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Engaging armed groups in peace processes

Joint analysis workshop report

1. Executive summary

Armed conflicts affect the lives of millions of people in many countries around the world. Many of these conflicts are characterized by the presence of non-state armed groups involved in violent struggles with government forces or other non-state armed groups. Despite this, our understanding of how and why armed groups can successfully engage in peace processes is underdeveloped. This was one of the central concerns in the workshop on **engaging armed groups in peace processes** held by Conciliation Resources in July 2004. The meeting, hosted by Conciliation Resources Accord programme, brought together 25 people including representatives of armed groups, people playing official and unofficial intermediary roles, donor governments and academics.

The Accord workshop participants engaged in three days of intense discussions on the diverse experiences they shared with each other. Presentations were made on several case study countries, and a number of pivotal questions were identified. The main ideas that arose can be clustered into five challenges that must be addressed if the engagement of armed groups in peace processes is to be more effective. Collectively there is a need to:

- Better understand armed groups and how they make choices;
- Improve how we articulate the case for engagement;
- Consider engagement within the wider context of peace and conflict;
- Counter the state-actor bias of the international system in peace processes; and
- Improve the track one / track two relationship in the process of engaging armed groups.

This report presents a series of recommendations based on principles emerging from the workshop discussions. Most importantly, there is a need to continue the inclusive dialogue started at the Accord workshop to deepen understanding of armed groups and develop better mechanisms for engagement. At a minimum, there needs to be a consolidation, organization and dissemination of helpful resources and lessons learned about the engagement process for armed groups, host governments, and intermediaries. In order to improve how governments and other intermediaries support the engagement process, states need to develop a new set of norms and criteria for when and how to engage with armed groups in order to cope with the changed nature of intra-state conflict. This should be based on a careful evaluation of recent experiences and approaches, including the use of instruments such as legal proscription and sanctions. In addition, rules of conduct and lessons learned need to be developed to improve how track one and track two actors work together, to increase the potential for successful peace processes. Also, more work needs to be done to understand how the engagement of armed groups in humanitarian activities relates to and can be supportive of engagement in political dialogue and vice versa.

Conciliation Resources, working with the workshop participants and its partners, will further develop the themes emerging from this session in a volume of the *Accord* series that will focus on engaging armed groups in peace processes. In addition, Conciliation Resources encourages policy makers, donors, academics, armed groups, host governments, and intermediaries to develop ways to put the workshop's recommendations into practice.



Lord's Resistance Army officer, Lt Col Onen Kamdulu (centre right) meeting with Gulu district Local Council Chairman, Lt Col Walter Ochora (left) Gulu district, June 2001.

Source: Ben Ochan

2. About Conciliation Resources' Accord programme and the Joint Analysis Workshop

People involved in peace processes – whether as conflict protagonists, internal or external intermediaries, policy-makers or development/human rights professionals – can benefit from drawing lessons and inspiration from the successes and difficulties of other situations, as well as from reflecting on their own experience. This guiding assumption underpins Conciliation Resources' Accord programme and the methodology of the Joint Analysis Workshop that is the subject of this report.

The Accord programme provides resources to inform and enhance peacemaking strategies around the world. Through collaboration with people directly involved in peacemaking, CR develops documentation and analysis of specific peace processes as well as exploring cross-cutting themes. The acclaimed print and online publication series, *Accord: an international review of peace initiatives* (www.c-r.org/accord) is central to a wider programme of activities that communicate and stimulate learning from peace processes.

Accord's second thematic project focuses on the topic of 'engaging armed groups in peace processes'. The project will highlight the experiences garnered in this

sensitive and little-studied aspect of peacemaking, exploring the dilemmas and challenges for all those involved, whether they are representatives of armed groups, governments, inter-governmental institutions or civil society. It will focus on describing and analyzing experiences of engagement, with a view to identifying useful lessons to guide practice and policy.

The project consists of four main phases:

- 1) a **consultation process** to refine the project focus and enhance its relevance;
- 2) an **international joint analysis workshop** enabling exchange and reflection among people with direct experience of the challenges of engagement;
- 3) based on the outcomes of the earlier phases, the commissioning and publication of a **thematic edition** of *Accord: an international review of peace initiatives*;
- 4) activities to influence peacemaking practices, including promotional events aimed at **policy-makers and practitioners**.

The joint analysis workshop

The joint analysis workshop brought together a diverse group that represents the broad spectrum of actors involved with the issue. There were those who spoke from the perspective of armed groups and host

governments, others who worked for European donor agencies or governments playing third-party roles, those who belong to civil society organizations, academics who study the issue of engaging armed groups, and people who work with armed groups as unofficial intermediaries in peace processes.

The goals of the workshop were defined as

- (i) sharing and learning from each others' experiences;
- (ii) developing clarity on key issues; and
- (iii) assisting in the framing of the Accord project and publication.

The workshop was structured to combine discussion of specific case studies with thematic analysis of key issues and questions identified by the participants.

Conceptual focus

The term 'armed groups' encompasses an enormous array of actors with widely varying goals, agendas and methods. The workshop recognized these complexities and applied a relatively inclusive understanding of the label, considering any non-state armed group that could veto or frustrate the process of transition away from violent conflict towards sustainable and just peace. While appreciating the fluid and dynamic nature of armed groups, the core focus of discussions was on non-state armed groups that are operating primarily within state borders and are engaged in violent attempts to challenge or reform the balance and structures of political and economic power, to avenge perceived past injustices and/or to defend or control resources, territory or institutions for the benefit of a particular ethnic or social group. Discussions focused primarily on situations of 'internal wars' but connected regularly to the international context of the global 'War on Terror'. They centred on understanding and analysing 'engagement' activities, referring to efforts or activities initiated by either the conflict protagonists or intermediaries to explore, enable, instigate or sustain opportunities for dialogue between the parties. The purpose of this dialogue would ultimately be to facilitate a process of transition from a situation of violent conflict towards just and sustainable peace.

