

Inclusive peace processes – an introduction

Thania Paffenholz and Nicholas Ross

One of the principal reasons groups resort to violence and protest is to contest their exclusion from social, political or economic power. A wide range of research has found that more inclusive societies are generally more stable, harmonious and developed¹. Research has also found that the inclusion of additional actors or groups next to the main conflict parties (such as civil society or political parties) in negotiation processes is crucial in making war-to-peace and political transitions more sustainable². However, policy-makers and international donors continue to struggle to respond adequately to calls for greater inclusion.

Mediators and negotiators may resist inclusion for a variety of reasons. They may fear that including additional actors alongside the main negotiating parties will lead to a multiplication of positions at the table, making effective compromise more difficult. Included actors may band together (or ally themselves with negotiators) to form polarised coalitions, further inhibiting compromise. Pressures of ongoing violence, or limited funding, may mean that the negotiation timeframe cannot be extended to encompass the significantly increased numbers of positions, leading to reduced opportunity for dialogue and compromise. Inclusion may also not be compatible with the requirements of secrecy that are often the precondition for negotiators to come to the table. In addition, selecting a small sample of people to make decisions on behalf of an entire population presents huge challenges of representation, which can lead to accusations of corruption, bias or illegitimacy. The negotiating parties may view themselves as the legitimate representatives of part or all of the society affected by conflict.



Recent research has challenged these assumptions by demonstrating a correlation between the inclusion of additional actors other than the main conflict parties and greater durability of peace settlements³. However, it would be a mistake to equate numerical inclusion in negotiations with substantive socio-political inclusion in the resulting political settlement. The recently concluded ‘Broadening Participation’⁴ project at the Graduate Institute of International and Development Studies in Geneva⁵ found that only if included actors had an influence on the process, was there a higher likelihood of agreements reached and sustainably implemented. In many cases the input of included actors is neutralised by already powerful elites. Even in cases where a more inclusive constitution or set of laws and institutions is negotiated, deeper practice of politics is often able to survive.

Nevertheless, mediators often prefer to focus on ending armed conflict through addressing the immediate grievances between the main belligerent parties. This is often manifested in exclusive negotiations, featuring only the leaderships of the belligerent parties. Procedural exclusion can lead to a number of deleterious effects. The structural inequalities that provoked the initial conflict may persist, leading to the emergence of other armed groups and the resumption of conflict. The focus on armed belligerent parties may create a perverse incentive for other aggrieved groups to take up arms, or to escalate the scale of their violence, in order to gain access to the negotiations and the distribution of power and resources in the peace settlement. In addition, war-to-peace transitions are frequently transformative moments in the history of states, leading to new forms of political organisation. Negotiations may therefore represent a unique opportunity to address issues of poor governance and corruption, structural violence and inequality, including gender-based violence and inequality, and to achieve sustainable reconciliation for past wrongs – all of which affect populations far beyond the belligerent parties.

Mediators and negotiators often try to address these issues by including additional actors in a peace negotiation process alongside the main negotiating parties. Inclusive negotiations, when they are practised, are motivated by a number of normative and pragmatic considerations. Important among the pragmatic reasons, are to increase legitimacy and public support generally, or to gain the buy-in of a particular constituency. Interestingly, the main parties to the conflict are more commonly among those pushing for inclusive negotiations than are mediators, and this is usually for the very pragmatic reasons. On the normative side, actors may be included out of a commitment to democratic values of participation, or else a commitment to the right to participate of a particular group, for example the commitment of all UN agencies to the inclusion of women entailed by UNSC Resolution 1325. It is important to note that, unlike other actors, women are almost never included for pragmatic reasons, but only through the advocacy and support of women’s organisations within the country (as can be seen in the recent peace process in Colombia), or due to pressure from the international community (as in the Yemeni National Dialogue Conference).

Given the opportunities and challenges presented by inclusion in peace processes, it is best approached not as a yes or no binary, but as a question of how to accommodate the increased complexity through effective process design. This involves questions of who should be involved in a process, when is the right moment to include additional actors, and how they should be included (or what form their participation should take).

