and offered shelter and safe passage. Some eventually started aggregating around the lower rank officers that joined the deserters. A loose alliance was created and was dubbed the Free Syrian Army. Mostly, it operated in small groups that were very suspicious of each other at first. Some basic coordination functions were established for the sake of tactical manoeuver on the battle field. But strategically, they never established a capable command and control hierarchy.

The various units were often infiltrated by people who were more interested in war time profiteering. Other brigades were being increasingly radicalized either for ideological reasons or to attract Gulf donor funds. The FSA was under increasing pressure to solidify its organizational structure by Western supporters of the rebellion against President Assad. The emerging FSA had to fight on several fronts. On the one hand it had to continue its fight against the regime, on the other hand it had to convince local communities that it is capable of purging its ranks from the gangsters and the profiteers. It had to also convince the west that it is not being driven by radical agendas, and had to still appease its fighters that it is fighting to defend some version of a state that would provide their predominantly Sunni fighters with an acceptable role in defining the future government in a manner that matches their increasingly more radicalized Islamist expectations. The mission proved almost impossible. The FSA has never been able to function in any real way as a structured army. The brand, however, had to be preserved as it was important to continue getting the support of the Western supporters.

The higher military council of the FSA was successful in establishing a model for a regional military command and control structure. However, it has not had a stable relation with the SOC, its supposed civilian boss, as was hoped by the international stakeholders who were working on developing a Libya-style government in exile that would be leveraged to oust the government in Damascus. To that extent, regional commanders and their regional councils are consider-

ably more viable as real stakeholders in effectuating concrete processes on the ground than the Higher Military Council. This dynamic needs to also be taken into consideration when approaching the design of any peace process in the future.

The Jihadists Brigades

The militant groups that flocked to Syria on their way to Iraq in the wake of the American-led invasion were influenced by lessons learned from Syria in the early eighties. Rather than depending on a hierarchical command and control structure, they became organized alongside small units bound more by ideological affiliation than organizational structures. In the early eighties of the twentieth century, many of the young recruits by the militant Vanguard were trained in Jordan and Iraq. Twenty years later many received their training and commands from Lebanon, Afghanistan and Yemen. The logistics of the traffic of Mujajideen created an underground support network in Syria. The United States has always maintained that such a network could not have happened without the tacit approval of Syrian Security officials. The hawks in Washington would even insist that the Syrians were aiding the Jihadists.

However, with signs that local jihadism was on the rise again, the Syrian security forces became more attentive and less inclined to turn a blind eye. Following 2005's turn of events in the wake of the assassination of the Lebanese Prime Minister, Syria was subjected to wide international pressure to withdraw from Lebanon. Syria viewed these pressures as an American/Israeli ploy to reverse the political map in the region. A wave of small terrorist attacks was carried out in Syria. Some were successful and others were frustrated before they happened. Syria was quick to link the international pressure to the works of jihadists. The main source of support was tracked back to Lebanon itself were a high concentration of jihadists had created a small ghetto in the city of Tripoli. The Lebanese army carried out the operation to cleanse this niche. At that particular junction, the American and the Syrian interests in combating the jihadists came together. The operation however, did not terminate the presence of the jihadists as much as scattered them around. The radical jihadists of Lebanon viewed this as a direct attack on them by the Syrian regime. By that time, the Syrian-American coordination on security issues was at a high.

Jihadists all over the place were frustrated by the Syrian change of policy on Iraq and their attention returned to Syria as a target. Militant radical Islamists from Jordan, Lebanon, Kuwait, and Saudi Arabia intensified their media propaganda against Syria. The Gulf States normally are very cautious in letting their conservatives interfere in their foreign policy. However, Saudi Arabia, itself under pressure from the increasing Iranian influence in the region and feeling the pressure among its Shia minority internally, and in its immediate vicinity, expressed through the increasing agitation of the Shia in Yemen and Bahrain, changed its policy. Key Saudi figures were allowed to lash out against the Syrian-Iranian alliance portrayed in the conservative Sunni discourse as an unholy alliance of anti-Sunni regimes. Radical Syrian dissident clergy were allowed on public TV to denounce the Syrian "Alawite" regime. Kuwaiti radical parliamentarians joined the crusade. In addition to moral support, many of the followers of these radical clergy started collecting money, arms, and satellite operated cell phones to support their colleagues in Syria. The old channels for trafficking mujahideen to Iraq were re-opened to smuggle the goods. In that regards, the interests of the smuggling rings and those of the jihadists are in alignment.

Non-state actors in the Gulf were mainly funding the extreme radical Islamist brigades in Syria. Many of the brigades started adopting more a conservative outlook to access the funding circles of the various non-state Gulf patrons. The better endowed were eventually swallowing the smaller ones as many fighters drifted to them for money and ammunition. Nonetheless the alliances remained very loose as patrons were ever changing faces and access to resources required constant shifting of direction and outlook. The building blocks for these alliances were the small brigade (in military terms the actual size does not exceed that of a platoon). Since the inception of the conflict in Syria such small formations have been documented to change alliances and to move from one patron to another often merging with other groups and then separating. As most were posting their work on social media to demonstrate their prowess and deeds to their potential patrons, it is often possible to track through simple data mining algorithms how these alliances are assembled and disassembled. In total over 5000 such formations were documented in the last three years.

The one group that managed to aggregate its gains and attract many of the most determined fighters was the al-Nusra group. The declared official affili-

ate of al-Qaeda in Syria emerged at first as something of a myth created by the regime. The various explosions that were carried out in Damascus and ascribed by the Syrian media to be the works of al-Nusra were viewed by many of the secular opposition as a scarecrow used by the regime to discredit the opposition. However, as the resistance to the regime became militarized, the Free Syrian Army Brigades came into direct contact with al-Nusra. At first the encounter was very precarious, however, certain protocols were soon established, and the group emerged as one of the most intrepid fighting powers. The FSA, increasingly motivated by Islamist Sunni ideology, kept a particular admiration/jealousy attitude towards al-Nusra. Despite the fact that most FSA units were not particularly keen on the radical methods of the group, they could not help but to admire their prowess, but mostly they needed them in the fight. And no one was going to challenge the role they played. Indeed, at some point, the head of the National Coalition defended their role and position within the Syrian opposition.

The recent move by Saudi Arabia to contain the jihadist networks, has established a loose alliance under the banner of the Islamic Front in Syria. The group comprised of the most hardened jihadist brigades was set to counter the growing influence of the extremely radical ISIS, but it is now a major force and the largest alliance effectively on the ground among oppositional forces. The alliance works independently form the FSA. Nominal brand allegiances to the FSA have been maintained by some brigades, but overall the alliance is being negotiated among local leaders independently of the FSA formal command structure. Though the Saudi funding to the alliance came under the explicit intention of driving a wedge between the al-Qaeda-like groups and the rest of the Islamist groups, al-Nusra is still treated as part of the legitimate anti-Assad opposition by the brigades on the ground, and international stakeholders, particularly in the west, have not yet managed to dissuade the less radical jihadist from breaking with al-Nusra.

In contrast to the al-Nusra, another al-Qaeda off shoot started to play an increasing role on the scene. Its main fighting power came from outside Syria, though it has managed to attract some Syrians in the rank and file. The Islamic State of Iraq and greater Syria (Sham) or ISIS for short was playing a parallel role to that of al-Nusra at first. However, its extreme methods, for example, its attempt to demarcate its own territories and exclude others from the ar-

eas being "liberated from the regime", created major tensions with the other brigades. These tensions blew into full scale confrontations after ISIS started kidnapping fighters from the other brigades and assassinating their leaders. All the other brigades including al-Nusra joined forces to kick them out of their entrenched positions in the North West of the country. The move was justified ideologically on the basis of fatwas that ISIS is not actually Sunni and that their methods and behavior put them outside the collective will of the Sunni consensus, thus they were labeled as "Khawarej" after the heretical group that assassinated the fourth Kalifa of Islam and attempted to forge a radical Islamic State in the first Century of al-Hegira.

ISIS was not defeated. Its tactical retreat to the east allowed it to regroup forces and to coordinate with the on-going preparation in Iraq to lead a Sunni rebellion against the government of Prime Minister Nouri al-Maliki, who has alienated most Sunni tribes in Iraq through his rejection to compromise on an inclusive government. The sudden rebellion that took place in Iraq was mainly led by the various Sunni forces, and ISIS did not play the big lead role that it proclaimed to have done. However, through very smart manipulation of communication coming out of Iraq and sheer political shrewdness, they positioned themselves to capitalize on the sweeping military action with a sweeping political manoeuver to establish a de-facto image as the leaders of the uprising. The move has enabled ISIS to consolidate various military and other assets gained in Iraq to turn back to Syria and make a quick sweeping of territories in the east of the country, putting them in charge of the remaining oil wells and driving the rest of the brigades out or incorporating them into its ranks. Its renewed credibility as the leader of the Sunni forces in Iraq debunked the claims that it was a heretic branch of Islam. Many of the Islamic tending brigades in the East of the country joined them willingly of for fear of their wrath (often involving some very cruel punishments for anyone who dared to fight them).

At the time of writing this paper, it is not clear how the Islamist scene will unfold. Many of the brigades are still whole heartedly committed to fighting the Islamic State (IS) as ISIS has now rebranded itself. However, this determination is not uniform across the board. Many of the fighters are abandoning ship individually or in platoons. Some are going to join IS directly, others are retiring and rejoining their families in the refugees' camps in Turkey, totally disenchanted with the whole cause. Leaders of brigades who are still determined to

fight IS are becoming afraid that their men will turn against them as has happened to Al-Nusra leader in Deir Zorr, who was handed over to IS by his men.

Al-Nusra has moved to compensate for the loss of control over the revenue generating oil fields to outmaneuver the rest of the brigades to take over border crossing in the North West region of Idlib. This move may eventually prove to be the break point between the less radical jihadist and al-Nusra as was originally intended by the Saudi and Western supporters. But the situation is very precarious as alliances among jihadists are a very unpredictable affair. At the moment, many in the brigades are expressing an interest in developing a political framework to resolve their conflict with the regime to buy them time to set up their defenses against IS. But this can go in either direction.

One thing for sure concerning the Jihadist circles is that they do not fit the simplistic narratives advocated by the western apologists for arming the opposition. The demarcation lines among moderate and radical are very blurry. Alliances will always be formed and deformed. Yet to a certain degree, despite the elusive macro structure of the Jihadists, some clear leadership is emerging on the micro level. Moreover, many of the brigades are starting to evolve their own political bureaus and spokespersons. The political opposition situated in Turkey can no longer lay their claim to represent the ground unchallenged. On the ground, some clarity is emerging once the search for national level stakeholders is replaced by a search for local level stakeholders. This will have direct implication on how the future peace process could proceed. The interests of these stakeholders are set on consolidating local gains. The focus on local issues (governance, security, services, cultural identity, etc) will certainly have to occupy a much larger part of the attention of the UN Special Envoy in the future. The approach of Mr. Ibrahimi to focus on the top down political process can no longer ignore the local conflict dynamic on the ground.

The Opposition outside Syria and the National Coalition

The list of disgruntled exiles of the Syrian regime is long. It comprises the banished leadership of the Muslim Brotherhood seeking to return triumphant to Syria, human rights activists frustrated by the security forces and their practices, secular intellectuals refusing to be disillusioned by the possibility of changing the system from within, ex-generals and officials that were implicated in at-

tempted coups in the past, and the exiled Kurdish activists representing scores of splinter parties of the PKK. Most had little command on the ground. They opted to support the revolution from the outside. Some have had strong links to regional and international protagonists outside Syria and were financed by them.

Most of the attempts by opposition outside Syria to coordinate their work in Turkey and some European countries failed initially. What separated them was by far larger than what brought them together. Moreover, their presence on the ground and ability to affect the demonstrations was almost non-existent. It took some months of negotiations before a council representing all major factions of the Syrian opposition was created bringing together known figures of the opposition outside the country as well as some names from the opposition inside (a few names withheld for their personal security). The Council was at first carefully endorsed by the leadership of the Muslim Brotherhood. Most of their top leaders, however, were not directly included, opting to nominate the lower ranking leaders, indicating a careful strategy of withholding political cards for later opportunities, not unlike what happened in Egypt. The leadership of the Council was at first left to the secularist figures, while the voting block that could influence any decision making was retained by the Brotherhood.

The Syrian National Council began to receive positive statements of endorsement from various international players. The SNC's political agenda could not be elaborated beyond a few generalized concepts collected haphazardly under the title of establishing a civil state. The tirades for establishing the SNC could never provide a clear rational for how the group's main governing body was to be created. As the SNC was being groomed to be "the sole representative of the Syrian people" and not just an alliance of opposition forces, a crude categorization of Syrian social and political forces was devised. The result resembled to a great deal the model of sectarian quotas used in Lebanon. The Muslim Brotherhood still favors this model of representation not only for the current transitional body but also for the national dialogue and subsequent political system in Syria. Competing for the Sunni voices as opposed to Syrian voices at large, would give them the ability to control the largest block which controls the ultimate outcome, without having to be in the majority. This technique was used directly when the SNC was put under pressure by the international supporters to expand its representational spectrum. The SNC joined ranks with a

larger pool of forces to establish the National Coalition for Syrian Revolutionary and Opposition Forces (SOC). However, the Brotherhood ensured that the SNC was not disbanded before joining the SOC. It joined as a block, the largest one at that. The Brotherhood retained the majority vote over the largest block. It would take much political maneuvering and a lot of external pressure, particularly from countries that have a sour history with the Brotherhood, like Saudi Arabia, to allow other factions within the SOC to offset the hegemonic role of the Brotherhood.

The new body was mainly a political body devoid of real linkages on the ground. It's small but still substantive resources allowed it to maintain some influence over cash strapped communities inside the country. Most communities have actually learned to balance the more moderate tendencies of the SOC with the more radical conditions imposed on the ground by the Islamist militants. In reality most communities maintain relations with the SOC not through its political bodies but through its two arms: the Aid Coordination Unit (ACU) and the Local Administration Council's Unit (LACU). The recent move to establish a government in exile was seen as a necessary move to provide administrative support to the nascent needs of governing areas no longer controlled by the Damascus government. It was also a symbolic gesture for consolidating its claim as a representative body for Syria, a claim that hardly anyone shares on the ground, even the communities that coordinate with the SOC to receive aid. The exact legitimacy and influence of the SOC is a matter for a large debate and no clear cut answers could be given before further analysis is done to measure its exact positioning.

The SOC however, cannot be ignored as an important stakeholder in the national dialogue process. It can still muster veto powers over any political process, even if it could not deliver on any agreements that would ensue from such a process. The Geneva process focused primarily on the role of the SOC as the main negotiator opposite the regime. Mr. Ibrahimi was hoping that he would be able to convince other opposition groups to join on their side, thus achieving two goals. On the one hand reducing the number of stakeholders at the table and organizing the meeting as a bilateral negotiation, a favored format for his own competencies as third party mediator. On the other hand, this was part of a process still favored by most international stakeholders, who would want to ensure that a formal political body is established to stand up to the regime.

The temporary agreement by militants as well as other independent opposition groups to stand behind the SOC could lead to a gradual alignment of opposition forces.

Neither goal was achieved in Geneva. Indeed, if anything the Geneva 2 failed deliberations further splintered opinions regarding the peace process as well as the role of the SOC. The SOC will probably want to join the National Dialogue eventually in the same way it went to Geneva as "The Representative of the Opposition". This unrealistic position is counterproductive on at least two fronts. On the one hand it will not be accepted by other oppositional forces and it will require months of re-negotiation which may lead nowhere as the rest of the opposition forces are not likely to align behind the SOC this time. On the other hand by the SOC still perceiving itself in bigger terms than what it actually commands on the ground, it has failed to develop negotiating positions for a realistic role to play in the transitional period.

Many among the Western supporters of the opposition are willing now to forgo the top down approach to national dialogue and consider other entry points, where the SOC is one among many stakeholders. However, the US and some key stakeholders are still insisting on making the SOC the main political embodiment of the opposition. Redefining the role of the SOC from being "The Political Alternative to Assad" to becoming a leverage for generating a new political process in Syria will be a major challenge before the initiating any National Dialogue process.

Different Secular Opposition Groups

Secular intellectuals are overrepresented in the media, however, on the ground they command very little active control over the dynamics of the conflict. As most have had to leave the country to avoid the persecution of the regime, they operate mainly through indirect channels. Mostly, their influence is negative in that they can neigh say any developments they do not approve of and exercise moral pressure and shaming. Though some have remained inside, either in the regime controlled areas or in the opposition areas, their scope of operation has been greatly reduced. At first the regime particularly targeted them with arrests and harassments, even those who still proclaimed to be operating within the parameters defined by the regime for the political process. On the other hand,

those who chose to move into opposition areas are increasingly subject to the pressure of Islamist and jihadist brigades who control most opposition areas, especially in the north, and in small pockets in the south. A great deal of the efforts of secular forces has been transformed into work for humanitarian relief for refugees and IDP's.

Today the primary secular groups are spread over the main groupings, the largest among them is the National Coordination Body, which has a large network mainly in the south and around Damascus. The Building the Syrian State current, an aggregation of activists in different parts of the country with a strong representation among people still operating in the regime areas, are considered as part of the loyal opposition groups. The Podium is a small platform of intellectuals who want to explore possibilities for dialogue and discussion as a means of forging a political resolution to the conflict. In addition, there are the more traditionally loyal opposition groups, including the splinter groups from the Communist party and the Syrian Social Nationalist Party, that have refused to join the Baath ruling coalition in the past. Their positions vary considerably, though lately they are showing some better coordination efforts after some factions among them moved out and joined the SNC.

A few intellectuals have created a personality cult around themselves among young people and can still muster some respect on the ground. Others have become media darlings, especially for the western media who still wants to promote the idea of "moderates". The attention that both types get from their contacts internally or externally has reduced many of the secular voices to mere competition over visibility. Gradually, petty quibbles among the secular intellectuals, be it in the ranks of the SOC or in the various small leftists and liberal circles, has not helped to advance a credible agenda for peacebuilding or for leading the opposition, for that matter. Some of the disenchanted early opposition figures are now actively working in the various peace initiatives. Their original quibbling is slowly being put aside to bridge the different political gaps. These can be important players in future national dialogues, not for their representational values per-se, but because they can advance a moral high-ground for peace and use their knowledge of key stakeholders to advance options for the design of the national dialogue.

The Coordination Committees and the Local Administration Councils

As the revolt in Syria was mainly a surprise event that no one in the opposition was prepared to manage or lead, the first few weeks of the uprising were mainly improvised. Young activists started contacting each other to organize local demonstrations. To avoid the security forces' violent retributions, the young organizers were at first concerned with creating diversions to distract security official and coordinate the demonstration tactics. Facebook was a favored communication medium. However, Facebook networks were soon infiltrated by the security and by regime sympathizers. The coordination activists grew more sophisticated. More senior activists with experience in coordination and management joined their ranks. As the security forces cracked down even harder, most activists went underground.

Coordination committees in each locality joined forces and eventually they reached out to other coordination committees in other cities and even opposition coordinators outside Syria. There was no unified model for their work and their communiqués revealed little about their structure and the true scope of representation on the ground. Their main communication role was to pass information about the events as they happened, the numbers of casualties and arrested activists. They did not produce literature that would indicate any political agenda other than overthrowing the regime. What brought them together was the lowest common denominator of shared objectives and values.

As is usually the case with communication lines that tend to reinforce rumors and hearsay, the coordination committee became a grapevine channel to pass on over-exaggerated reports of regime brutality. Most of their reports to the media were highly emotional and as such were rather unreliable as sources of information as sometimes they tended to report hearsay as eyewitness accounts. Under pressure and fearing for their lives, they have created a sort of solidarity among their membership where they identified with each other in remote locations and adopted stories from other locations as their own.

The LCC's are still operative in many areas in the zones no longer controlled by the regime, though many among them have transformed their structures to resemble a more formal local governance structure under the rubric of Local Ad-

ministrative Councils (LAC's). Many among them have established direct links with donors and have access to considerable resources, though by and large the majority is dependent on the meager support they get from the SOC and/or other rebel groups as well as local resources provided by the communities and their expats abroad. Only a few regions have managed to develop a coordination function among the LAC's. Donors have favored strengthening their roles individually. As a result most operate under different rules of conduct and have different governance procedures. Resources were wasted in re-inventing the wheel for the simplest of services in each individual LAC. This has played against them over the long run, as limited resources and ineffective governance have led most to either join forces with the emerging Religious Authorities or be limited to a semi-voluntary role of community based efforts to bring essential livelihood sustenance to their communities.

An approximate 1000 such LACs are estimated to be active in non-regime controlled areas. They range in size from small village committees to large regional bodies. Normally under Syria's local governance law, they would cover an area of no more than 350-400 local administration units. They are in effect operating at a sub district level for the most part. Realigning them into a future local governance model will be a major challenge, yet an important opportunity. The local administration law has important provisions that could bring many of these LAC's to become the local alternative to most central state functions. In effect, the LAC's are a more grounded and rooted structure than most of the other opposition political bodies. The LAC's could be a strong base for generating viable representation of various communities into the future National Dialogue process. More importantly they should be viewed as the most viable security net for humanitarian and basic sustenance for livelihoods in any post conflict situation.

Petty Criminals Turn into Warlords

Beyond the recognized urban social mobility channels, many people found their means of social gratification and sustenance in petty crime and smuggling. Syria's state controlled economy had for years fostered a policy of protectionism over the local economy. Smuggling goods became a lucrative business all along Syria's borders. The economic liberalization of the last few years has enabled the imports of many luxury items into the country, cutting back on an

important source of income in most border towns. Ironically, Syria's wild mixture of economic liberalization and state protectionism has instigated a reverse direction for smuggling subsidized commodities from Syria to neighboring countries. This would not have been possible without the complicit collaboration of corrupt officials who became in their own right petit patrons of the trade. Illicit trade requires major supply and marketing networks. Key towns along the border build their entire economy along this informal market. Moreover, the network would extend to the peri-urban areas of major cities, where loose state control and corruption networks tolerated and indeed encouraged petty crime.

The Syrian justice system further consecrated the criminalization of young people. Many were recruited in jail to join larger smuggling gangs often protected if not owned by public officials. Just prior to the beginning of the crisis, the state launched a law and order campaign that arrested thousands of young thugs, petit criminals and small time drug dealers. No human right outcry was heard then, and the operation was generally applauded by the majority of urbanites. The outcome of the operation however, was thousands of young people with official criminal records added to an already substantial pool of such people. The President was not exaggerating when he announced the figure of 64,000 such criminals. However, what he did not remark on was that these people were not only acting out of a sense of vengeance (to destroy courthouses, attack police stations and burn criminal records), but indeed many of them were also recruited by the security forces to participate in anti-demonstration violence with the promise of having their criminal records cleaned, or to earn some income working as "Shabiha".

Urban violence is a complex phenomenon, with police and security officers often playing both ends of the fence, as has been witnessed in many other countries. Some local law enforcement officers, see reform policies, democratization and transparency as threats to their local fiefdoms. Syria has always been a country with a reputation for low rates of violent crime. Criminality, even though widespread, was generally tolerated as long as it was not violent and was confined to smuggling, small time drug dealing, small theft, etc. However, the low level of violence in local criminal activities does not negate the existence of criminality, and of the involvement of some law officers in covering it up.

One should not underestimate the role of urban violence in adding an additional layer of complexity to the current Syrian crisis. The sieges laid to various opposition areas have further increased the role of such petite criminal networks. Smuggling goods through the blockades, selling arms and munitions, moving crudely refined oil from the remaining oil fields in the east of the country to the west and smuggling fuel to neighboring countries, rampaging archaeological sites, as well as kidnapping for ransom have all contributed to a wide range of gangs emerging in different parts of the country. Gangs sometimes operate alone but often are part of larger alliances that transcend the political dividing line between opposition and regime.

As the war continues, more and more criminal elements are dominating the local scene in areas with lose governance structures, in both the regime and the opposition areas. The unholy alliance with criminal elements and smuggling networks, to bring in arms and commodities and do the dirty work on their behalf, led to the empowerment of local power brokers. To this day, the attempts on all sides to clean their ranks from corrupt and criminal factions have been meager at best. Today, the lines separating creed-based violence from greed-base violence are very blurry.

The Syrian Electronic Army and Other Pro-regime Activists

Sympathizers of the regime also had their own ways of aggregating their political opinions and activism. In response to the media communiqués of the coordination committees and eye witnesses, they developed their own networks that tracked opposition sites and pages, infiltrated them and attempted to sabotage their activities. Moreover, they organized web based searches to try to discredit communications produced by the opposition. Their activities included tracking archival footage from other countries that were misused by the opposition as evidence of Syrian army brutality as well as tracking eye witnesses and analyzing their voices to show that they were testifying on different news channels claiming that they were witnessing violence in different places at the same time. Though the number of such false accounts remained small, just a few false accounts were enough to cast doubt and leave the bulk of undecided Syrians further confused during the critical first months of the conflict. Eventually, the Syrian Electronic Army would gain an international reputation as a hacking network infiltrating major international media outlets and placing pro-regime propaganda.

Pro-regime young people organized their own rallies. Using major donations from some of the main regime financial backers, they started competing to produce larger flags and bigger rallies. The regime sympathizers were not harmed by the security forces and no armed infiltrators opened fire at their demonstrations. The level of spending on fireworks, loudspeakers, flags and pictures of the President was exorbitant. Their total disrespect for the fact that Syrian blood was being spilled (that of the army as well as that of the demonstrators) further alienated those who had their doubts about the regime's intentions regarding reform. Though they managed to pull large crowds, the pro-regime sympathizers contributed to the further polarization of the young people. It was very hard to find a young person in Syria who was not passionate either in support of the regime or against it. The opposition was very mistaken to think that regime supporters were only doing it because they are paid to do so. Regime sympathizers were just as keen about their support as the demonstrators were committed to the uprising.

Initially, many attempts were made to bring young people to the table to debate their issues. The heated debates revealed that both sides were highly prone to believing stereotypes about each other and many traversed the threshold of accepting the others' right to exist. Young people did not form intellectual positions, they were mainly blackmailed emotionally, on both sides, to take a stance. For their own part, they tolerated little challenge to their points of view for fear of discovering that they were supporting the wrong side. Facebook and other social media played a major role in polarizing the youth. It provided an augmented peer pressure machine that was very quick to track any descent and thereby was progressively edging people towards increasingly more radicalized positions.

Eventually, the non-violent manifestations of pro-regime supporters would subside and give way to aggravated pro-violence stances. Many young people would be encouraged to join paramilitary groups and many would even volunteer on the front lines as reporters for pro-regime media channels. The citizen reporter is not an exclusive opposition phenomenon. Also contrary to many external perceptions, the pro-regime youth include people from all sects and all economic strata. Many of the initial demonstrators, turned to being ardent pro-regime advocates and vice versa. The extent to which pro-regime civilians play a role in supporting the regime should not be under-estimated. Heading

to a national dialogue process would also require bringing these groups on-board as they can be ideological spoilers to match their counterparts on the opposition side.

The Syria National Defense Force

This informal army was established to recruit young people, particularly from minority groups, to join the army with the guarantee that they would serve in their own regions. This army was loosely structured. A relative of the president was to head it and other figures close to the regime provided it with financial and other logistical support. The group was involved in local military operations and often its members were swayed by extra incentives and the promise of loot when they fight outside their neighborhoods. They lacked a central commend hierarchy. This allowed local leaders to establish a semi-independent agenda for their work and as such many of the local commanders started acting as warlords in their own right. The various ceasefires and local peace deals that were negotiated by the opposition and the army in different areas went contrary to the interests of the local leaders of the NDF, so they intervened directly and/or indirectly to spoil them.

The Local Popular Committees

Scores of paramilitary groups were allowed to form in loyalist areas to allow the regime to aggregate its regular army units to fight in a more efficient way. The Local Popular Committees work on a very local level often not exceeding the neighborhood or village. They receive arms from the army and financial support from the big local merchants and influential figures loyal to the regime. Many have resolved to supplement their income by forming small rackets and extorting protection money from local merchants. In many neighborhoods they are highly regarded as the protectors of the communities, while in others they are becoming a burden. Efforts by the regime to consolidate them into the ranks of the regular army or the NDF have not matured and is not likely to happen before the army is more willing to exert some pressure on them.

In the framework of the peace process, these bands will be spoilers for any deal that does not find them some mechanism to re-integrate into civilian life and grant them immunity for the crimes they have committed. The opposition is

insisting that transitional justice be set as a prominent priority in any peace deal with the regime, while for the pro-regime militias this would be a direct reason to disrupt any such deal. The National Dialogue process must come up with creative entry points on the issue of transitional justice if the rest of the agenda is to move forward.

The Security Forces

The Syrian regime had for years depended on a myriad of security forces to ensure tight control over the country in what it perceived as a state of confrontation with Israel. The four main branches and the scores of smaller specialized units have no rigid central command structure. Since the days of President Hafez al-Assad, the strategy has been to balance the security services against each other so that no one had sufficient power to challenge the President. President Bashar al-Assad had considerably curbed their power and influence after he came to power in 2000. He cleansed the forces of many of the old guard and staffed them with a younger crew. In the process, he aggregated many of the competencies previously allocated to the various security institutions into his own hands to allow him more flexibility in overhauling the system. By doing so the decision making process was reduced to a very small group of trusted persons. When the crisis erupted the institutional restructuring of the security forces was still in progress. Moving forward or going backward was a major strategic question that had to be answered. On the one hand the sheer volume of decisions that had to be taken could no longer be channeled through the narrow bottle neck of the top leadership of the system and powers had to be decentralized to accommodate the breadth and depth of the response needed. On the other hand, the security services had not yet developed a new operational model. Information sharing was almost not existent and had to be improvised.

Moreover, as many in the security sector had operated on the basis of inter-agency competition in the past, they reverted back to that model. Most of the top chiefs of the security forces still retain the age old inclination to suspect each other and to compete for the President's attention by demonstrating their vigilance and the others' negligence. While top leaders are well compensated and have considerable leeway in managing their independent budgets, the lower chiefs are not as well remunerated. Most compensate for this by getting themselves involved in small personalized networks of patronage and nepo-

tism. Some are involved in protecting petty crime networks. Rivalries among the various branches spoiled many of the initial attempts to calm the situation, and continue today to disrupt many of the local ceasefires and reconciliation efforts, even though, these have been formally adopted as the main policy for peacebuilding by the regime.

The lack of a unified command and control for the security forces have actually caused the largest damage to the President's position and have undermined his ability to forge a national dialogue. Moreover, members of his immediate family being in collaboration with some security chiefs who encourage and sometimes finance local thugs (shabiha) has added to the perception that the President is not in control. This perception was very popular at first as many people could not explain how a reform oriented President could be implicated in the violence. The perception that the regime is fractured and that the President is not in full control of the security forces has further led many foreign protagonists to start seeking potential defectors in the security corps. There has never been any immediate evidence of this ever happening, as most security officials realize that they cannot go against the President and they know the fate that would befall them if they even thought about doing so. As the conflict has persisted, those early perceptions have subsided. Today, both loyalists and the opposition operate under the direct understanding that violence is a purposeful and planned policy. The difference between the two camps, of course, remains in the terms used to justify it.

On the ground, the Security forces have long ceased to work according their original mandates of controlling various military and civilian activities. For the most part their human resources are used now to control geographical sectors in the different cities and towns. Many local leaders in the different sectors have started taking things into their own hand, ignoring and often lying to superiors regarding to conditions on the ground. Many still continue their old intrigues against each other. The regime still uses this division to ensure a level of checks and balances on them and to ensure that no one branch or location can run alone too far away from the overall regime policy.

The security sector reform will be one of the trickiest items on the National Dialogue agenda. Yet, the opposition has not advanced a viable model for it. Going into dialogue, the opposition lacks any competency for how such pro-

cesses could be managed. Moreover, they have an oversimplified perception of how the system works. Dismantling such an operation is an integral part of many other processes and cannot happen independently. It will involve setting up a better governance system in different civilian governmental functions to replace the role played by the security system in backstopping the government. It must involve considerations for transitional justice and balance these considerations with those for social cohesion and reconciliation. It will also need to look at the direct needs for security coordination between the various militant stakeholders to allow for a minimum level of law and order during the transitional phase.

The Army

Towards the last days of the Soviet Union, Syria's largest military backer in the cold war years, the Syrian army shifted its dependence on classic warfare solutions and adopted more strategic options. The strategic options of Syria are a top State secret. The US and Israel were mainly concerned with the prospects of Chemical weapons, though on different occasions they made unsubstantiated accusations of Syria having other types of weapons. One thing is for sure, the Syrian defense strategy depends on Syria's proximity to Israel and its ability to reach into its hinterland with short and medium range missiles. The main army units, kept on high readiness mode, were kept to a minimum. The bulk of the Syrian army was not equipped for major infantry actions and certainly not for urban warfare. The opposition is quick to point out that this strategy signifies that the Syrian regime has never intended to fight Israel with its current army formation and that the army is mainly a tool to control the population. However, the opposition itself has not offered any formal position on their readiness to fight Israel in case they managed to topple the regime. Indeed, so far the main opposition bodies have only offered scant evidence that they can manage state affairs, the military included.

At the outset of the uprising, the army was sent only as support for peace keeping operations led by the security forces. Army grunts were sent to the field to control crowds, without orders to shoot. As more and more of them were killed during those operations (mainly due to the security forces' miss handling of crowd control and poor coordination), the army became increasingly concerned that the few armed militants in the crowds were becoming a serious risk

to its personnel. The army shifted its strategy from one of small intervention with minimum force to large operations meant to enter opposition areas with solid backing. They argued that this strategy actually reduced the risks of casualties. The low level ground intervention created a situation where violence was growing steadily by shock and awe techniques learned from the Americans and Israelis in their wars in Lebanon and Iraq. A forceful entry would clean out entire city blocks forcing armed opposition to flee the entire area.

