

Incentives, sanctions and conditionality in peacemaking



Policy Brief

2008

Accord

an international review of peace initiatives

From Darfur to Sri Lanka, policymakers frequently rely on incentives, sanctions and conditionality to respond to the challenges of armed conflict. They hope that these instruments can influence the parties' behaviour and change the conflict dynamics. Yet external actors often overlook their potential to effectively underpin – or undermine – a peace process. This is in large part because conflict resolution is rarely the dominant policy priority. Consequently, many of the eleven case studies in Conciliation Resources' Accord publication, *Powers of persuasion: incentives, sanctions and conditionality in peacemaking* reveal how these tools have been ineffective or even fuelled conflict.

The publication also identifies positive lessons to guide future practice. To enable more effective support for peace processes, incentives, sanctions and conditionality should be:

1. Crafted and exercised as components of an overarching peace process support strategy.
2. Calibrated to the conflict parties' motives and responsive to societal forces in favour of conflict resolution.
3. Designed and implemented in ways that help build momentum in a peace process.
4. Supported by a degree of strategic coherence among external actors and appropriate mechanisms for coordination.

Given that a sustainable and just peace is an enabling condition for security and development, the goal of promoting effective peacemaking should be given greater priority for humanitarian, economic and strategic reasons. Ultimately, external strategies need to rely less on attempts to gain leverage over the parties and more on encouraging their ownership of processes leading to a durable and just resolution of their conflict.

Risks of fuelling conflict

Incentives, sanctions and conditionality have impacts on parties' engagement in conflict and peace processes, whether or not they are intended to do so. Yet they are seldom designed with the explicit goal of enhancing conflict resolution and their implementation can have unintended negative consequences for a peace process. They can distort the conflict dynamics in ways that make them even more intractable. External interventions are value loaded, often aimed at preserving national interests or guiding the process to a solution outsiders deem appropriate. They can add to tensions, alter the balance of power between the parties, and trigger internal fissures

within groups. Sanctions intended to push the parties toward the table may instead harden their positions and inhibit dialogue. International pressures exerted on one party may encourage the other side to escalate its demands or refuse compromise. Incentives may allow parties to 'milk' a process without seriously engaging their adversaries. Conditionalities may weaken leaders in the eyes of their supporters, thus reducing the political will necessary to enter negotiations.

Incentives, sanctions and conditionality are deployed to further multiple and occasionally contending objectives, ranging from enforcement of international humanitarian law to counter-terrorism to promoting geopolitical alliances. These competing priorities and approaches within and among external actors make conflict resolution more difficult. Parties may seek to manipulate external involvement to their benefit and undermine their adversaries' confidence in the process. Incentives and sanctions may be used as bargaining chips in a wider political game that has little to do with moving parties towards agreements to resolve their differences. Moreover, the process may never become sustainable when external actors compel or induce parties to the table or to an agreement in advance of their own recognition of the need to negotiate with their adversaries.

“The prioritization of peacekeeping over peacemaking...complicated and obstructed the prospects for peace. ...The focus on peacekeepers and more broadly the absence of a clear and consistent strategy for peace, meant that these instruments were used unsparingly but ineffectively.”

Alex de Waal, Darfur case study

Prioritize peace process support strategies

The goal of helping to advance a peace process needs to be at the core of a shared international strategy – rather than ancillary to other objectives – to prevent mixed or contradictory policies from undermining peacemaking. Incentives, sanctions and conditionality are no substitute for a peace process support strategy, although they may be components of one.

The potential – and limits – of external influence

External coercion aimed only at weakening the strategic position of belligerents is rarely successful without a viable process through which they can make peace. While coercion or incentives can tilt the balance towards constructive engagement, they are unlikely to shift parties into the problem-solving mode that characterizes the most successful peace processes.

Analysis of possible solutions

A peace process support strategy can develop a strong foundation when derived from analysis with the parties of their aspirations and 'bottom lines'. This is typically conducted through informal, off-the-record and sometimes secret exploratory dialogue. This analysis can lead to a broad framework of possible solutions and a strategy to reach durable settlement, which might rely partly on external inducements. It can also strengthen the basis for shared analysis among key external actors.

Subtle, balanced and consistent engagement

External actors need to develop and prioritize flexible and responsive peace process support strategies.