The above mentioned recently concluded ‘Broadening Participation’ project investigated the relationship between the inclusion of more actors alongside the main negotiating parties and the impact that had on the quality and sustainability of peace and transition agreements, and their implementation. This study analysed 40 in-depth case studies using a comparative approach, applying both qualitative and quantitative methodologies of data analysis. One of the project’s major findings is that the benefits of inclusion only apply if included actors are able to influence the process⁴. Hence, procedural inclusion, if it is to be effective, must be designed to allow included actors to wield influence. The study also found that more positive influence from included actors in the negotiation phase of an agreement was correlated with a greater number of agreements being reached and implemented, and that these results were statistically significant. Importantly, the project also identified a set of process and context factors that enable or constrain successful inclusion, such as decision-making processes, selection criteria and procedures, elite resistance or the support of powerful regional actors.

Inclusive political negotiations – Who should be included?

Inclusion is frequently conceptualised as the involvement of women and civil society actors. Both women and civil society are often imagined as the ‘good society’ that is reliably pro-peace and pro-democracy and, therefore, an essential supporting component within peace processes. This is not always true. Women and civil society groups are a mirror of society, manifesting peace-supporting, nationalist or belligerent perspectives. However, women make up approximately 50 per cent of the world’s population, and thus a rights-based preference for their inclusion is justified. The same does not hold automatically for civil society as their inclusion is context-specific and depends on the constitution of civil society, the phase of the peace process and the preparedness of involved groups.

In order to achieve sustainable outcomes, inclusion in peace processes must encompass all relevant actors that matter for reaching, and implementing, agreements in a sustainable manner, including potential spoilers. These actors can be civil society and women but also armed groups (apart from the Track 1 parties), political parties, business, minority groups, traditional and religious actors, eminent persons, communities or the public at large.



An inclusive process cannot be evaluated without knowledge about who was excluded from participation. For example, the National Assembly in Guatemala has long been presented as one of the most representative inclusion bodies. It consisted of political parties and civil society groups, including many women and indigenous groups. However, one of the most influential civil society organisations in the country, the landowners' association, was not present. Together with the political establishment the landowners were able to lobby against the implementation of many proposed changes that the National Assembly successfully brought into the peace agreement. Moreover, in reaching a sustainable agreement it is not simply enough that all relevant groups be included. The actors within these groups also need to be perceived as representative and legitimate. For example, in the Burundi peace negotiations, the Hutu negotiators rejected the participation of women's groups at the table because many of them were perceived as representing only the Tutsi community.

Inclusive processes are not sufficient if they do not lead to inclusive outcomes to make political settlements sustainable. These dimensions of inclusion can sometimes collide, as in cases where included actors are deliberately prevented from influencing the negotiation outcomes through process design. For example, in the 2011 Egyptian National Dialogue the leaders of the working groups were responsible for finalising the results of each group and passing them on to the Chair of the Dialogue, Abdel-Aziz Hegazy. These heads of working groups had been chosen, on the basis of unknown criteria, by Hegazy, a former prime minister of Egypt who did not enjoy much trust among the included actors.

How, when and where should additional actors be included?

There is a lack of practical knowledge about inclusion in the UN and international community. Processes are designed and actors included mostly on the basis of untested hypotheses or normative biases. For example, there remains an excessive focus on the negotiation table as the locus of a peace process. However, inclusion can take place in all phases of the peace process and through a variety of different modalities. Paffenholz has developed a framework of modalities to describe the various options for the inclusion of additional actors alongside the main conflict parties, described in a subsequent chapter on civil society inclusion in this volume. The framework describes how, when and where additional actors can be included in a negotiation process – in the pre-negotiation, negotiation or implementation phases of a process – and can take place at greater or lesser degree of remove from the negotiation table.

For example, consultations prior to a negotiation process can help to shape the negotiation agenda to reflect the concerns of ordinary people. In the constitution drafting process in Fiji in 2012, an inclusive commission of constitutional experts tasked with producing a draft constitution (the Constitution Review Commission) held 550 consultations in a wide variety of urban and rural areas of Fiji prior to the drafting process. The participatory nature of the hearings was meant to give citizens a voice in the drafting of the constitution, giving the commissioners an idea of the discussions taking place within and across communities, in order to allow them to better incorporate citizens' views in the draft constitution.