The strategy was tested after attempts to enter opposition held areas directly without prior airstrikes failed. The army suffered high casualties as the opposition fighters were demonstrating growing skills at urban warfare. Snipers, booby traps, tunnels between different areas and open holes in between party walls proved to be highly difficult measures to counter a regular army. Air strikes soon became a favorite tactic used before venturing live infantry into dense urban zones. The policy was also designed to make it clear to civilians that any incursion of militants into their neighborhoods would cause serious repercussions (again a technique learn directly from Israeli practices against the Palestinian militants in Gaza). Indeed, at first the policy paid off. As many communities started to look at the incursions of the militants into their neighborhoods as the main cause for destruction and mayhem. However, over the long run, the policy eventually hardened the civilian communities in support of the militants. The army's entering into an area was often depicted by the regime propaganda machine as a rescue mission from the mayhem created by the militants. Yet, the initial success of that story was limited. Many stories circulated about the atrocities committed by the Shabiha in the wake of army operations. Looting, revenge killings and abuse were portrayed by the opposition leaning media as the norm when the regime retook an area.

In reality neither narrative was entirely true or entirely false. However, the propaganda machines on both sides were fighting a war of their own. It would take much longer until local opposition and regime fighters learned to deal with each other on the ground and establish their own direct experience of each other away from pre-conceived narratives propagated by the media on both sides. As the battles went on, the commanders on the ground learned to study their opponents personally, and understand when they can negotiate and when they cannot. Thus what seemed like an impossible standoff on the political level may not be as clear cut on the military front. It was a big oversight

in the Geneva process, not to take the bottom up approaches typical of ending wars into consideration and just sticking to the top-down third party mediation approach favored by Mr. Ibrahimi, who often ignored the recommendations of many in the UN delegation working on the ground that recommended closer attention to the peace keeping potentials on the ground. Mr. Ibrahimi perhaps wanted to avoid his predecessor's tactic of combining military and political tracks in the negotiations. The mission of Arab Observers, who were sent to Syria early in the crisis, is generally perceived by the different stakeholders in Syria to be a failure because it was not able to absolutely stop violence. Despite evidence that the mission managed to reduce the killing to a minimum, the naïve perception at the time was that ceasefires should end violence completely. Media entities eager to disrupt the political process played a role on both sides, agitating against the potential of a ceasefire to reduce violence.

This has not stopped local commanders from brokering significant local ceasefires and some have even developed and matured into longer term truces. While the Syrian army is often portrayed as the strongest perpetrator of violence, it is also an important stakeholder who could play an important role in managing ceasefires. In any future negotiation, it will be useful to distinguish between the roles of the army and other pro-regime forces. The army may be the only one who can guarantee to keep the others at bay. The dynamic of peace keeping operations will need to look realistically at all the assets and potentials. Lumping the army in with the rest of the regime loyalists is still a big propaganda favorite in opposition circles. In reality any peace keeping operations will have to leverage the stronger protagonists to control the weaker ones. Disengaging from civil wars requires a realistic understanding of how forces on the ground operate.

The Baath Party

The Baath Party was one of the leading Arab nationalist movements of the second half of the twentieth century. Its political paradigm revolved around the careful balance between nationalism and socialism. Unlike many of the smaller parties that flourished after independence, the Baath's ideological formula was very popular among a wide range of social classes. The party's history was one of continuous shuttling between hard line ideological stances and extreme pragmatism. However, since Hafez al-Assad formally took power in 1970, the

Party was mainly maintained to create a network of political patronage. The Baath as an ideology did not evolve since the Party was no longer challenged for its position of complete control over Syrian public life as codified by the 1973 constitution.

As President Bashar al-Assad came to power, he inherited a party that was dominated by old guards. And though in principle the Party was never able to maneuver independently under his father, the new President wanted the Party to define a new mission for itself. He encouraged younger leaders to emerge in the rank and file, and some managed to even make it to top positions. But the Party was never able to relinquish its addiction to ruling from above. The new President challenged the new leaders to make the Baath more relevant, but the party as a whole stubbornly persisted in assuming its key role of influencing public policy through its strong veto power on public nominations and control over the institutional process in key decision making areas.

President Assad managed to provide a small breathing space to the cabinet of Naji Otri in 2003. The Party congress in 2005 promised major reforms which included paving the way for a new multi-party political system. The Party's role in the public life of Syria was to be diminished, though not truly compromised. The slow pace of reform was always justified by the external political challenges facing the country and the need to maintain stability. Internally, the Party elites, incapable of challenging the President's reform agenda directly, opted to take another route by attacking the key reformers standing brought by the President to lead the process of reform.

It was becoming clear that the economic reforms instigated by the President (and his economic advisors) were only tackling macro-economic conditions in the country, on the micro level development was uneven. In some parts of the country poverty was increasing and local institutional and human development indicators were regressing, despite overall developments on the national level. The reform process in Syria produced clear winners and losers. Some of the biggest losers happened to be the rural areas in the north east of the country. However, the reforms mainly deprived the Baath from its most notable tool in brokering political patronage, mainly the issue of distributing economic subsidies to underserving recipients. The Baath Party was not particularly concerned with being in a position to challenge the reformists on the macro level,

but they were the party that created a major obstacle on the micro level through their control over the decision making process of government, especially local government. When the government was preparing the eleventh five-year plan, it became evident that the reformers were losing ground.

The Baath started launching direct attacks on some of the key figures of the reform agenda, accusing them of taking the country down with their uncalculated reforms. Of course most of the apparatchiks did not want to acknowledge that to offset the effects of economic liberalization the country needed to advance political and institutional reforms they were completely unprepared to undertake. Thus, the Baath leaders were campaigning in the media and in public discussions as well as within government to use the reformers as scapegoats in order to quell the wave of disgruntlement. The fact is demonstrations were mainly concerned with the impact of corruption and lack of political freedom more than they were concerned with economic issues per-se.

At the first moment of trouble, the Baath Party leadership jumped at the opportunity. The Old cabinet was sacked. The Party convinced the President that they could clean house. No one could deny that the old cabinet of Naji Otry contained many corrupt ministers, but the Baath party was not concerned with those; they wanted to get rid of the reformers. The new cabinet led by Adel Safar, is an entirely Baath Party construct. Many of the ministers came directly from the Party structure, and their only professional credentials were that they were Party leaders. Subsequent changes of government followed along the same line.

The Baath Party advocated two main lines of action. On the one hand, it adopted populist policies to appease the street, using vital state resources to buy public approval was used heavily at first. However, as state resources were reduced the effectiveness of that approach was greatly reduced as the war went on. On the other hand, the Party re-energized its old ideology and is reverting to the tried and tested propagandist methods of handling the crisis as it did in the 1979-1982 crisis. The Party's rank and file accounts for some 2 million members and they are using this network to push their agenda. Ironically, most of the troubled areas that witnessed anti-regime demonstrations were traditionally the social backbone of the Baath and many Baath party members eventually joined the rebellion. It is hard to estimate the extent to which the party still carries real weight on the ground. However, its role in micro subverting state poli-

cies and regime decision making should not be entirely ignored. Though many consider them as a simple tool in the regime arsenal of tactics and that they are dispensable eventually in any final political deal, their role is not likely to be bypassed. The de-Baathification of Iraq proved to be disastrous to developing viable governance after the fall of Saddam Hussian. The Baath will have to be considered as an important stakeholder if only for that reason alone.

The President

The main factor that is still not well defined in this crisis has been the President himself. Before the beginning of the uprising, the person of the President was rather well respected and liked by the majority of the population, especially among the youth. Internationally, he had forged for himself a reputation as a reformer and, despite some differences in opinion, most international stakeholders respected his direct approach to politics. In 2005 after the assassination of the Lebanese Prime Minister, President Assad came under personal attack. A failed coup attempt by some of the close circle of old guards in addition to the international pressure on Syria to exit its army from Lebanon were definitive milestones in the early phases of Bashar Assad's presidency. His quick maneuver to leave Lebanon while frustrating the pro-United States-Lebanese allies from effectively dismantling Hizbullah's resistance network earned him wide support on most Arab popular streets. Initially, he must have perceived the pressure exercised upon him in the current crisis as mainly a continuation of the pressure created in 2005. Hizbullah in return has supported Assad under the same assumption and is sending seasoned commando fighters into the most difficult battles in Syria to help turn the tide in Assad's favor.

Initially the calls of the demonstrators were for reform and not for the ousting of the President. However, his failure to address the violence perpetuated by the security forces and acknowledge the Syrian uprising as more than a foreign plot brought the President himself under attack. The Syrian power structure is ambiguous. Even the most seasoned observers can not understand its true mechanisms. The relationship of the President to the power elites and the role he plays as a mediator among the different interests of the power centers in the regime is to this day one of the biggest mysteries to decipher. He himself played an important role while dismantling the networks of the old guard power elites he inherited from his father, he played a careful role in not exercising an overt

and visible role in dismantling some of the old structures and re-aggregating decision making processes in a much narrower closed circle of trusted persons. In the process he had to innovate different processes for understanding the social, political and economic context beyond the standard reports he was receiving from his intelligence chiefs. He created new formal and informal channels for assessing public perceptions of his policies. However, unlike the formal and systemic checks and balances that his father imposed on the security branches, the new channels were mostly informal in nature and operated in the dark as to what the other channels were doing. That complex web of political and security networks remained for the most part beyond the comprehension of the public. It is not surprising that the disgruntlement with the regime has been made abstract and directed to the person of the President.

On some level, the reaction must be understood in light of some basic principles that have continuously driven his political behavior. Foremost among these principles was the President's keen sense of resistance to being dictated to by the United States. His reading of the crisis is informed by his 2005 experience and the subsequent proxy conflict with Israel. It is also informed by his interpretation of the history of Muslim fundamentalism as originally manifested by the Muslim Brotherhood, both in Syria, but more recently, in other parts of the region. The type of Islamism perpetuated by the Brotherhood as well as more salafi ideologies is not only perceived as dangerous on the ideological front, but most importantly, it is transnational politically. Despite, the outlook of many Islamist movements as being willing partners in their national social contracts, most have transnational command-and-control, or at least affiliations, which could render them susceptible to undermine critical national balances. On this point, it seems that even Saudi Arabia is in accord. Its endorsement of the coup in Egypt to oust the Brotherhood from power after the revolution and its pressure on Qatar to reverse its standing on supporting the Brotherhood there, by re-shifting the wrath of its media empire al-Jazirah against them, only goes to show that Gulf Monarchies may play the moderate Islamic card when it suites them, but not when it touches their own security. President Assad's stubbornness in this regard was not irrational.

Though The President had formally recognized the popular discontent driving the demonstrators as legitimate and had spent a great deal of time at the beginning of the crisis meeting with all social strata and all factions among the

demonstrators, his primary concern was originally to separate the internal factors driving the conflict from what he perceived as external factors. Eventually, he was convinced that the internal and external forces were inseparable and dropped the discussion on reform and appeasement of the local grievances. His discourse since became focused on the Islamist nature of the insurrection.

Some would say that this is a deliberate strategy to discredit his opponents and force the Islamophobic West back into deal with him. While such a tactical manoeuver is not beyond consideration, the issue goes beyond mere operational tactics. At a deeper level, the perception that Islamist ideology is one among many strong currents in the region and that only his role could mitigate its threat had to be made visible to the world both outside and inside Syria. In the past many Western and Arab countries broke the diplomatic embargo on the Syrian regime to deal with the Jihadist threats. A re-playing of that game is perhaps one of the main motivations for allowing the Jihadists their chance to play a role in the Syrian opposition, indeed to play the most important role. However, it is not unfolding in the simplistic portrayal often perpetuated in the opposition circles that the regime is in control of the most radical groups. The President's vision was perhaps to let all forces in society take their natural positions in the conflict and then to posit himself strategically as the only one who could mitigate the larger mess created. Using the Jihadist card has been a favorite tactic of many regional and international protagonists in the past. The same arguments that apply to the regime's relation to the Jihadist can go either way with different protagonists using one brand or another of the Jihasdist groups to exert pressure and/or to muddy the issues while pursuing more objective agendas on other fronts.

The role of President Assad's as a part of the transitional phase has been one of the most sticking issues in the envisioning of a peace process. The larger opposition groups have made his removal an essential condition, and have personalized the whole group of loyalist stakeholders into his sole personal figure. The exact role that he plays now and would play to ensure that the loyalist figures would eventually accept a peace deal needs to still be carefully assessed in a rational manner. He himself on the other hand is still considering that he would be the only one strong enough on the ground to provide the mandate for the national dialogue to take place. As long as the opposition is fragmented he stands the best chance to be the eventual broker of the process. He has been

extremely sensitive to any process that is not being carried out inside Syria by Syrian stakeholders. He is, therefore, likely to obstruct any process that does not work along those lines. On the other hand, the regime has failed miserably at providing any trust building measures to enable the opposition to engage in a strictly Syrian-Syrian process. One of the main negotiating conditions for moving the peace process forward will have to mitigate this particular standoff. As shall be explored in the last part of the paper, the chance of achieving this through national level negotiations alone is almost nil at this stage. To break the deadlock different routes must be looked at to eventually enable a viable Syrian-Syrian process to take place. This would require some external mediation, but only acceptance of Syrian protagonists to meet, negotiate and agree on reasonable outcomes that would be mutually tolerable, though not preferable, to all sides may succeed. All sides must come to the realization that the forces on the ground will not disappear, will not be wished away and will be part of the future political map of Syria, at least for the foreseeable future. Only that principle will allow a realistic process to take place.

The Peace Assets

Throughout the conflict, many Syrians have opted to work against the current of social polarization. They engaged in humanitarian relief work to help affected communities regardless of affiliation; they worked on keeping dialogue channels open; they encouraged constructive discussions and try to promote civil activities engaging people from different political views to work together. As the conflict turned into a fully-fledged war these people and their civil society groups and networks were some of the rare channels free to cross the demarcation lines. Brokering local deals to pass food and medicine, fixing disrupted utility services and exchanging hostages and kidnapped persons were often mitigated through the works of such mediators. Individuals who maintained links on both sides of the divide operate either alone, or in small groups, often capitalizing on social and business networks that were at their disposal before the conflict to expand their outreach. If you cannot negotiate directly with someone, you asked around as someone was bound to know them. Very complex webs of contacts were established to achieve this kind of work, the result is that channels on the ground are often more open and realistic about crossing the regime/opposition divide than is portrayed by the reductionist black and white narratives in the media.

Formal and informal networks have emerged operating in different parts of the country, even under the most constrained conditions. Using local knowledge and the ability to contact other members operating across the demarcation lines has enabled these networks to mitigate the risks involved in doing their work. Though often the main motivation for the work is to serve the basic needs of their communities, local peace work is an essential component of what they do on a daily basis. Eventually, they developed some basic patterns that are being replicated, albeit with local flavor in different parts of the country.

Examples of peace assets include people involved in the negotiations that certain communities like, in particularly near Damascus, to pull out outside militants from all sides and allow the local municipality to take care of civilian affairs. Some of these have been sustained for over a year now. Other agreements were unfortunately reversed, mainly as a result of outside interventions. Lessons learned must be drawn to assess how local peace agreements can be monitored and sustained. Other peace assets have worked to maintain access for the delivery of humanitarian services away from the control of the militants and the regime like. In other towns local opposition groups have managed to negotiate seals with the Free Syrian Army, whereby the civilian committees took charge of basic municipal services working a deal with former state employees to return to their posts. In other cases local makeshift hospitals treats both government and opposition casualties. Local negotiators have managed to successfully engage in some prisoner exchanges. In other cases local civil society initiatives have worked to train young volunteers to deliver basic food and shelter across the board providing thousands of meals every day to IDP's from all backgrounds. Their work is based on a solid ethical stance of not discriminating among the recipients of their services, and their volunteers are subjected to basic training in conflict management and inter-communal sensitivities. Reports from the battle field have indicated that the regular and rebel fighters were often able to create deals for exchanging water and electricity services to allow their respective areas to retain a minimum of life support services.

On numerous occasions, army commanders opened up spontaneous dialogue across the line of fire, these accounts often inspired social media to reduce the intensity of the discourses fueling the conflict. These encounters may have little effect in terms of changing positions on the ground but they certainly contribute to the building of a moral high-ground for peace. This is also where vari-

ous media programs and TV programs have managed to drive a wedge into the prevailing narratives that frame the conflict. Similarly, Some NGO's have organized meetings on the future of the national economy and the best way to promulgate a national reconstruction program as a means of providing a platform for negotiation and peacebuilding. Others are working on supporting cultural initiatives aimed at sustaining cultural dialogue and cultural expression. Peace assets can be individuals, organizations or processes. The above mentioned examples are but a sample of a growing tendency in many parts of the country.

Civil society has not yet aggregated its voice in opposition to the war narratives, and many still use their voices mainly to promote aggravating discourses. However, a growing momentum of civil society groups is gradually emerging. Their involvement in any future peace process will be indispensable, either on the level of staffing the necessary peace infrastructure (see below), or on the level of representing more realistic and complex viewpoints in any future National Dialogue. Thus far, the approach of the formal peace process in Geneva was to ignore them for the most part. However, more recent trends are open to engaging them, albeit in limited manner. The Syrian conflict can only be resolved in the long run if these actors are empowered to take the lead on all levels of the peace process. They constitute a counterweight to the hate discourse promulgated by the belligerents, but most importantly over the last three years they have gained tremendous experience. Models from other peace processes in other conflicts will be helpful, but they are not a substitute to local knowledge. This knowledge is the largest leverage for peace available so far.

Part 4: Some Necessary Entry Points for the Peacebuilding Process

Since the beginning of the conflict in 2011, several attempts have been made to engage the Syrians in dialogue, negotiation, and/or ceasefires. Carrying out these initiatives without reasonable consultations among the various stakeholders and without the management of expectations has created unrealistic expectations among the various stakeholders and that, in turn, has led to major disappointment when expectations where not fulfilled. This was detrimental on many levels. On the one hand it has convinced many Syrians that a Syrian process is impossible without the direct patronage of international brokers, while on the other hand it has encouraged a feeling that the solution to the Syrian crisis will be a single action undertaken by some mythical super-power agreement. This predicament was sustained throughout the Geneva discussions and the work of the UN Envoy, Mr. Ibrahimi, who was personally not in favor of diversifying the entry points to the peacebuilding process, and favored instead to focus on third party mediation, at a time when the conflict was already becoming multilateral in nature.

Today, it should be clear to everyone engaged in the issue, that the process will not be linear, and will require different processes to work in parallel to create a momentum for peacebuilding. It is also clear that the process will be a long term one, where stopping the violence will not be achieved as a precursor to the negotiations, but that a great deal of work will be required to reduce violence gradually and over a long period of time. Some of that work will follow classic top-down political negotiations, while other work will have to focus on laying down the ground infrastructure for peacebuilding through a bottom – up process. The rest of this paper will shed some light on how the different entry points for peacebuilding could form to influence the overall direction of the process. It will look at different tools currently underway and assess their potentials and limitations.

The National Dialogue that will define the outline of the political transition will not be a single event limited in time. Building the process will require the Syrian stakeholders to work first in small groups and eventually on the national level to design their own dialogue platform and imbue it with a solid mandate and a realistic mission. The role of international stakeholders is not to

be ignored in bringing the various parties to start the discussion; however, no success will ever be achieved if the process is not consensual and inclusive of the bulk of local and national stakeholders. Thus, the outline provided below is not meant to be proscriptive, as much as an attempt at a firsthand exploration of the range of tools available. This is not a fixed recipe, nor is it intended to substitute for the necessary discussions among the stakeholders. The following text will simply provide an overall inventory of the various possibilities.

The Top-down Process

For any long term peace process to be codified and sustained, a myriad of constitutional, institutional as well as political transformations will be needed over the long run. In some countries it has been possible through third party mediation to reach some agreements on these transformations early on in the process, these agreements then cascaded down into the local level. In those cases the top-down peace process was an enabling framework for peace though eventually it was the local peace infrastructure that ended hostilities on the ground. The process adopted in Syria by Mr. Ibrahimi was to follow along the same model. The initial failures of the process in Geneva in March 2014 does not mean abandoning work on that level; it simply will require some strategic maneuvering around the nature of that deal. The new UN Envoy should perhaps consider looking realistically at all the other enabling interventions needed to lay the ground for and to sustain it. In essence the intransigence of the top players to achieve an overarching resolution for the conflict cannot be justified under the rubric of "the two sides are not yet ready for peace", the statement that we so often heard in the context of preparing the ground for the Geneva meeting. If the overarching deal is still not possible, other types of deals can and ought to be considered.

One of the most important top down principles that need to be stated clearly to the top players is that a top down process can never by itself end violence. In multilateral conflicts, where national stakeholders' grip on local constituencies is limited or non-existent, ending violence cannot be a precondition to negotiations, it happens as a gradual outcome of the political agreement. Cessation of hostilities will be easily reversible and may require several iterations before a substantive reduction in violence is achieved. The top down process should be viewed as a laying down of a road map and a set of principles that will inform

the peace process and help to refocus it at critical junctures. Not all details can be agreed to at first, and some will have to await the establishment of normalized political institutions that will eventually resolve them by resorting to peaceful (if not amicable) political processes. Third party mediation and top down processes invariably almost always fail when they try to address the deep root-causes of the conflict from the outset. They are more likely to succeed if they focused on how the belligerents will establish the appropriate processes, platforms, and pacts through which they can eventually address their grievances.

Another important principle for the top down process is to remove from the process the claims of belligerents to be representatives of anything other than the forces they control on the ground. The representation game leads to unnecessary posturing, where the different parties want from the outset to emerge as the victors from the first round of negotiation. The process should play on the confidence that the different parties feel regarding the scope of their representation, but should not be focused on it. In essence the argument should go along the following line: if you are confident that you represent a significant part of the population then you should not worry about going through a political process that would demonstrate your claims in a transparent manner. The difficulty often emerges when dealing with smaller minorities (be it ethnic, sectarian, political, regional, etc.). Minorities will need guarantees that the eventual political processes will not give the majority total control over their destinies. To that extent however, the top down process must focus on the safe guards that will be given to ensure that the future political process will be fair. Often this is achieved through laying the ground for some limited number of principles, supra-constitutional, political or procedural, that would achieve that goal. The focus of the top down process should not be about who is the legitimate representative of people, but on the technicality of establishing a reduction of hostilities and a launching of a political process.

Certainly, over the long run the deep root causes of the conflict will be addressed on the national level through a top down political process. Agreeing on a final national constitution can only be codified through a national level political process. Writing the constitution in essence codifies the instruments that will enable the representatives of the different constituencies to lay claims to their representational mandates. They will then engage the different constitutional instruments to address long seated root causes of the conflict. Thus, it

is important to lay a reasonable timetable for the top down process to come to fruition. That time table should accommodate the necessary time for the bottom up (see below) interventions to lay the necessary infrastructure for the remaining long term national processes to take place. Therefore, the instruments proposed below are not independent form each other, nor are they alternatives; they should be considered parallel strategies. When movement on one particular track faces an obstacle, other tracks will circumvent it and enable the momentum for peacebuilding to continue.

Third Party Mediation (Geneva 2/3, etc.)

The agreement signed in Geneva in 2012 was the main framework adopted by the UN Envoy for bringing the Syrian government and the opposition to the negotiation table. This framework eventually gained some momentum as Russia and the United States of America agreed to join forces to set up the follow up meeting in Geneva in March 2014, in what was dubbed Geneva 2. The design of the meeting was limited to high level political representation from the regime end and the SOC and some of the less relevant opposition stakeholders that agreed to be represented within the SOC delegation. The meeting did not provide for an inclusive and diverse representation of the various Syrian stakeholders. The two phases of the Geneva 2 process have succeeded in one thing so far; that is the breaking of the ice and formalizing the recognition of each other's protagonists. However, Geneva 2 reached a deadlock as there was neither intention among the participants, nor real support among international parties for the process. The belligerents still believed that there was an opportunity to win the war. Neither side had reached the point where they could see the futility of continuing the fight.

Geneva 2 fulfilled the belligerents' pre-conceived perception that their opponent was not interested in finding a solution. The opposition went into the meeting thinking that the United States and Russia had already settled things and that the purpose of the meeting was to arrange for a transitional phase to allow President Assad to step down, and that the regime representatives were behaving as if the deal was already done in their favor, and that the opposition was there to lay down its arms, join the government in fighting the radical Islamist elements that were gaining ground in many parts of the country. All hopes were put on a highly mediatized top down process that would somehow

end hostilities and provide a political solution at the same time. Expectations were mismanaged, resulting further distrust among the different protagonists as to the viability of negotiation.

Though it is important to continue working on this track of negotiation – both on the international and national levels - other tracks of discussion are needed to explore different entry points. Synchronizing international, regional and national interests is essential. The exact terms of the initial Geneva Communiqué are certainly subject to serious questioning as the conflict dynamic in 2014 are no longer what they were in 2012. But time should not be wasted again on developing another communiqué while all other fronts of action are at a standstill. The new peace envoy sent by the UN should reevaluate the process very quickly and assess where entry points are still possible. The debate should not remain focused on whether the transition government should be set first before fighting the extremist Islamic State, or the other way around. Some small scale win-win options can be discovered in between. There are many types of possibilities for defining what a transitional phase could look like. If the current option highlighted in the original Geneva communiqué is no longer feasible, other options should be considered.

The important thing is to keep the high level track-one process on going and to keep contact. Perhaps the public nature of the Geneva 2 meeting was counterproductive to the process as participants took a defiant role in front of the cameras for fear of antagonizing their support base if they were not perceived to be tough negotiators. Changing the format of the meeting and expanding the scope of participants will also help. The process must incorporate stakeholders with presence on the ground and not just the political forces favored by the international backers of the different factions. It should also be open for the participation of the civil society groups, either directly as observers or through a wide range of track-two type meetings, leading to important inputs and feedback to the track one top level negotiations.

The team of the UN Envoy should be re-configured along the abovementioned lines. Feedback from the other tracks suggested in this paper should enable a better framework for the political process to take place. Neither the regime nor the opposition sitting at the table in Geneva must be in a position to set the terms of the discussion alone; other key Syrian stakeholders should be engaged. The UN Envoy's team should have a whole range of mediators on board and it

should be endowed with sufficient resources to tackle the lessons learned from the various other processes and to coordinate with them. Sometimes, track-one meetings will need to be suspended in favor of track-one-and-a-half, where technical people scope feasibility of different options without committing the top decision makers directly. Different negotiations techniques should be at hand and different competencies will be required.

Setting up a High-level Contact Group

The previous UN envoy Mr. Ibrahimi had a very specific mandate for negotiating among the important stakeholders on Syria. However, he opted to hold the key entry points to achieve his mandate in a direct and personal matter. This created a bottle neck and often limited alternative visions and options to emerge on the scene. Though the process of mediation will eventually require one credible person to lead it, the preparation of different ideas and the scoping of options and alternatives can certainly benefit from the vision, credibility and contacts of a wider pool of high level individuals. Many protracted conflicts benefited from having a high level contact group. Such a group could have a broad or specific mandate that would include:

1. Coordinating on the international and regional level among different stakeholders who could effectuate either pressure or practical guarantees to support the process.

2. Promoting the moral high-ground for peace and legitimizing the moral prerogative for peacebuilding.

3. Supporting high level confidential meetings and providing direct contacts among stakeholders to break the ice and engage stakeholders in discussion.

4. Provide strategic assessment and support as required by the UN special envoy.

The composition of such a group can be determined after consultations with key international stakeholders and peace networks. Nominations to the contact group must involve energetic people with access to different stakeholders and contacts to open doors. They need to be creative to collectively evolve new options to be put on the table, and most importantly have credibility as peace makers.

Likewise, it might be essential to create a Syrian high level contact group, comprised of a small number of respected individuals who have access to many of the stakeholders on the ground and who can collectively cover the widest spectrum of stakeholders. At every level of the peace process the UN Envoy should allow for an active Syrian role to be played. The active role of Syrians on all levels of the peace process is one way to bring back legitimacy to an arena that has thus far little moral support among the belligerents. In many other conflicts around the world, key national figures were present from the onset to give moral weight to the process. In the past in Syria, such prominent roles were never permitted outside the overarching hegemony of the regime. Nonetheless, there are some very credible names that have started to emerge. Their names are still not widely circulated and some have been highly contested in the past to block the way for their future engagement in the political process. As the belligerents were counting on winning and not settling for a negotiated solution, they undertook to discredit any national figure that could eventually play a consensual middle ground. Nonetheless, Syrian figures who could hold such a role can gain prominence by being engaged at all levels of the process. Indirectly the Peace process should create space for leading figures to emerge and exercise moral pressure towards a settlement.

Establishing the Higher Moral Ground for Peace

The meetings in Geneva have so far failed to bring the main actors closer to a resolution. Although it was an important step in this long journey for peace, its failure brought more suffering on the ground with the widening divide between the warring sides. To counter the failure of international mediation, it is important to start building a moral high ground to sustain the process. Celebrating the values of peace must be given a very strong first push. The current disappointing outcome of the Geneva 2 negotiations must be transformed into an impetus to jump start the peace process from various new entry points, particularly from the bottom-up. Discussions need to be carried out with multiple stakeholders and to develop a vision for a new moral high ground to emerge. This will require a gradual shift in the way international coverage on Syria is framing the current dominant discourses. One of the key roles of the new UN Envoy is to facilitate the emergence of new paradigms and to communicate them publically. The UN system itself is encumbered by the deadlock in the UN Security Council, thus the mandate of the UN organizations has been se-

verely limited to humanitarian relief in the narrowest sense of the word. The UN can and has the mandate to engage in a much wider spectrum of roles, starting from monitoring and reaching out to developing local win-win situations while redeveloping basic livelihood support instruments.

The impetus for active participation in peacebuilding is not strong, not least within the UN system. Third party negotiations are particularly delicate processes, Mr. Ibrahimi wanted to limit formal communication to avoid critical antagonizing of the two sides. If the process from now on is going to capitalize on different tracks for peacebuilding, the new UN Envoy's team must consider a much more active communication role. One key diversion in the narrative would be to open the door for the multitude of local peace overtures. Local peace deals have not always succeeded and some have failed miserably. In most cases they were nothing more than surrenders to the stronger party to limit further bloodshed. In some cases they were just temporary lulls to allow the belligerents to regroup and re-energize their fight. Yet, these local efforts are clearly indicative of a strong will and agency on the part of local peace assets. Strengthening the peace assets' future role to make more viable peace deals will depend to a large extent on how much credibility they will receive in formal UN communications.

Many of the current narratives framing the role of local ceasefires and peace initiatives are iterated by formal opposition groups who see the emergence of a bottom-up process for peace as undermining their own role as national spokespeople on behalf of the opposition and have been particularly adamant in critiquing it. On the regime side the narrative has been reduced to a very simplistic story, ignoring the difficulties involved in the process, in order for it to remain in control of how it can manipulate it each time to give the regime the greatest advantage. Supporting local peace work is not an alternative to top down processes, but a complimenting one and a laying down of the infrastructure for it to happen. To that end peace assets on the ground should be identified and rapidly strengthened. Their needs and aspirations must be brought to the surface and allowed a strong voice. They need to be encouraged to come forward and present their own voices in defining this moral high ground. On the other hand, the bottom up process is not going to be a mere reflection of the top down process. The UN Envoy will need to do more than give lip service to accommodate their role in the process.

Many Syrian community leaders have been forced into silence for fear of being seen as taking sides. The Peer pressure on them has been tremendous. Many have felt alone and secluded in their own milieus. Bringing them to the front to support the peace process can help create a moral force for change. They need to have credible platforms to stand on though. The UN Envoy team should look into making their role more visible by creating opportunities to aggregate their voices and allow them to develop mutual reinforcement and support to withstand the pressure exercised on them by warmongering peers. A myriad of low profile events is needed to introduce them to each other and then perhaps develop high profile platforms to promote their position. The emerging platforms must be supported by strong media and communication campaigns to transmit and relay the underlying need for peace. Of course it is not the UN Envoy team that will do all this work. However, the UN Envoy can set the tone, endorse and encourage various initiatives to take place and direct the UN and other international organizations to support such direction. The apolitical approach by the international community to absolve itself of responsibility over Syria cannot be retained at the level of humanitarian aid. The moral high ground for peace will need to get international stakeholders to take an active stance.

Thus far, the conflict has sustained itself by refusing to recognize the costs it has inflicted on the country. Belligerents are hoping to win no matter what the costs are. One of the most important cornerstones for peacebuilding is making it absolutely clear what those costs are. Part of establishing the moral highground for peace is to refrain temporarily from the blame game and assign the blame on the continuation of the war. Transforming the narratives framing the crisis is a first step towards managing the conflict. One of the main narratives that needs to be transformed is the viability of humanitarian aid for Syria. The scope of damage and suffering is beyond the ability of any aid program to cover with or without the obstructions being imposed by the belligerents on its delivery. Humanitarian work is providing a Band-Aid where serious intervention is needed. That intervention will run into billions of dollars every year for the foreseeable future. This level of funding is not possible through international aid alone. Continuation of the war will only make the situation more acute. People dying from disease and lack of regular medical service alone are already at a rate twice as high as people dying from violence and human rights abuses. We are told by the various economic and expert calculations that this rate will increase to ten times more if the fighting continues until end of 2015.

The only way to save lives in the future is to halt the violence. The only truly humanitarian approach to Syria is to work for peace in addition to dispensing blankets and hygiene kits.

Technical Support for Managing the Transitional Phase

Developing a baseline assessment of damage and needs is also required to create a platform for envisioning technical solutions to various problems facing the recovery and reconstruction process, but most importantly to demonstrate to the various Syrian stakeholders that their grievances will be met and that the peace dividend is greater than the marginal benefit of prolonging the war. Developing the normative knowledge and disseminating it is vital for focusing protagonists on the complexity of the solutions needed and shifting their discourse away from dominant agony discourses. Providing people with the knowledge tools to resolve problems and bringing together stakeholders and expertise to develop such tools is another corner stone of peacebuilding.