- Subtlety is often key to effectiveness. Help foster 'face-saving' exit strategies. Avoid measures that give the appearance of leaders caving into external pressure or being 'bought' by external bribes.
- Identify biases in proposed strategies and specific measures to assess if they might be unhelpful in advancing a sustainable peace process.
- Avoid empty promises and empty threats: failure to deliver expected rewards or 'changing the goal posts' often backfires by increasing cynicism and strengthens hardliners; failure to follow through on threats undermines the credibility of the most robust measures and tempts belligerents to call the bluff.

"The ideal situation is when there is drumbeating [of sanctions] in the background... But the drums should not make so much noise as to overwhelm my voice."

Jan Eliasson, UN mediator for Darfur, interview in Accord

Calibrate measures to motivations and societal dynamics

Policies should be based on knowledge of the factors driving the conflict and what is likely to modify its course. Incentives and sanctions are most likely to be effective when they respond to the parties' motivations and support pre-existing societal dynamics for conflict resolution. Too often, these measures are either of little relevance to the main protagonists or are counter-productive.

Incentive structures

Parties in a conflict are not monolithic. Policies need to be based on analysis of the various factions, the main points that distinguish them and how an incentive or sanction will strengthen particular views in an internal debate. Even within belligerent parties there are likely to be some who recognize the need for compromise and support a primarily political strategy. Punitive measures often strengthen hardliners and marginalize moderates. Engagement can provide opportunities for pro-dialogue elements to argue for pursuing negotiations. Sometimes relatively small or symbolic inducements can be surprisingly effective in promoting progress.

Social and political dynamics

Policymakers should analyse how the range of political and social groups will interpret proposed sanctions and incentives. They should aim to shore up support in favour of conflict resolution. They should consider how specific incentives or sanctions will promote or obstruct societal reconciliation. External actors can use their influence to promote the direct engagement of different stakeholders – including women, youth and marginalized groups – in the peace process and ensure agreements address underlying problems.

Generate momentum in the peace process

Strategies need to change at different phases of a peace process. They should aim to encourage initial engagement and then help the process gain momentum, underpinning the conditions that encourage parties to come to and stay at the table, reach agreement and implement those agreements, as outlined in the chart overleaf.

Entrapment and de-commitment

External influence wielded through incentives, sanctions and conditionality is sometimes crucial in getting the parties to decide to engage with each other. Policies can aim to help parties de-commit from their entrapment in a

military or political strategy that is not working or has been unacceptably costly, yet in which they have invested too much to back down easily.

“The focus of attention on externally developed and delivered incentives, sanctions and conditionality should not be at the expense of attention to internally generated incentives.”

Anthony Regan, Bougainville case study

Problem-solving and ‘intrinsic incentives’

The most durable inducements to finalize agreement are the ‘intrinsic incentives’ inherent in the contents of the political settlement. If it provides a credible solution that satisfies the parties’ basic needs and interests, then they are more likely to prefer it to the status quo. External actors can assist by facilitating problem-solving processes to generate comprehensive solutions. Intrinsic incentives can be enhanced through external incentives and guarantees – such as ending isolation, providing resources to implement agreements, or specific security guarantees to reduce risks in ending a military campaign.

Mutually reinforcing incentives

As a peace process gains traction, there is a need to reduce reliance on leverage and to support the parties’ ownership of the peace process. External punishment and reward become less important as the parties become more motivated to resolve their differences. They should move towards providing incentives to each other as they begin to understand that their adversaries’ problems are their own. External actors can facilitate this by serving as guarantors and providing technical, political and financial resources to increase the viability of the process and agreements reached.

Improve strategic coherence and coordination

The proliferation of decision-making bodies and the multiplication of policy objectives and instruments can

combine to generate strategy gridlock. Effective engagement requires a degree of strategic coherence among the range of external actors with an interest in the situation – including those who are close allies of the belligerent forces. Barriers to effective coordination occur when the interests of external actors do not align or where widely divergent institutional cultures and funding streams inhibit the potential for flexible and responsive measures. These situations are ripe for exploitation by belligerents who seek to extract the maximum advantage for their cause.

Coordination mechanisms

In cases where there is a lead mediator of a peace process, they can serve as the catalyst for coordination and provide guidance on the appropriate use of incentives, sanctions and conditionality. Mechanisms such as ‘friend’, ‘contact’ or ‘core’ groups of states can bring leverage, information and practical assistance to the lead mediator. They can address unhelpful levels of asymmetry between the parties, which often impede resolution. It is also valuable to develop regular communication channels with civil-society peacebuilding initiatives.