3. Developing the workshop questions

Throughout the workshop, the participants were encouraged to articulate questions or identify practical dilemmas that they had faced in the course of their work. Their experiences, and the case studies explored in detail on day two of the workshop, led to the clustering of the following ten key questions:

1. What is the case for engagement? What is the case for non-engagement or disengagement? What are some of the problems and principles for decision-making?
2. How do armed groups make choices about political dialogue? How and why does the mindset of armed groups shift regarding engagement in political dialogue?
3. How does the engagement of armed groups with humanitarian/development/civil society initiatives impact on the establishment or success of political dialogue?
4. What are the examples of success or failure of punitive measures (proscriptions, sanctions, travel bans) against armed groups with regard to peace processes?
5. How do armed groups develop their capacities to start and sustain negotiation processes? What are the examples of successful interventions that helped armed groups maintain status and influence while making the transition from war to peace?
6. What are the problems and successes of complementarity between track one, track two and track three¹ and its impact on successful engagement?
7. How can an outsider understand armed groups, and how does this understanding affect how to engage, if at all?
8. What is the systemic bias of the state-based system and how can its impact on political dialogue processes be managed?
9. What are and how do we manage the ethical considerations of engagement?
10. How can the internal dynamics of armed groups be dealt with?

During the third day of the conference, participants divided themselves into small groups to address eight of these ten questions. Questions 4 and 7 were not considered in small groups but discussed at different points during the plenary. Feedback from the small group discussions formed the basis for the key learnings identified in this report.

4. Key lessons

Perhaps the most fundamental outcome of the workshop was exposing just how little this issue is understood and how much rethinking needs to be done regarding the engagement of armed groups in peace processes. The diversity of perspectives represented in the group provoked efforts to explore the issues from all angles. This approach raised more questions than it

1. These terms denote socio-political levels with regard to peacemaking; track one describes the political leadership of a government or armed group at the national level; track two denotes the mid-level leadership including local government officials, regional commanders of armed groups or influential civil society figures; and track three describes the grassroots membership of organizations, whether among civil society or in armed groups.



UN Under-Secretary-General for Peacekeeping Marrack Goulding negotiates the demobilization of the Contras with Comandante Franklyn, Nicaragua, June 1990.

Source: Marrack Goulding

answered, but it made a critical contribution to identifying and articulating several key issues.

4.1 Understanding armed groups and how they make choices

For most participants, the workshop was a first opportunity for structured discussion with other actors about the engagement of armed groups in peace processes. For the participants working as intermediaries, it was a first chance to talk with armed groups outside the context of a specific political dialogue process. Members of armed groups also expressed their appreciation of the opportunity to interact with other armed groups and a diverse group of intermediaries. While this was certainly a positive development, it also showed how limited our working knowledge is of each other's perspectives. This is particularly true with regard to the question of how armed groups think and behave with respect to political dialogue. The workshop discussions highlighted several areas where there were significant gaps in understanding armed groups among other actors involved in peace processes:

- Understanding the differences between types of armed groups and why those differences matter to the process of engagement
- Understanding the decision to engage in political dialogue not as something forced on armed groups by outsiders, but as a dynamic choice that is always in

the minds of armed groups and which is affected by changing circumstances

- Understanding the importance of internal dynamics to armed groups' engagement in political dialogue and how third parties can relate to these dynamics
- Appreciating the need of armed groups to build their capacity to engage in negotiations and manage internal dynamics
- Understanding the impact of peace processes on armed groups and how they manage the 'dilemma of change' that peace processes confront them with

Differences in types of armed groups

There was broad recognition of the fact that the term 'armed group' incorporates a huge variety of organizations, and that the qualities and characteristics that define these groups make a significant difference to how a group may engage in a peace process. Among some of the defining features of groups, the following were noted:

Ideology: does a group have an articulated political agenda? Is its struggle rooted in the aspirations and identity of a particular group or minority? What is the ultimate goal of its struggle and is a peace process likely to deliver it?

Territorial control: does a group control territory and / or are its aspirations territorially defined? Does a group provide services equivalent to state services in territory it controls?

Constituency support: is a group fighting on behalf of a particular constituency, and what is the group's relationship with that constituency?

Conduct of struggle: how does a group conduct its struggle? How does a group's ideology, relationship with its constituency and access to military resources influence decision-making on humanitarian norms and political dialogue?

Composition: what proportion of the fighters are men, women or children? What social spheres / identity groups are they drawn from?

Organization: how is the group organized and how are decisions taken? Are there administrative (potentially state-like) structures? Is there effective command and control?

Funding: How is the group financed? Does the group engage in or benefit from criminal activity? Does it receive financial or in-kind support from other states or armed groups?

Communications and access: Is the group easily accessible? How does it communicate its political intentions or ideology to the wider public or its opponents?

Participants also noted other external factors that influenced the way an armed group is understood. It was suggested that the nature of the state can often be a significant factor in shaping an armed group, as well as its relationship with the broader geopolitical context. Public information channels can also provide conflicting information on an armed group and its struggle.

Intermediaries noted that the challenge of understanding an armed group remains constant throughout an engagement process, given the dynamic nature of armed conflict, the shifting influences and tactics prevailing within a group at different stages and the diversity of possible interlocutors. They described how their engagement strategies would vary depending on the characteristics of the group.

Overall, there was a general sense that intermediaries need to develop better methodologies for understanding armed groups in order to make effective decisions on how best to interact with them. Some participants wondered whether the development of a new typology of groups could usefully explain differences in how groups behave in the context of a peace process. While this was not attempted, one sub-group created a general typology for considering the impact of the motivations and principles guiding all parties on their approach to the challenges of a peace process (see *figure 1*). This provides a useful tool for reflecting on the possible impact of those different approaches to the conduct of dialogue with armed groups.

Other participants suggested intermediaries' interpersonal approaches to armed groups are critical. Approaching engagement with armed groups as a chance to listen and learn can lead to a significantly deeper understanding, even when this may be difficult or place intermediaries at considerable risk. It was noted that the low-key approach of unofficial intermediaries (i.e. those not representing governmental or multilateral organizations) can be advantageous in these circumstances.