At the moment several scenarios have been drawn for such recovery processes to take place. Competent international agencies such as the UN ESCWA, UN HABITAT, UNDP, WHO, and others are already engaged in such exercises alongside with other donor countries and agencies. Different opposition groups have also posted their plans and the government itself has collected major data in that regard. This paper is suggesting the creation of shared knowledge platforms to provide essential resources and normative outputs empowering local activists to develop key communication messages from their work to support and sustain the peace process. This independent normative knowledge is essential to provide the working tools for peace activists to introduce a peacebuilding approach to every aspect of reconstruction, humanitarian service delivery and the administration of even the most basic municipal services.

Formal National Dialogue (with capital ND letters)

A formal process for National Dialogue will be needed over the long run to accompany the peacebuilding process, and to involve key formal stakeholders in expressing their political positions, defending their agendas, and negotiating among themselves for creating a new political and constitutional framework agreement and a national social contract. The process cannot be designed a

priori and needs to be formally discussed and agreed upon. But some important characteristics can be devised from lessons learned from other processes around the world. The ND must respond to the stakeholders' need to own the process, and not be its target. The design of the process itself is part of the dialogue and an important first outcome. The belligerents must be empowered to design and own their system; they will define its inputs and outputs and assess its measures of success and failure. Yet, the process will need to be supported with moderated facilitation, secretarial management and knowledge production tools.

To prepare for the process, secure confidential dialogues will help the emergence of a formal National Dialogue (ND) and act as a support mechanism for it. These confidential dialogues will take place in "safe spaces" amongst the key intellectuals, leadership and stakeholders from all sides. A neutral space will be needed where protagonists would feel at ease to discuss and speak to each other beyond the stress of the media. The protagonists to the conflict will have to learn to develop the trust mechanisms needed to move the dialogue and they will need to create a framework for assessing problems and developing quantitative and qualitative knowledge to deal with these problems. They will require technical expertise to backstop them and the long term commitment of neutral donors to support the process.

Such a confidential preliminary dialogue process is not an alternative to the formal and constitutional processes, but it will provide a safe place where protagonists can discuss, privately test and negotiate ideas that can eventually be presented to the public. Outcomes can be as binding as the various sides contributing to the process agree to make them. It will tackle issues ranging from the discussions on supra-constitutional principles to legal frameworks to procedural issues. The meetings can have different levels of participation ranging from track one-and-a-half to track two levels. At the moment of writing this paper, over a dozen such processes have emerged through international mediation. Some are operating on a thematic basis, specializing in one type of discussion, such as constitutional options for the transitional phase, the design of the ND process, developing an enabling framework for ceasefires to succeed, etc. Most of these processes are disconnected and lack coordination as they are mainly confined to the banners of their international sponsors. The process would greatly benefit from coordination, aggregation of results and

consolidation of knowledge outcomes. Most importantly, most would benefit from a shifting of focus from addressing donor perceptions of priorities to those owned by the Syrian stakeholders participating in them.

On the other hand, such a top down process will have to feed into and legitimize a myriad of bottom up dialogues. The future of the country cannot be left to a handful of individuals to decide on its outlook. A wider level of participation will be needed. The two processes are not mutually exclusive and should feed onto each other and bring to the surface a more realistic approach for peacebuilding. Building consensus on national issues is both a top down and a bottom up process.

The Bottom-Up Process

Equally as important as the high level political top down process to peacebuilding is the need to work on the ground with activists, civil society and local government to diffuse the intensity of the conflict and transform it into the political arena. Over 5000 military factions have already been documented as having existed or as having emerged in the process. The nature of the Syrian opposition is such that national political vessels lack credible representation on the ground, or at best their representation is fragmented. Yet, the presence of opposition forces on the ground is undeniable and must be recognized. Likewise, the forces loyal to the government have their own local agendas and interests and will not immediately cede their local positions simply as part of a government negotiated deal with the opposition. A good part of the peacebuilding process must focus on recognizing these forces' presence on the ground and capitalizing on them for developing their political skills and engaging them in the peace process. Over the long run these local forces will be able to consolidate their presence nationally in the form of political parties and civil society formations. Some of the more direct and active interventions are needed for such a process to be sustained. Focus should be on:

Empowering the Peace Assets

Despite all the talk about conflict and war in Syria there are many peace assets that are operative and must be recognized and empowered (see above under stakeholders). These include neighborhood elder committees, civil society

groups, activists working on protecting cultural heritage, study groups focusing on reconstruction and recovery, online dialogue groups, citizenship initiatives, volunteer groups, relief and humanitarian endeavors, charity alliances, and individual activists. Their position can be closer to the government or to the opposition, or they can be truly neutral. They have for the most part acted alone and in secret for fear of retribution from both sides to the conflict.

Many of these assets are being mapped in the process of strengthening and linking peace networks and alliances. Bringing them to light must be linked to clear incentives and to assurances that they will not be abused by either side in the conflict. They must be accepted for what they are; the themes they have chosen to work on are relevant to them and represent a true demand-based approach to peacebuilding. These peace assets will require strengthening through capacity building and networking with likeminded local and international bodies. Their work must gain access to media outlets and be part of the moral high-ground establishment.

Not all peace assets are directly relevant for the immediate cessation of violence. Some will lay the ground for ceasefires by creating a high moral ground for peace in their communities, therefore, offsetting the radicals on each side and mitigating the peer pressure on belligerents to encourage them to move forward into local peace deals. Others will be directly implicated in negotiating the deals. Yet, over the long run, the more important role will be to sustain local peace deals. Establishing local peace committees (LPC) is critical (see below). Overtime, their role will extend to creating the necessary social conditions for the return of refugees and IDP's to their homes and consolidating social cohesion to prevent the conflict from returning.

Working with peace assets is a process that will take time and resources and the international community needs to start directing their support to encouraging such local players to connect to each other and to create networks. Part of the conflict dynamic in the past has been determined by international donors, under the guise of humanitarian and pro-democracy stances, who have worked on enabling local activists to carry civil society work in a very localized and compartmentalized manner, mainly to fulfill agendas perceived by the international donors as essential (mainly to prevent radicalization of the opposition). Programs have included basic training on transitional justice, internet security

protocols, etc. Few resources were provided to implement projects and even less to outreach and network. This has created a condition of dependency on outside aid and short sightedness as to the bigger picture surrounding them. Working with peace assets should not replicate these mistakes.

Local Government & Local Peace Structures

The Syrian law on local administration has for long fostered a not too hidden agenda of concentrating power and decision making in the center. Moving to a decentralized system will be a major challenge as resources on the ground are not available nor are the central authorities willing to relinquish their powers. The changing of the legal framework in response to public protest in 2011 only produced a weak and late attempt to reform the system. The local elections that ensued were not widely considered legitimate, and subsequent local councils were neither competent nor acceptable to the local populations. Moreover, in most areas of the country that came under opposition control the formal councils disintegrated completely. Attempts at constituting alternative local administration councils (LAC's) have had varying degrees of success. Yet, even the most successful ones have failed to garner sufficient resources to carry out their duties effectively. Resources are sporadic and are often politically motivated. Moreover, the majority of the new councils are still dominated by militants, an ironic paradigm for building the future democratic system on the national level where the intertwining of military and civilian powers was one of the main root causes of the conflict.

Prior to the inception of the crisis, the central government provided approximately 10 billion USD every year in public spending on the local level in terms of municipal services, education, health, social and welfare services. Without such a level of investment, normalcy can never be restored to localities in Syria, making the prospects for sustained peacebuilding really dim. At the first stages of any transitional phase it is very unlikely that the old government-sponsored local councils will be able to go back to function in non-government controlled areas. And even in government controlled areas their performance is still considerably below the level of sustaining and supporting the recovery process and the humanitarian operations needed in most areas of the country.

Building a viable local structure will be an important foundation for any peace-building process for the following reasons:

1. It will allow the belligerents on the ground to consolidate the tangible gains they have achieved locally into political gains, therefore reducing the need for violence as a means of asserting their role and achievements. In essence it will provide a direct visible win-win situation that can be eventually transformed into a national condition with the deepening of the democratization process.

2. It will help any transitional government to deal even-handedly with all regions of the country on an equal footing and, therefore, segregate the political conflict on the national level from the local ones.

3. It will help establish an apolitical, neutral and even-handed institutional mechanism for humanitarian work and service delivery.

4. It will symbolically allow for reintegrating the various parts of the country into a unified system even before the belligerent parties have agreed to a national political framework, which might take considerable time and deliberations.

5. It will ensure that political and financial support coming from international parties is flowing in a transparent and equitable manner.

6. It will also support and legitimize local peace structures and arrangements.

This latter point is particularly important. Though the legitimizing of local governance should be a priority, it is not clear whether local elections will be possible in the near future. Yet, the absence of effective governance in many localities is seriously undermining the chance of survival for the local populations. Local peace structures and LPC's built on consensus and supportive of a peacebuilding approach to humanitarian and service provisions will be of the essence to reduce the intensity of local belligerence. Once elections become possible, these peace structures can help sustain local governments and work under their mandates.

Eventually, one has to consider that there are some 1350 local administrations in Syria distributed over 14 governorates, about 100 cities, and the rest are towns and townships. These councils would need support to build their capacities and develop a professional core staff that can manage their day-to-

day affairs under the supervision of their elected representatives. Thousands of people will need training and support. This must be done in phases and by maximizing training opportunities and establishing peer support groups to transfer knowledge.

Eventually, the local administration system must be transformed into a local government one, with governors being elected to represent their regions and not the central government. But that process will require many discussions and a great deal of negotiations. The initial experience in setting up local councils will consolidate the necessary local forces needed to reach that stage of decentralization. Decentralization is a process and not an event. To move this process along, conditions must be created, human resources have to be developed and public awareness should be raised. Decentralization involves shifting not only resources and authorities to the local level, but more importantly, in must transfer responsibilities. If local communities are not ready to handle these responsibilities, the process will surely fail. In the best of times, decentralization processes worldwide have a mediocre level of success. What is proposed here is not a rushing of institutional reform during conflict, as this would be the most impossible process to justify. Instead, it is being argued here that the legal framework of the 2011 local administration law has sufficient formal tools to provide a face-saving exit strategy for opposition and government alike.

Track Three (national dialogue, with small letters)

As has been noted under the top down process, a formal National Dialogue will be of the essence to start consolidating the positions of the stakeholders and building trust and confidence in the future direction of the country. But this is no substitute to the fact that the culture of dialogue must be reintroduced and supported at the grass roots level. Peace assets must be empowered to carry out their programs, but the results of their programs must be translated into broad communication campaigns. Each activity must be made into an opportunity of dialogue on the local level. Informal national dialogues (with small letters) are a long term process that can only be sustained with the emergence of a true civil society. NGO's and CBO's that work on citizenship rights, social entrepreneurship and volunteerism, cultural diversity and youth cultural expressions, human rights (including women's rights), as well as advocacy for reform must be supported with training and knowhow and given the resources to network and create national platforms.

This type of dialogue can only be promulgated via civil society groups and initiatives. Already many such initiatives are active in Syria and/or in the adjacent countries by Syrians forced into exile for one reason or another. These groups have extensive networks in both the government controlled and the rebel controlled areas. Creating the necessary platforms for enabling them to carry out their work and supporting them technically to be able to network, learn from and support each other logistically and morally will be imperative.

Drawing on the normative knowledge generated by various organizations, such as ESCWA, or by various track-2 dialogues emerging through international mediation (see above), local initiatives for peacebuilding and dialogue can be supported with knowhow, training, technical tools and networking platforms. It is important to remember, however, that the knowledge needs of each initiative, theme and/or region will be different from the others. Support should be demand driven and should reflect the conditions of the stakeholders working on the ground. What the normative process can achieve is introducing a comprehensive peacebuilding approach to all civil society initiatives working on the the local level. As far as local NGO's are concerned, dialogue should not be made into a diversion from service delivery; it is the only guarantee that services will be delivered effectively and equitably in manners that can support peace and social reconciliation.

Local Ceasefires

A myriad of local ceasefires have already taken place in different regions of the country. Some have lasted a few hours, others persisted for months. In some cases the objective was to allow for humanitarian work to take place, in other places it allowed besieged fighters to evacuate civilian areas. The regime was more focused on using this strategy to pacify zones closer to Damascus and other strategic zones. Most ceasefires, however, have had spoilers on either side working to undermine them soon after they achieve the primary objectives they were intended to achieve, often with the regime reneging on key promises, or in some cases opposition elements trying to use the opportunity to regroup and re-supply. Some of these ceasefires were brokered through international and regional mediation, but the majority has taken place through the mediation of local citizen who have contacts on both sides.

Many attempts have been made to understand how these ceasefires take place and why. For the most part, most are born out of a very complex process of negotiation involving not only local protagonists but their local and regional allies, higher command structures on the part of the security forces and larger militant alliances on the part of the opposition, and various humanitarian players who would be called upon to deliver immediate services in the wake of the deal (and bare testimony to its implementation). What is clear at this stage is that there is no clear pattern yet on how these deals can be promoted and sustained. The opposition is certainly worried that the regime is singling them one are at a time and, thereby, reducing their future collective bargaining opportunities. The regime, on the other hand, has made this option the only way forward for opposition fighters who want to "come back into the arms of the nation". Needless to say, local ceasefires are not a miracle solution by themselves as they simply allow the fighting to go into other areas. Yet they are indispensable as the very building block for any future deal. Regardless of the national level and top-down political process, work will be needed on the ground to separate the engagement of fighting units, weaken the ability of spoilers to re-introduce violence and allow for early intervention in case they do.

Many international stakeholders supporting the opposition are still skeptical about the prospect of working from the bottom up. It is perceived as giving the regime and its president a chance to regroup and reestablish control, perhaps also these stakeholders are still hoping that they can topple the regime by replacing its superstructures and putting in their favorite brand of opposition instead. The bottom-up process will take too long and will eventually lead to a political process that has no guaranteed outcomes for any of the outside protagonists. To that extent, it should be concluded that both top-down and bottom-up processes can only occur simultaneously. They will reinforce and provide guarantees for the other processes to bear fruit. The road to peace in Syria will be long and difficult; miracle solutions will not happen; only the concerted efforts of stakeholders to move in a systemic, realistic and persistent manner will achieve a gradual reduction of violence as the bottom up processes are able to create sufficient space for the political process to mature. Syrian stakeholders need to also understand that whatever hopes and dreams they have built on the outside world to bring them victory are naïve; but, likewise any hopes that the outside world can bring peace are also naïve. The outside world can only play a role if the Syrians themselves are willing to find a solution to their problem.

Postscript

In the last few months, while finalizing work on this paper various key events have taken place including the organization of national elections in government controlled areas that gave President Assad another 7 year mandate, further antagonizing opposition forces. The radical group ISIS has moved to establish an Islamic Khilafat type entity, capitalizing on new alliances forged with Sunni tribes in Iraq. The new Islamic State (IS) has gained momentum to the point of threatening to reframe the whole conflict dynamic and shifting the main dividing line in the country to a regional dividing line along sectarian lines that can no longer be contained in national boundaries. A new UN Envoy has been named and this time his mandate comes only from his role as a UN Envoy and not a joint mandate in collaboration with the Arab League.

These changes will be important for the short term refocusing of a long term conflict that will witness many transformations and adjustments as local, regional and international interests will re-align in the future. This paper was developed with the particular intention of providing a longer term perspective on the conflict and defining entry points and options for the various stakeholders to consider when working for peace. None of the proposed options are proscriptive and directly concerned with a specific dynamic at any given stage. The need for dialogue and negotiation is and will always be the ultimate path for the future. Syrians as well as other regional stakeholders can use any of the options and entry points outlined in this paper to design their own process for peace. The outside world cannot do it on their behalf.

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List of Acronyms

ACU: Aid Coordination Unit
CBO: Community based organization
ESCWA: United Nations Economic and Social Committee for West Asia
FSA: Free Syrian Army
IDP: Internally Displaced Person
IS: Islamic State
ISIS: Islamic State in Iraq and Sham (Levant)
LACU: Local Administration Coordination Unit
LAC: Local Administration Council
LCC: Local Coordination Committee
LPC: Local Peace Committee
ND: National Dialogue
NGO: Non-governmental organization
PKK: Kurdish Workers Party
PYD: Kurdish Democratic Union Party
SNC: Syrian National Council
SOC: Syrian National Coalition for Revolutionary and Opposition Forces
UN: United Nations
UNDP: United Nations Development Program
US: United States of America
USD: United States Dollars
WHO: World Health Organization

Conclusions

Kristiina Rintakoski, Karam Karam and Charlotta Collén

The world and the international community are undergoing a rapid transformation. Conflicts have decreased in number yet they have become more complex in nature, as the proportion of intra-state conflicts to interstate conflicts has clearly grown. In these trying times, conflicts of today require better understanding of conflict prevention and resolution and of sequencing of different instruments and approaches. Traditional diplomacy is faced with new challenges in measuring up to rapidly changing circumstances, which is also reflected in the methods of mediation and how mediation is used in different peace processes. Short-term interventions can rarely dedicate the time and effort required for understanding the magnitude of complex challenges unique to each country. Often rapidly evolving situations further complicate the picture. Addressing these challenges requires developing a deep understanding of the context as well as the needs and relationships of all relevant stakeholders.

National Dialogues, formal or informal, are therefore important instruments in facilitating peace and transition processes. Domestic actors are usually experts at understanding the dynamics and reasons for the conflict in their home country. That is why establishing processes of inclusive National Dialogues, embracing as many parties of the conflict on all levels of society, provides the best way for countries to create representative constitution-drafting structures. This could pave the way to real reconciliation, solid state structures, good governance and the rule of law.

The Conference on National Dialogue and Mediation processes in Helsinki, in April 2014, served as a forum; to take stock of some key lessons learned and challenges from ongoing and completed National Dialogue processes, to capture the evolving concepts of National Dialogues and mediation that can serve as a sound framework for external actors' support for national and local initiatives and for evaluating their own role. The conference provided also a space for joint reflection on the emerging theory of national peace and dialogue processes. The following conclusion highlights some of the key themes and questions debated among the participants.

What are National Dialogues?

While dialogues may be structured and formally mandated or non-structured and informal, the emphasis of the conference was on formal, structured processes. These formal National Dialogues are designed extra-constitutional mechanisms, which are necessary when constitutional mechanisms have failed. They go beyond merely changing constitutional frameworks; they also create hope and a space for reconciliation. National Dialogues are in place to fix broken systems, because existing structures do not accommodate all those involved. Their ambition is to move away from elite-level deal making by allowing diverse interests to influence the transitional negotiations.

There are no magic formulas to conduct a National Dialogue; they depend on the objective to be reached, the specific context and the particular nature of the problem. Nevertheless, there are some essential elements that are needed in order to engage in a genuine National Dialogue initiative. These include a strong political will and broad support from society; inclusiveness of all relevant stakeholders and a sense of national ownership among government and state institutions, political actors, and civil society. Dialogue cannot be imposed from above. It is inherently a voluntary and collective endeavor that can only bear fruit if all parties accept their mutual right to sit at the table.

A National Dialogue, broadly understood as placing emphasis on internal actors, may be particularly useful in intrastate conflicts with a multiplicity of stakeholders, as it works to broaden political ownership, thus ensuring more lasting results. Women's inclusion in National Dialogue processes is of utter importance for its success, as the case of Yemen addressed in this publication, so aptly proves.

At the same time, National Dialogues are not purely democratic processes: their participants are not chosen through direct one-man-one-vote elections, but are either appointed or selected by caucus-type constituencies that are smaller than the total population of voting age. While this leaves open important questions about inclusiveness and sufficient representation versus ability to reach decisions, it may place emphasis on the transformative nature of the dialogue process itself. However, there are no perfect models, as each country has different assets and issues.

National Dialogues do not guarantee success, and the case studies discussed produced mixed results. Nonetheless they have all searched for practical and peaceful ways to address issues that underlie a past, present or latent conflict. It is also critical to understand that dialogue is not a goal in itself but rather a means to reaching the goal.

The outcomes of National Dialogues are sometimes intangible and may include: the strengthening of a culture of debate and free speech; the breaking of taboo issues which after the dialogue may be more openly discussed; the entrenchment of certain norms of inclusion and representation in politics of marginalized groups, including women and minorities; and, the ability to keep all the political actors inside the political process. In some cases, the dialogue processes may not reach their formal goals but may still manage to avert conflict and to convince political actors to continue engaging with the political process. In other cases, National Dialogue may reach all their formal goals but essentially fail because they have not included the major political forces of the country and to maintain a level of support for the political process among the public.

National Dialogues, External Actors and Relations with Traditional Forms of Mediation

The stakeholders participating in the conference highlighted the importance of national ownership and kept repeating that "this is our dialogue". Any National Dialogue process needs to be shaped, defined and led by national stakeholders and the role of the international community should be a support role aimed at strengthening internal processes. Peace infrastructures cannot be brought in from the outside, but can only be built from the inside with the non-interventionist support of external actors.

In many contemporary conflicts there are so many parties involved that third party mediation becomes almost impossible, Myanmar and Syria being good examples of this. However, it is important to ask how National Dialogues can be structured as mediation instruments so as to exclude third party involvement in the dialogue. A successful National Dialogue needs support structures and deadlock-breaking mechanisms. These include also mediation and facilitation, both by external and internal mediators. There is an identified need to

particularly empower insider mediators in society in order to address the underlying issues and tensions in society and to avoid the National Dialogue being dragged down by these issues.

By their design and functioning, national peace structures and dialogues have to tackle the root causes of existing conflicts, whether they are structural, psychological, value-based, or physical. It is thus essential that external support and facilitation patiently assist processes of joint reflection, offer experiences from other places, help generate options, and strengthen national peace structures.

Instead of looking at mediation and dialogue as separate approaches with different strengths and weaknesses, they can also be seen as functionally complementary and parallel tools. Key questions in setting up a dialogue are questions of representativeness and inclusivity. As differences inside various parties may be substantial, resolving these issues might require mediation before a dialogue can even start. Setting the agenda for a structured National Dialogue may also require separate mediation. Mediation can take place before and after a dialogue process. It may be essential for breaking deadlocks inside and between parties during the dialogue. On the other hand political dialogue can precede a mediated political settlement between key players.

The difference between external mediation and the role of "inside mediators" working within National Dialogues and peace structures can be likened to the use of "antibiotics" and/or natural remedies and "changing lifestyle" in a healing process. The latter is prescribed to strengthen the immune system from within, and this takes time and commitment. Antibiotics, on the other hand, are used when the system is too weak and severe symptoms need to be addressed before healing can take place. Both are sometimes needed, but the continuous use of antibiotics creates dependency and can harm the body.

Case Studies Considered

The four case study countries discussed at the conference are at different phases in their peace/transition processes. In South Africa National Dialogue took place 20 years ago; in Yemen, the dialogue ended just a little while ago; in Myanmar the process is about to start and in Syria the possibilities for initiating peace process are sought at different levels.

Therefore, National Dialogue was discussed from many different perspectives; National Dialogue as a socio-historical event or moment, as a mechanism, and as an inclusive process.

Seeing National Dialogue as a socio-historical moment calls attention to the fact that dialogue does not mean the same thing in different contexts and after different events. On the one hand it could be a founding act, creating a new basis for citizenship. In this sense it could be a truly transformative process, like in South Africa or hopefully in Syria. On the other hand it could be a totally different thing, a more modest reform process, like in Tunisia, Egypt or Jordan, where the "basis of the nation" or citizenship or the state are not questioned or discussed. "It appears clearly from the conference that the challenges are not the same when we are dealing with National Dialogue as a founding act, as building a new social and political contract or when we are dealing with National Dialogue as a simple although important reform process."

One of the key considerations in all these National Dialogue processes is how to engage the rest of the society. There is often anger and hurt arising from the violence that had taken place and this should not be ignored. The rest of society needs to be engaged in the National Dialogue process and not only those sitting at the conference or in the negotiations. Local peace committees in South Africa played an important role in bringing the process closer to the people and in diffusing tensions and preventing the violence from expanding.

Thinking of National Dialogue as a mechanism involves practical questions about fixing the agenda, timeline and support mechanisms, how to deal with elections, at which point to introduce issues of decentralization, transitional justice, power sharing etc. The design of a National Dialogue process is very important and can shape and affect the success and outcome of the National Dialogue. These processes require extensive preparation which is often in itself a highly political and contentious process. Issues such as; who participates, where people meet, what issues are on the agenda, how decisions are made, are very political and they will have a major bearing on the legitimacy of the process. The peace process in Myanmar is currently in the design phase and different national stakeholders are engaged in the debate and design of a framework in which the political dialogue will take place. Traditionally, there has not been a culture of dialogue or space for people to voice their needs, rights and con-

cerns. The Burmese have found the ideas for a political dialogue framework and examples from other dialogue processes extremely helpful, when designing their own framework.

The South African panel identified 10 practical lessons learned on the design of the process, adding up to key factors contributing to a successful process;

1. Rejection by ANC of the idea of un-elected representatives to write a new constitution. A mid-point was agreed which was the interim constitution, meaning a two –phased approach was therefore implemented.

2. A non-partisan secretariat was established, not trusted by either party. In effect this was a good thing as it assured the independence of the secretariat and hence of the process.

3. Appointment of rotating chairs created a sense of inclusion for all parties.

4. Specific deadlock breaking mechanisms were agreed

5. Trust building was a key element of the process. The leaders worked out multiple informal mechanisms of building and sustaining trust

6. Better constituency management- joint press conferences

7. Need to stay innovative

8. Some knowledge of deadlock breaking techniques through training organized by an external actor. Those that didn't participate in the training showed the worst negotiating behavior in the process.

9. The vagueness of compromise. Agreements were often vaguely framed, to enable freedom of interpretation by the parties in order to avoid difficulties in reaching agreement. Linked to this is the notion of sufficient consensus for reaching agreement.

10. Leadership was an important element – ability to stand up to your constituency.

The importance of understanding the regional and international context in which the process takes place was highlighted. In some processes international support has played a vital role, like in South Africa, and in some processes international involvement has been a major obstacle.

In the case of Syria many felt that regional and international interference is indeed the biggest obstacle to achieving a peace agreement. Track one efforts have failed to resolve the conflict due to the lack of consensus among the international community and the apparent bias and division among the different supporters of the Syrians. It is now increasingly obvious that track one efforts alone will not resolve the conflict and the increasing involvement of civil society will be needed given that for the civil society, peace is the only interest. Even though the Syrian civil society is not very well established, numerous ceasefire agreements have been negotiated by civil society actors and 'insider mediators' on the ground.

Instead of supporting one side or the other, the international community should start talking about power sharing for at least a transitional period. The international community should learn from the mistakes of the past and stop being 'one-sided' and deciding on who are the appropriate future leaders of the country. Any solution for Syria will require consensus from the regional powers including Iran, Saudi Arabia and Turkey, as well as the US and Russia.

All National Dialogues have to face the issues of justice and human rights violations. The stakeholders have to manage the tension about what you do with the past and what is the right balance between peace and justice.

The success of a National Dialogue process depends on the implementation of the agreed outcomes. This was one of the key messages of the discussion on the recently completed National Dialogue in Yemen. A transition into a new political system is always a challenge and constitutional reforms are never made without difficulties. The establishment of six regions and adequate administrations to rule them will also require a large amount of resources. The cost of implementation of the recommendations is estimated at USD 30 billion making it unfeasible from the perspective of many Yemenis.

Building Understanding and Support for National Dialogues in International Organizations

Mediation has become a central part of conflict prevention mechanisms in the international community during the last two decades. The United Nations Department of Political Affairs (DPA), established the Mediation Support Unit (MSU) in 2006, and in 2008 this unit was given a Standby Team of Mediation Experts. The UN Secretary General released his first report on mediation in

2009. Finland and Turkey presented the UN General Assembly with the first ever resolution on mediation in 2011, with a follow-up in 2012. The UN Guidance for Effective Mediation was approved in 2012. In 2014 a UN General Assembly resolution was approved addressing the role of regional organization in mediation. Finland and Turkey have furthermore established the Group of Friends of Mediation, currently including 40 member states, seven regional or cross-regional organizations and the United Nations.

In parallel with efforts to strengthening the international, regional and national capacities for mediation, the United Nations and other partners have been providing support to new emerging National Dialogue processes. However, global efforts to support National Dialogue initiatives have still remained ad hoc despite the potential that National Dialogue initiatives have in building and sustaining peace. Only a fraction of the international resources that are applied to international peacekeeping or peacebuilding are being provided to support in-country initiatives, or for building national and local capacities for conflict prevention.

Perhaps the most significant initiative so far on capturing the learnings from different National Dialogue processes has been the UNDP funded Practice-to-Theory (P2T) initiative that was launched as a joint initiative of Common Space Initiative (Lebanon), UNDP (BCPR), UN-ESCWA, the Berghof Foundation, the Peace Appeal Foundation, the Finnish Evangelical Lutheran Mission (FELM) as well as country partners including Legal Agenda (MENA), NTTP (Nepal), EBO (Burma/Myanmar), One Text Initiative (Sri Lanka), IDASA (South Africa), and NDSP (Yemen).

The purpose of the P2T programme is to:

i.   Provide opportunities and spaces for dialogue, joint reflections, and strategic collaboration and support among key stakeholders working on facilitating dialogue processes or confidential negotiations in their countries;

ii. Explore new thinking and innovation on how to deal with deep-rooted and protracted conflict and change processes in each participating country;

iii. Support and strengthen constitutional, state and political reform processes with joint knowledge creation and comprehensive approaches to reform and transformation;

iv. Respond to the need to create strong and inclusive National Dialogues, based on sovereignty, national ownership and political inclusion. The focus of such support is on the creation of such structures and mechanisms by national stakeholders themselves;

v. Evolve integrated multi-disciplinary assessment, analytical and diagnostic frameworks for process design and conflict assessment in a National Dialogue process.

National Dialogues have in recent times been raised to the agenda of the United Nations activities in mediation as it is been increasingly employed in mitigating crises within nations. Member states of the United Nations and other international actors have subsequently requested support from the UN Mediation Support Unit (MSU) in establishing and managing National Dialogues, which has given rise to a discussion on possibly drafting guidelines to this end.

National Dialogues have also been raised to the agenda of mediation efforts in regional organizations, such as the European Union (EU) and Organization for Security and Cooperation in Europe (OSCE) and the Organization of American States. The EU European External Action Service (EEAS) established the Mediation Support Unit in 2011, which has since become a part of the "Conflict prevention, Peace building and Mediation Instruments Division". It provides support for geographic services, EU Delegations, EU Special Representatives and EEAS senior management in making mediation become a part of the EU preventive diplomacy on the ground, engaging specifically with the grassroots level, and enticing local ownership of peace processes. The mediation capacity of the EU is based on the Concept on Strengthening EU Mediation and Dialogue Capacities adopted in November 2009.

The newly established European Institute for Peace (EIP) is an independent international organization, which is envisaged to support European mediation efforts outside of the remit of the EEAS. The exact agenda of the EIP is still developing, and the conceptual frameworks of mediation to which the organization builds its efforts are still to be specified, but it is nevertheless safe to say that it would merit the organization to consider support for National Dialogues as an important element of mediation services provided. The OSCE's nascent mediation capacities are partly an emulation of the friends of mediation group as established at the UN, although update of members differ somewhat. The recent OSCE efforts in

resolving the crisis in Ukraine have taken a strong stance in creating a process of National Dialogue in the form of facilitated roundtable talks.

However, at the same time as there is a need to professionalize and systematize the international support for National Dialogues, there is also a need for caution. There is a risk that external actors might "discover" peace infrastructures and National Dialogues as a new mode of intervention in the light of limitations of third party mediation, and in doing so they might try to instrumentalize peace infrastructures for their own interests. There is therefore reason for caution and focus on delivering a balanced approach to National Dialogues by international organization's and the international community at large.

The Way Ahead

Participants felt that the Conference served as a useful forum for stock taking, sharing lessons and networking with stakeholders from different national settings, international experts and practitioners. It was felt that a forum for annual stock taking would help to build the community of practice and professionalize and share the approaches to National Dialogue.

The conference discussions pointed out areas of further study and reflection. Many more countries, such as Lebanon, Tunisia, Bangladesh and Bolivia are going through a National Dialogue or are considering launching one. It would be important to learn from their experience and link that to a shared knowledge. Furthermore, emerging thematic priorities such as the relationship and interplay of formally mandated National Dialogues and informal dialogues or transformation of non-state armed groups would merit further reflection, research and discussion.

The Ministry for Foreign Affairs of Finland is in the process of exploring opportunities to organize a similar conference during 2015 in cooperation with national and international stakeholders, with the view of contributing to the improved understanding of mediation, facilitation and national dialogues, bringing together various country stakeholders, UN agencies, World Bank, regional organizations and civil society organizations.

(The views expressed in this text represent those of the authors in the light of the discussion undertaken during the Conference on National Dialogue and Mediation processes in Helsinki, April 2014).

APPENDICES

APPENDIX 1:

The National Dialogue and Mediation Processes Conference, Helsinki, 30 March - 2 April 2014

1.1 Concept Note

Background

The people's uprisings that we have seen taking place in Asia, Africa, the Americas, and Middle East over the past two decades have largely been peaceful popular movements, with the youth, women and intellectuals claiming back their history from autocratic powers and diligently working on change and progress from within their own societies. These dynamic movements of transformation have led to significant political and constitutional changes. The establishment and processes of inclusive National Dialogues and Conferences, representative constitution drafting structures, and the emergence of new governance models have signalled significant turning points in these countries' ongoing transformation and in knitting pluralistic societies together in constantly evolving democratic systems.

The evolution of these inclusive and participatory processes and mechanisms for change has been an encouraging reflection of the energy, integrity, vision and commitment of intellectuals, political stakeholders and advisers across the political spectrum. National Dialogues and constitutional change processes are today taking place or continuing in Nepal, South Africa, Burma/Myanmar, Tunisia, Egypt, Yemen, Lebanon, Libya, and gradually emerging in Syria. Each country journeying on this painful path is facing deep challenges and experiencing a need for real reconciliation, as well as open and inclusive dialogue, in order to rebuild state structures, infrastructure, governance systems, and most importantly, to build trust between its leadership and amongst its people.