Moreover, inclusion is far more likely to be successful when provided for in the official structure of the negotiation or implementation (normally in agreement texts). This is even more effective where the amount of participation is specified, as in the case of quotas. Hence, pre-agreement participation that leads to a more legitimate claim from included actors to remain involved throughout the process will generally lead to a higher degree of overall influence throughout the process.

Another important consideration is the location of the various elements of the process. Even though processes that take place far away from the violent conflict can help to create trust between the conflicting parties, actors generally find it more difficult to access processes taking place remotely (due to issues of cost, or else the hazards in, or restrictions on, travel).

How can inclusion be made more effective?

In addition to the considerations of how, when and where inclusion should take place, there are additional factors that can influence whether included actors are able to have their voices heard in a process. These can be divided into process and context factors.

Process factors

Decision-making procedures refer to the formal structure through which decisions are taken and a final outcome is reached. Decision-making procedures are essential as they can negate the benefits of inclusion by sidelining included actors or marginalising their contributions (non-binding inputs). For example, in almost all National Dialogues, despite widespread consultation with all groups, ultimate decision-making power rests with a small group of already powerful actors.

Procedures and criteria of selection determine whether included actors will effectively represent their constituencies. Selection procedures refer to how representatives are chosen from within their constituency, whereas selection criteria refer to how demographics, organisations or constituencies are identified for inclusion. The following selection procedures were identified: invitation, nomination, election, the advertisement of positions, and open participation. Selection criteria often specified demographic features, most commonly ethnicity, gender and geographical location. Included actors were also chosen because they were expected to support the positions of one or the other belligerent party, or due to their high levels of expertise, education or esteem.

Transfer refers to the transfer of information from other inclusion modalities to the negotiation table. Transfer strategies are essential in ensuring that the inputs of included actors make their way into agreements. This is particularly relevant for inclusion modalities further from the negotiation table such as consultations, high-level workshops, or commissions. Transfer strategies include: handing over of reports to negotiators or mediators; direct exchange with mediators, advisors, or negotiators; participation of mediators in consultations or problem-solving workshops; public statements; press releases; visible peace messages; and lobbying for the international or regional community's attention.





Support structures for included actors during negotiations can substantially enhance their influence on the negotiations. For example, when included actors had access to expert support during negotiations, such as assistance in drafting contributions to agreements, they were more effective in making differentiated and quality contributions.

Coalition-building and joint positioning: Where included actors were able to find sufficient common ground, the pooling of influence behind a single position or agenda was found to be a highly successful strategy. Conversely, where included actors seemed to have a high degree of influence in the structure of the negotiations, division within the included constituency undermined this influence.

Inclusion-friendly mediators: Mediator (and facilitator) support is an essential component of an inclusive process. Mediators can lobby for inclusion, set time aside for included actors, and make sure these are appraised of the progress of negotiations; they can also gather input from included actors and pass this on to the negotiation table.

Context factors

Elite support or resistance: National elites are an important political constituency, with a stake in the established constellation of power in a society. Elites may oppose either specific provisions or else the participation of a particular group (e.g. women). Where elites oppose a particular political agenda, they are often content to bide their time during the negotiations and focus on undermining the related provisions at the implementation stage. Elite resistance constitutes a major headwind for included actors.

Influence of regional actors: The political influence of regional actors is decisive for peace and transition processes and has often been more important than that of international actors. This is especially true when regional actors feel their core national interests are at stake.

Public support: Public support is one of the key elements of any successful peace agreement. The national public may oppose an agreement because they do not view it as a good agreement, or because they are not informed about, or not engaged by, the negotiation process, or else out of a general antipathy to peace. Public support is also somewhat endogenous to the process, in that inclusive negotiations can generate support for the process, as well as for implementation. Even when the main armed parties to conflicts are able to conclude agreements without public support, ratification and implementation seldom works.

Preparedness of included actors: Preparedness refers to the organisational readiness to meet the formal requirements of participation in a negotiation process. Preparedness can be generated by included actors' prior experience with organisation, a tradition of organisation in a specific context, or else by targeted training and support strategies.

Conclusion

Exclusion is not only normatively undesirable; it has a variety of deleterious effects on a society through the promotion of social conflict, underdevelopment, insecurity and even civil war. A strong research consensus from a variety of academic disciplines confirms these various effects, even if some disagreement persists about the relative magnitude or importance of each.

