European Union
EXTERNAL ACTION

Factsheet – EEAS Mediation Support Project – Knowledge Product

Strengthening national capacities for mediation and dialogue: National dialogue platforms and infrastructures for peace

This factsheet is designed to provide a brief "snapshot" of insight to EU officials engaged in advising, planning or implementing mediation and dialogue activities related to building national capacities for mediation and dialogue, for the purpose of preventing conflict and building peace. It focuses specifically on 'infrastructures for peace'.

These factsheets are "work in progress" and feedback is welcome. More information and support on the issues presented are available from the Mediation Support Team of the K2 Division of Conflict Prevention, Peace Building and Mediation Instruments of the EEAS at K2@eeas.europa.eu

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01 Background and Scope

Ultimately, in a conflict it is the ability of those parties in conflict to resolve their differences that is decisive in a negotiated war-to-peace transition. Strong national capacities for dialogue and mediation support the conflict transformation potential of a society. This requires institutional mechanisms that can provide the necessary support structures, for instance through '*Infrastructures for Peace', i.e. 'dynamic networks of interdependent structures, mechanisms, resources, values, and skills which, through dialogue and consultation, contribute to conflict prevention and peace building in a society.'*[1]

In principle, infrastructures for peace aim to provide an institutionalised platform for mediation, facilitation and dialogue, with an emphasis on dialogue. They aim to provide a space for dialogue both *horizontally* between conflict parties and *vertically* between different levels of society, thus connecting the grassroots to the higher political level. They tend to build on existing capabilities and resources, and cultural approaches including for mediation and facilitation. They are often based on informal mechanisms for dispute resolution, and may make use of '*insider mediators'*; trusted and respected individuals who have a high level of legitimacy and cultural and normative closeness to the parties, various links to individuals or institutions driving a conflict, and an ability to influence the parties' behavior and thinking[2].

Having strong national capacities for mediation can be particularly relevant in situations where external mediation by the EU or others is not possible or desirable; in this case internal mediation would take the place of external mediation, for instance if (some of) the parties to the conflict do not accept outside mediation, or if a third party resists contact with armed non-state groups since this may grant them legitimacy. Furthermore, external Western parties including the EU tend to shape peace processes from their viewpoint, underpinned by neo-liberal economic and democratic forms of governance. In certain cases, this may not be viewed as desirable by the conflict parties and more locally legitimised forms of consensus are preferred[3].

Box 1: Key Messages for EU Officials

1. National institutions for mediation and dialogue can play a strong role in preventing and transforming conflict, in particular as complementary to external mediation and dialogue. These roles can be performed in all phases of a (possible) conflict.

2. Infrastructures for peace can take many forms depending on the specific context. Always take local capacities for mediation and dialogue as a starting point and aim to strengthen the connections between them. This can include making use of 'inside mediators'. Context analysis is key.

3. Not all those presenting themselves as 'infrastructure for peace' are legitimately fulfilling this role. In particular the role of government can either lend more strength to internal mediation and dialogue or it can be divisive. Each situation needs to be assessed on its own merits.

4. The EU should assess existing or proposed national institutions for mediation and dialogue, in particular on their local legitimacy, inclusiveness of its composition, their potential effectiveness and the values underpinning them.

5. Assess the role of the EU as a value-driven actor and to what extent the values underpinning the national institutions for peace are sufficiently compatible. This will influence the choice between the options of directly engaging with, leveraging, politically supporting, or funding these institutions.

In most instances however, strong national capacity for mediation would complement external mediation and dialogue. Its complementary value stems from its ability to touch more easily upon different layers of society, to increase the depth of conflict analysis, and to link to local capacities for conflict prevention and internal mediators, as well as to conflict-relevant development issues. This leads to significantly greater numbers of "entry points" for preventive action[4]. It is therefore particularly relevant in situations when conflict is rather dispersed and may require decentralized solutions. In addition, national and local platforms for mediation and dialogue can expand the range of stakeholders involved, over and beyond the conflict parties themselves, which can add to the breadth, representativeness, inclusiveness and legitimacy of conflict settlements at local, subnational and national levels[5]. This can lead to greater ownership of the peace agreements.