In this context, recent analysis including the findings of the 2011 *World Development Report* demonstrate a range of new emerging patterns or drivers for change that are affecting conflict dynamics in many places. The new challenges include factors that have led to prolonged transitions characterised by potentially violent tensions; turbulence, including recurring cycles of violence over land, resources, and identity; and chronic fragility in many societies. The traditional approaches to diplomacy, often characterised by short-term or even one-time interventions by external diplomats, may not be enough to resolve conflicts or mitigate tensions caused by such complex circumstances in a globalised world.

The complexities of today's conflicts require a better understanding regarding the use and sequencing of different instruments and approaches. Short-term interventions can rarely dedicate the time and effort required for understanding the magnitude of complex challenges unique to each country. Often rapidly evolving situations further complicate the picture. Addressing these challenges requires developing a deep understanding of the context as well as the needs and relationships of all the relevant stakeholders.

Recent Efforts to Enhance the Field of Mediation and National Dialogue Support

The Group of Friends of Mediation was established by Finland and Turkey in 2010 to jointly enhance the practice of mediation in preventing and responding to conflict. The aims of the Group are threefold: to raise awareness within the international community of the importance of mediation as a means of conflict prevention and resolution; to help build mediation capacity both within the United Nations and also in regional organisations; and to enhance the level of coordination among different actors of mediation with a view to minimising unnecessary duplication of efforts and complications.

Following the efforts of the Group of Friends of Mediation, the UN General Assembly adopted its first resolution on mediation in the summer of 2011, and a follow-up resolution in the summer of 2012. On the basis of the first resolution on mediation, the UN Secretary-General prepared a report on and guidance for effective mediation, which was published in August 2012. The Secretary-General's report and the guidance strengthen the profile of mediation as a tool for conflict prevention and resolution, while the guidance offers general guidelines for mediators.

In parallel with efforts to strengthen the international, regional and national capacities for mediation, the United Nations and other partners have been providing support to new emerging National Dialogue processes. The Government of Finland has also been providing necessary support to civil society and other organisations working on National Dialogue processes in Yemen and Myanmar. In the case of Myanmar, Finland has in particular supported the ethnic armed groups' preparation for the peace process and National Dialogue since 2012.

Even so, global efforts to support National Dialogue initiatives have remained *ad hoc* despite the potential that National Dialogue initiatives have in building and sustaining peace. Only a fraction of the international resources that are applied to international peacekeeping or peacebuilding are being provided to support in-country initiatives, or for building national and local capacities for conflict prevention.

The Potential of Shared Learning to Enhance Practice

Given that each country is unique, each National Dialogue process is also different and there is no one model for organising or supporting National Dialogues. Nevertheless, some lessons can be gleaned from a deeper understanding of these processes. They provide opportunities for those embarking on National Dialogue processes to benefit from peer to peer exchanges and reflection.

To provide a space for deeper reflection and understanding of the process in each country and to better capture the existing learning from National Dialogue processes, Practice-to-Theory (P2T) was launched as a joint initiative of Common Space Initiative (Lebanon), UNDP (BCPR), UN-ESCWA, the Berghof Foundation, the Peace Appeal Foundation as well as country partners including Legal Agenda (MENA), NTTP (Nepal), EBO (Burma/Myanmar), One Text Initiative (Sri Lanka), IDASA (South Africa), and NDSP (Yemen). The purpose of the P2T programme is to:

  i.   Provide opportunities and spaces for dialogue, joint reflections, and strategic collaboration and support among key stakeholders working on facilitating dialogue processes or confidential negotiations in their countries;

  ii. Explore new thinking and innovation on how to deal with deep-rooted and protracted conflict and change processes in each participating country;

  iii. Support and strengthen constitutional, state and political reform processes with joint knowledge creation and comprehensive approaches to reform and transformation;

  iv. Respond to the need to create strong and inclusive national dialogues, based on sovereignty, national ownership and political inclusion. The focus of such support is on the creation of such structures and mechanisms by national stakeholders themselves;

v. Evolve integrated multi-disciplinary assessment, analytical and diagnostic frameworks for process design and conflict assessment in a National Dialogue process.

The Conference Objectives

The Finnish Ministry for Foreign Affairs, in cooperation with Common Space Initiative (CSI), the UNDP Bureau for Crisis Prevention and Recovery (BCPR) and the Finnish Evangelical Lutheran Mission (FELM), with resource partners Euro-Burma Office (EBO), Crisis Management Initiative (CMI), Finn Church Aid (FCA), the United Nations Economic and Social Commission for Western Asia (ESCWA), the Peace Appeal Foundation and the Berghof Foundation, are organising a conference and consultation to reflect on past, on-going and emerging National Dialogue processes.

The objectives of the conference are twofold: i) to provide a forum for national stakeholders to share and reflect together their experiences from national dialogue processes; and ii) to reflect on the practice, emerging trends and theory of the national dialogue concept and its relationship and complementarity with constitutional change, state restructuring, and the mediation practice. The key focus of the Conference is supporting the ongoing and emerging national dialogue processes in Yemen, Myanmar and Syria by providing experiences and lessons both on process-related and key thematic issues in National Dialogues.

The Conference brings together stakeholders who are inside the processes and those who support them through technical advice, as well as facilitators, mediators and independent experts.

The Conference seeks to facilitate experience sharing among the stakeholders of the different National Dialogue processes, and provide an opportunity to explore new thinking and innovation on how to deal with deep-rooted and protracted conflict and change. The participants will reflect on how to jointly respond to requests to support the creation of strong and inclusive National Dialogues, based on sovereignty, national ownership and political inclusion – and what kind of support is required to respond effectively. One of the cross-cutting issues for the conference is the inclusion of women and youth in decision-making and their participation in the National Dialogue processes and future democratic society structures. The cases highlighted in this Conference all had to address this issue and for the first time in their respective histories make formal or special provision for women in the constitutional processes.

The Conference will also assess how National Dialogue processes can enhance the field of mediation and conflict resolution as a whole, contributing to the following objectives of the Group of Friends of Mediation:

i. Provide a forum to bring together expertise and to share lessons learned between different actors;

ii. Improve cooperation and coordination amongst different actors, in order to increase complementarity and coherence of efforts;

iii. Promote mediation-related capacity building, including through regional arrangements and networks.

The Conference is divided into the following sessions to provide an opportunity to deeply reflect on each aspect of the practice:

1. Reflection on the emerging practices, trends and theory of National Dialogues;

2. Reflection on experiences from a completed national dialogue process through the case study of the South African National Dialogue, and its impact 20 years later;

3. Look at an on-going national dialogue process in Yemen including a deep and frank discussion on the challenges and opportunities;

4. Analyse the negotiations on national dialogue in Myanmar through the eyes of a variety of stakeholders;

5. Discuss the possibilities for emerging National Dialogue in Syria;

6. Organise working groups on the emerging themes from national dialogues and change processes, including decentralisation and federalism, economic reform and restructuring, security sector reform and military integration; as well as the issue of national resources;

7. Assess ways of working towards complementarity of mediation and national dialogue processes as part of a holistic conflict resolution and national reconciliation process;

8. Discuss and build consensus on the role of the international technical advisers and facilitators in national dialogue processes.

(Attached is a full programme of the Conference, providing more details on each session.)

1.2 Conference Programme

30 March – 2 April 2014

The House of the Estates (Säätytalo), Helsinki

Sunday, 30 March 2014

12:00–	**ARRIVALS**
17:30–18:30	**PRECONFERENCE MEETINGS FOR SESSION GROUPS**
19:00	**PRECONFERENCE DINNER FOR SPEAKERS AND MODERATORS**
	• Peter Stenlund, Secretary of State, Ministry for Foreign Affairs of Finland

Monday, 31 March 2014

8:00–9:00	**REGISTRATION**
9:00–9:30	**WELCOME AND OPENING**
	• Dr **Erkki Tuomioja**, Minister for Foreign Affairs, Finland
	• **Pekka Haavisto**, Minister for International Development, Finland
9:30–12:00	**OPENING SESSION**
	• Moderator: Dr **Kimmo Kiljunen**, Special Representative for Mediation of the Foreign Minister of Finland
	• **Hannes Siebert**, Common Space Initiative (CSI)
	• President **Martti Ahtisaari,** Founder and Chairman, Crisis Management Initiative (CMI)
	• **Tawakkol Karman**, Nobel Peace Prize Laureate 2011, Yemen
	• **Levent Bilman**, Director for Policy and Mediation Division, United Nations Department of Political Affairs (UNDPA)
	• **Jordan Ryan**, Director of the Bureau for Crisis Prevention and Recovery (BCPR) at the UN Development Programme (UNDP)
	• Dr **Claus Neukirch**, Deputy Director of the Conflict Prevention Centre, Organization for Security and Co-operation in Europe (OSCE)
	Discussion
12:00–13:00	**LUNCH**

13:00–15:30	**SESSION 1:**
	EXPERIENCES FROM A COMPLETED NATIONAL DIALOGUE PROCESS IN SOUTH AFRICA
	• Co-Moderators: Dr **Ozonnia Ojielo**, Coordinator of the Conflict Prevention Team, UNDP-BCPR, and **Shirley Moulder**, Member of the Board, Peace Appeal Foundation
	• *Process and institutional perspective* – Dr **Theuns Eloff**, Vice-Chancellor and CEO of North-West University, South Africa, and former Administrator of the Multi-party Negotiations on South Africa's Constitution
	• *Critical analysis and impact perspective* – Prof **Adam Habib**, Vice-Chancellor, University of the Witwatersrand, South Africa
	• *Peace Support and Safety Net perspective* – Dr **Andries Odendaal**, Senior Associate at the Centre for Mediation in Africa, University of Pretoria
	• *Civil Society and critical analysis perspective* – **Vasu Gounden**, Founder and Executive Director, ACCORD
	Discussion
15:30–16:00	**COFFEE BREAK**
16:00–18:00	**SESSION 2:**
	THE COMPREHENSIVE NATIONAL DIALOGUE CONFERENCE IN YEMEN: CHALLENGES, ACHIEVEMENTS AND NEXT STEPS
	• Co-Moderators: **Jarno Syrjälä**, Director General of the Department for Africa and Middle East, Ministry for Foreign Affairs of Finland, and **C. Andrew Marshall**, Senior Mediation Advisor, Crisis Management Initiative (CMI)
	• *Human rights perspective* – **Tawakkol Karman**, Nobel Peace Prize Laureate 2011, Yemen
	• *Stakeholder perspective* – **Ali Saif Hassan**, Member of the National Dialogue Conference and head of the National Dialogue Support Programme (NDSP)
	• *Critical analysis and impact perspective* – **Majid Al-Fahed**, Senior Project Manager, Crisis Management Initiative (CMI), Yemen
	Discussion
18:00–18:15	**BREAK**

18:15–19:00	**PRESENTING THE PEACE & DIALOGUE PLATFORM**
	The PEACE & DIALOGUE PLATFORM is a collaborative on-line space and shared knowledge resource for peace and dialogue processes and structures. It offers a dynamic platform for joint knowledge creation, and a structured space to share experiences and capture unfolding processes. The platform was created as a resource to those who design, manage or participate in peace and dialogue processes and structures in their respective countries. Each country and regional partner on the platform manages their own "spaces".
19:00	**DINNER** (for Speakers, Moderators and invited Participants)

- **Serhiy Vasylenko**, Chargé d'Affaires, Embassy of Ukraine in Finland
- **Terhi Hakala**, Director General, Department for Russia, Eastern Europe and Central Asia, Ministry for Foreign Affairs of Finland

Tuesday, 1 April 2014

9:00–10:30	**SESSION 3:**
	NEGOTIATING NATIONAL DIALOGUE IN MYANMAR

- Co-Moderators: **Elina Kalkku**, Director General, Department for the Americas and Asia, Ministry for Foreign Affairs of Finland, and Dr **Katia Papagianni**, Director of Policy and Mediation Support, Centre for Humanitarian Dialogue
- *Stakeholder & Government perspective* – **Aung Naing Oo**, Associate Program Director, Peace Dialogue Program, Myanmar Peace Center (MPC)
- *Stakeholder perspective* – **Saw Kwe Htoo Win**, General Secretary, Karen National Union (KNU), and Deputy Team Leader (1), Nationwide Ceasefire Coordination Team (NCCT)
- *Stakeholder perspective* **Pu Zo Zam**, Spokesman, Nationalities Brotherhood Federation (NBF)
- **Debbie Aung Din**, Co-Founder, Proximity Designs
- *Peace Support, Process and Safety Net perspective* – **Harn Yawnghwe**, Executive Director, Euro-Burma Office (EBO)

10:30–11:00	**COFFEE BREAK**
11:00–12:00	*(SESSION 3 CONTINUES)* **Discussion**

12:00–13:00	**LUNCH**
13:00–15:00	**SESSION 4:**
	PERSPECTIVES FOR A NATIONAL DIALOGUE PROCESS IN SYRIA
	Co-Moderators: **Anne Sipiläinen,** Under-Secretary of State (Development Cooperation and Development Policy), Finnish Foreign Ministry, and **Omar Abdulaziz Hallaj**, Senior Coordinator, Syria Initiative
	• Dr **Abdallah Al Dardari**, Chief Economist, UN Economic and Social Commission for Western Asia (ESCWA), former Deputy Prime Minister for Economic Affairs of Syria
	• Dr **Rim Turkmani**, Senior Research Fellow at the London School of Economics (LSE) and founder of the Madani Organisation
	• Dr **Sami Khiyami**, former Syrian ambassador to the United Kingdom
	Discussants:
	• **Kari Kahiluoto,** Ambassador of Finland to Syria, Lebanon, Jordan and Iraq, based in Beirut, Lebanon
	• **Mouin Rabbani**, Head of Middle East programme, Crisis Management Initiative (CMI)
	• **Hrair Balian**, Director of the Conflict Resolution Program, The Carter Center
15:00–15:30	**BREAK FOR MOVING INTO WORKING GROUP ROOMS**
15:30–16:30	**SESSION 5: WORKING GROUPS (A – C)**
	Reflecting on key themes from National Dialogues as an input to the National Dialogue processes in Myanmar and elsewhere
	A. Decentralisation and Federalism
	Chair: Prof **John Packer**, Director, Human Rights Research and Education Centre, University of Ottawa
	Resource persons:
	• Dr **Omar Abdulaziz Hallaj**, Senior Coordinator, Syria Initiative
	• **Ali Saif Hassan**, Member of the National Dialogue Conference and head of the National Dialogue Support Programme (NDSP)
	• **Mahdi Abdile**, Senior Adviser on Right to Peace, Finn Church Aid (FCA)

- Dr **Karam Karam**, Head of Research and Senior Researcher, Common Space Initiative (CSI)

Rapporteur: **Sanna Tasala**, Conflict Prevention Analyst, UNDP-BCPR

Natural Resources

Chair: **Derek Brown**, Executive Director, Peace Appeal Foundation

B. Resource persons:

- **Adib Nehmeh**, Regional Adviser, UN Economic and Social Commission for Western Asia (ESCWA)

- **Debbie Aung Din**, Co-Founder, Proximity Designs

- **Rashid Alkaff**, Chairman, Sahra Petroleum Consulting

- **Vida Hamd Daou**, Researcher, Common Space Initiative (CSI)

Rapporteur: Professor **David Dapice**, Tufts University.

C. Security Sector Reform and Military Integration

Chair: **Georg Charpentier**, UN Deputy Special Representative of the Secretary General, Resident Coordinator & Resident Representative a.i. for the Central African Republic

Resource persons:

- **Gawlu La Awng**, Kachin Independence Organization (KIO)

- Col (retired) **Mbaye Faye**, Senior Adviser at Crisis Management Initiative (CMI) and former Senior Expert for Security Arrangements at the Mediation Standby Team of the UN Mediation Support Unit.

- Prof. **Hans-Joachim Giessmann**, Director, Berghof Foundation

Rapporteur: **Steve Hege**, Senior Advisor, Peace Appeal Foundation

16:30–17:00	**COFFEE BREAK**
17:00–18:45	**WORKING GROUPS CONTINUE**
19:00	**DINNER** (for Speakers, Moderators and invited Participants)
	Dr **Alexander Ramsbotham**, Head of Accord and Series Editor, Conciliation Resources

9:00–11:00	**SESSION 6: PARALLEL SESSIONS (A & B)**

A: Working towards complementarity – mediation and national dialogue as tools for conflict resolution

Co-Moderators: **Kristiina Rintakoski**, Director for Advocacy, The Finnish Evangelical Lutheran Mission (FELM) and Dr **Pertti Joenniemi**, Researcher, Tampere Peace Research Institute (TAPRI)

- Dr **Norbert Ropers**, Programme Director Asia of the Berghof Foundation (Bangkok) & Senior Research Fellow, Center for Conflict Studies and Cultural Diversity (CSCD), Prince of Songkla University, Pattani, Thailand

- **Tomas Henning**, Mediation Adviser, Mediation Support Team, European External Action Service (EEAS)

- Dr **Chetan Kumar**, Head of the Conflict Prevention Group, Advisor on Strategic Initiatives, UNDP-BCPR

- Prof **John Packer**, Director, Human Rights Research and Education Centre, University of Ottawa

- **Vasu Gounden**, Founder and Executive Director, ACCORD

- **Ufuk Gezer**, Head of Department at the DG Policy Planning, Ministry for Foreign Affairs of Turkey

Discussion

B: The role of international technical advisers and facilitators in national dialogue processes

Co-Moderators: **Tuija Talvitie**, Executive Director, Crisis Management Initiative and Pia Stjernvall, Special Representative for International dialogue on Peacebuilding and State Building, Ministry for Foreign Affairs of Finland

- Dr **Katia Papagianni**, Director of Policy and Mediation Support, Centre for Humanitarian Dialogue

- Dr **Oliver Wils**, Programme Director MENA Region, Berghof Foundation

- **Hannes Siebert**, Senior Technical Adviser, Common Space Initiative (CSI)

	• Dr **Heidi Huuhtanen**, Programme Director, Crisis Management Initiative (CMI)
	• **Antti Pentikäinen**, Executive Director, Finn Church Aid (FCA)
	Discussion
11:00–11:30	**COFFEE BREAK**
11:30–13:00	**CONCLUDING SESSION**
	Moderator: Dr **Kimmo Kiljunen**, Special Representative for Mediation of the Foreign Minister of Finland
	• Reports from the three working groups (5A–5C)
	• Report from the conference rapporteurs:
	• Dr **Karam Karam**, Head of Research and Senior Researcher, Common Space Initiative (CSI) and Dr Pertti Joenniemi, Researcher, Tampere Peace Research Institute (TAPRI)
	• **Katri Viinikka**, Director, Unit for UN and General Global Affairs, Ministry for Foreign Affairs of Finland
	• **Harn Yawnghwe**, Executive Director, Euro-Burma Office (EBO)
	Concluding remarks:
	• **Pekka Haavisto**, Minister for International Development, Finland
	• Dr **Erkki Tuomioja**, Minister for Foreign Affairs, Finland
13:00–14:00	**LUNCH**
14.00	**DEPARTURES**

1.3 Report on the Conference Discussions

Sanna Tasala & Timo R. Stewart

Introduction

The National Dialogue Conference included 11 sessions and workshops, some of them running parallel, and a total of 25 hours of presentations and discussion on various thematic and country specific aspects of national dialogue and mediation processes. Summarising the conference is a daunting task both due to the range of topics and the varied perspectives brought forward. The following is a session by session report on some of the main themes coming out of the conference discussions. Special thanks go to Derek Brown, Executive Director of Peace Appeal Foundation and Professor David Dapice of Tufts University, for their notes on working group 5B, Steve Hege, Senior Advisor at Peace Appeal Foundation, for his notes on working group 5C, and Tapio Rantanen from the Ministry for Foreign Affairs of Finland for providing his notes on session 6B.

The opening and closing sessions were open to the media and featured presentations tending towards a more general and broad approach. Consequently the conversations in them are organised chronologically and include a number of direct quotes. For the rest of the conference the sessions are described on the level of main ideas coming out of the sessions, without attributing them to particular presenters and participants.

Some of the key points coming out of the conference discussions include the following:

1. The nature of conflicts has changed increasingly from those between states to intra-state and local conflicts. At the same time, the nature of mediation must change from negotiations held with the help of an external mediator in the direction of supporting authentic national dialogue processes;

2. National dialogues provide important extra-constitutional mechanisms for developing alternative frameworks and types of 'self-mediation structures' for fixing the national systems and contributing to constitution drafting processes;

3. The stakeholders participating in the conference highlighted the importance of national ownership. The phrase "this is our dialogue" was often heard. While external politically motivated interventions were not welcomed, genuine impartial support is needed. Any national dialogue process needs to be shaped, defined and led by national stakeholders and the role of the international community should be a supporting one, as defined by the national stakeholders themselves. Successful national dialogues need support structures and deadlock-breaking mechanisms;

4. There is a continuous tension between peace and justice – the speakers of all the case studies raised the issue how the need for amnesty for the sake of peace was in constant tension with the need for justice and those who ended up being in any decision-making role were not keen on justice given that they were often orchestrating violence to achieve their aims. National reconciliation was not yet achieved in any of the cases discussed during the conference;

5. In all countries affected by conflict there are amazing insider mediators that require support from external actors in order to play a more effective and catalytic role in resolving conflicts in their own countries.

Opening Session

Monday, 31 March 2014 (9:00–12:00)

In his opening remarks **Erkki Tuomioja**, Finland's Minister for Foreign Affairs, noted Finland's commitment, particularly since 2008, to advancing mediation in a more systematic way in the international arena. Tuomioja said he was "fully convinced that more mediation, not less, is needed in today's world", but continued that sometimes more focus needs to be placed on broadening the political ownership of mediation processes. This can be achieved by engaging society at large through national and local dialogues, which can "complement traditional third-party mediation in an important way". However, Tuomioja was adamant that mediation is often needed in supporting dialogues and that "the concept of national dialogues is not intended to challenge mediation, but to strengthen it".

Pekka Haavisto, Finland's Minister for International Development, warned about giving conflicts facile and inaccurate ethnic explanations, which can even result in widening them. Instead, Haavisto called attention to addressing civil society in a broad way, meaning answering people's questions about 'what is there for *us* in the peace process?' Guaranteeing schooling and work for the young is an important part of tackling conflicts more broadly than merely approaching them from a military or political perspective.

In his speech **Kimmo Kiljunen**, Special Representative for Mediation of the Foreign Minister of Finland, drew attention to a global trend of interstate conflicts giving way to predominantly intrastate conflicts, which in turn has an impact on the required solutions. While outside mediators – or 'honest brokers' – have had and still have a crucial role in mediating the former, the latter emphasises the need for local ownership and political inclusiveness. This has become increasingly necessary, for which reason national dialogue is such a topical concept. For the same reason the role of internal mediators has become increasingly important. They are insiders who have trust in their communities. Nevertheless in Kiljunen's view these new national dialogues and more traditional mediation support each other. The trend can also be seen in a related change in vocabulary with phrases such as 'supporting mediation' giving way to 'facilitating peace processes', 'giving technical advice' and 'building up

peace infrastructure', all of which is indicative of change in the role of outsiders. Kiljunen also emphasised the role of Track Two Diplomacy as a particularly important addition to national level diplomacy.

Hannes Siebert from Common Space Initiative (CSI) responded by pointing out that national dialogues go beyond mediation, an idea he claimed had been controversial for some in the mediation field. However, Siebert emphasised that "national dialogues are by their very nature mediation mechanisms". They are designed extra-constitutional mechanisms, which are necessary when constitutional mechanisms have failed. They go beyond merely changing constitutional frameworks, they also create hope and a space for reconciliation. According to Siebert, it is important to ask how national dialogues can be structured as mediation instruments in a way that no third party be involved in the dialogue. In many contemporary conflicts there are so many parties that third party mediation becomes almost impossible. Instead the situation can be addressed by creating a mediation structure allowing for "self-mediation".

On a more practical note Siebert also added that it was critical not to put timelines on often lengthy national dialogue processes. National dialogues are in place "to fix broken systems", because existing structures do not accommodate all those involved. Indeed national dialogue structures "are not majoritarian structures, they are structures that make sure that you take everybody with you". It is often necessary to create support mechanisms to achieve this. These are some of the elements that all national dialogues have in common. However, it is dangerous to run after particular models. There are no perfect models, as each country has different assets and issues.

President **Martti Ahtisaari**, Founder and Chairman of Crisis Management Initiative (CMI), said that the rule of law was absolutely essential in solving conflicts. "If one does not deal with the rule of law simultaneously with the actual peace process, the result cannot be sustainable." Ahtisaari underlined that peace processes do not happen in a vacuum, conflicts arise from "inequality and deep experiences of unfair treatment in a society". Understanding this and addressing the root causes is absolutely essential. However, there is only so much a mediator can do. Responsible local political leadership is a requirement for a successful peace process.

According to **Tawakkol Karman**, the 2011 Nobel Peace Prize Laureate from Yemen, national dialogue was about letting all the parties put their thoughts about the future forward and then jointly deciding on the best course to take. Karman also drew attention to the difference between negotiations and dialogue, in which the latter places more emphasis on mutual understanding. In fact, in Karman's view dialogue starts before revolutions, as the parties that are preparing for their struggle already engage in dialogue to voice their concerns and the best ways of addressing them.

Levent Bilman, Director for Policy and Mediation Division at the United Nations Department of Political Affairs (UNDPA), drew attention to the emerging trends in dialogues and especially increasing expectations for the UN to get involved and the related unrealistic expectations for immediate results, as well as the positive multiplication of international actors assisting in dialogues. Bilman emphasised time and again the importance of conflict analysis by practitioners, i.e. the need to understand the context, the needs of the people and the relationships of the stakeholders in each conflict. National dialogue processes also need to be "real" in order not to become consultation processes, in which the strong in the end decide on behalf of the weaker elements. In order to avoid this, building the capacity of one or more of the stakeholders may be required. Political will and correct timing are also crucial elements, often a ceasefire agreement is a minimum requirement for a process to get off the ground. Inclusivity is naturally necessary for sufficient national ownership, but how to avoid a situation in which the high number of participants leaves them with nothing but the lowest common denominator?

Bilman also echoed Siebert's warning about using readymade "cookie cutters" for each conflict. In response to Karman's dichotomy of negotiations vs. national dialogue processes, Bilman reiterated that while negotiations aim at reaching an agreement to resolve an immediate issue, "what you would like to see in a national dialogue process is the transformation of the relationship between the parties". However, for this third party involvement may be necessary, especially by the United Nations as the most representative organ in the international community.

Jordan Ryan, Director of the Bureau for Crisis Prevention and Recovery (BCPR) at the UN Development Programme (UNDP), also talked about how the world has become more interlinked and conflicts have changed. Similarly to Kiljunen, Ryan saw in this the need to correspondingly adapt our ways of building peace. Ryan echoed previous comments about the importance of rule of law, while also highlighting the need for development, understood broadly as expanding human capabilities, which is very closely linked to building stable societies. Together with Bilman and Siebert, Ryan talked about the need to understand context and designing individual solutions to fit them. Regarding the challenge of sufficient inclusion and ownership of national dialogue processes, Ryan said while it was impossible to have everyone at the table, it was essential to ensure that the outcomes of the processes meet the needs of wider society. External actors can play a role in this, but there are limits to it, while insider mediators are key to success.

Claus Neukirch, Deputy Director of the Conflict Prevention Centre, Organization for Security and Co-operation in Europe (OSCE), presented some of the ways in which the OSCE has been working, including deploying a special monitoring mission in the Ukraine. In Neukirch's view "national dialogue processes have become an increasingly accepted mechanism for widening participation in political negotiation process and this is true especially during transitions." They become necessary when existing mechanisms are not working. Finally, Neukirch emphasised that negotiation processes must be opened beyond the elites.

Summary

While the speakers had different emphases with regard to the roles as well as the relationship between mediation and national dialogue in conflict resolution, they all saw need for both and understood them to some extent as overlapping or even mutually inclusive concepts. This agreement may obscure divergent understandings of national dialogues either as formally mandated and designed processes with beginning and endings, or more informally as broad discussions between stakeholders without designed structures. In either case several speakers pointed out a danger of confusing dialogue with mere consultation, in which exchange of views is superficial and existing power dynamics are allowed to unduly influence the way in which more marginalised groups are involved.

While all saw a continued need for outsiders in conflict resolution, there were differences in emphasis on the nature of this role that came out most clearly in the use of terminology such as mediation versus facilitation. However, the speakers felt that the national dialogue model, broadly understood as placing emphasis on internal actors, may be particularly useful in intrastate conflicts with a multiplicity of stakeholders, as it works to broaden political ownership, thus ensuring more lasting results. While this leaves important questions open about inclusiveness and sufficient representation versus ability to reach decisions, it may place emphasis on the transformative nature of the dialogue process itself.

Several speakers brought up the absolutely crucial importance of research and serious context analysis. Each conflict must be understood as unique. While lessons can and should be learned from past successes and failures, applying previous experiences too uncritically as models for resolving current conflicts was, in the panel's experience, no recipe for success. Regardless of possible conceptual differences of emphasis towards mediation and national dialogue, adapting to uniqueness calls for constructing methodologically inclusive approaches to conflict resolution on the basis of real world circumstances.

Session 1:

Experiences from a Completed National Dialogue Process in South Africa

Monday, 31 March 2014 (13:00–15:30)

The South Africa session was co-moderated by Dr **Ozonnia Ojielo**, Coordinator of the Conflict Prevention Team, UNDP-BCPR, and **Shirley Moulder**, Member of the Board, Peace Appeal Foundation. Presentations were made by the following speakers:

- Process and institutional perspective – Dr **Theuns Eloff,** Vice-Chancellor and CEO of North-West University, South Africa, and former Administrator of the Multi-party Negotiations on South Africa's Constitution

- Critical analysis and impact perspective – Prof **Adam Habib**, Vice-Chancellor, University of the Witwatersrand, South Africa

- Peace Support and Safety Net perspective – Dr **Andries Odendaal**, Senior Associate at the Centre for Mediation in Africa, University of Pretoria

- Civil Society and critical analysis perspective – **Vasu Gounden**, Founder and Executive Director, ACCORD

Dialogue Participants and Others

Most parties coming to a dialogue are not homogenous. It is important to understand the context as well as events from other parts of the world, and the link of the local, regional and international context in to the dialogue as well as why at this particular point in your history a national dialogue needs to take place.

The challenge in South Africa was how to bring the constituencies into the dialogue when they had a very limited understanding of the process and the wider political context and yet were expected to engage in negotiations immediately. In addition, managing the constituencies in the middle of the

national dialogue was also difficult, considering that while the constituents were being trained in negotiations they were also being armed so that they could protect themselves from state inspired violence.

While a national dialogue is taking place, it is important to think of how to engage the rest of society. There is often anger and hurt arising from the violence that had taken place and this should not be ignored. The rest of the society needs to be engaged in the national dialogue process and not only those sitting at the conference or the negotiations.

It is important to empower insider mediators in order to seek to address the underlying issues and tensions in society to avoid the national dialogue being dragged down by these issues. Local peace committees in South Africa played an important role in bringing the process closer to the people and in diffusing tensions and preventing the violence from expanding.

The leadership played a key role in reducing tension and violence during the dialogues and proved an important element for the success of the dialogue; the country was on the brink of a civil war after the murder of Chris Hani. President de Klerk invited Nelson Mandela to deliver the "state of the nation" address that diffused tension.

Peace versus Justice?

None of the leaders of apartheid who were responsible for the violence appeared before the Truth and Reconciliation Commission, neither did they take responsibility for what happened. This brings to the surface the tension about what you do with the past and what is the right balance between peace and justice.

National Dialogue or a 'Sufficient Consensus'?

For some people what took place in South Africa would not be seen as a national dialogue, considering that when the parties failed to achieve consensus they resorted to 'sufficient consensus' which was eventually used to negotiate deadlocks between the National Party (NP) and African National Congress (ANC). While a useful concept, it reduced the feeling of inclusion. Some feel

that all the talks achieved was to produce an elected government so that the process of dismantling apartheid could begin. The talks in South Africa have not ended but are still continuing, even with more urgency today.

The involvement of external actors was indirect. The various parties did not want any mediation but rather wanted to solve their issues themselves. However, no national dialogue process succeeds without the international community. One of the biggest challenges we face today is the post-Iraq and post-Libya legacy of a fundamental breach of trust around the role of the international community, through the use of the human rights logic to effect regime change. Unless a right balance can be struck between national sovereignty and Responsibility to Protect (R2P), it will be impossible to also find the right balance for international engagement in national dialogue processes. *Any national dialogue process needs to be shaped, defined and led by national stakeholders and the role of the international community should be a support role as defined by the national stakeholders themselves.*

South African business and the ANC leadership looked to their short-term interest rather than to the long term national good. What exists in South Africa today is the highest degree of inequality in the world, which accentuates polarization down the line.

Session 2:

The Comprehensive National Dialogue Conference in Yemen: Challenges, Achievements and Next Steps

Monday, 31 March 2014 (16:00–18:00)

The Yemen session was co-moderated by **Jarno Syrjälä**, Director General of the Department for Africa and Middle East, Ministry for Foreign Affairs of Finland, and **C. Andrew Marshall**, Senior Mediation Advisor, Crisis Management Initiative (CMI). Presentations were made by the following speakers:

- Human rights perspective – **Tawakkol Karman**, Nobel Peace Prize Laureate 2011, Yemen

- Stakeholder perspective – **Ali Saif Hassan**, Member of the National Dialogue Conference and head of the National Dialogue Support Programme (NDSP)

- Critical analysis and impact perspective – **Majid Al-Fahed**, Senior Project Manager, Crisis Management Initiative (CMI), Yemen

The 'revolution' in Yemen had its roots in the aim to bring down the regime – a goal that was not personal but directed at the regime and the system. The National Dialogue Conference (NDC) came at the right time and played a major role in averting civil war and was successful in this regard.