Engagement as a dynamic choice

Participants pointed out that the meeting seemed to be framed from an intermediary-centric perspective – that there was an implicit assumption that armed groups needed to be engaged in the peace process and that some people understood the choice to engage as something outsiders put to armed groups. Members of armed groups were quick to point out that in reality they constantly have a dual track approach – armed struggle *and* political dialogue. Their choice of approach varies as the situation varies: for example, what is the state of the military struggle? What is the attitude of the host government? Are there fractures or disputing factions within the armed group? Rather than third parties engaging armed groups, it is more accurate to think of the question as one of how armed groups make the choice to engage and what role third-parties can play in affecting that choice.

This is a subtle, but critical distinction. The fact that an armed group is not engaged in political dialogue is not usually a sign of some deficiency in its ability to understand the nature of political dialogue or its potential benefits. Rather, it is more likely a sign that given the armed group's perception of its current situation it chooses not to engage. However, the choice to engage is always there. In the event that an armed group expresses an interest in exploring the possibilities of dialogue, intermediaries may be well-placed to assist them in actualizing the engagement path; this may involve working with them on their perception of the current environment and the potential for political dialogue, identifying and examining the perceived likely benefits of political dialogue, or affecting their ability to conduct political dialogue effectively. Some participants spoke about the potential impact of processes whereby armed groups reinterpret their history, which can lead to a changed approach to the possibility of dialogue. Different views were aired regarding the real catalyst for changes in groups' thinking and the importance of new analyses of the external environment to their consideration of engagement.

There are also situations where an armed group does not, in fact, have a serious interest in engaging in political dialogue. Deciphering whether a group is serious about political dialogue is partly a matter of improving how

Figure 1

	Paradigm			
	Liberal	Balance of Power / Security	Utilitarian	Idealist / Constructivist
Assumption / motivation	Reason	Power	Needs	Ideas
Basic puzzle	How to structure the dialogue	How to strategize, bargain	How to deliver needs	Diffusion of ideas, learning
Outcome	Cooperation and accord	Pacification, victory, security	Optimize meeting of needs	Internalization of new norms

intermediaries understand armed groups and cutting through the layers of mystification that surround them and their decision-making processes. However, as detailed below, it may be the most prudent course of action for intermediaries to work on the assumption that there is some constituency in favour of dialogue within every armed group and their challenge is to work out how best to support this capacity.

Dealing with internal dynamics

One of the discussion groups addressed the issue of dealing with armed groups' internal dynamics as part of the engagement process. Often the engagement process is thought to focus only on how armed groups engage with external parties in a peace process. In fact, the way armed groups deal with internal factions and conflicts is at least as important, particularly with regard to the question of political engagement. In many cases, the key to successful engagement of an armed group in a peace process may lie in its ability to deal with internal splits.

For intermediaries, dealing with armed groups' internal issues is always delicate, and to be seen to be meddling in a group's affairs can be hazardous. There is the potential for an outside organization to provide the same mediatory assistance within a group as it does between groups, yet it can be difficult to discern the difference between normal internal dissent and process-threatening splits that seriously affect the group's relationship with other actors in the conflict and peace process. Moreover, an intermediary or host government may have an interest in actually encouraging a split in an armed group or simply letting different factions "fight it out." Host governments often encourage splits in armed groups that they can exploit. In Burma in the 1990s the government agreed ceasefires with a number of armed group factions, dividing and weakening the

opposition, thus forcing more groups into ceasefires that precluded political negotiations. In one example of this, the government employed the Democratic Karen Buddhist Army (DKBA), a breakaway group from the Karen National Union (KNU), to militarily harass their former comrades until the KNU's ceasefire in 2004.

One of the factors that can make it difficult for intermediaries to deal with internal dynamics is that it can be very hard to get accurate information on the inner workings of an armed group. This is more acutely so where the group is unusual, cult-like or deliberately mystified like the Lord's Resistance Army (LRA) in Uganda. Getting this information usually means the intermediary has been able to build up a strong trusting relationship with the group. It is difficult to build up this degree of trust with any one group while also serving as an intermediary between groups. It may be necessary for intermediaries to delineate roles, with one working between groups and another working within one group (although the intermediaries should be in communication with each other). This is in contrast to the tendency among intermediaries to treat anyone too close to one group as biased and to marginalize them. It was observed that opportunities to address a group's internal dynamics vary according to the phase of the conflict, with the suggestion that during a 'hot' conflict this would be a particularly difficult task.

All of the ways in which a third party can play a constructive role between groups can also be applied within a group, such as helping them to clarify and reach consensus on their vision and goals, develop capacity and infrastructure for negotiation, build internal working relationships, understand and evaluate their non-negotiation alternatives, build their ability to implement commitments made in the political dialogue

process, and give them tools to deal with dissent over the long term. There are also limits. Just as every peace process will not end in a peace agreement, not every group is destined to stay together and remain a coherent whole. Breakaway groups are inevitable in many cases. The role of the intermediary is to help the group maximize their ability to manage their internal dynamics well.

Alternatively, the 'different faces' that an armed group may present at different levels of the organization can create opportunities for limited engagements at community or regional levels. At these levels, commanders may have sufficient autonomy for community leaders to be able to negotiate specific arrangements, such as freedom of movement, 'zones of peace' or other mechanisms to protect communities from the impact of the armed conflict. In this sense, the fact that armed groups are rarely monolithic organizations can create opportunities to explore engagement options at a micro level, which may in turn increase confidence in these opportunities within the group's leadership, as well as delivering benefits to the communities most acutely affected.