The EU may choose to support the formation or strengthening of such institutions for peace, for the purpose of strengthening national capacities for mediation and dialogue. There is great potential in having strong national capacities for mediation and dialogue, supported by formal institutional mechanisms. However, not all formal institutions ostensibly established for the purpose of mediation, dialogue, conflict prevention and peace building do fulfill this potential. There has not yet been sufficient empirical research conducted on the effectiveness and impact on conflict prevention of such peace architectures. Anecdotal evidence suggests that their potential and effectiveness depend on a number of factors, which will be discussed in section 2 of the present fact sheet. In line with the 2009 EU Concept on Mediation and Dialogue, the EU can perform five roles in relation to mediation, facilitation and dialogue, all of which are relevant in the context of peace infrastructures.

Box 2: Examples of national platforms for dialogue and mediation

1. Ministries of Peace (e.g. Costa Rica, Nepal, Ghana, Kenya, South Sudan)

2. Commissions for the implementation of peace agreements (e.g. Guatemala, Afghanistan, Sierra Leone)

3. Comprehensive and inclusive peace secretariats (e.g. South Africa)

4. Partisan peace secretariats and advisory bodies (e.g. Sri Lanka, Philippines)

5. National dialogues and their support (e.g. Benin, Niger, Afghanistan, Lebanon)

6. Local peace forums (e.g. South Africa, Nicaragua, Northern Ireland)

7. Specialised commissions and task forces (e.g. ceasefire monitoring & implementation, truth & reconciliation commissions) (Source: Berghof Foundation)

Table 1: EU potential roles in relation to national institutions for mediation and dialogue

The EU in mediation and dialogue	Examples of potential EU roles
1. European Union as a mediator or facilitator to dialogue:	Engage in mediation/dialogue/facilitation with already existent national institutions for dialogue and mediation, such as Ministries for Peace or Reconciliation.
2. Promoting mediation and dialogue:	Complement external mediation with national mediation capacity and increase the impact of external mediation through complementarity. Promote the creation of hybrid models of mediation and the use of insider mediators.
3. Leveraging mediation and dialogue:	Use the political and economic leverage of the EU to promote the establishment of national structures to address mediation and dialogue. Use the political and economic leverage of the EU to expand civil society engagement with national structures.
4. Supporting mediation and dialogue:	Lend expertise and provide training in concepts, tools and skills for mediation, facilitation and dialogue to national institutions and their stakeholders. Provide knowledge resources and knowledge management support to national institutions and their stakeholders.
5. Funding mediation and dialogue:	Provide funding for the establishment and operation of national infrastructures for mediation and dialogue.

02 Key issues and dilemmas

The EU may consider supporting the establishment of peace architectures or it may come across already existing national institutions for mediation and dialogue for conflict prevention and peace building. The way the EU should engage with these national institutions for peace depends mostly on the values underpinning these institutions, their effectiveness, their legitimacy and the inclusiveness of their composition. A good context/conflict analysis for the EU to draw on to make informed decisions is the essential starting point.

Context analysis is key to determining the potential legitimacy, effectiveness and impact of peace institutions Conflict analysis needs to produce understanding over the key actors involved, as well as the conflict dynamics and how the context, the causes of conflict and the actors involved interact[6]. With regard to national institutions for peace and mediation an especially important component of context analysis is the mapping of the key institutional actors involved in the peace process, their legitimacy, effectiveness, and the value systems underpinning them. In addition a mapping needs to be conducted of existing capacities for mediation and dialogue at national, subnational and local level, and how these are connected to each other. Such an analysis should draw upon a broad range of information sources, including civil society sources and local peace organizations where they exist. When conducted jointly with other members of the international community a more unitary approach to strengthening national capacities for mediation can develop, which can have a positive impact on coordination among external actors involved on the ground[7].