However, some feel that since the NDC was initiated and financed by foreigners, it lacked the necessary domestic buy-in and feeling of responsibility. The lack of interest in the South was also a huge issue from the beginning of the NDC. The variety of claims from the different stakeholders ranged from the Northerners and the Houthis requesting their share of power to the Southerners not being interested in a share but requesting complete separation.

There were a multiplicity of issues in Yemen including the problems caused by the historical unification of the North and South, the religious issues, centre-periphery relations, lack of representation in the power structures, the huge level of poverty and inequality etc.

The NDC process involved a huge amount of representatives and seemingly large consultations including at the local level. However, over 50,000 villages did not have access to the dialogue and the decisions at the end were made at the elite level. There were also not adequate efforts to bring the Southern stakeholders to the dialogue table.

The outcomes of the NDC include a little bit of everything: political transition from a centralised to a federal state, and a move towards wider political participation, empowerment of women, youth and civil society at large. Changes are required at the constitutional level, on at least 58 laws and in the party code of conduct. In addition, successful implementation of the recommendations of the NDC will require major changes in behaviour.

Some consider federalism a good enough compromise between the separatist and other claims to a level of autonomy at the governorate level. To others this was a last minute quick win that does not have wide support from any of the stakeholders. People feel that the division into six regions was slightly arbitrary and may cause serious problems. Similarly, some feel that although the youth did not get everything that they demanded they can still be considered the winners of the conference. Others believe that the youth are rightfully dissatisfied with the outcome.

The success of the process depends on the implementation of the agreed outcomes. Everyone, especially the southerners, are waiting to see if the implementation will proceed as agreed before making up their mind.

The critics are highlighting that the NDC was meant to be a process for peace but that Yemen has experienced intensifying fighting in the last three months. In addition the exclusion of Al-Qaida and the Salafis will definitely create problems with the two groups.

Structural challenges also remain. Transforming into a new political system is always a challenge and constitutional reforms are never without difficulties. The establishment of six regions and with them adequate administrations will also require a large amount of resources. The cost of implementation of the recommendations is estimated at USD 30 billion, making it unfeasible from the perspective o f many Yemenis.

Session 3:

Negotiating National Dialogue in Myanmar

Tuesday, 1 April 2014 (9:00–12:00)

The Myanmar session was co-moderated by **Elina Kalkku**, Director General, Department for the Americas and Asia, Ministry for Foreign Affairs of Finland, and Dr **Katia Papagianni**, Director of Policy and Mediation Support, Centre for Humanitarian Dialogue. Presentations were made by the following speakers:

- Stakeholder & Government perspective – **Aung Naing Oo**, Associate Program Director, Peace Dialogue Program, Myanmar Peace Center (MPC)

- Stakeholder perspective – **Saw Kwe Htoo Win**, General Secretary, Karen National Union (KNU), and Deputy Team Leader (1), Nationwide Ceasefire Coordination Team (NCCT)

- Stakeholder perspective **Pu Zo Zam**, Spokesman, Nationalities Brotherhood Federation (NBF)

- **Debbie Aung Din**, Co-Founder, Proximity Designs

- Peace Support, Process and Safety Net perspective – **Harn Yawnghwe**, Executive Director, Euro-Burma Office (EBO)

"Although the situation looks bad, we need to have hope and optimism – a shift from beating head-to-head to heart-to-heart is needed."

The Burmese are still struggling to finalize a nationwide ceasefire agreement with the numerous active armed groups. Traditionally, there has not been a culture of dialogue or space for people to voice their needs, rights and concerns. Beyond needing to start from a low base there is no planning culture. In addition key stake holders include over fifty political parties and 15–17 armed groups, depending on how they are counted.

What is needed now is development and the quick adoption of new behaviour and skills. The Burmese have found the political dialogue framework that

outside mediators and peace advisors have introduced extremely helpful, although everything needs to be adapted to the context.

It is also difficult for the parties to adopt the new cultures that come with peace process and democratisation, respectively. On the one hand the Burmese need to learn about dialogue, consensus building and power sharing, and on the other hand about political competition, representation and elections.

Natural resources have played a key role in the conflict in Burma with extractive and exclusive political elites controlling power and resources. As in other cases explored, the role of external influences has been unwelcome. Burma is sandwiched between China and India making it strategically located in addition to being filled with natural resources.

Burma is now at a critical juncture with a possibility of adopting a more virtuous cycle and developing a more equitable nation. However, a different mindset is needed as well as a new focus on coalition and nation building. However, on some levels Burma is attempting a very challenging triple transition from a militarily led country to an elected leadership, from six decades of war to peace and from poverty to development.

While the involvement of external actors is causing more tension in the country, genuine support for peace actors is welcomed. The Myanmar Peace Center has been established with support from the EU and Japan, as well as funding from Finland and Sweden, to develop a framework for an appropriate process for authentic national dialogue. The Pyidaungsu Institute (PI) has also established a safe space and support structure for the representatives of armed groups.

The Burmese are still in the phase of negotiating ceasefires but hope to start political dialogue during 2014. Challenges include a lack of trust and many parties to the conflict. In addition, there are many different interpretations of what the dialogue should be like and how inclusive it should be. The anticipated national dialogue will be a long term process that may take several years. An empire took a long time to build and changing the system will also take time.

A possible suggested framework could look similar to that of Yemen with five groups including civil society, armed groups, government, women and chil-

dren, and the rest. The government, armed groups and political parties all have a different perspective but everyone agrees that dialogue is needed and should be prioritized as elections are soon approaching. The shape and framework are still unclear.

Issues that need to be addressed by the dialogue include power sharing, armed groups and the role of the military, rights of ethnic groups, corruption, sharing of natural resource wealth, economy, past land grabbing, revenue sharing, religious violence, decentralisation and federalism, presidential elections, rule of law and dealing with the past.

Session 4:

Perspectives for a National Dialogue Process in Syria

Tuesday, 1 April 2014, (13:00–15:00)

The Syria session was co-moderated by **Anne Sipiläinen**, Under-Secretary of State (Development Cooperation and Development Policy), Finnish Foreign Ministry, and **Omar Abdulaziz Hallaj**, Senior Coordinator, Syria Initiative. Presentations were made by the following speakers:

- Dr **Abdallah Al Dardari**, Chief Economist, UN Economic and Social Commission for Western Asia (ESCWA), former Deputy Prime Minister for Economic Affairs of Syria

- Dr **Rim Turkmani**, Senior Research Fellow at the London School of Economics (LSE) and founder of the Madani Organisation

- Dr **Sami Khiyami**, former Syrian ambassador to the United Kingdom

In addition the session included the following discussants:

- H.E. **Kari Kahiluoto**, Ambassador of Finland to Syria, Lebanon, Jordan and Iraq, based in Beirut, Lebanon

- **Mouin Rabbani**, Head of Middle East programme, Crisis Management Initiative (CMI)

- **Hrair Balian**, Director of the Conflict Resolution Program, The Carter Center

"'Friends of Syria' are not at all friends of Syria"

The focus on purely humanitarian assistance without peace building may be doing a disservice to the Syrians. The humanitarian efforts should be seen as part of the efforts to end the conflict and many humanitarian actors are actively engaging in negotiating ceasefires and facilitating entry into areas in which they are active. More focused mediation and prevention efforts are needed, there is no effective early warning and early action system but some local capacities exist that require strengthening.

The Syrians themselves must get together and jointly design options for re-building the country. Syria has benefit from the different confessions living in the past in the same country, and sectarian issues were historically less conflictual, with religion being a domestic, not a political matter. Yet, religious and ethnic tensions were present and there was no proper social contract in the country. These existing tensions were deepened by the violence and started coming increasingly to the fore.

Track One efforts have failed to resolve the conflict due to the lack of consensus among the international community and the apparent bias and division among the different supporters of the Syrians. It is now increasingly obvious that Track One efforts alone will not resolve the conflict and the increasing involvement of civil society will be needed given that for civil society, peace is the only interest. Even though Syrian civil society is not very well established, numerous ceasefire agreements have been negotiated by civil society actors and 'insider mediators' on the ground.

Many feel that regional and international interference are the biggest obstacle to achieving a peace agreement. An additional complication is that the war economy in Syria is generating a lot of resources and has become beneficial to some constituencies.

Instead of supporting one side or the other, the international community should start talking about power sharing for at least a transitional period. The international community should learn from the mistakes of the past and stop being 'one-sided' and deciding who are the appropriate future leaders of the country. Any solution for Syria will require consensus from the regional powers including Iran, Saudi Arabia and Turkey, as well as the USA and Russia.

The civil society peace initiatives and the mediators on the ground are receiving close to no support from the international community, and no-one is monitoring the agreements achieved. The Syrians need to be given the opportunity to reframe their positions to the conflict and local dialogues are needed to facilitate civil society and peace asset engagement. Also the minorities need to be better engaged in the dialogues and new efforts for peace.

A five point agenda was suggested by one of the panellists, including the following steps:

1. To stop all violence and release prisoners;

2. Minimize foreign involvement including military disengagement of all foreign powers and putting a stop to all money transfers;

3. Hold a National Dialogue under UN auspices with truly Syrian representation including i) a nucleus of civil society social groups; ii) minorities, iii) the Foreign Ministry, and iv) opposition with two representatives from the coalition and one from each recognized groups and three from the other reputable groups;

4. Develop a council representing civil society and hold a quasi-civilian nature Geneva 4 conference among the elected civil society council and above groups;

5. Establish an interim Syrian congress and non-elected assembly to ratify a new constitution with focus on social cohesion, amnesty and national reconciliation.

Session 5A:

Working Group on Decentralisation and Federalism

Tuesday, 1 April 2014, (15:30–18:45)

The working group was chaired by Prof **John Packer**, Director, Human Rights Research and Education Centre, University of Ottawa. The rapporteur was **Sanna Tasala**, Conflict Prevention Analyst, UNDP-BCPR. The workshop included the following resource persons:

- Dr **Omar Abdulaziz Hallaj**, Senior Coordinator, Syria Initiative

- **Ali Saif Hassan**, Member of the National Dialogue Conference and head of the National Dialogue Support Programme (NDSP)

- **Mahdi Abdile**, Senior Adviser on Right to Peace, Finn Church Aid (FCA)

- Dr **Karam Karam**, Head of Research and Senior Researcher, Common Space Initiative (CSI)

Every conflict situation is unique and special. There is no ready-made recipe for decentralisation and federalism, and no clear consensus on the types of decentralisation exists. The translation of the terms unitary and decentralized state in Arabic leads to prioritization between the two systems as the term unitary or centralised state is translated as a 'simple state' and decentralised state as a 'complex state' automatically raising the assumption that simple is easy and complex is difficult.

The borders of the Middle East created by the colonial powers divided the region in a way that discouraged decentralisation and the empowerment of the local people. However, today decentralisation and federalism is on the agenda in most Arab countries.

Opportunities

1. The four main goals associated with decentralisation are i) participation, ii) diversity, iii) efficiency and iv) conflict resolution;

2. The centrist state has been a problem in the MENA region and beyond and now there is a need for fundamental shift in mentality; this is the time for representation, participation, connecting and democracy. The structures of governance need to respond to diversity;

3. Federalism should be understood as a flexible process of reform that needs to be adapted based on needs.

Challenges

1. The concepts are still problematic and cannot be adopted based on western models, rather they need more reflection;

2. Federalism and decentralisation are both often associated with ethnic or sectarian division of the country which has led to more problems rather than less (note Lebanon attempted federalism);

3. On the other hand some see decentralisation and federalism as tools to undermine the state. The focus should be kept on social development as the use of resources often defines the success of any system of governance;

4. Especially in conflict contexts decentralisation and federalism require serious consideration vis-à-vis priorities, federalism does not suit everyone and even decentralisation can destabilise countries. Undertaking reforms or processes such as these are different in stable countries and in conflict settings;

5. There is a need to be careful and not make decentralisation and federalism a cause of conflict, as quick win solutions often lead to more problems than they solve.

Conclusion

Everyone is equal and should have the equal right to participate in decision-making that affects them – whatever the formula. It was suggested that there may be a need for a resource mapping of different country processes to analyse where it worked or not and why.

Country Specific Considerations: Syria

There has been a high level of centralisation in Syria with a great deal of neglect of the local government level (some places not even having municipalities), which historically reduced the ability of the people to challenge the system. The disenfranchisement resulting from central control led to the conflict.

Syrians generally identify with their region and local community was considered more important than sect. The efforts in decentralisation started going in the wrong direction, decentralisation law needs to be revised. This is not a problem affecting Syria alone but also many other fragile states next to Syria.

Country Specific Considerations: Lebanon

Lebanon made a different choice from some the other Arab countries and established a communitarian confessional system which is a type of federalism of 'personal status'. However, the structural reforms in Lebanon suggested by the Taif agreement have not been implemented.

A lack of decentralization poses a serious challenge in the country and is directly linked with social cohesion. More participation in Lebanon is seriously required. A system of clientelism poses a challenge to the equal distribution of wealth.

Country Specific Considerations: Yemen

Yemen is a recently unified state and since then the opposition in Yemen was divided with the Northern opposition requesting decentralisation and the Southern opposition demanding separation. The NDC established something in between the two and federalism can provide a solution.

The division of the country into two or three states was difficult based on economic analysis in addition to political and conflict considerations. Therefore it was agreed that six regions would make sense. However, this might not work due to lack of political and public support

African Examples:

In some African contexts decentralisation or federalism based on ethnicity became a problem, including in Ethiopia where ethnic federalism was forced. In Somalia the political elites are using federalism for advancing their political interests and eradicating minorities. Power sharing is a problem. Decentralisation was rarely discussed in national dialogues, but was often imposed.

Session 5B:

Working Group on Natural Resources

Tuesday, 1 April 2014, (15:30–18:45)

The working group was chaired by **Derek Brown**, Executive Director, Peace Appeal Foundation. The rapporteur was Professor **David Dapice**, Tufts University. The workshop included the following resource persons:

- **Adib Nehmeh**, Regional Adviser, UN Economic and Social Commission for Western Asia (ESCWA)

- **Debbie Aung Din**, Co-Founder, Proximity Designs

- **Rashid Alkaff**, Chairman, Sahra Petroleum Consulting

- **Vida Hamd Daou**, Researcher, Common Space Initiative (CSI)

Conflicts over natural resources spring from strategic interests. They generate huge financial flows which can finance war and political domination. Unregulated competition for resources can create a kind of social Darwinism, with no rules and brutal conflict. It is also often the basis for broader economic competition and involves geostrategic interests of larger nations. Especially conflicts lasting more than a few years typically involve outside interests that fuel them. For this reason peace building strategies must be regional and the outcomes, not just the process, must be sufficiently inclusive.

There are many ways in which the abundance of one resource can lead to pitfalls. For example the oil riches in Saudi Arabia have resulted in ignoring the development of other resources. Large scale corruption, often connected to the abundance of a natural resource, has also been a factor in the unwise rejection of Foreign Direct Investment for reasons of public opinion. In Myanmar there has been no public finance system in which revenues of spending would have been transparent, for which reason it has been very difficult to influence their use or debate the issue. However, these resources could potentially give ethnic minorities leverage due to their proximity to the resources. On the other hand physical proximity to resources did not provide real leverage for example in Aceh.

The wide ranging discussion raised many salient issues and settled few of them. There was a general sense that natural resources were important and often more of a curse than a blessing. One "bad" equilibrium led to a dog-eat-dog conflict with gangs fighting for control and civilians excluded or caught in the cross fire. The path to a "good" equilibrium was tortuous but included dialogue with relevant interest groups, transparency (which could be helped by outside interests), a recognition but not surrender to geostrategic and interests of multinational corporations. Aside from conflict, the dangers of unbalanced economic development, crony control, and unrealistic populism were salient issues that needed to be managed.

The role of national dialogues for the challenge presented by natural resources in conflict zones was suggested to be found in building a constituency for engaging and monitoring these issues over time. However, it was mentioned that in some cases national dialogue processes had attempted to set out fundamental principles and formulas for effective and transparent resource management, often with less than optimal outcomes. While information, transparency and public debate would not cure all problems, they would help to manage them. The problem of local mafia or national armed forces using natural resources to settle in a low level equilibrium was left unresolved.

Session 5C:

Working Group on Security Sector Reform and Military Integration

Tuesday, 1 April 2014, (15:30–18:45)

The working group was chaired by **Georg Charpentier**, UN Deputy Special Representative of the Secretary General, Resident Coordinator & Resident Representative a.i. for the Central African Republic. The rapporteur was: **Steve Hege**, Senior Advisor, Peace Appeal Foundation. The workshop included the following resource persons:

- **Gawlu La Awng**, Kachin Independence Organization (KIO)

- Col (retired) **Mbaye Faye**, Senior Adviser at Crisis Management Initiative (CMI) and former Senior Expert for Security Arrangements at the Mediation Standby Team of the UN Mediation Support Unit.

- Prof. **Hans-Joachim Giessmann**, Director, Berghof Foundation

The participants reflected on the importance to understand Security Sector Reform (SSR) as a long term process to which there is no easily applicable model that would rapidly resolve security challenges. SSR should be seen as an integral part of a state building process, and as a process always includes high risks and potential for increasing rather than reducing instability.

The linkage between SSR and national dialogue is most pertinent in relation to the importance of actively engaging with the security forces in the development of national security strategies or reform. SSR is an inherently political process and may destabilise the balance of power among different constituencies in society. Although in theory the security forces and armed actors should evolve into mere instruments of civilian leadership, in many instances they tend to exercise significant power and leverage.

The armed groups and military should be included in national dialogue processes where exclusion often can cause problems, as seen in Togo and in the white paper development in Libya. Establishing longer-term dialogues could

be beneficial in enhancing the understanding and agreement of the armed groups in their transformation and new role in society. The role of external actors who have their influence over security forces such as other regional or international states must be addressed in discussing reforms.

Human rights considerations were also voiced with regards to the importance of pursuing transitional justice mechanisms which allow for the appropriate sequencing of the urgent need for peace as well as the imperatives of dealing with the past.

Most security reforms undertaken within the framework of a peace process with non-statutory armed groups entail some form of demobilisation and re-integration of former combatants. However, most of the past Disarmament, Demobilisation and Reintegration (DDR) programmes have overlooked some of the important elements needed for successful demobilisation, including that the implementation of the peace accord needs to show some movement before the groups can safely disarm, and the effects of profound psychological trauma that the fighting has caused.

Parallel Session 6A:

Working Towards Complementarity – Mediation and National Dialogue as Tools for Conflict Resolution

Wednesday, 2 April 2014, (9:00–11:00)

The session was co-moderated by **Kristiina Rintakoski**, Director for Advocacy, The Finnish Evangelical Lutheran Mission (FELM) and Dr **Pertti Joenniemi**, Researcher, Tampere Peace Research Institute (TAPRI). The sessions included presentations by the following speakers:

- Dr **Norbert Ropers**, Programme Director Asia of the Berghof Foundation (Bangkok) & Senior Research Fellow, Center for Conflict Studies and Cultural Diversity (CSCD), Prince of Songkla University, Pattani, Thailand

- **Tomas Henning**, Mediation Adviser, Mediation Support Team, European External Action Service (EEAS)

- Dr **Chetan Kumar**, Head of the Conflict Prevention Group, Advisor on Strategic Initiatives, UNDP-BCPR

- Prof **John Packer**, Director, Human Rights Research and Education Centre, University of Ottawa

- **Vasu Gounden**, Founder and Executive Director, ACCORD

- **Ufuk Gezer**, Head of Department at the DG Policy Planning, Ministry for Foreign Affairs of Turkey

The speakers understood national dialogue and mediation as complementary tools or methodologies. A number of key differences were pointed out as well. One was related to the distinction between negative peace and positive peace, as outlined by Norwegian sociologist Johan Galtung. Classical mediation is aimed more at achieving the absence of violent conflict, or negative peace, while dialogue also aims at building new relationships, positive peace. Another difference was the partial reliance of classical mediation on outside actors, while national dialogues placed more weight on insider participation.

Another perspective on national dialogues and mediation paid particular attention to the role of attitudes in the process. Mediation and dialogue are not only tools, but also create mind-sets, something which is especially emphasised in the broad participation inherent to national dialogues. Deeply ingrained attitudes make us approach processes with the desire to win, which can work against building trust in the other participants. For some, dialogues are simply about being heard, perhaps for the first time. Getting the issues on the table can already be a cathartic moment. However, some level of trust is a requirement for mutual success. Mediation and dialogue tools are essentially ways of building an additional level of trust and imagination that will help create lasting solutions.

As overall approaches, mediation tends to deal with a shorter list of core issues than dialogue, includes fewer people and takes less time. Dialogue as an overall approach is messier and slower, but it also has distinct advantages. For one, it is able to deal with broader issues that would become problems further down the road if not addressed. It also allows for simultaneously dealing with a larger number of groups, which might be absolutely essential in certain conflict situations.

While the advantages are clear, the necessary "messiness" of dialogues may result in some problems. While the process itself can have a transformative nature due to its inclusiveness and attitude changes, key challenges revolve around the actual concrete results. As processes with broad participation and topics, it may be hard to achieve sufficient formal commitments to the decisions reached. Successful implementation usually requires the institutionalisation of the process. It will be useful to have a mechanism for translating agreement into legislation, often at the constitutional level. Sadly, this has not always worked and many dialogues have generated brilliant agreements that have not produced tangible results. Institutionalisation of the dialogue also helps to keep the process alive when problems are encountered.

A related topic is the necessary level of inclusiveness and participation. There may be a balance to be struck between inclusiveness and effectiveness. While broad participation can ensure lasting results and a high level of legitimacy, it can also make for very unwieldy processes both logistically and in terms of actually being able to reach an agreement. One way of approaching the issue is

to look at the process as being about political power. In this view a meaningful deal can only be reached if the parties holding power are at the table, the inclusion of others is of lesser significance.

While dialogues may be structured or non-structured, several speakers tended towards an emphasis on formal, structured processes. For a structured dialogue the necessary questions to be resolved before beginning, some of which have already been touched upon above, include agreeing on the basic aim of the process, deciding who is to be present, what does being present actually mean, whether this results in sufficient representation, what are the time limits, what are the rules for conducting the process and how will the outcome be translated into political reorganisation. Having a structured process with clear rules also makes the process itself a learning experience for building the rule of law, often something greatly needed in societies emerging out of conflict.

Instead of looking at mediation and dialogue as separate approaches with different strengths and weaknesses, they can also be seen as functionally complementary and parallel tools. Key questions in setting up a dialogue are questions of representativeness and inclusivity. As the differences even inside various parties may be substantial, resolving these issues might require mediation before a dialogue can even start. Setting the agenda for a structured national dialogue may also require separate mediation. Mediation can take place before and after a dialogue process. It may be essential for breaking deadlock inside and between parties during the dialogue. On the other hand political dialogue can precede a mediated political settlement between key players.

Time and again the various speakers underlined the absolutely crucial role of conflict analysis, of researching the unique context of each situation thoroughly before even beginning. Neither mediation nor facilitation of national dialogues can succeed without contextualised methods. There is a natural, but dangerous tendency to attempt to export successful models to other contexts without sufficient adaptation and analysis. What has worked in one situation may even be counterproductive in another. Very few methodologies have universal applicability.

Parallel Session 6B:

The Role of International Technical Advisers and Facilitators in National Dialogue Processes

Wednesday, 2 April 2014, (9:00–11:00)

The session was co-moderated by **Tuija Talvitie**, Executive Director, Crisis Management Initiative (CMI) and **Pia Stjernvall**, Special Representative for International dialogue on Peacebuilding and State Building, Ministry for Foreign Affairs of Finland. The sessions included presentations by the following speakers:

- Dr **Katia Papagianni**, Director of Policy and Mediation Support, Centre for Humanitarian Dialogue

- Dr **Oliver Wils**, Programme Director MENA Region, Berghof Foundation

- **Hannes Siebert**, Senior Technical Adviser, Common Space Initiative (CSI)

- Dr **Heidi Huuhtanen**, Programme Director, Crisis Management Initiative (CMI)

- **Antti Pentikäinen**, Executive Director, Finn Church Aid (FCA)

National dialogue was understood by some of the speakers primarily as a relatively formal process, linked to constitutional reform or other political questions. As there are often hundreds of participants, efficient decision-making is one of the central questions in designing the process. This includes questions like voting and dispute resolution. Other central questions include the nature of the dialogue itself, who will participate – involving women and young people is a particularly salient issue – who will lead the process as well as when and where will it be held. It is not enough to simply bring people together; they must have an agenda and some ideas about the goals. These are not simply technical, but very political questions.

The role of international facilitators is to enhance the creativity of the participants in the national dialogue. Sometimes it may be necessary to put some pressure on the parties as well, if they do not see the significance of truly important questions. Discussion is always important, although the parties may decide to ignore advice. There are examples of many questions being asked but answers being ignored. Civil society participation is a typical example of a situation in which outside pressure is applied without being too intrusive. When the national dialogue gets under way the focus will shift to the substance (constitution, land reform, human rights, development etc.). When this happens, advisers and facilitators can help clarify the ramifications of the available options.

Another approach to dialogue is from the community level, albeit one in which not all the community members are involved in. However, on a community level it becomes clear that what is at issue is the right to peace and the right to participate. Questions that arise in this context include whether or not to include radical groups and how to deal with them. On the one hand they may be a threat but in other cases, like Somalia, shutting out Al-Shabaab has been a great mistake that only adds to the problems. There is a difference between shutting out a radical group that wants to participate and leaving out a group that does not even want to participate, as can sometimes be the case.

Yet another approach to national dialogues is that of a process. For example in Yemen the formal national dialogue looked at headings, the true dialogue is only really starting now that the formal process is over. The real issue is one of social change. The National Dialogue in Yemen was a classic dialogue, in which as many options as possible were considered together with lessons learned from previous cases. There was a listening phase, in which as much advice as possible was sought, followed by a negotiation phase in which the process turned inwards.

Special efforts should be directed at the preparatory stage of national dialogues. There may be widely differing views on basic questions, such as what the conflict is about and how these issues can be dealt with. Unfortunately process planning is often neglected as choosing the participants in the dialogue – a political sensitive topic – takes most of the attention. However, it is an important stage and process planning and balancing the negotiating ability of the parties

through capacity building should be emphasised. It must be added, that it is unclear who can mandate facilitation of this kind. It is important to meet the needs of the process, which is in a way a broader mandate than simply participating with the consent of the parties. This can be a difficult balance.

National dialogues should not be about creating elites, but rather bringing new and different political and social levels to the table. The parties to the dialogue are not necessarily internally consistent, unresolved disputes hinder dialogue and local violence may not be under the control of the leaders. A formal dialogue may not necessarily lead to efficient implementation. This only underlines the political importance of unofficial processes. Facilitators can help in their planning as well as participate in the meetings as observers. However, outside participation can also be too intensive. Coordination should happen not only on a bilateral level, but also extend to NGOs. If there are several simultaneous processes, it can lead to forum shopping.

In the case of Yemen, which was discussed extensively, the national dialogue process was structured and relatively open. However, dialogues are often more closed, less structured and more improvised. For example in Myanmar there is an excess of international facilitation, which can lead to chaos. This underscores the need for coordination. It is important to consider how to protect the sovereignty of the process. National dialogue can be seen as a facilitation instrument. Facilitation is in the mechanism, which means that facilitators must act in the background.

There are different kinds of national dialogues. Formally mandated national dialogues are ones which deal with drafting or amending the constitution, for example in South Africa, Kenya, Afghanistan, Yemen, Nepal and Myanmar. In other kinds of dialogues the parties, for example at the local level, talk about what kind of a future they would like to have. This kind of debate must then be translated into constitutional language, which is a challenge in itself. Reconciliation is also needed, which requires broad participation.

In conclusion, third party mediation was likened by one speaker to a prescription of antibiotics. It helps, but does not enhance natural immunity and it cannot continue forever. National dialogues, on the other hand, are like completing a fitness course for getting in shape. It can be used to fix the system itself, build reconciliation and create a common vision.

Concluding Session

The Concluding Session started with a summary of the three working groups by their rapporteurs, **Sanna Tasala**, Conflict Prevention Analyst at UNDP-BCPR, for the working group on Decentralisation and Federalism; Professor **David Dapice** from Tufts University for the Natural Resources working group; and finally for the Security Sector Reform and Military Integration working group its chairman **Georg Charpentier**, UN Deputy Special Representative of the Secretary General, Resident Coordinator & Resident Representative a.i. for the Central African Republic, on behalf of the original rapporteur **Steve Hege** from Peace Appeal Foundation. For details, please refer to the working group sections above.

The first conference rapporteur, **Karam Karam**, Head of Research and Senior Researcher at Common Space Initiative (CSI), summarised the conference by presenting three main ideas related to national dialogues and mediation that came out of the debates and are related to the case studies. These ideas or perspectives were: 1) National dialogue as a socio-historical event or moment, 2) National dialogue as a mechanism, and 3) National dialogue as an inclusive process.

Seeing national dialogue as a socio-historical moment calls attention to the fact that dialogue does not mean the same thing in different contexts and after different events. On the one hand it could be a founding act, creating a new basis for citizenship. In this sense it could be a truly transformative process, like in South Africa or hopefully in Syria. On the other hand it could be a totally different thing, a more modest reform process, like in Tunisia, Egypt or Jordan, where the "basis of the nation" or citizenship or the state are not questioned or discussed. "It appears clearly from the conference that the challenges are not the same when we are dealing with national dialogue as a founding act, as building a new social and political contract or when we are dealing with national dialogue as a simple although important reform process."

These different ways of viewing national dialogue also have an impact on the way it works as a mechanism, which was Karam's second perspective. Thinking of national dialogue as a mechanism involves practical questions about fixing the agenda, timeline and support mechanisms, how to deal with elections, at which point to introduce issues of decentralisation, transitional justice, power sharing etc.

Finally, looking at national dialogue as an inclusive process refers to the level and kind of participation in each case. Karam emphasised the need to ask, whether we are "really paying attention to having an effective and substantial participation for the majority of the stakeholders", which of course includes different social classes and both men and women. Another key question to keep in mind is whether participation is actually sufficient or merely cosmetic? To what extent are external influences involved and are there "artificial participants" who are taking advantage of the opportunities presented and are not really representative? However, it is important to secure the representation of "hidden riders", for example socio-economic and economic actors. The failure to adequately do so at the outset in South Africa created problems later.

Pertti Joenniemi, Researcher at the Tampere Peace Research Institute (TAPRI) echoed the claim made at the outset of the conference that the nature of war has changed from interstate conflicts to the increasing prevalence of intrastate conflicts, which in turn has decreased the effectiveness and demand for classical diplomacy. According to Joenniemi our knowledge base and available structures are struggling to tackle the current plurality and diversity of conflicts, which has emphasised the need for dialogue.

One of the themes in the conference has been the effort to relate mediation to dialogue and see how they can work together and whether there are tensions between them. According to Joenniemi both mediation and dialogue have long roots. "Dialogue is historically nothing new, but it has come in with very different force and weight" in relation to contemporary conflicts.

A related change in our environment is that the international community is now increasingly value oriented, instead of looking only at power and interest. In the Westphalian era wars were not mediated, they were fought out. However, as there is now a far greater need and possibilities for mediation, it is important to respond to this.

Finally, Joenniemi talked about the changes in conflicts and their diversification creating the need for correspondingly diverse approaches. Although much progress has been made, we must remember that conflicts – and thereby also the required measures for ending them – are in constant change and will continue to change. "The conflicts that we have ahead of us may be different to the ones we have today," and may involve such factors as natural disasters or the scarcity of resources.

Katri Viinikka, Director of the Unit for UN and General Global Affairs at the Ministry for Foreign Affairs of Finland, stressed the inclusivity and broadness of the concept of mediation. She noted that Finland has promoted mediation in a systematic way for some years now. "In our view there is still vast untapped potential for mediation and for other forms of preventive diplomacy." Since 2010 Finland has been stressing that "mediation is much more than the traditional high-level third party mediation". According to Viinikka, Finland's broad approach to mediation has consistently included national dialogues. Finland has supported in particular Track Two actors in civil society in their work for broadening political participation through local and national dialogue processes. Indeed, in Viinikka's view, national dialogues were "an important part of effective mediation."

Viinikka noted that one point of agreement identified at the conference has been the need for support for national dialogue processes by the international community. In addition to political support, financial support is also essential. The extremely low level of UN funding for mediation activities is not sustainable in the long run and Finland is working to change this and to "strengthen the normative and institutional framework for mediation". While there are risks and the results of mediation may be difficult to track, "it can be a very cost effective way of comprehensive crisis management", Viinikka said, adding that "there is no development without peace, as there is no peace without development."

Harn Yawnghwe, Executive Director of the Euro-Burma Office (EBO), brought up three questions from the conference that had been particularly relevant for Myanmar. The first was that of the importance of context and of tailoring various models to each particular case of conflict resolution, as the goals are different in each particular case. Another theme was inclusivity: "We all want to be very inclusive, we want to include everybody, but is that really practical. Is

that really something that will help the process or will it hinder the process." Finally, Yawnghwe touched on the issue of decision-making: "In terms of democracy we want the majority to decide, but is that the right method to use in national dialogue in trying to solve our problems?"

Yawnghwe also brought up a question that had not been discussed much so far, namely justice. He pointed out that the views on justice arising out of a Judeo-Christian or Islamic traditions were very different to ones arising out of a Buddhist perspective, which might have important implications for the situation in Myanmar.

In his closing remarks **Pekka Haavisto**, Finland's Minister for International Development brought up eight points. 1) Regarding inclusiveness, even problems that may seem minor today might become large ones later, which means that eventually all issues must be addressed, even if this is not done at the same time. 2) Democracy and human rights cannot be negotiated; they are basic values for us all. 3) Facilitation is necessary. Whether the facilitator comes from the country itself or from further afield, it is necessary to have a look at conflict situations from the outside. 4) Conflicts are always to some extent regional, never in a vacuum. 5) We should not work over the heads of local NGOs in conflict countries, but rather include their work in any programmes we have. 6) While talks are ongoing the local communities might find it difficult to envisage what kind of development needs may be met by the international community, it is important to help clarify this. 7) There are many layers in a conflict, which need to be addressed even if some of them want to present themselves as the ones in charge. 8) Respect is key. "You might not agree with the people whom you are sitting around a table with, but if you don't have respect for them, nothing will happen."