Capacity building²

One of the ways to assist armed groups in managing internal, as well as external, dynamics is through capacity building. The importance of capacity building in support of armed groups' engagement in political dialogue was stressed repeatedly during the workshop. As one participant noted, "there is a scream for empowerment" on the part of armed groups to engage in dialogue. Participants identified three key ways that armed groups are looking for capacity building:

- Skill building and information
- Security
- Funding

Skill building and information. As one intermediary pointed out, "armed groups fear being dominated at the negotiating table," hence there is a great need for training for groups in negotiation, dialogue and managing peace processes. A member of a combatant group said that armed groups would find it very helpful to have basic information on how to prepare for peace processes, how to deal with inequalities at the negotiation table, how to manage ceasefires, how to engage with and what to look for in an intermediary, confidence building measures, the application of international humanitarian law, etc. Training in conflict resolution was cited as an effective tool that has been used in many cases to build both the capacity and the willingness of armed groups to engage in political

dialogue. This type of engagement was also cited as a relatively safe form of intervention with a group that may not (yet) be serious about dialogue, as it will strengthen their ability to go this route if the opportunity arises. Further, building a group's ability to engage in dialogue effectively was perceived to help increase their willingness to do so.

Security. As a logistical matter, security for armed groups moving to and from venues for political dialogue is critical to an armed group's decision to attend a dialogue session. This is especially true where there is significant mistrust between the armed group and the host government and other armed groups. Finding neutral locations, ensuring safe passage, and securing a meeting venue are difficult matters that need to be adequately planned and dealt with in the process of gaining a group's agreement to attend talks.

Financing. Also critical to an armed group's capacity to pursue political dialogue is the availability of flexible financing instruments to pay for the preparation and conduct of negotiations. Yet this is also a double-edged sword. There is the danger that supporting a group's engagement in a peace process risks also supporting, directly or indirectly, their military capacity. The challenge is to create mechanisms that are targeted solely to supporting the peace process and which are flexible enough to cope with the inevitable ups and downs. Resources need to be deployed quickly to take advantage of opportunities for political dialogue when they arise, and must allow for support even when peace processes are stalled.

Managing the change process

An integral part of understanding how armed groups engage with peace processes is to understand that in doing so they are embarking on a change process that entails certain risks and uncertain rewards. For members of armed groups, the paradox of a peace process is that if it is successful, they will no longer exist as an armed group and so are, in a sense, negotiating themselves out of existence. It follows that an important challenge is to help an armed group manage this change process.

One participant pointed out in reference to Sri Lanka that a period of "no war, no peace" is difficult for an armed group as they have given up one source of power (armed struggle) but have not moved to another power base (share of the government, electoral power). It was noted that "two years on from a ceasefire, the armed group is like a fish out of water". The "no war, no peace" period was particularly difficult for the Liberation Tamil Tigers of Eelam (LTTE) to sustain without either being able to show concrete "peace dividends" or

2. It should be noted that participants also identified capacity-building needs on the behalf of governments and other intermediaries, not just armed groups.

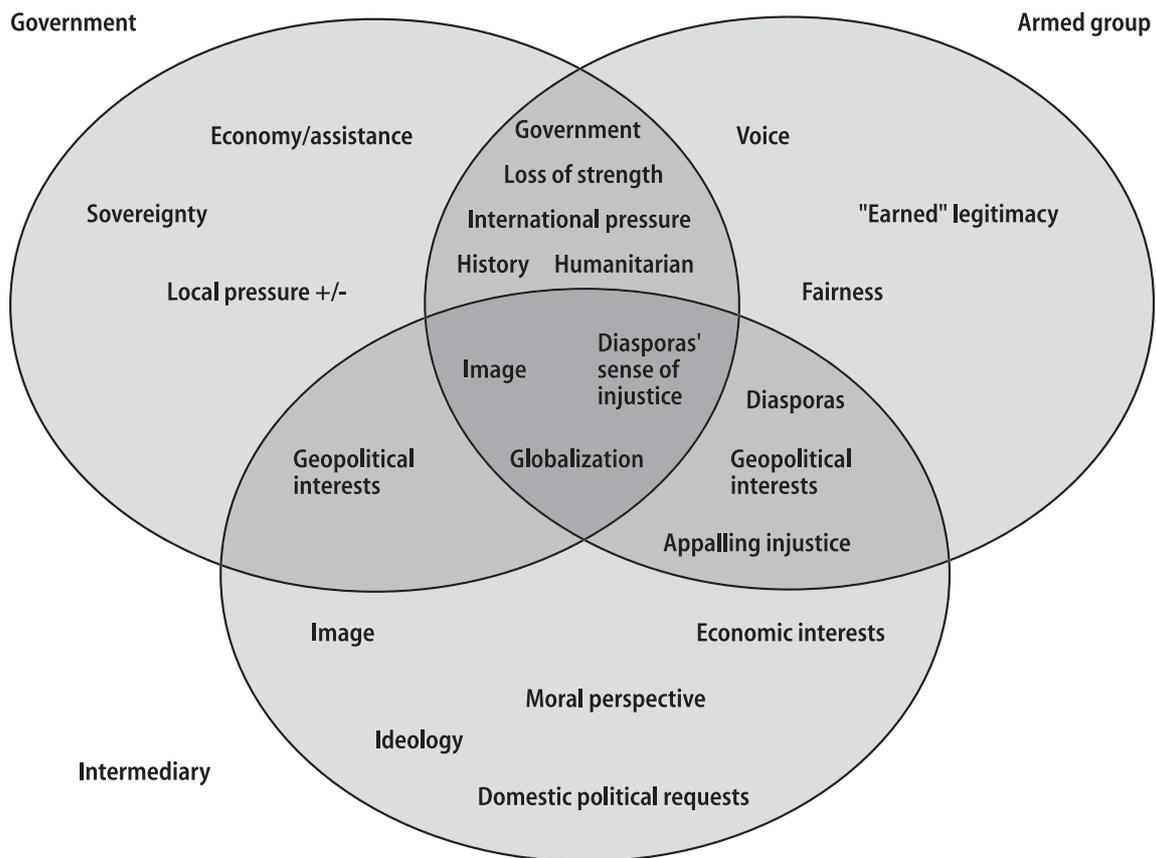


Figure 2

This diagram illustrates the distinct and overlapping interests of various parties with regard to the factors encouraging engagement.

without having a more defined and compelling positive vision for a future Sri Lanka that was shared with the Government of Sri Lanka. It was also stressed that while a balance of military power made a ceasefire possible and armed struggle less attractive, it was an insufficient basis from which to achieve a constitutional settlement or a long-term, sustainable peace.