Compatibility with the EU's value systems National institutions for peace are often grounded in customary conflict resolution mechanisms, which are based on local norms. These norms are not always fully compatible with EU's values, for instance when they do not lend full individual rights to all people, especially women. Furthermore, for reasons of reconciliation and peace building they may incorporate actors associated with past crimes, with which the EU may not be able or willing to associate. As such, this dilemma is related to the peace-justice debate central to the area of transitional justice[8]. In addition, the outcomes of locally negotiated agreements are often compromises, which are relevant to the resolution of the conflict, but may breach the constitutional values of the state or the broader statebuilding processes in place that aim to build a liberal democratic system based on equal rights for all.

Consensus versus Coercion – the 'no teeth dilemma' In most post-conflict and fragile situations, political and judicial authority is contested or weak. For this reason, national institutions for peace tend to use *interest*-based approaches to conflict resolution, as opposed to *coercion*-based approaches. Coercion-based approaches have powers of endorsement, whereas the interest-based approach relies on genuine negotiated and mutually satisfactory solutions. National institutions for mediation and dialogue therefore can be said to have 'no teeth' and are reliant on a degree of buy-in from the stakeholders[9]. This lack of teeth may hamper their effectiveness in enforcing peace, particularly when groups are bent on using violence, when conflict has deep structural root causes or when conflict is driven by strong political agendas. Particularly at the local level, they cannot override national political imperatives[10]. This limits their effectiveness in some of the worse conflicts, which could lead to undermining their legitimacy. A clear and well communicated demarcation of the types of issues they can or cannot deal with can be helpful.

A governmental mandate is a two-edged sword A strong governmental mandate and a deeper institutionalization of local capacities for mediation and dialogue can help remove political obstacles, can empower local bodies with a wider room for action, and grant full legitimization and greater leverage to local bodies. In Nepal, Northern Ireland and South Africa, establishing local peace councils inclusive of all protagonists would have been impossible without a national mandate. Moreover, a national mandate can also have a positive impact on the overall national-local relation, as the enhanced exchange of information would bring local concerns and issues to the government's attention.[11]

Box 2: Ghana and Nepal, bottom-up and top-down initiatives

To resolve the conflicts impacting the 3 northern regions of Ghana, the Northern Region Peace Advocacy Council (NRPAC) was established in 2002 by the regional government with conflict resolution purposes. The relative positive outcome of this institution encouraged the government to extend such initiative to the rest of the country; a national architecture for peace was then created, with Councils served by a body of professional Peace Promotion Officers connected to the 10 Regional Peace Advisory Councils. What makes the Ghanaian example unique is the progressive involvement of the government in supporting the local empowerment of mediation capacity, to the point that in 2006 the Ministry of Interior issued the national Architecture for Peace (Source: P. Van Tongeren, 2011). On the other hand, in Nepal the process of building capacity for mediation and peace building at local level was very much an initiative taken by the government, and the establishment of local peace councils was the outcome of a decision by the cabinet (Source: Odendaal, 2006).

Box 3: Nepal and Sri Lanka, the role of the government

Since 2007 when an inclusive multi-party decision established local peace committees, political control of the Ministry of Peace and Reconstruction has changed three times. Each time the peace process was seriously disrupted, and in every case, the incumbent Minister exerted damaging party-political control over the process (Source: Odendaal, 2010) **...and Sri Lanka** In Sri Lanka, the government peace secretariat, set up as a consensus-building mechanism to deal with the parallel LTTE secretariat, was so highly politicised towards views to continue the conflict that it was an empty-shell institution, used by the government to bring forward the conflict rather then stopping it. Yet when it was created there was enormous pressure from the international community to fund it, including on the EU itself (Source: Interview with EU official).

However, the national legitimisation of local processes is a two-edged sword, because the need for a governmental mandate can make these institutions hostage to national power-plays and political manipulation (see Box 2). The level and type of politicisation of national peace structures determines to a large degree their effectiveness and capacity to perform their activities and objectives.[12]

Local legitimacy may further entrench power asymmetries Relying on existing local structures may lend the strongest local legitimacy to peace-building and conflict transformation efforts, but it also entails the risk of replicating the existing asymmetric power structures within the community. Customary conflict mitigation systems are underpinned by societal traditions that do not always ensure equitable rights and responsibilities to all, and often result in women and youth being marginalized. At national level, the same dynamics can occur, such as the Loya Jirga in Afghanistan (see Box 4).