In conclusion, **Erkki Tuomioja**, Finland's Minister for Foreign Affairs, noted that while Finland would always be prepared to provide mediators, there must be at least a minimum local demand for one. In conclusion, Tuomioja underscored the role of history and historians in dealing with conflicts. Skeletons in the closet must be addressed openly. "Hopefully this will, in the future, also be part of our contribution to mediation, bringing historians together, bring historian to the table and also in this way assisting in an important part of national dialogues."

Finally, **Kimmo Kiljunen**, Special Representative for Mediation of the Foreign Minister of Finland, thanked the partners who organised the conference, the Foreign Ministry, the conference secretariat as well as the participants and speakers. In summary, Kiljunen pointed to the useful concept of "sufficient consensus" that came out of the South African case. The same context also brought out the connection on the one hand between peace and justice and on the other hand between peace and social equity. There is no truly permanent peace without social justice, welfare and socio-economic development. Kiljunen also recalled Tawakkol Karman's evocative refrain "now means now" in pointing to the urgency of dialogue and reform.

As for the Myanmar session, Kiljunen noted the discussion on the paradox surrounding the much-awaited elections of 2015. On the one hand they offer the hope of openness and democratic change, but on the other hand cast a degree of uncertainty on the future of the peace process. At times the combination of a simultaneous democratic process and peace process can result in outcomes that are difficult to predict. As for Syria, the salient message from the panel was that the transition in the country should be led by the Syrians themselves. What is needed is a local national dialogue. Minorities have an important role in it due to the creativity they bring. Above all, the war needs to end as soon as possible.

In conclusion, Kiljunen noted the wish, voiced by many participants both during the conference sessions and in corridor discussions, for continuity. The Helsinki National Dialogue Conference was felt to have been an excellent platform for examining the broad-ranging topics of mediation and national dialogue. The ministers both indicated that there will be follow-up, not only in the form of the Conference Publication, but also through organising a new conference. The Finnish Foreign Ministry is ready to meet this challenge and Helsinki is always ready to serve as a host for the kind of fruitful discussions that were held at the National Dialogue Conference of March-April 2014.

1.4 List of Speakers, Participants and Observers (including Conference Team)

Conference on National Dialogue and Mediation Processes

30 March – 2 April 2014
The House of the Estates (Säätytalo), Helsinki

1. Mahdi Abdile FCA
2. Martti Ahtisaari CMI
3. Abdallah Al Dardari UN-ES-CWA
4. Mazin AlBalkhi
5. Yasmeen Al-Eryani University of Helsinki
6. Majid Al-Fahed CMI
7. Rashid Alkaff SAHRA Petroleum Consulting
8. Mania Alkhatib Finland-Syria Friendship Association
9. Muhammed Alnehmi
10. Martti Antola UN-ESCWA
11. Debbie Aung Din Proximity Designs
12. Mikko Autti MFA (ALI-10)
13. John Bogna Bakeni
14. Hrair Balian Carter Center
15. Adnan Başağa Turkish Embassy in Helsinki
16. Roxaneh Bazergan UNDPA-MSU
17. Fulvia Elvira Benavides Cotes Embassy of the Republic of Colombia
18. Ann Bernes Folke Bernadotte Academy
19. Levent Bilman UNDPA
20. Derek Brown Peace Appeal Foundation
21. Ville Brummer CMI
22. Audu Bulama Bukarti
23. Johan Candelin First Step Forum (FSF)
24. Sini Castrén SaferGlobe Finland
25. Altay Cengizer Ministry of Foreign Affairs of Turkey
26. Ali Chahine
27. Georg Charpentier UNSMIL
28. Juha Christensen PACTA Finland
29. Sarah Clarke Quakers UN Office
30. Charlotta Collén MFA (STU-00)
31. Thomas Crick Carter Center
32. Roxana Cristescu CMI
33. David Dapice Tufts University, Department of Economics
34. Spyros Demetriou Global Center on Conflict, Security and Development, World Bank Group
35. Nada El Jarid
36. Maruan El Krekshi CMI
37. Gorka Elejabarrieta SORTU International department, Basque Country
38. Satu Elo MFA (KEO-20)

39. Theuns Eloff North-West University
40. Mohamed Elsanousi Islamic Society of North America
41. Santeri Eriksson MFA (POL-50)
42. Alia Eshaq National Dialogue Support Programme, Yemen
43. Mbaye Faye CMI
44. Soha Frem CSI / UNDP
45. Juan Garrigues Dialogue Advisory Group
46. Anna Gebremedhin MFA (KEO-70)
47. Ufuk Gezer Ministry of Foreign Affairs of Turkey
48. Hans-Joachim Giessmann Berghof Foundation
49. Ufuk Gocken Organisation of Islamic Cooperation
50. Vasu Gounden The African Centre for the Constructive Resolution of Disputes (ACCORD)
51. Pekka Haavisto MFA (KEMI-00)
52. Adam Habib University of Witwatersrand, South Africa
53. Terhi Hakala MFA (ITÄ-01)
54. Omar Abdulaziz Hallaj Syria Initiative
55. Vida Hamd Daou CSI
56. M Amanuel Haq Organization of Islamic Cooperation (OIC)
57. Päivi Harju-Heikkilä MFA (ASA-10)
58. Sandra Hatzidakis AVS-POL
59. Heidi Hautala
60. Susan Hayward USIP
61. Steve Hege Peace Appeal Foundation
62. Sara Hellmüller Swisspeace
63. Tomas Henning European External Action Service (EEAS)
64. Jose Henriquez Pax Christi International
65. Asta Hissa FELM
66. Heidi Huuhtanen CMI
67. Emmi Hänninen CMI
68. Meeri-Maria Jaarva CMI
69. Pertti Joenniemi Tampere Peace Research Institute (TAPRI)
70. Tiina Jortikka-Laitinen MFA (POL-50)
71. Hannu Juusola University of Helsinki
72. Therese Jönsson Folke Bernadotte Academy
73. Charlotte Kaeppel CSI
74. Kari Kahiluoto MFA (BEI)
75. Elina Kalkku MFA (ASA-01)
76. Tarja Kangaskorte MFA (UMI-00)
77. Tarja Kantola MFA (UMI-00)
78. Karam Karam CSI
79. Tawakkol Karman
80. Antti Kaski MFA (STU-00)
81. Kirsti Kauppi MFA (POL-01)
82. Saana Keskitalo CMI
83. Milma Kettunen MFA (KEMI-00)
84. Ajaya Bhadra Khanal NTTP Peace Institute, Nepal
85. Sami Khiyami
86. Kimmo Kiljunen MFA (STU-00)
87. Timo Kivimäki University of Helsinki

88. Aapo Kivinen FELM
89. Anne-Lise Klausen World Bank Global Center on Conflict Security and Development
90. Felix Knüpling Forum of Federations
91. Elina Korhonen FCA
92. Lilly Korpiola
93. Hassan Krayem UNDP Lebanon
94. Sari Kuisma MFA (STU-00)
95. Chetan Kumar Bureau for Crisis Prevention and Recovery, UNDP
96. Eero Kuosmanen (TBC) MFA
97. Maria Kurikkala MFA (KEMI-00)
98. Jarmo Kuuttila MFA
99. Katri Källbacka MFA (STU-00)
100. Sami Lahdensuo Office of President Ahtisaari
101. Karita Laisi FELM
102. Matti Lassila MFA (ALI-10)
103. Sai Latt Pyidaungsu Institute for Peace & Dialogue
104. Matthew Lawrence Tony Blair Faith Foundation
105. Marko Lehti Tampere Peace Research Institute (TAPRI)
106. Victor Biak Lian Euro-Burma Office (EBO)
107. Ian Linden Tony Blair Faith Foundation
108. Johanna Liukkonen
109. Laura Lodenius Peace Union of Finland
110. María Jesús Figa Lopez-Palop Embassy of Spain to Finland
111. Tarek Maassarani Salam Institute for Peace and Justice

112. C. Andrew Marshall CMI
113. Peter Marten MFA (VKO-10)
114. Daanish Mashhoud UN Alliance of Civilizations
115. Oliver McTernan Forward Thinking
116. Maria Mekri SaferGlobe Finland
117. Laura Meriläinen-Amaumo FELM
118. Marco Mezzera Norwegian Peacebuilding Resource Center (NOREF)
119. Martine Miller FCA
120. Sello Moloto Embassy of South Africa to Finland
121. Walid E. Moubarak CSI
122. Shirley Moulder Peace Appeal Foundation
123. Salih Muslim Democratic Union Party (PYD)
124. Eeva-Liisa Myllymäki MFA (KEO-40)
125. Elsa Mäki-Reinikka FELM
126. Jenni Mäki-Reinikka FELM
127. Riwa Nasreddine (UN-ESCWA)
128. Elisabeth Nauclér Parliament of Finland
129. Adib Nehmeh CSI / UN-ESCWA
130. Claus Neukirch Organization for Security and Co-operation in Europe (OSCE)
131. David Newton Conciliation Resources
132. Petter Nissinen Civil Society Conflict Prevention Network (KATU)

133. Laura Nordström MFA (KEMI-00)
134. Keijo Norvanto MFA (VKO-20)
135. Andries Albertus Odendaal Centre for Mediation in Africa, University of Pretoria
136. Jussi Ojala FCA
137. Matti Ojanperä
138. Ozonnia Ojielo Bureau for Crisis Prevention and Recovery, UNDP
139. Makram Ouaiss Lebanese American University (LAU)
140. Maya Outayek CSI
141. Eevert-Jan Ouweneel Wold Vision
142. John Packer UNDPA-MSU
143. Katia Papagianni HD Centre
144. James Patton International Center for Religion and Diplomacy
145. Norma Bertha Pensado Moreno Embassy of the United Mexican States
146. Antti Pentikäinen FCA
147. Tarja Pesämaa MFA (VKO-20)
148. Kim Pilwo Embassy of the Republic of Korea to Finland
149. Pekka Puustinen MFA (KEO-01)
150. Abdulqahir Qamar Fiqh Institute
151. Mouin Rabbani CMI
152. Mahmoud Ramadan Syria Initiative / CSI
153. Alexander Ramsbotham Conciliation Resources
154. Laura Rantanen MFA (VKO-40)
155. Tapio Rantanen MFA (POL-50)
156. Elisabeth Rehn Global Leadership Foundation
157. Riitta Resch MFA (POL-50)
158. Kristiina Rintakoski FELM
159. Norbert Ropers Berghof Foundation
160. Marja Rosvall MFA (ALI-10)
161. Eija Rotinen MFA (KEO-02)
162. Olli Ruohomäki MFA (ASA-10)
163. Jordan Ryan Bureau for Crisis Prevention and Recovery, UNDP
164. Aaro Rytkönen FCA
165. Oussama K. Safa UN-ESCWA / CSI
166. Ali Saif Hassan Saleh Political Development Forum
167. Aleksi Saloharju MFA (STU-00)
168. Sabina Saramo FELM
169. Johan Schalin MFA (ASA-10)
170. Juha-Matti Seppänen CMI
171. Maria Serenius MFA
172. Hannes Siebert CSI
173. Anne Sipiläinen MFA (AVS-KEO)
174. Pär Stenbäck
175. Otto Stenius FELM
176. Peter Stenlund MFA (VSI-00)
177. Timo R. Stewart FELM
178. Pia Stjernvall MFA (KEO-20)
179. Maria Suokko MFA (KEO-20)
180. Jarno Syrjälä MFA (ALI-01)
181. Tuija Talvitie CMI
182. Sanna Tasala Bureau for Crisis Prevention and Recovery, UNDP
183. Thuzar Thant Euro-Burma Office (EBO)
184. Heidi Tuohisuo Inanna ry
185. Suvi Tuominen MFA (ALI-10)
186. Erkki Tuomioja MFA (UMI-00)

187. Jukka Tuononen CMC Finland
188. Rim Turkmani Building the Syrian State
189. Helena Tuuri MFA (ALI-10)
190. Ilkka Uusitalo CMI
191. Petri Wanner MFA (ASA-10)
192. Sari Varpama Political Parties of Finland for Democracy, Demo Finland
193. Serhiy Vasylenko Embassy of Ukraine in Finland
194. Kirsti Westphalen MFA
195. Matthias Wevelsiep FCA
196. Tanja Viikki MFA (POL-30)
197. Katri Viinikka MFA (POL-50)
198. Oliver Wils Berghof Foundation
199. Luxshi Vimalarajah Berghof Foundation
200. Matleena Virkkunen MFA (ALI-10)
201. Antti Vuori FELM
202. Kaarlo Yrttiaho
203. Aung Naing Oo Myanmar Peace Centre (MPC)
204. Gawlu La Awng Kachin Independence Organization (KIO)
205. Harn Yawnghwe Euro-Burma Office (EBO)
206. Pu Zo Zam Nationalities Brotherhood Federation (NBF)
207. Sai Ngern RCSS Peacemaking Committee
208. Saw Kwe Htoo Win Karen National Union (KNU), Nationwide Ceasefire Coordination Team (NCCT)

APPENDIX 2:

Thematic Background Papers

2.1 Decentralization and National Dialogues

Martin Wählisch

Decentralization is a common theme of national dialogue agendas. The topic has been particularly present in conflict settings of secessionist movements, conflicts in confessional or multi-ethnic societies, disputes about the distribution of natural resources and wealth-sharing in a state, or transitions from autocracy to democracy. Decentralization carries the hope for more autonomy and self-governance of conflict parties, while maintaining the stability of the state. Decentralization is frequently linked to federalism, however, federalism is only one of many options to consider as a solution. Constitutional advisers often consider decentralization as a "universal cure" for conflict-ridden societies, but whether or not it succeeds in balancing interests eventually depends on the needs, historical conditions and the available national dialogue consensus in a specific case.

In recent national dialogues, decentralization has been discussed in the context of governance, local authority and state structure. In Yemen, for instance, the outcome document of the National Dialogue Conference (NDC) adopted a federal system with a three-tiered system of government: central, regional, and state governments. After months of negotiations, the NDC settled on a federal system, with the aspiration that it would appease marginalized groups demanding independence, particularly those in the previously independent south. In Lebanon, following a national consultation process on decentralization reform, a draft law on decentralization was recently developed. The new draft law ensures greater fiscal autonomy for regional governments and tries to achieve more equity across all the regions. Locally elected councils will have independent fiscal resources to provide services, while rewarding tax collection efforts on a municipal level by distributing revenues from the central government to the municipalities according to clear, transparent and equitable criteria. In Nepal, debates continue regarding the details of a more decentralized state system. Bilateral and multilateral talks between Nepal's major parties have sought solutions to issues concerning federalism, forms of governance and the electoral system in a bid to settle the contentious issues of the new constitution. The Political Dialogue and Consensus Committee (PDCC), composed of top leaders of the parties responsible for contentious issues of the new

constitution, has held consultations with different ethnic communities, but no solution has been found yet.

This background note gives a brief overview about the concept of decentralization, its characteristics and dimensions, as well as resulting opportunities and challenges. The paper looks at crosscutting issues related to national dialogues processes and highlights areas of debate. The chapter includes a summary of the discussion in the Decentralization-Federalism Working Group, featuring joint concerns and lessons learnt. A comprehensive thematic bibliography on decentralization (Libguide), with all knowledge resources used for this background note and further material, is available on the Peace & Dialogue Platform (http://www.peaceanddialogueplatform.org/).

Concept of Decentralization

In short, decentralization is the transfer of authority and responsibility for public functions from the central government to intermediate and local authorities. It is a process of restructuring state authority towards a system of co-responsibility between institutions of governance at the central and sub-national levels

Fundamental is the underlying principle of subsidiarity, whereby the priority in decision-making is given to the sub-national, regional or local levels, except in policy areas that fall within the exclusive competence of the central state authority.

The objective is to increase the overall quality and effectiveness of governance, while strengthening the authority and capacities of sub-national levels. Ideally, responsiveness, transparency and accountability of governance are enhanced through decentralization. The ultimate aim is to bring decision-making as closely as possible to the citizen. Overall, decentralization aims at increasing political stability and national unity by allowing citizens to better control public programs at the local level.

| Centralized system | Decentralized system |
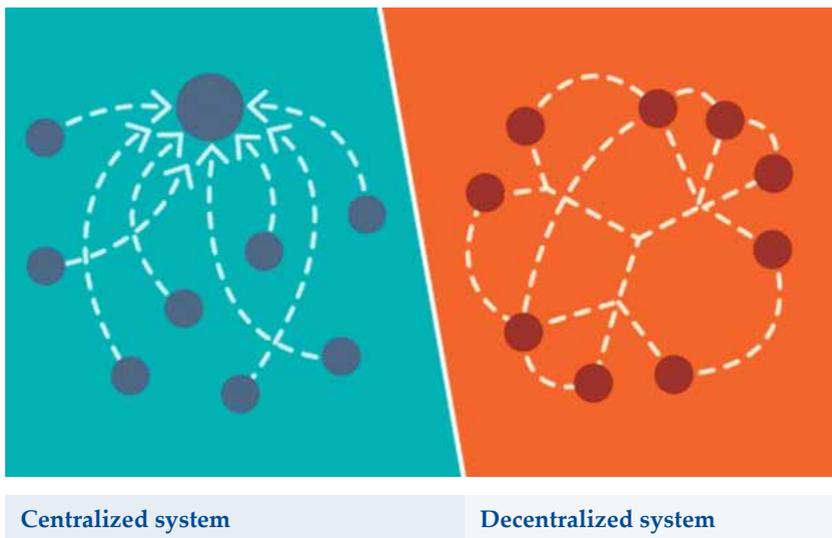
Table 1. Difference between centralized and decentralized authorities

The reasons for introducing decentralization in states of transitions and national dialogues have been different. In Central and Eastern Europe, for instance, decentralization appeared as a necessity after the collapse of the authoritarian regimes. Following the public call for more democracy, the transfer from central authorities to local levels resulted in the need to restructure responsibilities for public service deliveries and fiscal arrangements, while transforming state capacities and institutions. In others processes, decentralization has been crucial to mitigate conflict in diverse populations and multi-ethnic settings, as it allows greater political representation for multiple stakeholders at the same time on different geographic and governance levels (e.g., central, regional/subnational, local level, communal, etc.). In developing countries and particularly in least developed countries, decentralized has been used as an instrument for democratization and poverty reduction.
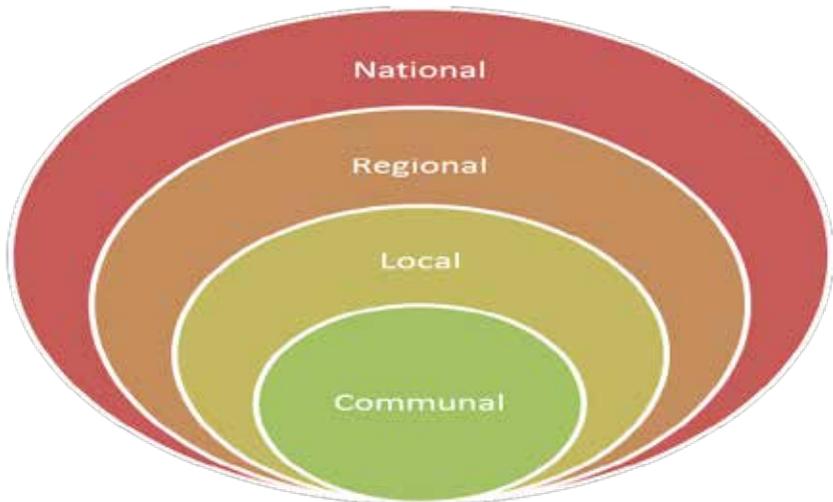
Table 2. Levels of governance

Dimensions of Decentralization

Decentralization can have political, administrative, fiscal, and economic dimensions. Political decentralization relates to the transfer of legislative or executive powers to lower-sub-national levels. Administrative decentralization means that the responsibility and delivers of public services is carried out by local authorities. Through fiscal decentralization, revenues and state budgets are transferred from the center to local governments. In decentralized economies, the utilization and distribution of resources (e.g., natural resources, production of goods, local industries) is shared between the central and sub-national level.
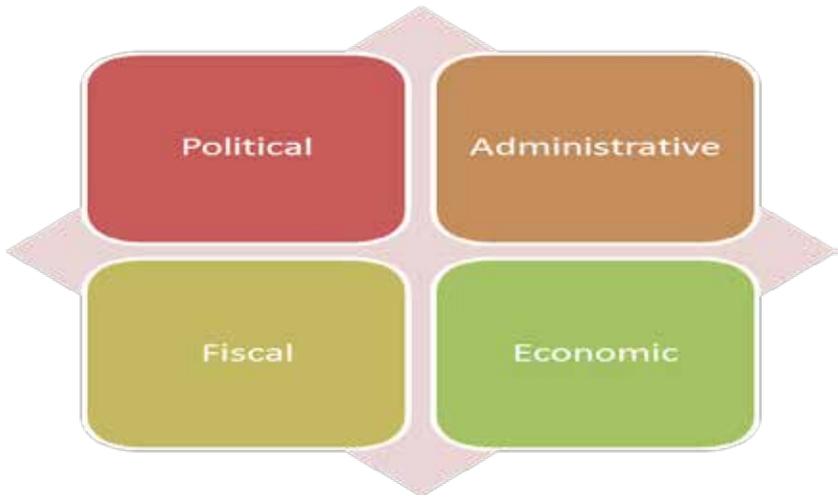
Table 3. Dimensions of decentralization

Decentralization can have different scales, ranging from deconcentration, delegation to devolution.

DECONCENTRATION	❖ **Redistributes decision-making authority** and financial and management responsibilities among different levels of the central government. ❖ Can merely shift responsibilities (e.g., from central government officials in the capital city to those working in regions, provinces or districts), or extend local governance structures (e.g., create strong field administration or local administrative capacity under the supervision of central government ministries). ❖ Considered the weakest form of decentralization and used most frequently in unitary states. ❖ Often related to **administrative decentralization**.
DELEGATION	❖ Central government **transfers responsibility for decision-making** and administration of public functions to semi-autonomous organizations (e.g., public enterprises or corporations, regional development corporations) not wholly controlled by the central government, but ultimately accountable to it. ❖ Often related to **economic decentralization**.
DEVOLUTION	❖ Central government **devolves functions** and transfers authority for decision-making, finance, management and responsibilities for public services to local governments (e.g., municipalities), that elect their own representatives (e.g., mayors and councils), raise their own revenues, and have independent authority to make decisions. ❖ In a devolved system, local governments have clear and legally recognized geographical boundaries over which they exercise authority and within which they perform public functions. ❖ Often related to **political decentralization**.

Table 4. Dimensions of decentralization

	DECENTRALIZATION EXAMPLES
	• **Zimbabwe:** Rural local authorities were given rights to manage wildlife and collect revenues, e.g., from local tourism (1989).
	• **Philippines:** Local Government Code (1991) instituted local government structures, divided into four levels: Autonomous regions; provinces and cities independent from a province; municipalities; and so-called "Barangays" (smallest administrative division, village-level)
	• **Mali:** Regulation gave rural communities right to protect forest resources independently (1994).
	• **Thailand:** Act of Tambon Councils (1994) decentralized administrative power and decision-making at the Tambon and village levels, charged with formulating development plans.
	• **Vietnam:** National Water Resource Council at the national level and three Boards for River Basin Planning and Management at a local level were established (2000/2001) to work under the government as advisory, coordination and planning bodies.
	• **Guatemala:** General Law of Decentralization (2002) set out powers and responsibilities transferred to municipalities and other organs of the state, following the underlying principles of municipal autonomy, citizen participation, and elimination of discrimination,

Table 5. Examples of decentralization efforts

Opportunities and Challenges

Decentralization bears opportunities and challenges at the same time. Advocates for decentralization argue that it enables local governance to respond to people's needs and priorities more effectively by allowing local communities and regional entities to manage their own affairs. Decentralization ensues greater political representation for diverse political, ethnic, religious and cultural groups in decision-making. In this regard, it can increase the state's sensitivity to local conditions and needs. In the best case, decentralization helps to alleviate "bottlenecks" in decision-making that can be caused by central government planning and control. Advocates for decentralization also raise that decentralization may lead to more creative, innovative and responsive programs by allowing local "experimentation" of policy initiatives that can be tested in maintained and controlled local settings.

However, decentralization is not a panacea and can have disadvantages. For instance, political decentralization can make the coordination and implementation of national policies more complex. Economic decentralization can lead to a loss of control over essential but scarce financial resources that are needed by the central level to stabilize the state (e.g., maintenance of national public infrastructure, payments for the national army, etc.). If administrative responsibilities are transferred to local levels without adequate financial resources and capacities, public services might be actually delivered less efficiently and effectively.

Opportunities

- Increased citizen voice and participation
- Stronger relevance and efficiency of governance
- Improved reactiveness to local wants and needs
- Enhanced governmental responsibility and accountability

Challenges

- Fragmentation of policy-making?
- More costly than centralized approach?
- Loss of control?
- Less efficient communication?

Table 6. Opportunities and challenges of decentralization

Decentralization and Federalism

Federalism can be one element of decentralization. In federal systems, power is shared between federal units and the central state authority (see Table below). In comparison, in unitary states a state governed as one single unit in which the central government is supreme and any administrative divisions (subnational units) exercise only powers that the central government chooses to delegate.
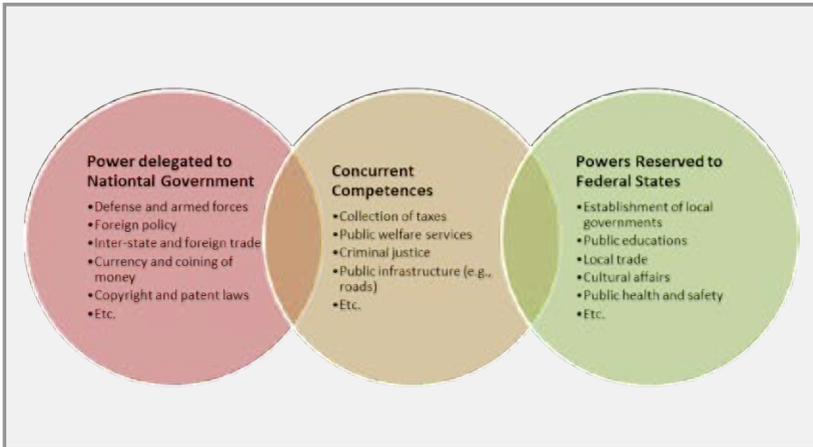
Table 7. Federalism and division of competences

Balance between Centralization and Decentralization

International experience has shown that a balance between centralization and decentralization is crucial. Not all state functions can or should be decentralized. National governments and the central level often need to maintain certain policy areas and supervisory roles to insure coherency and unity. As scholars have highlighted, over-emphasizing sub-national interests can make it difficult to defend national interests, which becomes difficult when both are contrary to each other. On the other hand, a too strong central government can hamper political appeasement of local actors that decentralization intends to achieve.
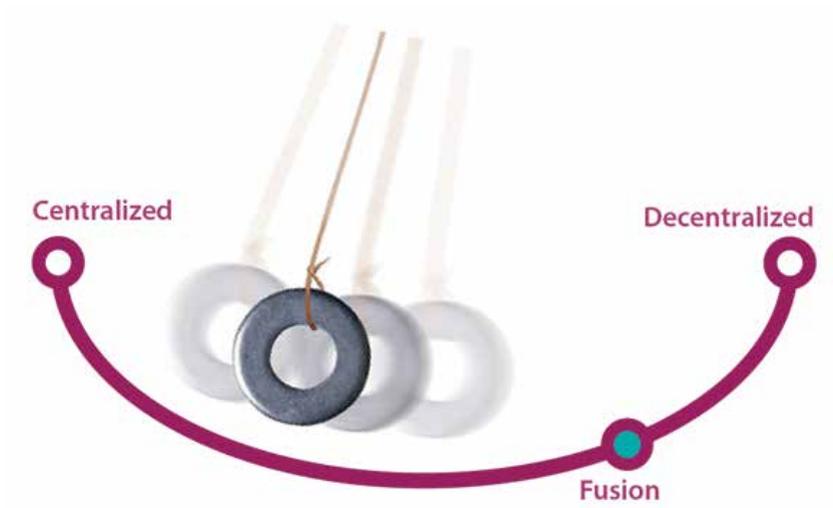
Table 8. Balance between centralization and decentralization

Decentralization and National Dialogues

National Dialogue in Yemen and Federalism

- In February 2014, the National Dialogue Conference in Yemen agreed on turning the country into a federal state. After unsuccessful political debates that tried to reach consensus, a presidential sub-committee decided to divide the country into six federal regions. The President formed the committee at the end of the National Dialogue Conference and tasked it with devising a system to settle disputes between the country's north and south.

- North and South Yemen unified in 1990 after the southern government collapsed. However, four years later, the south tried to break away and this led to a civil war. The conflict ended with northern troops taking control of the south. The southern secessionist movement calls for autonomy or the complete independence of the south. Southerners complain that they have been economically and politically marginalized by the central government.

- The six new regions will include four in the north, comprising Azal, Saba, Janad and Tahama, and two in the formerly independent south, Aden and Hadramawt. The sub-committee established that the capital Sanaa should be "neutral" and "not subject to any regional authority". The port city of Aden will also have special "independent legislative and executive powers".

- The aim is to allow Yemenis to participate in the management of the affairs of the regions and to equally distribute the wealth. The hope of the federal solution is to allow Yemenis to overcome decades of conflict and appease the southern provinces that have been calling for secession.

- Each of the six regions will have its own legislative council and a local government. Each region will have a leading role in economic development in an effort towards a better management of resources and in ensuring equal citizenship rights and duties for all citizens.

- In order to ensure fairness among the states within the regions, it has been agreed that parliamentary leadership rotate among the states each term.

- The revenues generated from the regions' natural and non-natural resources (e.g., oil and gas in Yemen) is aimed at being distributed among all people of the federal state in a "transparent and fair manner". The approach will take into account the needs of producing regions while allocating a portion of these revenues to the federal state, which redistribute them among non-producing regions.

- The relationship between the regions and the federal government will be defined in the constitution. Details will be included in a Federal Regions Law after the constitution has been approved via a national referendum. Each region is intended to have the autonomy to devise its own regional laws to define the relationship among its various states.

- Yemen's northern Houthi movement claimed that the new division into six regions would not distribute wealth evenly and parts of the Southern Separatist Movement al-Hirak said the plan did not meet their aspirations for autonomy.

- Some politicians from the south had called for a federation of two regions. They have argued that it would put them on a more equal footing with the north while securing their access to a larger share of the country's oil resources, which are located in the south. In contrast, the northern government feared that a straight north-south divide could set the stage for the "disgruntled south" to secede.


Table 9. Case study Yemen

Decentralization Efforts in Lebanon

- In April 2014, the President of Lebanon launched a draft bill for administrative decentralization, stating that the new legislation would promote national unity as well as transparency and accountability.

- In the spirit of the 1989 Taif Accord, which marked the end of Lebanon's Civil War, the legal reforms aim at redistributing authority, responsibility and financial resources for public services among a wider variety of levels of government.

- The bill, prepared by a committee headed by the Interior Minister, contained 147 items and prioritizes the powers and rights of the municipalities, particularly with respect to financial autonomy.

- Lebanon is currently divided into six governorates (mohaafazaat), which are further subdivided into twenty-five districts (qadaa). The districts themselves are also divided into several municipalities, each enclosing a group of cities or villages. According to the 1977 Municipal Act, municipalities are entrusted with a broad range of tasks. The law stipulates that issues of public character within the area of the municipality fall under the jurisdiction of the Municipal Council. However, Lebanese municipalities remained constrained administratively and fiscally.

- The draft law envisions to create an elected council in each of the country's twenty-five qadas with wide-ranging financial and administrative powers. This would comprise a popularly elected general committee, whose number of members would be based on the qada's population up to a maximum of six, and a 12-person board of directors chosen by the general committee. A specialized independent body would organize the councils as well as oversee the elections.

- As long as they fulfil certain criteria, any individual aged 21 or over would be able to run for council, a significantly lower minimum age than for national elections, which require potential candidates to be at least 25.

- The board of director's main role would be to take care of the yearly budget and development plans for the qada. The general committee's purpose would be to oversee the board of directors, but the latter would retain executive power concerning all public matters. Citizens would be able to oversee the work of the council and would have the power to file objections to its plans and projects.

- The plan would also involve removing the current qaimaqam position, transferring his powers to the council, and would replace the independent municipality fund with a decentralized fund.

- In the capital, a special Beirut council would be formed with a general committee of 72 members and a 12-person board of directors.

- The legislation is intended to make sure all state departments (e.g., for public services) are represented within the country's qadas in order to ease citizens' administrative paperwork and better address their needs.

- Acknowledging the importance of security in the context of decentralization, the law introduces the creation of a qada police force with its own training center.

- The law also establishes a decentralization fund, the goal of which is to fund and develop qadas and municipalities.