The lack of a peace dividend or a compelling future vision were also noted as problems in the Burundian peace process. It was observed that leaders of armed groups and other political leaders “have demands, but not a real vision.” In addition, although ‘democracy’ is the assumed end goal of a peace process, Burundians have experienced so many bad democratic experiments that this is not a compelling vision for some armed groups. In terms of ability to deliver dividends to constituents, it was pointed out that the one reason the Forces for National Liberation (FNL) have stayed out of the process is that joining a hamstrung government unable to deliver benefits to the people is not an attractive option.

4.2 Making the case for engagement

Participants considered the case for engagement from the perspectives of armed groups, intermediaries and

the host government. Each group faces somewhat different choices concerning engagement but while they may have separate considerations, there can also be many overlapping issues faced when choosing whether to engage in political dialogue. This was captured well by one small group that produced a helpful Venn diagram (see *figure 2*). The diagram identifies many of the key issues that each group considers in making the decision to engage or not.

For both host governments and armed groups, important considerations included the level of trust in the other party and the perceived depth and sincerity of their commitment to a peace process; their absolute and relative strength on the battlefield; economic conditions; resource strength; international pressure or incentives; their group’s goals; and their confidence that a peace process will actually produce positive returns for the group and its constituents. Positive incentives may include a degree of legitimization for the armed group, or the chance for the government to address a perceived crisis of legitimacy. Participants also highlighted some of the reasons protagonists might disengage from an existing process, including psychological impact, tactical advantage or concerns over capacity. In Burma, the Karen National Union (KNU)

pulled out of possible talks with the State Law and Order Restoration Council (SLORC) regime in 1994 after the country's democratic opposition umbrella group pleaded against their engagement on the grounds that it could undermine their attempts to win decisive international action against the SLORC at the UN. International condemnation has subsequently translated into support for the forces of Burmese democratization, not secessionist ethnic armed groups.

Perhaps the most difficult policy choice was faced by governments considering third-party roles. One critical issue involved balancing the potential of engagement with an armed group to end or reduce the humanitarian suffering wrought by armed conflict against the real or perceived legitimacy that is conferred on an armed group by the fact a foreign government, at least tacitly, recognizes them as someone to deal with. Should governments only engage with "legitimate" groups? If so, how should this be defined? Are there minimal standards that a group needs to fulfil to warrant being engaged with – such as minimal organizational coherence, the existence of a political or social agenda, and respect for basic humanitarian law? Should armed groups sign up to respecting a set of principles, such as those in the Deed of Commitment pioneered by Geneva Call with respect to a ban on landmines, in order to facilitate engagement with third-party governments as part of a peace process?

Others countered that third-party governments usually give automatic recognition to a state combatant, even though, as in contexts considered by some to be 'failed states', the state actor has no more claim to legitimacy than non-state armed groups. There was some discussion about states' prerogative on the monopoly of coercive force, and how far this right is extended in situations of armed conflict – particularly when the state actor suffers from questionable legitimacy. If engagement depends on a recognition that the conflict has become more than a 'rule of law' issue and requires a different approach – which factors and actors influence that recognition? In this vein, some participants argued that no group should be excluded, a priori, from potential engagement. In some cases, it is precisely because a group may be recalcitrant, opposed to the peace process or committing atrocious acts of violence that they should be engaged with in order to help make the case for participation in political dialogue.

Another criterion that was raised was whether the conflict was "significant" enough. Did the conflict affect the basic social compact in that society or was it more marginal? There was caution against an assumption that peace was automatically better than war, though many participants argued in favour of just such a bias. Some participants stressed the importance of remembering the suffering caused to ordinary people by conflict as

a basis for intervening to encourage dialogue. Some participants felt that the local population affected by the violent conflict are best placed to make judgments about whether an armed group should be encouraged to engage in dialogue. Moreover, it was noted that in some instances the local population have no choice but to engage with armed groups, either because the group controls territory and services, or because community leaders feel compelled to seek out options for mitigating the impacts of the armed conflict.

Some participants acting as unofficial intermediaries noted that they also experience compelling arguments for engagement that outweigh the constraints on their activities. There was discussion about the need to question assumptions that third-party actors in these circumstances are necessarily the best placed to engage, as well as the need for mechanisms to assess whether engagement continues to deliver more benefits than harm. This led to discussion about the possibility of criteria for engagement and different mechanisms used for reaching agreement on the terms of engagement. There was recurring recognition that engagement with armed groups is a two-way street.

In response to these and other concerns, it was noted that there is a wide spectrum of possible ways to engage with armed groups, from informal, unofficial communication, to formal and complete involvement in a full peace process. Modes of engagement include informal advice, training, assistance in preparation for negotiations, financial and organizational support, and logistical support, which might be done for one or more sides. Roles could include being an informal channel of communication, offering good offices or help in facilitating meetings, or being a formal mediator. There is also a strong case for collaboration between track one and track two in performing any of these roles as track two actors do not have the same concerns about conferring legitimacy on armed groups as track one actors and can take a lower profile.

Taking a broad view of the diversity of engagement options changes the threshold at which engagement needs to be justified. For example, it takes a much stronger case to justify a third-party government committing a great deal of financial and political capital in order to engage with an armed group in an official role as a mediator, than to justify playing a low-key role working with a track two actor to facilitate initial contact with an armed group. Initial information gathering to sound out the key players in a future dialogue may not have to be conceived as official engagement. Thus, the 'case' needed to justify engagement is not a static issue. It is highly context specific. Perhaps the best advice that can be given regarding making the case for engagement is to encourage the decision-making actor (armed group, host government, or intervener) to go through



Karen National Union (KNU) fighters at their jungle base on the border of Thailand and Burma (Myanmar) provide security for a group of visiting journalists in February 1998.