External support can do harm External support organisations that seek to pursue their own agendas, or that impose solutions rather than provide support, may do more harm than good. Local legitimacy can be undermined by external support not only because of values it may be seen to impose but also due to the incentives it creates. Funding for travel and other administrative and logistical expenditures is necessary, but caution is due with regard to allowances and 'sitting fees'. Organisation of such administrative and logistical support, and in particular its source and procedures, are important details, as these can influence the degree of autonomy of different parts of the institutions. This is particularly relevant in scenarios where the potential for political domination exists[14]. For instance, in Nicaragua external support to local peace commissions proved to be negative (see Box 5). In other cases, external support can enhance the legitimacy of peace architectures: in South Africa, the presence of international observers served to strengthen the legitimacy of the local peace councils and helped to defuse potentially violent situations[15].

Degree and type of politicisation needs to be carefully reviewed The EU should not aim to establish or support formal peace infrastructures with government mandate if the environment is not conducive, if the degree of politicisation is too high, and if these institutions are likely to have an exclusive or divisive nature. In such cases, the EU should rather focus on supporting the slower emergence of an informal network of more peace-oriented entities that can over time transform into a more formal and government-supported one. The role of the government and other *de facto* power holders in the institutions for mediation and dialogue thus needs to be carefully assessed, and context analysis is key to this end.

Institutions with peace as a mandate or simply part of their title are not necessarily national dialogue platforms or peace infrastructures in the sense this factsheet defines them (see Box 6). However, existing relations with the government, or an involvement in Track 1 negotiation processes, may prevent the EU from disengaging with institutions that claim to be peace institutions, and thus run the risk of falling victim to manipulations and the politicisation of these structures. At the same time, the EU may use its leverage to nudge these institutions toward becoming more inclusive and peace-oriented.

Box 4: Afghanistan

The foundations for a post-Taliban government were established during the Bonn Agreement and the subsequent 2002 Loya Jirga. It was perceived by many that the aim of the international community – the US in particular – and Afghan political leaders was not to upset the status quo and press for greater inclusion. Former commanders and power brokers were dominant and they marginalized the less powerful as well as the more liberal and conciliatory parties. Some view this as having laid the basis for a continued power asymmetry in government and a major contributing factor to the perpetuation of conflict[13].

Box 5: Nicaragua

The Organization of American States (OAS) provided support to local peace commissions in the northern and central regions through its International Support and Verification Commission (CIAV). Many people were suspicious of the Commission because they felt it was biased towards the political and armed grouping the Contras, and therefore the local peace commissions lost credibility and 'ownership' because of their association with this external service provider and could not contribute much to peacemaking (Source: Odendaal).

Box 6: Sri Lanka and Georgia

The experience of Sri Lanka demonstrates how an organization such as the government peace secretariat was heavily biased towards the views of the government, rather than presenting a more impartial or inclusive platform for engagement.

The former Ministry for Peace and Reconciliation of Georgia presents similar features, as it had been established by the government rather than being the outcome of a joint project, exclusive of the other parties to the conflict. (Source: Interviews with EU Officials)

Specific institutional form is contextual It is essential to understand what capacities for dialogue and mediation already exist, how they are interconnected and how these interconnections can be strengthened. This also relates to identifying potential insider mediators and the role they can play within peace infrastructures. National institutions for mediation and dialogue can be established from the top down, such as was the case in Ghana (see Box 5) or it can emerge more organically, such as was the case in Kenya (see Box 8). The specific form an institutional structure will take also depends on the immediate purpose and the phase of the conflict in mind (conflict prevention, conflict mitigation, implementation of a peace agreement, etc.). This institutional form and its purpose are likely to further evolve over time and under the influence of different agendas. The EU, through leverage, promotion and funding, can influence this process towards greater inclusiveness and effectiveness.