Lebanon districts

The six provinces of Lebanon are subdivided into 25 districts (Beirut province is undivided)
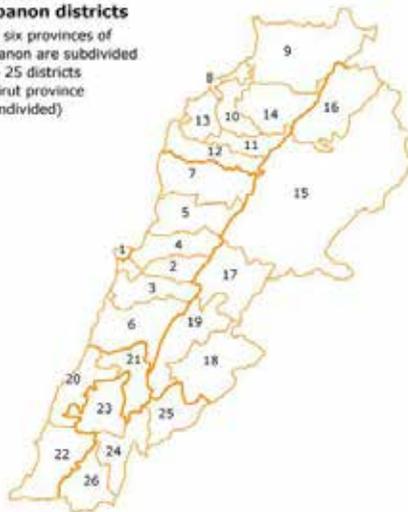
Beirut
1 Beirut

Mount Lebanon
2 Baabda (Baabda)
3 Aley (Aley)
4 Matn (Jdeideh)
5 Keserwan (Jounieh)
6 Chouf (Beiteddine)
7 Jbeil (Byblos)

North
8 Tripoli (Tripoli)
9 Akkar (Halba)
10 Zgharta (Zgharta / Ehden)
11 Bsharri (Bsharri)
12 Batroun (Batroun)
13 Koura (Amioun)
14 Miniyeh-Danniyeh (Miniyeh-Danniyeh)

Beqaa
15 Baalbek (Baalbek)
16 Hermel (Hermel)
17 Zahle (Zahlé)
18 Rashaya (Rashaya)
19 Western Beqaa (Jebjennine / Saghbine)

South
20 Sidon (Sidon)
21 Jezzine (Jezzine)
22 Tyre (Tyre)

Nabatieh
23 Nabatieh (Nabatiyeh)
24 Marjeyoun (Marjeyoun)
25 Hasbaya (Hasbaya)
26 Bint Jbeil (Bint Jbeil)

Table 10. Case study Lebanon

Constitution-making in Nepal and Decentralization

- In the national dialogue and constitution-making process in Nepal, debates have focused on the shape of the decentralized state system. It has been problematic to agree on the number of federal units for the new state structure.

- Currently, the ruling parties Nepali Congress (NC) and the Communist Party of Nepal-Unified Marxist-Leninist (CPN-UML) favour not more than six provinces, while the Maoist (UCPN) and Madhes advocate for more than ten provinces. The Maoist, Madhes-based parties and some ethnicity-based parties have insisted on adopting ethnic-identity-based federal system, whereas the NC, CPN-UML and some other parties have been advocating for making economic viability as the major basis for the delineation of provinces. The CPN-UML proposed a federal model based on common and mixed identities and mixed electoral system, with the provision of nominating individuals from various sections of the society to represent marginalised communities.

- In parallel, the Maoists favour a presidential system with a directly elected president, which is opposed by the ruling parties. The NC and CPN-UML are in favour of an executive prime minister and a ceremonial president, although the CPN-UML also reiterated its position of directly electing the prime minister as head of the government. The CPN-UML argues that only a directly elected prime minister can ensure political stability in the country.

- Drawing provincial boundaries is one of the most contentious issues in the national dialogue effort to design a federal state. The boundaries have become a difficult issue due to the nature of Nepal´s ethnic diversity and the underdevelopment of certain regions. Nepal´s geography (e.g., mix of mountains and flatland areas), differently developed infrastructure (e.g., roads, access to hospitals) and diversity in people´s livelihood strategies (e.g., agriculture, employment in public sector in the capital) add to the challenges of creating provinces based on a certain criterion.

- At the same time, private sector initiatives have complained that there have been little deliberations on decentralization and balanced economic opportunities in the Constituent Assembly. The Confederation of Nepalese Industries, for instance, demanded the government to define how tax and administrative expenditures among the federal units will be shared. They have also asked the government to clarify what sort of control the central government will have over resources.

- Although the government has introduced the Local Self-Government Act (LSGA) in 1999 and subsequent Local Self-Government Rules and Regulations to decentralize fiscal management, the country is still highly centralized. The 2007 Interim Constitution declared that there will be progressive restructuring of financial management through allocation of means, resources and power to the provinces.

- The LSGA was the first comprehensive legislation that aimed at promoting and fostering decentralized local democratic governance in Nepal. The law marked the departure from previous local government laws by incorporating provisions to encourage local partnerships, citizen's ownership and inclusive participation in planning, implementation and monitoring of local development processes. However, the LSGA faced serious setbacks in the absence of elections for local government bodies.
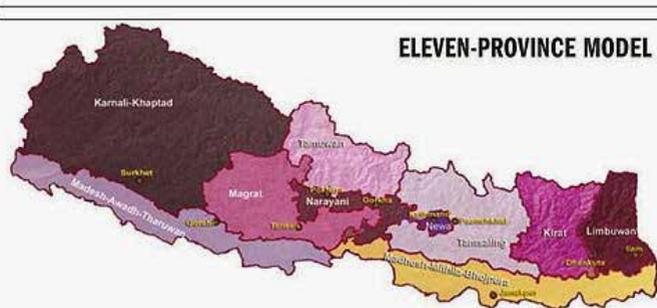
Table 11. Case study Nepal

Working Group Discussion

The discussion in the Decentralization-Federalism Working Group highlighted five aspects with regard to the topic of decentralization in national dialogue processes: 1. the need for country specific solutions; 2. the presence of different conceptual understandings of decentralization; 3. the challenge of achieving change of mentality (from centralization to decentralization); 4. "Package solutions" of which decentralization is only one aspect; and 5. Obstacles and opportunities during the implementation phase.

1. Country Specific Solutions

There is no "one-size-fits-all" solution for decentralization. As a participant put it during the debate, it is important to understand that there are "universes of options, approaches and mechanisms". Decentralization and federalization are only some of the many options for reforming state structures. Participants stressed that international experts and consultants in national dialogue processes often forget that "every country is unique" and that there is "no single formula" for decentralization and federalism. Instead, each national dialogue needs to develop a county's "own formula".

The participants agreed that decentralization is crucial in order to "respond to diversity". In many cases, centralism has been problematic because it bears the notion of "uniformity", whereas multi-ethnic and multi-confessional societies require alternatives to unitary state structures.

Some participants flagged that, historically, the colonial powers of the Middle East divided the region and discouraged engagement and participation, which resulted in a rigid style of governance. Current national dialogues in the region, especially those in the context of the Arab Spring, are confronted with this historical heritage that remains in existing state structures. National dialogues in the Middle East have brought essential questions about how societies "want to be governed or need to govern themselves on different levels" back on the table.

Eventually, the debate should "not be about whether decentralization is right or wrong", but about the problem that the "system of governance on the national level has often failed to distribute resources." Concentrated governance on a national level has frequently led to a lack of transparency and corruption.

Participants stressed that it is important to "obtain consensus among all key stakeholders" regarding the chosen arrangement, "which can be, but does not need to be", decentralization. It was highlighted that some national dialogues have tended to "jump too quickly to solutions" and decided on options from a "purely technical point" without understanding needs and conditions clearly enough. National dialogues should "look at modalities that bring collectivities together" and redefine "the relationship between center and periphery". As one participant summarized, "being able to imagine a community that is diverse, and being able to imagine a community that includes voices other than yours, is one of the fundamental problems of democracy and it is a fundamental element for solving conflict."

2. Different Conceptual Understandings

Different conceptual understandings of decentralization have made it difficult to achieve consensus in national dialogue processes. "Decentralization" and "federalism" is interpreted by stakeholders in various ways. "Expectations management" has been critical regarding the definition and scope of decentralization.

Participants explained that federalism and decentralization have been sometimes seen as alternatives to each other, whereas federalism can be also considered as an option of decentralization. Other participants raised that federalism has been proposed as a general solution in national dialogues (à la "the best way to solve our problem is to decide for federalism"), whereas there has been little debate about pre-conditions and consequences.

Participants from the Middle East explained that there are challenges regarding the translation of terminology and definitions into Arabic. For example, the term "unitary" or "centralized state" has the notion in Arabic of being a "simple state", whereas a decentralized state would mean a "complex state", and thus a complicated and difficult structure.

The concept of decentralization and federalism needs "careful consideration and dialogue". "A quick win trough decentralization and federalism [e.g., through accommodating power interests] does not always mean a good win and it does not always last long", pinpointed a commentator. Lastly, decentralization is about "equality" and "equal rights to participate in the decision

making", as well as the "fair distribution of resources", which should not be forgotten in national dialogue debates.

3. Change of Mentality

Challenging in national dialogue processes has been to achieve a "change of mentality" regarding centralism. In particular, political elites of previously autocratic regimes resist to accept wide-ranging public participation and additional layers of public decision-making. In national dialogues that move states structures from autocracy to democracy, it has been difficult to increase representation.

It was raised that decentralization introduces a "new culture of sharing". Local participation in decentralized system secures "equal chances and equal opportunities". Decentralization allows to share power and resources, which are "contested areas" that national dialogues need to tackle. Before deciding about geographical boundaries of future federalist states, it is essential to decide on how power should be shared and why. This process of understanding could eventually lead to a change of mentality.

4. Package Solutions

Participants underlined that the decision for or against decentralization cannot be detached from other aspects of restructuring the state, namely, the electoral law and the decision about the powers of the executive (Presidential, Parliamentary or mixed system). As one commentator phrased it, "neither centralism or federalism or decentralization can be a solution by itself", but need be embedded in an overall concept of the state. Decentralization and federalism often become a part of a "package deal of democratization", which includes the enhancement of human rights, stronger monitoring mechanisms for good governance, judicial oversight and other instruments of public accountability.

5. Challenges of Implementation

In the post-national dialogue phase, the implementation of decentralization remains challenging. Beyond declaring commitment to decentralization, national dialogues need to plan sequences and process steps of realizing decentraliza-

tion in a way that is conducive to long-term stability and peace building. It is not enough to address the issue and risk of centralism, but also consider how to achieve decentralization, all while being mindful of practical constraints (e.g., limited resources for public administration reform; lack of funding for training of local public servants and self-governance authorities, etc.).

Ultimately, decentralization fails without an effective centre. Participants raised that if the central state is fragile, it is "nearly impossible" to achieve decentralized state structures. In those moments, it might be better to focus exclusively on the central state first and on decentralization as a second step. As mentioned above, not all functions can or should be financed and managed in a decentralized way. Among others, effective decentralized state structures depend on training and coordination of local governments and public servants; those real-world preconditions need to be taken into consideration when deciding for a decentralized state.

The participants concluded that decentralization needs to be treated as a "flexible" and "organic" matter that can evolve over time and change its shape. Subsequent laws and practice can alternate and adapt decentralized state structures. It is vital to continue the discussion about decentralization beyond the drafting and adoption of a new constitution, transforming the national dialogue into a continuing process.

Guiding Questions

- OBJECTIVES: Why is decentralization considered in the national dialogue ? (e.g., distribution of public power; local access to government services and economic resources; encouragement of political participation on local levels, etc.)

- TYPE: What type and scale of decentralization is envisioned, and why? (e.g., limited administrative decentralization; introduction of federalism, etc.)

- POWERS: What state powers should be transferred to the local level, and why? (e.g., legislative, judicial power, decision-making about natural resources etc.)

- COMPETENCES: What is the actual division of powers between the center and the local levels? (e.g., defence, immigration and international relations competence of central level; education, culture, housing and public services for sub-national level)

- CONFIGURATION: How many levels of government should there be, any why? (e.g., states, provinces, regions, federal units)

- RESOURCES: To what extent will the local levels have fiscal powers? (e.g., local budget and taxation; revenue-sharing)

- AUTONOMY: What autonomy will the local levels have in the exercise of the state powers assigned to them? (e.g., authority of central to intervene in emergencies; control and monitoring among sub-national levels)

- PACKAGING: What other reform issues are linked to decentralization? (e.g., electoral reform; decision on Presidential or Parliamentary system)

- LEGAL FRAMEWORK: What should be the legal basis for decentralization? (e.g., constitutional provision or subsequent legislative act)

- CONSENSUS: Is there evidence of broad political support for decentralization or do important political actors question the merits of decentralization, and why?

- PROCESS: Who is in charge for consensus-building in the national dialogue in general and regarding decentralization in particular? (e.g., expert committee, open plenary debate)

- IMPLEMENTATION: How is the implementation of decentralization ensured? (e.g., sequencing of decentralization; assessed pre-conditions for decentralization and capacity building)

Table 12. Guiding questions

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2.2 Natural Resources in Dialogue and Peace Processes

Vida Hamd

Countries emerging from conflict cannot afford to squander natural resources due to the opportunity these resources present for post conflict development and reconstruction, including economic growth, job opportunities and social welfare. Yet, negotiations over natural resources are deferred to latent stages of a peace process leaving their management to mere technical policies that often lack strategic peacebuilding dimensions. Alternatively, negotiations over natural resources occur in a dialogue process as part of a political settlement that risks fragmenting natural resources management policies across distributive policy objectives which do not necessarily reflect current or future national interest. A more sustainable peace, however, requires transcending the political role that natural resources play in securing an agreement between the parties to a more comprehensive role as a structural component of peace that strengthens good governance, rule of law and equitable economic transformation.

The passage to this role for natural resources occurs mainly through national institutions and local institutional arrangements that determine resource allocation, stakeholder roles, and accountability safeguards. Natural resource management hereby stands at a critical crossroads. The path which includes incompetence, damaging and corrupt international exploitation, corruption in governance and environmental risk is routine for post conflict countries. The other path presents an opportunity for natural resources to affect institutional post conflict reform by reinvigorating existing institutions and creating new models for coordination and mediation.

To better understand this opportunity, a deeper understanding of the nature and dynamics of natural resources in peace processes and peace building, and of the common challenges and root causes that undermine the role of natural resources is needed.

Natural Resources Relevance to Peace Processes

Natural resources - including extractive resources, renewable resources and land - impact the cycle of conflict, dialogue and peace through multiple complex avenues, depending on the different settings in which conflicts and resource exploitation occur and the specific characteristics of the resources involved.

The role of natural resources in the outbreak and escalation of conflict has been well acknowledged by scholars and practitioners[36]. Competition over control or use of natural resources, apportioning the wealth derived from high-value extractive resources as well as grievances caused by the exploitation of natural resources have all contributed to the outbreak of violence in at least 40 percent of conflicts in the past sixty years. In the past 24 years alone, natural resources have played a significant role in 18 intrastate conflicts, including timber and gems in Burma, oil and diamonds in Angola, land in Nepal, diamonds in Sierra Leone, and oil in DR Congo.[37] Upon the onset of an armed conflict, seizing control of natural resources becomes a strategic military priority for all sides in order to generate revenue for arms acquisition, thus reinforcing and prolonging hostilities. Natural resources are also a critical contributing factor in conflict recurrence, as conflict data sets indicate the likelihood of a relapse within five years of a conflict where natural resource-related conflicts are a significant factor is twice that of other types of conflict.[38]

Natural resources can serve as a critical component of the transition to peace process, either strengthening, or undermining peace making and recovery. Natural resources often represent 'shared interests' and can, as such, serve as a positive incentive for communication between parties even when formal negotiations are deadlocked. In the North-South Sudan peace process, oil shifted from being a compounding factor to the main drivers of violence to a posi-

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[36]   See for example Security Council Presidential Statement, S/PRST/2007/22 and Debate on conflict and Natural Resources Concept Paper of 6 June 2007, S/2007/334.

[37]   UNEP, From Conflict to Peacebuilding: The Role of Natural Resources and the Environment, 2008, p.8.

[38]   Uppsala-PRIO database (1946-2006). http://www.pcr.uu.se/research/ucdp/datasets/ {last accessed on 7 Feb 2014}. See also: Siri Aas Rustad and Helga Malmin Binningsbø, PRIO working paper: Resource Conflicts, Resource Management and Post-conflict Peace, Uppsala University and International Peace Research Institute, Oslo, 2008.

tive factor to peace negotiations. This demonstrated the role that oil revenue plays within the incentive structures for violence in shaping attitudes towards a peace process.

In the transition phase of the peace process, shared management of essential natural resources is often less politically contentious than other issues, and can as such enhance technical cooperation and confidence building, creating an opportunity for acting as a catalyst for dialogue on a host of other issues, both at multinational and international levels.

Technical cooperation on natural resource management as a deadlock-breaking mechanism: the Uganda-DRC-Rwanda Peace Process

The Central Albertine Rift Transboundary Protected Area Network between the former enemy states Uganda, the Democratic Republic of Congo (DRC) and Rwanda started as a local initiative for sustainable conservation of live natural resources, and served as an entry point to inclusiveness and trust building. It was formalized at the national level in 2009 with the creation of a transboundary secretariat. Even during the Congolese wars, the bottom-up approach succeeded in bringing stakeholders together in regular meetings to discuss shared interests.

Similarly, oil discoveries at Lake Alberta exacerbated the boundary conflict between Uganda and DRC over Lake Alberta's Rukwanzi Island. Despite rebel attacks on Lake Alberta and the highly politicized and securitized agreements between the Presidents of Uganda and DRC, civil society and regional organizations initiated joint cooperation measures, capacity building activities and awareness campaigns that strengthened peace prospects by enabling local communities to tackle oil related issues.

Success in addressing natural resources during a peace process can result in quick success, offering a concrete example of the added value of peace for the public, with the potential of providing for essential needs such as water, electricity, job opportunities, etc. Success requiring collaborative engagement among parties can help operationalize peace building objectives on a structural level.

The interest of a state in the natural resources of a neighboring state can also influence a conflict's exit strategies. In situations where no benefit is perceived to come from natural resources, neighboring states will often either adopt a passive position towards the conflict, or even a positive stance towards a peace process, as demonstrated by the Algeria-Mali example in which the Algerian government had no economic interests in the Mali conflict. This, in addition to security concerns from a continued conflict along its southern borders lead the Algerian government to exert pressure on the rebels on the one hand through control over supply routes, and on the other hand on the government through its position as a major oil supplier to Mali.[39]

As the peace process advances, new effective natural resources policies, such as shared management of natural resources, the equitable distribution of revenue and efficient legislation and practices, can serve to address past injustices and strengthen governance in post conflict states. Conversely, mismanagement of natural resources and unfair distribution of associated revenues can exacerbate grievances and are likely to contribute to the recurrence of conflict[40].

Accordingly, a natural resources management strategy that develops clear and fair ownership systems creates effective mechanisms to resolve disputes and ensures the equitable sharing of benefits, is intrinsically a manner of peace building[41].

In spite of the important role that natural resources play in dialogue and change processes, the United Nations Environment Programme estimates that fewer than a quarter of peace negotiations held since the second world war and aimed at resolving conflicts linked to natural resources, have addressed re-

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[39]   Macartan Humphreys, Natural Resources, Conflict and Conflict Resolution: Uncovering the Mechanisms, The Journal of Conflict Resolution, Vol.49, No.4, Paradigm in Distress? Primary Commodities and Civil War, August 2005, pp.517. Available at http://www.jstor.org/stable/30045129 {last accessed on 13 Feb. 2014}

[40]   Carl Bruch, David Jensen, Mikiyasu Nakayama, Jon Unruh, Rebecca Gruby, and Ross Wolfarth, Post-Conflict Peace Building and Natural Resources, Yearbook of International Environmental Law, Vol. 19, 2008, pp.63-70.

[41]   Oli Brown, Encouraging Peace-Building through Better Environmental and Natural Resource Management, Briefing Paper, Chatham House, December 2013. Available at: http://www.chathamhouse.org/sites/default/files/home/chatham/public_html/sites/default/files/1213BrownBP%282%29.pdf {last accessed on 3 Feb 2014}.

source management mechanisms[42]. Those rare agreements that have addressed natural resources in the last decade include, for example the Nepalese 2006 Comprehensive Peace Accord and the draft 2013 Myanmar Comprehensive Union Peace and Ceasefire Agreement.

Scholarly literature pertaining to the weight and effect of natural resources on dialogue and peace building remains scarce. While practitioners often possess the expertise necessary to handle specific issues, such input is spontaneous and isolated. Even though the lessons learned should not be applied dogmatically to any situation, a knowledge deficit exists that warrants a broad inquiry which should examine and compare experiences from various disciplines in managing natural resources in order to facilitate the transition to peace.

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[42]   UNEP, *supra* note 3 at 19.

Natural Resources: From Fueling Conflict to Fueling Peace

Common Challenges to incorporating Natural Resources in Dialogue and Peace Processes

Incorporating natural resources in dialogue and peace processes faces various challenges at multiple interacting levels. The economic and social importance of natural resources, especially that of land, as a driver for conflict, often results in two contradicting outcomes in peacebuilding processes. Resource management mechanisms are either included in peace agreements, given their importance as central to the agreement's peace objectives, or they are excluded from peace agreements because their economic and social significance is so great that it makes them an intractable issue that risks stalled or prolonged negotiations. Such was the case in the peace processes of Mozambique, Nicaragua

and El Salvador.[43] However, even when issues related to natural resources are included in peace agreements, they are often overridden at a later stage of the peace process by other issues perceived to be of greater priority, ranging from humanitarian concerns to power sharing formulas, to disarmament, etc.[44]

Another challenge lies in the often broad and imprecise wording of issues related to natural resources in peace agreements. Allowing for a certain degree of flexibility in the interpretation of statements on natural resources in agreements can be a strategic necessity, but it runs the risk of creating serious challenges to implementation mechanisms.[45]

Ambiguity in the Wording of Agreements Challenges Implementation: the Aceh Peace Process

The Memorandum of Understanding (MoU) ending hostilities between the Indonesian Government and the Free Aceh Movement allocated 70 % of revenues from all hydrocarbon deposits and other natural resources in Aceh territory and the territorial sea (articles 1.3.3 and 1.3.4). A lack of precision on who possessed the authority to license new explorations and the modalities of regulating and governing hydrocarbon revenue sources complicated the implementation of MoU provisions, threatening to create conflict over land ownership and natural resources. "We should have made it right in the MoU" said a former negotiator and Governor of Aceh.

A range of complex natural resources related issues often emerge in post conflict states. In situations where natural resources exploitation serves as an incentive for peace negotiations, the challenge remains in sustaining initial commitments made by the parties after the formation of new coalitions that may have other incentives to overturn peace agreements.[46] Similarly, ministries mandated to manage different aspects of natural resource exploitation are sometimes dis-

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[43] Bruch et al., *supra* note 7 at 64,74.

[44] Brown, *supra* note 8 at 1.

[45] Achim Wennmann and Jana Krause, Managing the Economic Dimensions of Peace Processes: Resource, Wealth, Autonomy and Peace in Aceh, *Working paper*, Graduate Institute of International and Development Studies and The Centre on Conflict, Development and Peacebuilding, 2009, pp.18 at 20. http://graduateinstitute.ch/files/live/sites/iheid/files/sites/ccdp/shared/6305/CCDP-Working-Paper-3-Aceh.pdf {last accessed on 11 Feb. 2014}.

[46]   Humphreys, *supra* note 6 at 516.

tributed among former enemies as an incentive for peace. This power sharing mechanism can be complicated by persistent rivalries between former parties to the conflict, thus obstructing necessary institutional cooperation and crippling the peace building component of natural resources governance.[47] For example, the distribution of ministries between the Angolan government and the National Union for the Total Independence of Angola (UNITA) resulted in ongoing cooperation problems in water management and agriculture due to persistent enmities between the two former parties of conflict.

Development assistance from donors aimed at strengthening reform of the extractive industries in emerging economies has been perceived to be a primarily western driven agenda by some countries. This can lead to policy differences vis-à-vis development assistance approaches, which further complicates international cooperation in the prevention of resource related conflicts.[48]

Good management of natural resources creates a potential for improving overall governance in post conflict states through building, reforming or transforming structures and institutions in order to promote development and economic justice. Nonetheless, natural resources management can be monopolized and used as a means of securing or extending power, thus serving corruption and oppression instead of good governance.

Plans for Good Governance Go Awry: the Chadian Peace Building Process

As part of its plan to promote good governance and accountability, in 2000 the World Bank financed an oil pipeline from the southern oil fields through Cameroon to the port of Kribi on the Gulf of Guinea, with the intent of spending revenues accrued from the pipeline project on health care and education by means of an escrow account that holds royalties paid by oil companies. Instead, the government diverted the money disbursed for development to arms acquisitions and other military expenditures which secured President Déby's position in power in the midst of mounting political violence, and possibly fueled the Darfur crisis.

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[47]   Bruch et al., *supra* note 7 at 63.
[48]   Security Council Thematic Report: Conflict Prevention and Natural Resources, June 2013. http://www.securitycouncilreport.org/monthly-forecast/2013-06/conflict_prevention_and_natural_resources.php {last accessed on 9 Feb 2014}.

Natural Resources in Process Design: A Brief Overview of Yemen, Burma, Syria, and South Africa

Yemen

Yemen's national dialogue (18 March 2013 – 21 January 2014) focused on nine national issues including natural resources management. The comprehensive National Dialogue Conference (NDC) concluded with the ratification of the final document on which the country's new constitution will be based. The establishment of a federal Yemeni republic composed of six regional federations, two regions in the south and four in the north, was approved by the NDC.[49]

The revenue generated from the regions' natural and non-natural resources will be distributed among all people of the federal state in a transparent and fair manner after consultation with the regions and states. The plan will take into account the needs of producing states and regions in particular, and allocate a portion of these revenues to the federal state, which will in turn redistribute them among non-producing regions[50].

One of the main controversial points of the NDC plan is that the regions' authorities are responsible for the management and development of natural resources, including oil and gas, and awarding contracts for exploration. The old structure guaranteed economic privileges to Yemen's political elite through access to oil and petroleum contracts, international development project financing, and other such benefits which had historically been awarded by the central government. The proposed decentralization of natural resource management will likely not serve the traditional elite's interests, who could obstruct the NDC recommendations from being instituted.

Other popular demands emerging from Yemen's National Dialogue include reforms in the oil sector and a review of all oil contracts. Local stakeholders are seeking access to the wealth from their lands which they perceive to be lining the pockets of Yemen's political elite. Neither the Southern Movement nor local tribes, particularly the Hadramis, support the channeling of profits from local

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[49] Faisal Darem, "Yemen national dialogue conference concludes", Al Shorfa, 24 January 2014 http://al-shorfa.com/en_GB/articles/meii/features/2014/01/24/feature-02 {last accessed on 20 Feb 2014}
[50] Ibid.

resources to the central government, as they wish to capitalize on the oil wealth in their region.[51] . In fact, on 10 January 2014 the Hadramis issued a warning to the Norwegian oil company DNO to cease operations by 1 January 2014. Otherwise they would "assume responsibility for the consequences." The oil installations were attacked on the designated day. Other oil infrastructure has been under attack since 20 December 2013[52].

The northern Houthi rebels also objected to the six regions proposed in the NDC plan, claiming that it does not distribute wealth evenly since the northern province of Saada would fall within the Azal region that does not have any significant natural resources or access to sea.[53]

Central-East Yemen, where the province of Al-Ahqaf would be located, is where almost all of the country's oil fields and natural gas reserves are located. Critics are already concerned about the consequences of situating all resources in one province as a means to weaken the southern claims to oil fields, and allowing investors in the gas and oil sector to continue business as usual.[54]

Burma/Myanmar

Burma is rich in renewable and non-renewable natural resources, the majority of which are mainly to be found in conflict regions of the country. While Burma's oil and gas industries constitute around 50% of government revenues, the industry has relatively little impact on local employment and economy. The numerous ceasefire agreements of the 1990s tackled military issues without any reference to the use of natural resources in ethnic areas, mainly because these agreements were not peace treaties, and hence did not address core issues such as autonomy or the right to national wealth.

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[51]   Katherine Zimmerman, Yemen's pivotal moment, The American Enterprise Institute, February 2014, p.9
[52]   Yemen Tribesmen Kill Two Soldiers in Oil Field Attack, AFP 11 January 2014. http://news.yahoo.com/yemen-tribesmen-kill-two-soldiers-oil-field-attack- 192501312.html {last accessed on 1 March 2014}.
[53]   Yemen Shiite rebels slam federation plan as unfair, Daily Star, 11 February 2014. http://www.dailystar.com.lb/News/Middle-East/2014/Feb-11/246983-yemen-shiite-rebels-slam-federation-plan-as-unfair.ashx#axzz2tlG389iB {last accessed on 1 March 2014}.
[54]   Kevin Alexander Davis, "Yemen's National Dialogue: A New Name for Old Inequities", Muftah, 29 August 2013, http://muftah.org/yemens-national-dialogue-a-new-name-for-old-inequities/ {last accessed on 1 March 2014}.

In March 2011, Thein Sein came to power and his government started a new peace initiative with ethnic minorities. Special institutions, including the Union Peacemaking Central Committee and the Union Peacemaking Work Committee, were set up to advance the peace process. Negotiations with several rebel groups started and 14 ceasefire agreements were signed between the rebel armies and the government.

The issue of natural resources was very much present in the preparations and negotiations prior to the completion of the 2013 Comprehensive Union Peace and Ceasefire Agreement that was signed by the Government and the Armed Groups Representing Ethnic Nationalities and which serves as a basis for an all-inclusive national dialogue. In Shan State various stakeholders, including Shan political parties (Shan Nationalities League for Democracy-SNLD & Shan Nationalities Democratic Party- SNDP), civil society organizations, the Shan State Army (SSA) and other Shan groups discussed, among other issues, the allocation of natural resources revenues prior to the Shan Congress in Yangon for a coordinated Shan position towards the peace process. The Rakhine Nationalities Development Party, which represents a state with considerable gas and oil resources, presented a proposal to the Pyidaungsu Hluttaw (Nation's Parliament) in August 2012 on changing the rules in the appendix to the country's 2008 Constitution so as to allocate a percentage of revenue from natural resources to each of the country's states and regions. The proposal gained support from Minister Soe Thane at the President's office. The Kachin Independence Organization (KIO), on the other hand, has not reached an agreement with Thein Sein's government that launched several military attacks against them from June 2011 to February 2013, thus breaking 17 years of ceasefire in which the mass exploitation of natural resources in Kachin State remained to be absent from political solutions.[55]

The natural resources' contribution to the peace process across the country is complicated by some diverging realities in ethnic minority areas. Both the Mon State and Chin State have fewer natural resources than the States of the Kachin, Shan and Kayin. As such, they have less interest in upholding the demands of

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[55]   Marte Nilsen, Will Democracy Bring Peace to Myanmar, International Area Studies Review, Vol 16, No 115, 19, June 2013, p. 13-14. http://ias.sagepub.com/content/16/2/115 {last accessed on 5 March 2014}

many ethnic nationalities regarding keeping revenues generated from extracting natural resources.

Income from natural resource investments from 2006 to 2013 has not entered the national budget. Recently, 30 offshore gas and oil blocks were opened for bidding. The expected revenue needs to be reinvested in the country to support a transition to peace. The Shwe gas pipeline running from Arkan State to Vina's Yunnan province continues to provoke protests from local activists for environmental destruction, land confiscation and human right abuses across ethnic minority territories.[56]

The negotiations regarding natural resources were briefly reflected in the Comprehensive Union Peace and Ceasefire Agreement that stresses the creation of an independent committee of experts to facilitate environment assessments for all development projects in ethnic areas, and obtaining prior consent from the community in ethnic states where extraction of natural resources is planned. Land issues were briefly mentioned under point 8 that calls for stopping land confiscation, forming a joint commission that includes Ethnic Armed groups (EAGs) and the government in order to review confiscated land without community consent, and giving EAGs the mandate to protect communal lands, forest, flora and fauna. As a transitional arrangement, disputes related to land issues are to be reported to the State Minister until appropriate laws and regulations are adopted. Collective land ownership rights were recognized. Issues related to the ownership of land in the regions, a land tenure system and farm land laws were deferred to the National Dialogue for discussion.

Syria

Peace efforts in Syria are struggling to take-off. The only concluded agreements have been temporary ceasefires including the Arab League-sponsored ceasefire on 11 February 2011 and the UN-sponsored ceasefires of 26 October 2012 and 4 December 2012. These agreements were mainly of military nature, focusing on ceasing hostilities, restoring security, delivering humanitarian aid, and releasing prisoners, with no mention on geostrategic resources.

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[56]   Hanna Hindstrom, Burma Fails on Natural Resource Governance Report, DVB, 16 May 2013. http://www.dvb.no/news/politics-news/burma-fails-on-natural-resource-governance-report/28264 {last accessed on 5 March 2014}

Though the Syrian conflict began for other reasons, as it continues its parameters encompass gas, pipeline dilemmas and geostrategic influences waged among regional and international powers. It extends well beyond Syria throughout Turkey, Lebanon, Cyprus and Israel. Historically, Syria has always been a potential corridor for Persian Gulf oil and gas exports to Europe and the USA. However, previous pipeline projects such as the TransArab Pipeline[57], the Kirkuk-Banias/Tripoli Pipeline[58], and the Arab Gas Pipeline (AGP)[59] stopped short of delivering oil and gas to Europe.

In January 2008, Turkey and Syria signed a memorandum of understanding to extend the AGP from Homs in Syria to Kilis on the Turkish border. From Kilis, another extension would join the AGP to the Nabucco pipeline, a U.S. and EU backed pipeline in Turkey designed to decrease Europe's energy dependence on Russia by transporting gas from Egypt, the Caspian Sea and Gulf regionsthrough Turkey, Bulgaria, Romania, Hungary and the Baumgarten an der March area in Austria.[60] The construction contract to build the Homs-Kilis

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[57] Trans-Arabian Pipeline (Tapline-1949-1976/1990) was originally planned to transport oil from Qaisumah in Saudi Arabia to Haifa in Palestine, it was diverted to Sidon in Lebanon through the Syrian Golan heights die to the occupation of Palestine. The Tapline was constructed by a joint venture of American companies and eventually owned by a subsidiary of the Saudi-American company, ARAMCO. It was regarded as a rival for the Iraqi Petroleum Company that was largely owned by the British Anglo-Persian Oil Company. Oil transport to Syria and Lebanon stopped in 1976 due to tensions over transit fees, the use of supertankers for transportation and pipeline breakdowns. Saudi Arabia stopped the transport to Jordan in 1990 due to Jordan's support to Iraq in the 1st Gulf War.

[58] Kirkuk-Banias/Tripoli pipeline (1950's-2003). An 800 km pipeline built in the 1950's to transport oil from Kirkuk in Iraq to Banias in Syria and Tripoli in Lebanon. It was stopped in 2003 with the invasion of Iraq. In June 2011, a memorandum of understanding was signed between Syria and Iraq to re-habilitate this pipeline and build new pipelines that would carry heavy crude oil from Iraq to Syria. The conflict in Syria has hindered the implementation of this plan.