Different relationships; distinct roles

Each external actor can play a distinctive role, depending upon existing relationships, access and influence with the conflict parties. For example, in the face of widespread international isolation, it is often those who remain ‘friends’ who retain the greatest influence – indicating the strategic importance of involving these allies/‘patrons’ in the overall process of orchestrating influence. The challenge is to ensure that all can generate complementarity towards the common goal of promoting sustainable peace.

“Even the best ideas get drowned when they are part of a cacophony – the international community needs to be more serious about formulating peace support strategies that ensure each entity plays a complementary role.”

Brian Smith, Sri Lanka case study

Conciliation Resources (CR) is an international non-governmental organization registered in the UK as a charity (1055436). We work mainly in the Caucasus, Uganda and West Africa in partnership with local and international civil society organizations and governments. This policy brief is derived from the findings of the latest edition in our Accord series, *Powers of persuasion: incentives, sanctions and conditionality in peacemaking*. The publication includes case studies from across the globe, including Sudan, South Africa, Northern Ireland, Israel-Palestine and Sri Lanka.

Elements of a peace process support strategy

	Changes needed	Some external strategies to support changes
↑ 'Getting to the table'	<p>The parties recognize they cannot achieve their goals unilaterally and that simply continuing with the status quo entails risks of unacceptable costs.</p> <p>They become willing to risk exploring engagement with their opponents.</p>	<ul style="list-style-type: none"> • Help parties 'de-commit', mentally and practically, from their current approach by convincing leaders that negotiations are a viable alternative to achieve their most important strategic goals. • Harmonize measures to enforce international humanitarian law with strategies to encourage parties to enter into peace talks. • Reduce the feasibility of continued military struggle by cutting off the means of waging war (eg arms embargos or boycotts of conflict commodities) or otherwise increase the costs of belligerence. • Increase the attractiveness of a negotiation process through conditional measures, such as easing isolation, extending recognition or signalling international assistance to deliver a tangible peace dividend.
	<p>The parties begin to have sufficient confidence in their counterparts that the risks of engaging are outweighed by the potential benefits of achieving their goals.</p> <p>The choice to engage in a negotiations process becomes the preferred strategy.</p>	<ul style="list-style-type: none"> • Establish 'agreed conditionality' by identifying and agreeing principles that form the 'terms of engagement' for the negotiations. Violations of these terms are the basis for imposing sanctions while adherence triggers rewards. • Negotiate conditional or partial removal of proscriptions that complicate engagement such as travel / visa bans. • Provide technical assistance to address fears of being out-manoeuvred in negotiations (eg negotiation skills; defining a political strategy; public communications). • Develop mechanisms among external stakeholders and intermediaries to harmonize influence and generate strategic complementarity in peace process support strategies.
Consolidating a peace process	<p>A viable process is established.</p> <p>The process is sufficiently inclusive and comprehensive to increase the likelihood of sustainable conflict resolution.</p>	<ul style="list-style-type: none"> • Provide reassurance – especially for opposition groups – that the process will address the 'real' issues and that any international involvement will not result in a bias that will undermine their objectives. • Provide guarantees to address security dilemmas; implement confidence and security-building measures, including monitoring agreements on cessation of hostilities. • Fund and assist programmes to promote public discourse around alternative solutions to the conflict and strengthen constituencies for peace, especially within social groups affected by the conflict. • Use incentives to encourage inclusive processes involving all the main stakeholders, women, youth, minorities and political groupings.
	<p>Parties negotiate specific agreements to achieve enough of their goals without entailing unacceptable costs.</p> <p>Parties develop sufficient confidence that the agreements will be implemented, either because of confidence in the good faith of their counterparts or because of external guarantees.</p>	<ul style="list-style-type: none"> • Help parties take small, constructive and irreversible steps toward becoming deeply invested in reaching a mutually agreeable outcome. Encourage reciprocity, with parties agreeing measures that will assist each other to make compromises – possibly enabled through external support. • Support study visits and other opportunities to stimulate ideas and proposals on reframing the issues and moving from 'zero-sum' to 'positive-sum' integrative agreements. • Identify how international support will enable implementation of agreements that address the immediate contested issues as well as key substantive issues such as gender, human rights, transitional justice, and other underlying causes such as land reform.
← Reaching and implementing agreements	<p>The viability of the agreements is secured during the implementation phases.</p> <p>Parties are encouraged to abide by their commitments and sabotaging manoeuvres are prevented.</p>	<ul style="list-style-type: none"> • Help parties overcome distrust in their adversaries' intentions to implement agreements by instituting third party verification mechanisms to ensure compliance. • Offer political and technical support to oversee agreed reforms and mechanisms and help iron out the inevitable disputes between the parties. • Provide symbolic and material incentives to help make the agreement more acceptable both to the rank-and-file of belligerent groups and the wider public in ways that enhance the long-term goal of reconciliation. • Target those who seek to wreck the agreement with appropriate sanctions. • Offer flexible and timely assistance to implement the measures, based on agreed benchmarks.