Its composition needs to be as inclusive, legitimate, representative and include women as possible. Ideally, participants in a peace process should be a representative microcosm of the entire conflict system[16]. Inclusiveness has a direct relation to effectiveness, not only in terms of legitimacy and ownership, but also in terms of ensuring a range of perspectives around the table. In particular it is important to bring in a middle ground that can counter polarizing forces. Individuals with the capacity to act as peacemakers, conciliators and internal mediators need to be included where possible, as a body composed of only protagonists is likely to be unmanageable. It is therefore worth exploring who such actors could be, for instance religious institutions or traditional leaders, and aiming to incorporate these[17]. External leverage can be used to nudge local conflict resolution mechanisms towards greater inclusiveness.[18] Yet this support may backfire when pushed too far and with insufficient local support. For instance in Kenya, donors insisted that that women and youth be included in local peace councils, which was shown to weaken the committees' ability to resolve conflict because it created confusion over traditional roles[19]. One way of mitigating this risk is by harnessing locally legitimate forces that strive for greater inclusion, such as for instance religious institutions or civic associations.

Strengthening national institutions for mediation and dialogue requires sustained effort and innovative monitoring & evaluation Supporting the formation of peace architectures is essentially a process of institutional transformation, which is by definition a long-term enterprise. Support to national institutions for mediation and dialogue therefore requires sustained effort and support. Yet, this may be hampered by the fact that the effectiveness and impact of peace architectures is difficult to ascertain, particularly since conflict is always influenced by a multitude of factors, most of which are outside control. It is therefore important to explore innovative methods for monitoring and impact evaluation that are more behavior-focused and can make visible changes in political culture. Such impact analysis should then be placed in the context of strong political analysis in order to distinguish between potential positive changes in society's ability to mitigate conflict and overwhelming high-level political forces that may run counter to this.

In sum, practice on the ground tends to complicate the widely agreed need to put local capacity at the centre. It is easy to say but much more difficult to do. In fact, it requires a deep reflection on the external actors' diagnosis of the situation and careful planning of interventions.

Box 7: The EU lessons learned in Sri Lanka

The EU was engaged in Sri Lanka, supporting mediation and dialogue between the government and the LTTE, together with other international stakeholders. When the peace secretariats have been set up as partisan bodies to ease consensus building within the two parties of the conflict, the international community backed the initiative with fervor. To ensure an impartial approach, European donors coordinated their funds in the sense that the EU funded the government one while Norway was supporting the LTTE peace secretariat. However, the government of Sri Lanka was not fully committed to the peace process (see Box 11), and was using the peace secretariat to control the negotiations to hamper any positive development. (Source: Interview with EU official)

Box 8: Kenya

In Kenya, a platform of local peace councils in the Wajir district that had emerged over time, attracted the attention of government. Through government involvement these development and peace committees were formalized and replicated in other districts, and institutionalized under a national policy. (Source: U. Hopp-Nishanka, 2012)

03 Key questions

Table 1: Key questions to inform the EU's engagement with national institutions for mediation and dialogue