The shift from exclusive to more inclusive political orders, in the context of transitions out of fragility, remains relatively under-studied and poorly understood. This chapter has argued that inclusive political negotiations represent a key important moment in a peace process for securing inclusive practices and outcomes in the subsequent political order. Broader inclusion in itself is not sufficient to achieve positive outcomes. Rather, it is only quality inclusion – that is, the influence and ability of included actors to make meaningful contributions – that is strongly correlated with more durable and inclusive peace and political settlements. This finding highlights the need to change the way advocacy for inclusion is currently being practised. In particular, critical attention needs to be focused on the quality of participation, not just on the number of additional included actors. Furthermore, the results show that it is not only women and civil society who are potential candidates for inclusion, but also sidelined armed groups, political parties and hardliners, among others.

The supporting and hindering factors identified by the ‘Broadening Participation’ project can translate directly into policy and operational action in support of ongoing peace and transition processes during all phases (pre-negotiations, negotiations and implementation). They can serve as a planning or assessment frame to analyse whether a process has:

- the right design in terms of negotiation and implementation architecture and the correct inclusion modalities to create preconditions for impact;
- the relevant actors involved that can affect change;
- adequate procedures (decision-making, selection and transfer) and support structures in place for all included actors;
- a mediation team that has the adequate set-up and expertise to support the process;
- public support, or the means to generate it;
- strategies to deal with the most important national, regional and international actors;
- strategies to combine political and operational support to civil society, women and other potential or existing included actors.

Notes

- ¹ Frances Stewart, 'Horizontal Inequalities as a cause of conflict: a review of CRISE findings: CRISE Research Overview, 1 (Oxford: Centre for Research on Inequality, Human Security and Ethnicity, Oxford University, 2010); Paul Collier and Anke Hoeffler, 'On economic causes of civil war', (Oxford Economic Papers 50, 1998), 563-573; Alina Rocha Menocal 'Inclusive Political Settlements: evidence, gaps, and challenges of institutional transformation', (Birmingham, UK: Internatioanl Development Department, University of Birmingham, 2015); Daron Acemoglu and James Robinson, *Why nations fail: the origins of power, prosperity and poverty*, (New York Crown Publishers, 2012).
- ² Desirée Nilsson, 'Anchoring the Peace: Civil Society Actors in Peace Accords and Durable Peace,' *International Interactions: Empirical and Theoretical Research in International Relations* 38, no. 2 (2012); Thania Paffenholz, "'Broadening Participation Project" Briefing Paper', (Geneva: The Graduate Institute of International and Development Studies: Centre on Conflict, Development and Peacebuilding, 2015).
- ³ Nilsson, 'Anchoring the Peace'.
- ⁴ The project's full title is: 'Broadening Participation in Political Negotiations and Implementation'. For the rest of the report it will be referred to as the 'Broadening Participation' project or research. The project has been funded by the governments of Norway, Switzerland, Germany, Finland and Turkey. For a summary of the project's overall research findings for all actors see: www.graduateinstitute.ch/files/live/sites/ihed/files/sites/ccdp/shared/Docs/Publications/briefingpaperbroader%20participation.pdf
- ⁵ Paffenholz, "'Broadening Participation Project" Briefing Paper'.
- ⁶ Ibid.

Dr Thania Paffenholz is the Director of the Inclusive Peace and Transition Initiative (IPTI) at the Graduate Institute of International and Development Studies in Geneva. With over 25 years of experience as both an academic and policy advisor, Dr Paffenholz is internationally renowned for her work on and in support of peace processes around the world. In recognition of her creative work, Dr Paffenholz recently received the prestigious Wihuri International Prize for Science. Dr Paffenholz previously held positions as Project Director and Senior Researcher also at the Graduate Institute in Geneva, was Director of the Center for Peacebuilding (KOFF) at swisspeace in Berne, Switzerland and served as peacebuilding advisor to the EU Special Envoy to Somalia at the Delegation of the European Commission in Kenya (1996-2000).



Nicholas Ross is a research collaborator at the IPTI and a student in the Master of International Affairs program at the Graduate Institute of International and Development Studies. He holds a bachelor's degree from the University of Melbourne, and has previously studied at Cornell University and the Universidad Pontificia Bolivariana. His fields of interest include local actors in peacebuilding, agrarian policy and mediation.