Policy recommendations

1 Improve peace process support strategies.

External actors should develop a coherent and flexible peace process support strategy at the core of their policies towards conflict-affected countries. Where relevant, incorporate incentives, sanctions and conditionalities to influence conflict parties' engagement. Aim to build momentum towards an inclusive and comprehensive peace process.

2 Enable more effective strategic complementarity and coherence.

- a Improve strategic complementarity between external actors with influence over conflict parties to enable coherent peace process support strategies. Create regular channels of communication, strategy forums and, where relevant, mechanisms to support a mediation effort. These mechanisms should include opportunities for regular dialogue with civil society.
- b Harmonize policies and increase coherence between all actors deploying incentives, sanctions and conditionality measures. Existing coordination mechanisms operating in specific conflict contexts should have a standing agenda item on peace process support.
- c Civil society organizations in conflict-affected societies should develop and use their specialist knowledge of conflict parties and wider societal dynamics to advocate appropriate use of incentives, sanctions and conditionalities by external actors.

3 UN Security Council resolutions should promote sustainable peace processes. The UNSC should organize a thematic open debate or an expert panel on the implications of incentives, sanctions and conditionality for peacemaking. To enhance its deliberations on how to respond to threats to peace and security stemming from intra-state conflict, the UNSC should consider creating a working group or thematic focus on how to foster sustainable peace processes.

4 Improve policy guidance for sanctioning bodies.

The UN Security Council, Regional Organizations and other sanctioning bodies should develop policy guidance to ensure that the design and implementation of sanctions reinforce conditions for a peace process. Guidance should include:

- a When designing targeted sanctions, give special weight to assessing their likely consequences for the conflict and peace process.
- b When possible, incorporate flexibility to adjust measures to developments in the peace process and encourage momentum.
- c Conduct regular reviews of specific sanctions regimes – listening to the views of conflict-affected communities and experts – to assess how they are affecting conflict parties' engagement in a peace process.
- d Where appropriate, develop a 'roadmap' for lifting sanctions. Criteria for lifting or suspending sanctions should be conditionally linked to the target's demonstrable good faith engagement in processes to resolve conflict and

implement agreements, as well as their adherence to other international norms and standards.

- e Develop effective communication strategies that explain to the targets and the conflict-affected populations the reasons for issuing sanctions.

5 Strengthen institutional capacities for coherence.

Governments and international organizations can help improve policy coherence by increasing understanding of the challenges and addressing the knowledge gap between those working in related fields.

- a Governments and international organizations should conduct an audit of their policy and practice in the use of incentives, sanctions and conditionality in the context of peace processes. Lessons learned should be applied to current contexts and factored into professional development programmes for relevant staff.
- b Repositories of 'lessons learned' on sanctions implementation, as recommended by the Stockholm process, should also include information about their consequences for peacemaking and the likely factors that contributed to success or failure.
- c Offices in international organizations and government ministries with responsibility for incentives, sanctions and conditionality should be linked with specialists in conflict analysis and peacemaking to assist more effective policy design and monitoring in conflict situations.

6 Development and aid packages should underpin peacemaking. Development agencies and international financial institutions should ensure their policies and practices help underpin conditions for sustainable peace processes.

- a Strategy planning processes for conflict-sensitive development assistance should assess how aid and development packages affect conflict parties' engagement in a peace process. They should consider how these packages may be interpreted by the parties as incentives or sanctions, regardless of whether conditions are explicitly attached.
- b The design and review of aid and development packages should include analysis of how they interact with political, diplomatic and community-based efforts to support peacemaking.
- c OECD-DAC should consider undertaking a study leading to guidelines on support for peace processes and specifically the use of measures that act as incentives, sanctions and conditionality for peace.
- d Where relevant, one of the 'benchmarks' of progress in development partnership agreements should be sustained engagement in peacemaking.

7 Make advocacy campaigns 'peace process sensitive'.

Policy advocacy organizations based in or working on specific conflict-affected countries should ensure that their analysis and recommendations on incentives, sanctions and conditionality take account of and encourage peacemaking processes.