The EU in mediation and dialogue	Key questions to inform the EU's engagement
Cross-cutting: context (conflict) analysis	**Initial mapping** When/how/who has undertaken a conflict and context analysis/mapping of local actors? Where can locally legitimate capacity for dialogue and mediation be found? Are there peace support actors, structures or dialogue platforms at the local level? Did any of these actors undergo any significant organizational/institutional change? Did any of these structures evolve into a more 'national' infrastructure involving other stakeholders? What is the position of the key conflict parties towards external mediation? How well are they disposed towards specifically external support to internal mediation? What role does the government play in mitigating or fuelling the conflict? To what extent is the government involved in the conflict? Are there some actors and structures within the government that are more disposed to conflict transformation than others? Is peace likely if the government does not build its capacity to manage the state related dimensions of the peace process. **Legitimacy and inclusiveness** Are the local infrastructures for peace also evaluated in light of local traditions and customs during the EU's assessment of the legitimacy and inclusiveness of such local infrastructures? Is the inclusiveness of women also evaluated in relation to local legitimacy principles? **Effectiveness** Are a sufficiently diverse number of conflict parties willing and well-disposed towards conflict transformation and dialogue? What is the role of the government in relation to the local capacities for peace? Is the government actively supporting and promoting conflict transformation at all levels of society? Does the peace architecture reach all levels of society? Are these different levels of mediation and dialogue sufficiently well connected; e.g. is there information flow, are obstacles addressed, is the comparative advantage of conflict transformation at the different levels well exploited? Could external support harm the effectiveness of conflict transformation efforts in the peace process in specific conflict situations? **Values** To what extent can the EU support the compromise between (transitional) justice and peace? To what extent can the need to achieve a sustainable peace settlement balance the risks to democracy of having former perpetrators of violence or similar actors sitting at the negotiation table? To what extent can the EU endorse the values and outcomes underpinning the customary conflict resolution mechanisms employed? **How to do it:** These questions should be answered in the context of, or complement a conflict analysis or a conflict-related political economy analysis which can be undertaken on the part of EU Delegations, with support from EEAS-K2 or DEVCO and drawing on knowledge held within EU Delegations, EU institutions, member-states and key local and international partners including civil society. Yet these questions could also be continually monitored through political reporting and any reporting of funded projects undertaken in relation to peace infrastructures. Regular and clear discussion between EU Delegations and, where relevant, EUSRs (political and operational sections with EU Head of Delegation, EUSR political staff), EEAS/DEVCO desks and those involved in EEAS/DEVCO/FPI design and implementing support mechanisms are important. In more sensitive or high-profile situations, involvement of the EU HOMs, a Brussels-based committee or liaison with EU capitals may be required.
EU as a mediator or facilitator to dialogue	What options does the conflict analysis/contextual understanding presents for the EU to directly engage in mediation/dialogue/facilitation with already existent national institutions for dialogue and mediation, such as Ministries for Peace or Reconciliation?
Promoting mediation and dialogue:	Are there experiences within Europe of the EU's own "infrastructures for peace" for mediation and dialogue that could be promoted or drawn on in reference to a particular conflict (e.g. the Northern Ireland conflict resolution process or the EU's own experience of designing functional mechanisms for dialogue)?
Leveraging mediation and dialogue:	What does the conflict analysis/contextual understanding say about the associated risks and opportunities of using EU leverage (funding, political support) to complement or support the efforts of "infrastructures for peace" in mediation and dialogue? Does this undermine or complement other avenues for mediation and dialogue or peace building beyond the EU's engagement in the country? **How to do it:** Analysis with EU Delegations – Political Sections; political steering from EU Head of Delegation or EU HOMs; international dialogue.
Supporting mediation and dialogue:	What type of external support (political or technical) to infrastructures for peace is needed? What exact technical capabilities and support do the infrastructures for peace need? Are these needs related to the substance of their work on mediation and dialogue, peace building more generally, or do they relate to more functional capacity building of administration? Is the EU best placed to supply these or it this better undertaken by others? **How to do it:** EU Delegation staff to visit and directly assess together with personnel from "infrastructures for peace" institutions.
Funding mediation and dialogue:	What does the conflict analysis/contextual understanding say about the opportunities and risks of funding specific "infrastructures for peace"? Why is the local economy/society unable/unwilling to provide the resources needed for national dialogue structures? What EU funding instruments are most appropriate, what modalities are available and what funding windows of opportunities can be exploited (is it long-term funding, shorter-term flexible funding that they need, are these modalities rapid enough – if not would other EU member-states have more appropriate funding mechanisms)? (E.g. Options might include direct EU funding for civil society through local EIDHR calls, as part of the governance or conflict prevention "focal sector" of DCI/EDF/ENP, short-term or long-term IfS funding). Should the EU work with partners (e.g. UN or INGOs) or directly with "infrastructures for peace"?). **How to do it:** EU Delegations (Political and Operational Sections) and EUSR staff (if appointed) analyse the type of funding options, what risks would need to be mitigated and what capacities would be needed; enter into a dialogue with local "infrastructures for peace" at the country level to discuss potential needs and assess capacities first hand; discussion between EU Delegations and relevant units in EEAS/DEVCO/FPI about modalities bringing in "infrastructures for peace" and other partners at appropriate moments.

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