Source: Reuters

a rigorous process of defining its goals, considering the many contextual factors, considering the various options for engagement, and weighing the potential risks and benefits before making the decision whether to engage or not.

4.3 Putting engagement in the wider context of peace and conflict

There were several discussions about the need to think of engagement not just in terms of engagement on political issues (e.g. ceasefires, power sharing, end of hostilities), but to consider political dialogue within the broader context in which the armed conflict takes place. There were a couple of main avenues for making these connections with the process of engagement in political dialogue:

- The potential for humanitarian engagement to impact positively on the process of political engagement
- The need to address root causes of the conflict (humanitarian, social, and economic issues) as part of the political dialogue process and to bring in civil society voices

The impact of engagement of humanitarian issues on the process of engagement in political dialogue
Participants cited several examples of armed groups engaging in efforts to foster respect for human rights

and International Humanitarian Law (IHL), and identified the role of local and international humanitarian organizations in these processes. There are also many examples of armed groups being engaged for health projects (e.g. river blindness vaccinations) or humanitarian relief efforts (e.g. providing 'humanitarian corridors' for relief supplies and workers to access areas of crisis). Successful engagement on these issues was seen as potentially creating several spillover benefits for the process of political engagement. Some participants argued that humanitarian engagement can provide "legitimization" – though not legitimacy – to an armed group. For example, if a group takes responsibility for respecting IHL and shows the ability to implement these commitments, it strengthens the perceived credibility of the group and shows its potential for participating in political negotiations.

In addition to the alleviation of human suffering, humanitarian engagement can also shed light on a group's willingness and ability to negotiate more generally and can serve as a confidence building measure, such as in the case of cooperation across battle lines to implement a humanitarian corridor or to discontinue use of land mines. Investment in the success of various humanitarian measures might also give an armed group a greater stake in not returning to war and/or might provide concrete benefits from negotiations which in turn may build their willingness

to expand negotiations to include political issues. The experience may also serve to build the armed group's capacity for engaging in dialogue. Further, engagement on development and humanitarian issues might contribute to an agenda for political negotiations on the resolution of the conflict. It may also build a stable foundation for the implementation of a post-settlement reconstruction effort crucial for the creation of a sustainable peace.

Engagement on humanitarian questions potentially creates the "political cover" for talks to spill over into more political issues, thus easing the armed groups into the peace process. Similarly, the involvement of civil society in humanitarian engagement processes can build momentum, at the societal level, for an end to hostilities and thus create the political space for engagement of an armed group in a peace process. It can also create space for intermediaries to engage with armed groups when explicit political dialogue might be too risky. Further, the same preparation and needs assessment required for successful humanitarian engagement is also helpful in preparing sides to enter into political dialogue. The involvement of humanitarian organizations in this process creates room for them to be involved in or have input into the political dialogue process.

Participants noted that humanitarian engagement always has impacts on the broader conflict dynamics and may on occasion entail negative impacts. Relief and development inputs have dual potential – they may offer the opportunity of capacity building and empowerment that can generate confidence and bind groups to a common process; alternatively the resources may be co-opted and diverted by a group to assist their armed struggle, or pose a threat to the grievances on which a group's armed struggle is based, which may lead to sabotage or other expressions of violence. There was a distinction drawn between the impact of relief and development engagement on armed groups depending on whether or not they controlled territory and the impact of aid on the group's relationship with their constituency. If they did not control territory, it was observed that the group is less likely to be involved in the delivery of humanitarian relief and thus their role could be marginalized – with implications for the group's strategic decision-making. Yet this is always complicated. In Sri Lanka, various cross-group bodies like the Sub-committee on Immediate Humanitarian and Rehabilitation Needs (SIHRN), the Sub-Committee on De-escalation and Normalization (SDN) and the North East Reconstruction Fund (NERF) were established as a result of the peace process, allowing for more immediate engagement with the LTTE outside the slower political process. However, in practice there have been problems in delivering emergency assistance to the north and east due to the disparity between the government's legal jurisdiction over the territory and the LTTE's de facto

control, and the acutely political questions surrounding such delivery. The LTTE are unwilling to accept much donor assistance in their region unless there is an acceptable political institution to facilitate it.

It was observed that some humanitarian agencies explicitly try and de-link the humanitarian from the political. However, there was a widespread feeling that to divorce humanitarian engagement from political engagement is to create a false distinction, because humanitarian and development initiatives in conflict situations have inherent political impacts. It is not really feasible for either intermediaries or armed groups to completely separate the two. It would be wiser for groups to consider what the synergies are or could be between humanitarian and political engagement in order to maximize the chances that one will have a positive impact on the other. The converse is also true: intermediaries and armed groups should think proactively about the possible positive impact humanitarian engagement could have in the process of political engagement. For example, engagement between armed groups on humanitarian or development issues might be a better first step in the peace process than engagement over a ceasefire, which is a much riskier proposition for combatants.

The need to address root causes and include civil society voices

The case studies of Burundi and Sri Lanka contained several examples of the need to bring wider conflict issues into the peace process. The overarching question raised was whether the goal of the engagement process was to produce a piece of paper (a political agreement) or to be a catalyst for the transition to a sustainable, societal peace. Some argued that the first goal (political settlement) is unachievable unless you are incorporating the second goal.

The Burundi case study also provided an interesting example of the difference between focusing on a political settlement and focusing on building a lasting peace. In order to get a political settlement, the mediator of the *Arusha Accords* took a very strong-handed approach. Parties entered into agreement under pressure from the mediator, telling him what he wanted to hear out of deference to his power. But because they did not feel ownership of the agreement they did not live up to it. More time and a much more participatory process dealing with root causes may have built a greater sense of ownership.

