

conciliation
resources

An international service for conflict resolution and prevention

Protecting rights while promoting peace

Workshop for ODI

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Multiple Roles in Peacemaking/Conflict Prevention

- The Mediator (who controls the process)
- The Facilitator (who shares responsibility for the process with the negotiating parties)
- The Expert Resource Persons
- The multiple other (internal and external) intervenors with targeted initiatives

(Also referred to as Track I, II, II (+))

CR's Mission Statement

“Conciliation Resources supports groups working at community, national and international levels to prevent violence or transform armed conflict into opportunities for development based on more just relationships”

CR's organizational goals

- **Support people** in developing innovative solutions to social, economic and political problems related to armed conflict;
- **Provide opportunities** for dialogue and improved relationships across conflict divides and at all social levels including marginalized groups;
- **Influence governments** and other decision-makers to employ conflict transformation policies that limit militarization and include effective mechanisms for public participation;
- **Improve peacemaking practice** and policies by promoting learning from the experiences of peace processes around the world.

Where We Work

- The Caucasus (Georgia, Abkhazia, Armenia, Azerbaijan)
- Fiji
- Northern Uganda
- West Africa (Sierra Leone, Liberia, and Guinea)
- Colombia, Angola (*the Accord programme*)

Conflict and Conflict Resolution in Northern Uganda

Is a Political Resolution Possible?

- A successful conflict system: One dilemma is that while there has been massive suffering – Joseph Kony, the President and the UPDF leadership (and others?) are part of the conflict system and there is no particular imperative/incentive for them to seek to engage with the other to end it.
- No “Hurting Stalemate”: Can the parties be tempted with enough carrots and beaten with enough sticks to take part in a process leading to a political settlement?

Is a Military Solution Possible?

- Political pragmatism or wishful thinking?
- There is an apparent convergence of views between the UPDF and a number of governments and INGOs that the best solution is one of defeating the LRA militarily and politically; (measuring success?)

Just two dilemmas:

- Many of their combatants are abducted child soldiers
- Even if successful there are downsides to the so called 'one bullet solution' (Angola)

The peacemaking roles of civil (and uncivil) society

- Engaging parties and their supporters in dialogue
- Calling on them to respect human rights and humanitarian law
- Lobbying for international intervention
- Traditional Acholi reconciliation ‘Matu Oput’ and the Amnesty Law

The intervention of a the ICC: an unfortunate first choice

- “More from the state-biased system”
- Is this intervention meant an instrument of war?
- The problem of timing

The Principle of non-subordination

- The need for understanding between the humanitarian – HR and conflict resolution approaches
- Mutually non-compromising
- A need for more dialogue, exchange and shared analysis?

Engaging with Armed Groups in Peace Processes

- The case for engagement
- Understanding them (not just analytically)
- ANSA's choices about peacemaking
- **Developing the capacity to engage**

Challenges for Peacemaking in Uganda:

- How do we get beyond the blunt instruments of inducements and conditionalities – sticks and carrots?
- Are there more tools in our box?
- How do we ensure that a process is created – steps and opportunities and capacities are supported which lead the conflict parties towards an agreed settlement?

Post-Conflict Sierra Leone

- 6 years after the Lome Agreement
- 3 years after the war is officially declared over
- The country faces the arrayed issues which brought it into war: Poverty, political, economic and social exclusion, bad governance and a dodgy neighbourhood and the challenge of 'dealing with the past'.

Transitional Justice Initiatives

- Special Criminal Court
- The Truth and Reconciliation Commission
- Social and economic reintegration of ex-combatants

Reflections

- When you do start dealing with the past? – Immediately!
- Importance of distinguishing how a state and how a society deal with the past
- No one can deal for you with your past

Constitution Making in Fiji

- 1987 coups
- Calls for support from the ousted government, TU's and the Churches
- 1990 "apartheid" Constitution
- 1993 - "entry point" "on the national agenda - TOR for a Constitutional Review Commission
- Formation of the CCF
- 1995 CRC established under the chairmanship of Sir Paul Reeves
- 1995-97 consultations on options for change (awareness raising and dialogue around comparative experiences)
- 96 Reeves Commission submits it 800 page report
- 1997 Constitution
- 1999 elections
- 2000 coup - business as usual (EC/ComSec)
- 2001 Chandrika Prasad Case (Restoration of the 97 Constitution)
- More Litigations - Prosecutions begin of some coup leaders
- 2006 elections (controversial and non-controversial issues)

CR and the Citizens' Constitutional Forum

- A civil society grouping of made up of academics, religious leaders, journalists and activists
- Members from all communities and faiths
- Suva - based
- Formed in partnership with International Alert and worked later with Conciliation Resources
- One of several rights and reconciliation focused initiatives to emerge
- Role shifted from conciliators and facilitators to advocates for change with correspondingly hostile relations with government

Why Representative Participation in the constitution-making process was not enough

- Coming out of a coup
- An ethnically divided state
- Problem with representation - no genuine non-racial or multicultural political representation
- Who had an interest in constructing a non-communally based governance system? - certainly not the parties (ie they lacked the conditions for fully representative politics)

Lessons from the Fiji Experience

- Contrasting Paradigms of CR and HR - the roles of convenors of processes and advocates for certain outcomes cannot both be effectively played - civil soc initiatives must choose - but inclusive processes of dialogue and problem solving do not happen without facilitation - civil society in such circumstances need resources for both roles
- For Conflict Prevention - the framing the debates and interventions for political change within the context of constitutional reform constantly re-affirms the rule of law - helping to avoiding non-constitutional (ie violent) methods;
- Does raising political awareness in the absence of political reform risk igniting rather than preventing violence? In Fiji it did not.
- It was civil society organizations (working with the judiciary) - not the international community - who returned Fiji to the rule of law

Some issues from Fiji

The international HR system needs to have stronger mechanisms for a more demand-led approach

- What support can be given to civil society when there is a constitutional coup? Who can they call on for a response?
- When civil society seek to engage in independent 'constitutional peacebuilding' activities who can they turn to for assistance?
- Where can civil society turn to when they seek to challenge their government in the courts?

Final Reflections

- **Principle of Non-Subordination**
- **The Value of Complementarity**
- **The important Case for Engaging with Armed Groups**
- **The Paramount Importance of Local Participation and Ownership**