[59] Arab Gas Pipeline (AGP) Egypt-Jordan-Syria (2003-2012). A four sectioned pipeline that exported gas from Egypt to Jordan, Syria and Lebanon: Section 1 Arish (Egypt)-Aqaba (Jordan): commissioned in July 2003, this section includes a 250 km overland pipeline from Arish to Taba on the Red Sea and a 15 km subsea pipeline from Taba to Aqaba.
Section 2 Aqaba (Jordan)-AlRehab (Jordanian Syrian border): commissioned in 2004 and accomplished in 2005.
Section 3 AlRehab(Jordanian Syrian border)-Jabber (Syria): completed in 2007
Section 4 Jabber (Syria)to Homs (Syria): from Homs the pipeline branched into two sections; one started to transport gas via Banias to Tripoli in Lebanon in 2009, and another connected to Aleppo in Syria and from Aleppo to the borders with Turkey. This section started operating in 2008.

[60] The Nabucco pipeline was announced in February 2002 and was to be completed by June 2017.

extension was awarded to the Russian Stroytransgaz in October 2008, but it was canceled in 2009 and re-tendered.

The Nabucco pipeline was further hindered by other competing pipelines under Russian control, namely the Nord Stream Pipeline that has been operating since November 2011, transporting gas from Vyborg in Russia to Lubmin in Germany through an underwater extension in the Baltic sea, and the South Stream that should be completed by 2015 in order to transfer gas from Anapa in Russia to Varna in Bulgaria through an underwater extension beneath the Black Sea and onwards to Serbia, Hungary and Baumgarten an der March in Austria. Also, the Nabucco's success in exporting natural gas to Europe relied on gas from the Caspian Sea and the Gulf region, particularly Azerbaijan and Qatar. On 28 June 2013, the State Oil Company of Azerbaijan (SOCAR) and the consortium of the Shah Deniz field, located on the Caspian Sea, announced their decision to ship their gas exports via the Trans-Adriatic Pipeline[61] instead of the Nabucco.[62] Qatar, on the other hand, proposed to feed the Nabucco pipeline with gas from the South Pars field, a huge gas field that it shares with Iran. In 2009, two routes were proposed: one would run from Qatar, Saudi Arabia, Kuwait, and Iraq to Turkey and the other would extend from Qatar to Saudi Arabia, Jordan, Syria to Turkey. Iraq did not agree to the plan, and Bashar Al-Assad, the President of Syria rejected this project claiming that it harms its historical ties with Russia by depriving Russia of her energy monopoly over Europe and lowers gas market price due to increased supply.[63] The Syrian regime thus played an important role in securing Russia's role as Europe's main supplier of natural gas by preventing the passage of competing pipelines through its territory.

Nonetheless, in July 2011, Syria, Iraq and Iran agreed on a new energy road to export natural gas from the Iranian part of the South Pars Field in Assalouyeh

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[61]   The Trans-Adriatic Pipeline runs from Kipoi in Greece traversing Albania to the Adriatic Sea onwards to San Foca in Southern Italy where it would be transported to the European market.

[62]   Yuram Abdullah Weiler, Pipeline Predicament: The Ukraine-Syria- Russia-US Gas Nexus, Tehran Times, 18 March 2014. http://www.tehrantimes.com/component/content/article/52-guests/114806-pipeline-predicament-the-ukraine-syria-russia-us-gas-nexus {last accessed on 4 July 2014}

[63]   Sami Nader, Natural Gas Resources May be Backstory in Syria War, Lebanon Pulse, 8 October 2013. http://www.al-monitor.com/pulse/originals/2013/10/is-middle-east-oil-a-curse.html {last accessed on 1 March 2014}.

to Damascus through Iraq in the short term and to Lebanon and Jordan in the long term. From Damascus, oil and gas would then be transported to Europe without passing through Turkey. This pipeline was viewed by Iran, Iraq and Syria as a collaborative project that further strengthens the relations between them, and it was accordingly named the "The Friendship Pipeline". On the other hand, the western countries interpreted the pipeline as an attempt to further spread Islamic interests in the region, calling it instead "The Islamic Pipeline". In August 2011, Syria announced the discovery of a gas field in the Dau basin at Qara, the Qalamoun region near the city of Homs. According to the Syrian Oil Minister the wells had a flow rate of over 14 million cubic feet per day. These events coincided at the time when President Obama started calling for President Al-Assad to step down. A few months later, in November 2011, Syria's membership in the Arab League was suspended.[64] Also interestingly, the Syrian government signed a Memorandum of Understanding with Iran and announced "The Friendship Pipeline' project in 2012 when the Iranians gave full-fledged support to the regime, and when negotiations took place between Saudi Intelligence Chief, Bandar Bin Sultan and the Russians over guarantees that the Gulf gas exports won't be used to threaten Russia's privileged position over Europe's energy.[65]

Pipelines, oil fields and power plants continue to form strategic targets in Syria's armed conflict. Pipelines, including the AGP extension through Syria, have been under attack since December 2011. More recently, the Syrian Observatory claimed that the Islamic State in Iraq and Syria (ISIS) has gained control over oil and gas fields in Hasake, Raqqa and Deir Alzor including, most recently, Syria's biggest gas field in Deir AlZoor, in the Al-Omar field.[66]

South Africa

The apartheid system in South Africa excluded the country's black majority from land ownership and economic opportunities. The 1913 Natives' Lands Act limited access to grazing land and agriculture only to the local elite as black people

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[64]   Weiler, *supra* note 28.
[65]   Sami Nader, Natural Gas Resources May be Backstory in Syria War, Lebanon Pulse, 8 October 2013. http://www.al-monitor.com/pulse/originals/2013/10/is-middle-east-oil-a-curse. html {last accessed on 1 March 2014}.
[66]   Islamic State seizes Syrian oil field from rivals, Reuters, 3 July 2014.

were banned from owning land outside the less productive "scheduled native areas" that comprised less than 10% of the country. Violent conflicts often broke out as communities fought for scarce resources.[67] After the end of the apartheid regime, the African National Council (ANC) government initiated a land reform program that focused on:

- Restitution: Land Claims Court either provides monetary compensation or returns land lost through racial laws or illegal means. (Claims restricted to land lost after 1913.

- Redistribution: Grants provided to aspirant farmers to buy land from existing owners on "willing buyer, willing seller" basis.

- Tenure Reform: The 1997 Extension of Security of Tenure Act sought to regulate evictions by requiring a court order.

The South African program has been market based with little progress, failing to redress longstanding patterns of inequality and, as such, has created patterns of inequality and slow results.[68]

In the post-apartheid period, long-simmering issues concerning South Africa's mining industry have grown in importance. South Africa has limited oil and natural gas resources. Instead, it depends on its coal deposits. For decades in the apartheid era, gold and other mineral products were exploited through overseas investments and international mining companies that employed non-union workers. Overseas corporate elites and shareholders received all benefits with no income added value from the industry.[69]

Major reforms were introduced to the industry in 2004 with the promulgation of the Minerals and Petroleum Resources Development Act of 2002. It provided a new legislative framework based on the principle that natural resources are the common heritage of South Africans and that the State is their custodian, henceforth giving effect to section 24 of the South African constitution by "en-

67   Sylvester Bongani Maphosa, "Natural Resources and Conflict: Unlocking the economic dimension of peace-building in Africa", Africa Institute of South Africa, Briefing NO 74, March 2012, p.5
68   Jonathan Avis, Land reform in post-apartheid South Africa
69   Facundo Alvaredo and Anthony B Atkinson, Colonial Rule, Apartheid and Natural Resources: Top Incomes in South Africa, 1903-2007, p.19.

suring that the nation's minerals are developed in an orderly manner while promoting justifiable social and economic development."[70]

Nevertheless, more recently, the country has been confronting perpetual strikes in the mining industry, basically over wages. In 2012, 34 mine workers and other activists were shot in the wage protest of Marikana. In January 2014, a strike at three of the world biggest mines stopped platinum production in South Africa, affecting around 100,000 workers. Nationalization of the mining industry is a demand of the ANC's youth wing. The ANC has appointed economists to investigate the ramifications of nationalization policy.[71]South Africans aspire for a national dialogue on the failures of economic and social reform efforts, as evidenced by the current conflict over mine workers and other crises.

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[70]   Ibid.
[71]   South African strike hits platinum mines, Reuters, 23/01/14, http://www.aljazeera.com/ news/africa/2014/01/south-african-strike-hits-platinum-mines-201412354225238510.html   {last accessed on 1 March 2014}.

Conclusions

Lessons from Yemen, Burma, Syria and South Africa confirm the significance of natural resources in conflict and the transition to peace. The impact of natural resources on conflict and peace processes in these countries differs according to the types of resources, the context of conflict, and the interplay among regional and international actors including their interests. In acknowledgement of the critical role that it plays in the transition to peace, the issue of natural resources was discussed during the national dialogue in Yemen and Burma. The general and brief outcome of the discussions concerning natural resources; Burma's "Comprehensive Union Peace and Ceasefire Agreement" and Yemen's "Comprehensive National Dialogue Document", is indicative of a rather technical approach to natural resources that delegates detailed policy making initiatives to more specialized entities (independent committee of experts in case of Burma and the Central government in Yemen) without any clear framework, and without developing processes and supporting institutions to mediate any expected tensions that are bound to arise as negotiations proceed.

Without a coherent and consistent legal framework, natural resources cannot play an effective and sustainable role in a transition to peace. In fact, the legal framework Yemen's "Comprehensive National Dialogue Document" contains a serious contradiction regarding the ownership of natural resources in Yemen. Under the title: Southern Cause, the "Comprehensive National Dialogue Document" stipulates: "Natural Resources are owned by the people of Yemen."[72] Under the title: Development (Comprehensive, Complimentary, Sustainable), the same document maintains: "Public ownership is the total national property that consists of all public properties, owned by the State and its various administrative entities, which include earth core, mines, quarries, energy related natural resources….."[73]

As such, there is a need to continue with national dialogue on natural resources to build a clearer sense of direction and to translate broad strategies into coherent legal and institutional frameworks that extend beyond technical functions

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[72] The Comprehensive National Dialogue Document (2013-2014), p. 39. http://ndc.ye/ndc_document.pdf {last accessed on 23 July 2014}.
[73] Ibid. p. 230.

so as to incorporate the essential components of conflict transformation and stable mechanisms for peace building.

Tackling natural resources in transition phases needs careful consideration of (a) relationships between communities such as the state and societal actors, and between Oil and Gas corporations and local communities, and (b) the readiness of institutions to shoulder the natural resources portfolio.

Building trust through informing and engaging communities is an essential preface to embarking on or continuing any exploration, exploitation, or production activities. However, fostering trust in transition phases is a painstakingly slow process given the desperate need to start generating revenue, electricity and other energy related services as quickly as possible. As such, in transition phases, it is important that short term natural resources management be designed as a mechanism in itself for trust building by guaranteeing tangible outcomes that satisfy fundamental human rights beyond mere subsistence.

National efforts to build new institutions, created as a result of national dialogue findings or for the purpose of giving a political mandate to existing institutions in order to carry the natural resources portfolio, should transcend the focus on necessary resources and structural divisions of power so that equal attention can be given to enabling these institutions to handle future conflicts constructively, and to provide redress to old grievances.

Finally, natural resources which carry geo-strategic significance, such as oil and gas in Syria, Yemen and Burma, involve regional and international players and may as such be more challenging than resources such as land which are driven by domestic constituencies. In these cases, for natural resources to reinforce peace initiatives, the dialogue and mediation processes should also build a common understanding among all national stakeholders around the principles and assumptions that underpin the relationships with regional and international players.

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2.3 The Security Agenda in National Dialogues: Consensus-building for Democratic Aspirations

Steve Hege

Introduction

Addressing the inadequacies of security provision and the shortcomings of those institutions responsible for guaranteeing it is an integral component of the State-building process and thus an essential element of National Dialogues. As a conceptual framework, Security Sector Reform (SSR) refers to the holistic efforts to improve a society's enjoyment of security through the simultaneous professionalization and democratization of a nation's security forces as well as the governance structures mandate to for manage and oversee them.

This process is not are not simply one undertaken by developing countries, whose militaries and police forces often play a significant role in social and political life, but rather the aspirations of SSR refer to often unfulfilled imperatives for all democratic societies. As the current challenges to reign in the United States' intelligence services clearly demonstrates, no nation is immune to the struggles to ensure that the special powers afforded to the security sector -- in the greater interest of society-- are employed efficiently and not abused.

The security sector broadly consists of institutions such as the national army, police forces, intelligence services, and border and customs agents. It also includes managerial and oversight bodies including national security councils, ministries of the interior and defense, parliamentary committees, and civil society organizations. The judicial and penal systems as well as auxiliary militias, non-state armed groups, and even private security companies are equally considered components of the broader landscape of actors and institutions who contribute to a society's overall security and protection of basic rights. While transforming each element that broad system requires reform processes tailored for specific institutions, a comprehensive cannot be lost given the significant degrees of interconnectedness between components of the sector.

SSR's objective of professionalization refers to the organizational development required to ensure that security forces are able to uphold the law, respect human

rights, and effectively protect their citizens from a wide-range of security threats such as terrorism, crime, natural disasters, as well as insurgencies. On the other hand, the process towards greater democratization of the security services seeks to entrench systems of accountability and transparency, in addition to guaranteeing the apolitical nature of security forces. In order to allow for external review and evaluation, SSR seeks to diminish operational secrecy -- often necessary for many aspects of the functioning of security actors -- to acceptable levels.

In many democracies, civilian control over the security forces is considered the avenue through which to reduce the risks inherent in officially equipping institutions with authoritative powers of coercion and force. Strong management and oversight are critical to ensuring that security forces effectively achieve their aspirations of professionalism, avoid conflicts of interest, and retain their mandated functions proportionate to the security threats of a given country.

In practice however, SSR is often a society's aspirational attempt to proactively engage with the prevailing balance of political, economic, and cultural power between security forces and other components of government and private sector leadership. The core effort is to progressively build mechanisms and capacities which progressively enhance guarantees for the democratic space and minimize the risks that both security threats as well as security providers can pose to a society.

For countries emerging from internal armed conflict, SSR often arises as a critical element of redressing past injustices and rebuilding the State's capacity to protect - and not abuse - its own citizens. Post-conflict SSR processes can also include establishing appropriate security institutions, including power-sharing deals established through peace negotiations with non-state armed groups.

The latter may consider that their interests are most served by pursuing the integration of their combatants into official security services through the merging of armies or specialized recruitment processes. Military integration processes are often the result of strategic bargaining of armed actors in conflict whereby some of their commanders are intended to benefit from the spoils of command positions in a national army or represent protection measures for minority communities. Integration of former rebels into police or auxiliary forces has also been employed as an avenue to ensure former armed groups participate in

critical government institutions. Nevertheless, it may also be a process which aims to re-define not only the composition of the security forces, but also their core cultural ethos and internal organization as it relates to the interests of minority communities.

For those combatants who do not participate in integration processes, SSR includes the sub-field of disarmament, demobilization and reintegration (DDR) of ex-combatants back into civilian life. Oversized security forces, often expanded during times of war, can also undergo demobilization programs for the purposes of "right-sizing." The latter is a concept which seeks to ensure troop levels and budgetary commitments correspond to a nation's true security concerns. In both cases, the overarching objective is to contribute to stability in post-conflict environments aiming to facilitate democratic transitions, the implementation of peace agreements, and lasting economic recovery. Not only does the treatment of ex-combatants represent a sensitive political process, highly symbolic in nature, the failure to ensure adequate livelihoods for former rebels and government soldiers can easily translate into a critical post-conflict security concern in and of itself.

While the first two DDR stages are relatively self-explanatory, though they often have little impact on the circulation of small arms, the reintegration phase tackles the difficult challenge of ensuring ex-combatants return to their communities and begin to seek sustainable income. The initial period of this phase is often called reinsertion when ex-combatants require transitional assistance of in-kind or monetary resources, as well as temporary work projects, in order to support their initial subsistence. Communities themselves often must be prepared to receive ex-combatants who may have committed abuses against civilians in the same areas where they will now be seeking to take up new professions. In modern DDR processes, reinsertion should be followed by long-term vocational training or commercial and agricultural projects, whose success is contingent on the viability of these economic activities in local and regional markets. Socio-economic reintegration programs are increasingly adopting a community-based approach seeking to provide benefits equally to select vulnerable civilians and re-build social fabric among populations devastated by years of war.

Ultimately, post-conflict SSR, including DDR and military integration where they are implemented, seek to definitively decrease the prospects for a return to

war in a country undergoing a political transition. As such, professionalizing and democratizing national security forces as well as dismantling the military networks of rebel commanders can fundamentally alter the calculations of political and military elites should they, at any point, perceive the process as unfavorable to their personal, communal, or corporate interests. SSR is inherently a huge risk for all involved and one where the broader the forum tasking the establishing the contours of the process, such as National Dialogues, the greater the resiliency to inevitable recalcitrance generated by high degrees of uncertainty.

The Relationship between SSR and National Dialogues

Above all, SSR is a highly contested political process. In countries emerging from periods of violent conflict, attempts to alter or transform the relative power of security networks will inevitably invoke resistance from military leaders or politicians who have grown in prominence thanks to strategic alliances and networks of patronage. Who controls the use of force and coercion in a society is naturally is the subject of significant competition, particularly in post-conflict transitions in fragile democracies where political power alone is not often deemed not sufficient

Furthermore, the collapse of security or the breakdown of alliances between security leadership and political elites can be at the heart of inspiring the need for a National Dialogue. The military's withdrawal of support for civilian institutions and leaders can provide incentives for consensus-building and bind potential political spoilers to respecting their conclusions.

Given the intricately political nature of the security sector in many countries, facilitating multi-stakeholders consensus is critical to the establishment of strong foundations upon which to advance critical reforms. As such, to the extent to which they seek to expand participation beyond regular military and political elites and seek to foster common ground amongst the prevailing elements of power within a society National Dialogues can be a critical vehicle for SSR.

While technical reforms are often carried out by a limited number of experts, National Dialogue imply an attempt to broaden the swath of society capable of contributing their concerns and visions on fundamental issues, including how it wants to structure and guarantee its provision of security to its fellow citizens. In his most recent report on SSR, United Nations Secretary General,

Ban Ki-Moon asserted that "Support to security sector reform therefore needs to be better linked to broader political reforms that create the foundations for transformative processes such as national dialogues" (S/2013/480).

It is widely accepted that reform attempts, including in the security sector, are much more likely to produce effective and lasting outcomes if they are underpinned by inclusive, consultative, and participative processes. In a truly democratic approach, the construction of security forces and structures should have as its starting point broad-based consultations of local communities and civil society regarding their direct security needs and concerns. Instead of building security systems around protecting top-down interests, the focus ought to be on ensuring security forces are "fit-for-size" to the demands of the broader society. As such, National Dialogues can be a critical opportunity to entrench practices of inclusion of civil society and civilian leaders in contributing the critical debates on security priorities and policies. Nevertheless, elite strongmen, both political and military, often have to be accommodated and prioritized given the power they wield and the capacity that they can bring to either advance or undermine democratic progress. In order to maximize resiliency to inevitable compromises with such powerful actors, strategies of engagement must be developed to expose them to the benefits they may receive, both institutionally as well as individually, from democratizing and professionalizing their core functions.
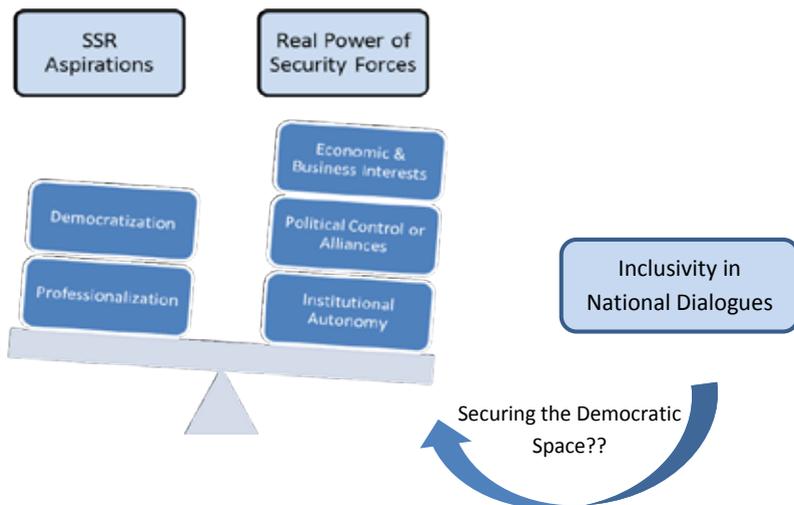
Common Challenges & Tensions in SSR Processes

Within or outside the framework of National Dialogues, security reform processes often confront a series of frequent challenges. Firstly, while the aspiration to expand opportunities for participation in policy development regarding security provision to include civil society and the broader public, the latter often lack the technical understanding for military and police affairs to actually influence key decision-making. Though women constitute critical stakeholders in understanding security concerns for local communities, they often are particularly not familiar with or feel intimidated by engaging proactively in security debates. Furthermore, particularly for countries emerging from violent conflict, enormous gaps in trust often exist between civilians and security officials. Though SSR promotes civilian supremacy over the security services, such control can often translate into the politicization of those same forces for personal, ethnic, or party objectives.

In nations afflicted by identity conflicts, reform processes struggle with efforts to ensure that the composition -- at both the junior and senior ranks -- of the security services reflect that of the broader society. However, in order to do so, the maintenance of high standards, transparency and meritocracy in promotion and recruitment processes is often strained. For processes which include the integration of former rebels into government security forces, budgetary considerations for bloated security forces are often postponed in the interest of national cohesion. Subsequently reintroducing appropriate sized forces based on true security needs and fiscal feasibility can be difficult. Another common obstacle in reform processes is the failure to address the military's official, and sometimes illegal, economic interests.

Linking SSR to broader governance reforms such or federalism is also not easily achieved. However, decentralizing certain civilian command and oversight functions to locally elected officials or bodies can be critical to enhancing the accountability and the responsiveness of security providers to specific local community needs and expectations.

Moreover, a frequent sequencing challenge for SSR in peace processes relates to the imbalance between the often slow progress in implementing political and economic components of peace agreements and the more urgent demands for

demobilizing and/or integrating armed groups into national security forces. Armed groups in particular consider that the only leverage they can exercise to push for the implementation of their substantive agenda is the maintenance of their weapons and threat of a return to the rebellion that those instruments of war represent.

Another common obstacle encountered in SSR processes, particularly those which include military integration relates to the symbolic motivation frameworks and core ethos of security services which must undergo transformation in the post-conflict context. This internal vision for the role and purpose of a particular security forces can be challenged during transitions. Relations between services, notably the army and the police, also regularly arise in these periods of transition. As major threats to the nation diminish and criminal threats increase, the focus of security provision often shifts to law enforcement, potentially leaving the army to face the difficult transition of re-adjusting its capacities and a new day-to-day role.

An inherent tension which exists in SSR processes is Of immense importance to the success of SSR is the identification of spoiler constituencies emerging within leadership or troop structures which may seek to undermine to derail because they deem it a threat to their core interests. One avenue to address some concerns over SSR is acknowledging the natural necessity for certain levels of confidentiality for parts of the work of the security services, notably the intelligence services, while simultaneously improving overall transparency and external oversight. In the same vein, the role of external actors with influence over security forces, such as other regional or international States also must be addressed in order to avoid the hijacking of the process by geo-political interests.

With regards to traditional DDR programs, one of the key challenges routinely faced is ensuring long-term accompaniment and follow-up of former combatants as well as addressing often profound levels of psychological trauma experienced by former rebels who often, in turn, have unreasonable expectations for rapid material gains despite limited skills. However, the vetting of former rebels and commanders of national security services regularly provides a clear disincentive for participation in the process and consolidates spoiler coalitions. Ultimately, transitional justice arrangements which routinely promote victims'

rights to non-repetition of the abuses they have suffered can provide a window for prioritizing the institutional reforms called for within the aspirations of SSR.

Finally, while National Dialogue and peace processes naturally take place when there is a breakdown in security provision, both can struggle to balance their objectives of establishing a common vision for medium to long-term security strategies with the clear imperative to respond to security threats, such as spikes in crime, which regularly plague transitional processes.

National Dialogue Experiences on Security Reforms

In terms of SSR's implications for National Dialogue process design, there are two major questions which must be addressed when security and defense matters are important elements of the process. The first deals with sequencing the issue on the dialogue agenda. At what stage in the process should security reforms be tackled? Given the highly sensitive and potentially destabilizing nature of such reform debates, it may be beneficial to build on consensus achieved for other issues in order to eventually tackle security affairs. Nevertheless, in societies where the security forces play dominant roles in both the political and economic spheres, it may not be possible to isolate debates over their future into one agenda item.

The second major design dilemma for National Dialogues seeking to address security reforms pertains to the extent to which the process should include members of the security forces through active participation or informal channels. Though in theory, security forces and armed actors must evolve into mere "instruments" of civilian leadership, along the way they exercise significant power and leverage in their own right. Nevertheless, the extension of the National Dialogue principle of "inclusivity" to security providers may lead to inherent limitations in of eventual outcomes and conclusions. Some may argue that in order to achieve a new set of relationships of accountability within a society National Dialogues should avoid undermining their core capacity to drive change by allowing naturally recalcitrant actors into the fold. Still others may recall that depending on the relative balance of power in a society, no change may be possible unless the forces of coercion deem it acceptable. The challenge is to extend the waters of popular concerns without compromising the damns.

Ultimately, as in all political processes, strategies and their outcomes vary considerably by context. The following include several past and recent experiences which addressed security reforms on the National Dialogue agenda and the respective efforts to reach out to or engage with the security forces.

- During Togo's multiple rounds of National Dialogue in 1991, the army was sidelined from participating due to a lack of trust and fear that the military leadership would hijack the process if it were integrated. As a result, the President deployed the army to intimidate and harass participants. The army's leadership neither felt bound by nor committed to implementing any of the agreements which emerged from the process.

- In Guatemala's short-lived attempt at a National Dialogue in 1989, when human rights groups proposed the abolishment of paramilitary groups supporting the army, several participants were kidnapped, tortured, or disappeared. These attacks ultimately led to the definitive suspension of the process as the State was incapable or unwilling to guarantee the security of those representatives which chose to participate. The army did not take part in any formal or informal capacity during the process.

- In Benin, the national conference included representatives of the military which had previously been loyal to former President Kerekou. Ultimately the military's distancing themselves from Kerekou allowed for the conference's conclusions to strip the President of much of his power.

- In the Central African Republic's 2003 National Dialogue representatives of each security agency officially took part. One of the six thematic commissions was defense and security. The country's 2008 National Dialogue also included the participation of security agencies and aimed to restore security throughout the country. Though largely failures, the processes have been cited as being responsible for promoting language related to SSR and even led to calls for World Bank support for demobilization programs. Nevertheless, former President Bozizé repeatedly failed to implement reforms, fearing the redistribution of power it would imply, and sought to shield himself from political rivals through monopolizing the security forces. He also allegedly sought to protect his troops for past human rights abuses through promoting reconciliation throughout the 2008 process.

- Following Hezbollah's seizure of parts of Beirut in 2008, one of the core objectives of Lebanon's subsequent National Dialogue has been the establishment of a National Defense Strategy. This included addressing either the disarmament of non-state militias or their formal inclusion into the security system at some level which ensured fundamental coordination. While the security services directly have not been present in the dialogue process, political parties allied with Hezbollah and those opposed to it have taken part. Parties also indirectly represent the security institutions whose senior leadership is understood -- by unwritten distributive quotas -- to be composed of members of their religious community. Ultimately, the process has failed to develop consensus around proposals to integrate the militia as official "resistances forces" within the formal security system.

- Prior to Liberia's first post-conflict elections in 2005, with the support of international partners including the UN peacekeeping mission, Liberia organized a brief National Dialogue to explore mechanisms for establishing a common vision for security provision. With participants from civil society and many security institutions, the process concluded that the country's security sector had to be stream-lined to counteract the proliferation of security actors. Though the impact of this particular short-lived forum is unclear, the SSR process eventually led to a dramatically reduced security sector which was much more fiscally reasonable for the country's small economy.

- Most recently in Yemen, the National Dialogue Conference (NDC) aimed to explore the identity of the army, its role in political life, military restructuring to best protect sovereignty, and civilian responsibility in security provision. Although it did not include members of the security forces formally in the NDC, the Military and Security Working Group conducted several field visits to military, security, and intelligence installations throughout the country to observe their challenges directly. Ultimately, the working group made a series of 19 constitutional and 50 legal recommendations for adoption by the plenary, including provisions related to the overall professionalization of the armed forces, child recruitment, prison restructuring, support for war wounded and retirees, the arms trade, women empowerment, the High Military Council, and the quality of life for security personnel. Nevertheless, the much-needed extension of such reforms to conflict areas in the south will be undermined by the lack of participation in the NDC of key non-state armed actors and informal security providers.

- In the Democratic Republic of the Congo (DRC), the 2002 Inter-Congolese Dialogue sought to put an end to the country's civil war and included a thematic commission on Defense and Security. While more than five major active armed group leaders took part in the dialogue process, no representatives were present from the government's security forces. As a result of deadlock regarding the counters of forming a new national army, compromises had to be brokered amongst rebel groups and the government outside of the formal dialogue process itself. While these side agreements eventually led to an ambitious – but relatively successful -- military integration process, the role of neighboring countries which had occupied vast territories in the eastern Congo was not addressed leading to significant periodic crises in the army reform process over the past decade.

Conclusions & Lessons for Myanmar

As effective SSR measures are understood to be more likely if they emanate from inclusive processes which broaden the debate over core security interests and strategies for a society, National Dialogues can certainly constitute an important vehicle for building consensus around a common vision for key elements of security reforms.

However, regardless of the degree of inclusivity afforded to security actors or armed groups in National Dialogues, in the implementation of security reforms agreed upon, it is critical to build strong coalitions and ensure incentives for progress outweigh those of backsliding or reverting back to the *status quo ante*. This may include finding ways for those previously or currently involved in dysfunctional and corrupt security services to also benefit from the reform process. In the short term, additional budgetary resources may be required to assuage the natural fears that any reform may pose for the prestige and privileges which the military may have developed over the course of a crisis or armed conflict.

Slow shifts in restructuring the security system have to be balanced with publically validating the National Dialogue process through the more immediate visible reforms. This may entail symbolic changes and institutional arrangements which can slowly translate into profound cultural transformations over time. Leadership must balance guaranteeing sufficient technical support to the reform process with acute and timely political understanding and strategies,

reaching out at the right moments and easing the burden of inevitable compromises for all sides.

The role of international partners in SSR process can be an important catalyst for galvanizing reform. However, the absence of good-faith coordination amongst international actors eager to gain a foothold of alliances within new security institutions can also be extremely damaging to SSR processes. Though not directly involved in the National Dialogue itself, implementation of reforms can provide an opportunity for the development of strategies to engage with geo-political interests amongst neighboring countries.

In contexts which have struggled with identity conflicts in making good on reforms to ensure the representivity of the security forces is often a challenge. While security concerns of specific marginalized communities or ethnic groups, once protected by armed groups, must be prioritized, the imperative of streamlining a national command structure capable of equitably channeling resources to all citizens cannot be lost. Moreover, when deploying members of local ethnic groups within security forces in their own territories, leaders should take into account both the benefits of cultural insights and community trust as well as the risks for conflicts of interest and abuse of power.

Finally, though at the time of writing Myanmar's government and the ethnic armed groups had yet to complete its nationwide ceasefire agreement, it has become increasingly clear that security reform will be one of the most challenging points on the agenda of an eventual National Dialogue. The armed groups continue to demand a federal army in which they retain security control over their ethnic states as well as have access to senior-level decision-making within the national army. For their part, the military, which despite the recent democratic transition continues to wield significant political and economic power, has insisted that it already constitutes a federal army due to the fact that all ethnic groups are represented amongst its ranks. In recent years, though it has refused to consider providing any autonomy for local ethnic units within its command structure, the army did experiment with deploying some of its officers amongst nearly monoethnic units composed of former armed groups as border guards forces.

For their part, in order to demonstrate a unique capacity to provide for the security of local ethnic minorities in a proposed federal army structure, armed

groups must overcome tendencies to replicating hierarchical decision-making models and begin to develop security and rule of law policies through more consultative and transparent channels. Interim arrangements during an eventual ceasefire can provide a critical window to explore avenues towards ensuring greater legitimacy and effectiveness of local security providers in ethnic minority territories.

Furthermore, as previously mentioned, capacity asymmetry between the military's technical expertise and the limited understanding for the functioning of security services held by civil society, opposition parties, and even ethnic armed groups, will prove a critical obstacle in the National Dialogue. Though external actors can be helpful in addressing this challenge through capacity-building, their engagement with the military poses serious dilemmas.

If international partners also seek to engage with Myanmar's military after decades of isolation, exposure to international experiences may provide either further incentives for reform or. However, as some ethnic armed groups fear, such cooperation may provide a tacit message of support for policies and practices still cemented in the military and thus undermine political will for change. If less reform-minded Generals have only accepted the process to date out of the hope of undoing their international seclusion, untimely international engagement may render them less interested in allowing compromises on re-structuring the security system. Nevertheless, geopolitical considerations between western governments and both China and India may precipitate efforts to build alliances with the Myanmar army. The challenge will be to channel such opportunities for exposure towards to promoting long-term benefits of sustained reform and the slow re-positioning of the army's role in society.

Ultimately, as demonstrated through various other international experiences, creative and proactive strategies will be critical to ensuring the Myanmar military's commitment to not only participating in the National Dialogue as an institution and through its representatives in Parliament, but also to deterring it from withdrawing the democratic space it has allowed to date. Theoretical frameworks from SSR aspirations, such as civilian supremacy over the armed forces, may be helpful as references on the horizon, but ultimately ethnic armed groups, civil society, and political actors in Myanmar's transition will inevitably be faced with the obligation to pursue compromises with the country's most powerful institution over the last fifty years.

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