In Sri Lanka, one diagnosis for the difficulties in the current process was that a peace agreement or a constitutional settlement could not be based solely on the balance of military power, which could not provide sufficient legitimacy for a peace settlement. It was asserted that it was difficult or impossible to create a



Sri Lankans demonstrate in support of government peace talks with the Tamil Tigers, Colombo, 9 September, 2002.

Source: Reuters/Anuruddha Lokuhapuarachchi.

sustainable “self-contained” process that only dealt with military and political issues without also dealing with underlying causes of the conflict. A major cause of difficulty in the Sri Lankan negotiations was that a political agreement on power-sharing would be impossible in an underlying social context where all sides see themselves as the victim and have the psychology of an insecure minority. This suggests the need for wider change in social attitudes and greater inclusion in the dialogue process in order to reach a sustainable political settlement. A goal of ‘no war, no peace’ was an insufficient motivator for success at the political table; instead, a positive vision for peace shared by a broad cross-section of society is needed if the peace process is to succeed.

In Burundi, there were similar points made about the destructive impact of not having a positive vision for peace. At the core of the FNL’s refusal to engage in the current political dialogue is a feeling that the current process will not succeed because it is not dealing with root causes of the conflict in Burundi. And, without addressing these root causes there is the fear that Tutsi parties will eventually manipulate and dominate Hutu parties after a political settlement. In addition, the point was made that civil society voices, the strongest constituency for peace in the country, are entirely excluded from the process. As a result, the ability of these groups to pressure the political/military parties to work for a peace settlement (or even participate in the process)

is hindered. Civil society could bring a stronger commitment to neglected political values such as justice, participatory governance and inclusion, which could be the foundation of a real vision for peace to which political parties and armed groups could be held accountable.

4.4 Countering the asymmetries of the state system

A fundamental point that was stressed repeatedly during the workshop was that the existing state system creates a bias that favours state actors in internal conflicts and is therefore ill-equipped to respond to the challenges posed by non-state armed groups. This was considered by some to be a significant factor in poor international responses to civil war. As noted above, for reasons of respect for sovereignty, states playing third-party roles often face difficult decisions about whether to engage with armed groups whereas in most cases they engage automatically with states. In the case studies, it was shown that these third-party states sometimes uncritically accept a host government’s demonization of an armed group that it does not want to deal with (such as in Burundi). Even in cases such as the Democratic Republic of Congo, where the host government was itself an armed group only two years prior to the outbreak of a second war, the government is treated with all the privileges of any other state actor in the international system. This problem also holds in ‘failed states’, where governments do not possess many of the attributes that make for the sound basis of legitimacy that is assumed for states in the international state

system. However, much of the bias in favour of states is integral to the current international legal system.

The challenge is to minimize the degree to which this inherent bias becomes an obstacle to successful engagement of armed groups in peace processes. The risk is that intermediaries tend to be inconsistent in their treatment of armed groups, who feel like second-class parties, in all probability reducing the likelihood that they will engage. In many situations, armed groups already perceive themselves as victims or as less powerful players (when compared to states) fighting on an uneven playing field. The asymmetry of the state system in favour of host governments magnifies this feeling of victimhood and can make engaging armed groups even harder. In addition, the asymmetry makes it difficult, or impossible, for third-party states to engage with armed groups in the same way they do with host governments, which can compromise the perceived neutrality of a third-party state intermediary.

It was noted that international engagement with armed groups has shifted considerably in recent times, changing from the dynamics of Cold War engagements, through the post-Cold War to pre-9/11 era to the approach currently advocated in the 'War on Terror'. The current environment is such that it is particularly difficult to engage with armed groups at a time when there is a desperate need to do so.

Difficulties faced by third party states are especially acute where organizations are officially proscribed (i.e. a group's activities and many forms of contact with them are treated as illegal) or where group members are subject to punitive sanctions (e.g. inability to travel). As participants pointed out, the very arguments in favour of engagement with an armed group in order to bring them into the political process are often used as reasons to bar access to them. Several cases of proscription and legal sanctions were discussed, including the ban on LTTE members' movement that affected aid conferences in Washington and Japan in 2003, the arrest of the Free Aceh Movement (GAM) leaders on their way to peace talks in Tokyo in 2003, and the arrest of a negotiator from one of Colombia's armed insurgent movements as he travelled to attend talks in 2004. These were largely perceived by participants to have had a negative impact on the prospects of political dialogue and thereby peaceful resolution of the conflict. Concerns were also raised that anti-terrorist legislation is a very blunt instrument, which is often related more to external perceptions of the degree of threat than to the potential impact of such measures on the internal dynamics of a violent conflict. Some participants argued that more subtle, nuanced approaches are needed – possibly incorporating conditionality with regard to de-proscription measures. Urgent study is required on the impact and efficacy of proscriptions and punitive

sanctions on armed groups and their implications for engagement processes. There was concern that actions such as threatening investigation of the Ugandan Lord's Resistance Army by the International Criminal Court undermine rather than bolster the prospects for peace. These concerns also related to the wider dilemmas about how governments often try to pursue war and peace strategies simultaneously. In many cases, however, there is a gap between the hard rhetoric and the pragmatic reality of proscription, with examples cited of multilateral organizations or specific governments providing funding for talks with organizations they have proscribed or making exceptions to bans in order to let talks go ahead.

There are additional asymmetries related to the democratic systems and cultures at work in many countries experiencing violent conflict. It was observed that state actors often face democratic and other political constraints in engaging armed groups, from both international and domestic sources. As one participant said, "The problem is that peace processes are long-term and parliamentary politics are on an entirely short-term cycle. The expectations for results are immediate, but the process is long."

4.5 Improving the track one / track two relationship

An issue that received a great deal of attention was the relationship between track one and track two actors during peace processes and its impact on the engagement of armed groups. On the positive side, when track one and track two actors can work in concert, it is a powerful combination. Positive examples were cited where good communication between track one and track two actors was critical to initiating engagement with armed groups, facilitating communication, gathering more accurate information, enabling appropriate capacity building, and generally expanding the ability of both track one and track two actors to make wise, informed choices from an expanded set of intervention options.

When the track one / track two relationship works well, it also benefits armed groups by providing them with additional options for engagement in peace processes, expanding their capacity to participate effectively, and creating better lines of communication with host governments, other armed groups, third party governments and other intermediaries.

The benefits of a well-functioning track one / track two relationship have been documented in various ways, but an effective track one / track two relationship is still more the exception than the rule. Participants, speaking mainly from the track two perspective, identified several ways that the track one / track two relationship can break down and have negative effects on the engagement of armed groups.



Facilitators Col Barnwell and Hans Romkema meet two ex-Congolese Rally for Democracy officers in the Democratic Republic of Congo.

Source: Rob Ricigliano

There were several instances where issues of turf (and its protection) frustrated the relationship. An example was shared where members of a mediation team cut off communication with a track two actor after the lead mediator complained to his team that they were not providing him with as good information as the track two actor was. Track two actors often have access to sources of information that track one actors do not, or even when talking with the same source, the source may be more open with an unofficial intermediary. There were several other examples cited where track two actors were able to provide information that track one actors did not have or which was more balanced than or contradicted the track one actor's information. In some such cases there was a backlash against the track two actor and communication and confidence between the tracks broke down.

Some track one actors feel that it is inappropriate for track two actors to be involved at all in the process of political dialogue and have worked behind the scenes to undermine the work of a track two group. It can be especially difficult for a track two actor if one part of a government is encouraging of its efforts and another part is undermining them. Often track one actors do not see track two actors as possessing useful skills in dialogue, facilitation, and mediation or expertise in a particular country or issue.

It was also pointed out that track two actors need to understand that track one actors are under great pressure to "get results" and "show success" while

making sure they serve their government's interests in a specific conflict area. Track one actors do not enjoy the freedom of operation that most track two actors have – something that track two actors must understand. Further, not all track two actors conduct themselves responsibly or act with sufficient accountability. When there are a number of track two actors involved in a single conflict, it can be confusing, even risky, for track one actors to engage with track two actors. Similarly, not all track one actors are, inherently, experts in negotiation or mediation.

Because it is impossible to create a mandatory division of labour between track one and track two actors, and because states will always balance their own national interests with the interests of a peace process, perhaps the best that can happen is to improve how track one and track two (and track three) actors communicate and network with each other. Greater exploration could be made of the complementary roles that the different tracks can play within a given process. Participants stressed that networking is critical to effective engagement with armed groups in the context of a peace process. One step that could improve networking is to articulate some basic rules of conduct for track one and track two interaction. Such rules might address issues of confidentiality, transparency, respect for boundaries, etc. Further, much more can be done to share experiences and help train both track one actors and train track two actors in how best to work with track one.

5. Recommendations

After reflecting on the many workshop discussions, Conciliation Resources' Accord team developed a series of recommendations to actors involved in the process of engaging armed groups in political dialogue. These recommendations are relevant to and affect armed groups, host governments, intermediaries, civil society, policy-makers and academics. All have a role to play. The following eight initiatives could significantly improve armed groups' ability to engage in political dialogue:

- 1. Continue the dialogue.** There needs to be much more communication and opportunities for dialogue among armed groups, intermediaries (track one and track two), policy makers and academics in order to better understand the process of armed groups' engagement in political dialogue. This workshop scratched the surface, but there is a need for much deeper and wider participative inquiry into this subject.
- 2. Develop new mechanisms and approaches for better understanding armed groups.** In conjunction with and in support of the continued dialogue on engagement, efforts are required to generate and promote more nuanced understanding of armed groups. This process should include active participation of members of armed groups.
- 3. Establish a joint initiative of track one and track two actors to develop rules of the road.** There needs to be more dialogue specifically between track one and track two actors on how best to work together in attempts to support and facilitate the engagement of armed groups in political dialogue. Specifically, there needs to be an elaboration of some basic rules of conduct and guidance on how these actors can complement and work with each other in the context of peace processes. Such an initiative should specifically include indigenous intermediaries as well as external actors.
- 4. Develop new norms for state actors engaging non-state armed groups in the context of a peace process.** State actors and intergovernmental organizations could consider developing a set of international norms that apply specifically to situations of internal armed conflict and efforts to work with armed groups as part of a peace process. Such norms could help to address the state-centric bias of international conventions, by developing mechanisms to enhance the accountability of armed groups and incentives for them to engage in political dialogue.
- 5. Evaluate the impact of proscription on peace processes.** There needs to be a thorough review of the impact of proscriptions and punitive sanctions (especially those implemented as part of the 'War on Terror') on the possibility of engaging armed groups in peace processes.
- 6. Collect, organize and disseminate helpful resources for intermediaries and armed groups on engaging in political dialogue.** There is an urgent need to share resources and lessons learned in both engaging armed groups and running successful political dialogues as part of a peace process.
 - Armed groups and host governments would benefit from resources that build their capacity to understand and operate effectively in peace processes: resources that help them analyze issues like timing of ceasefires, how to build their capacity and infrastructure for negotiations and peace processes, what to look for in a third party, etc.
 - Intermediaries need to be able to share lessons learned from one peace process to another. Effort is required to ensure that teams assembled to support mediators have appropriate expertise and experience in addressing the challenges of peacemaking.
- 7. Convene a working group to discuss better coordination of humanitarian and political engagement with armed groups.** There is a need to develop and regularize the connections that can be made between humanitarian and political engagement. While humanitarian and political actors cannot be compelled to coordinate and integrate their work, it is possible to develop better communication and networking between actors in these two fields so that coordination can take place when and where it makes sense. Further, each set of actors needs to include in their strategies consideration of who their work relates to and how it connects to other initiatives (i.e. humanitarian strategies need to account for how their work will affect the process of political engagement, and political strategies need to integrate work on humanitarian and justice issues into the political dialogue).
- 8. Ensure engagement strategies are responsive to the needs and views expressed by the local communities affected.** The perspectives of people most acutely affected by violent conflict provide crucial insights regarding appropriate strategies for engagement.