

Democratic
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Getting a peace process back on track after a crisis



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Contents

Executive summary	5
Parked process	11
Southern Thailand.....	11
Challenges faced during the peace process	13
Elements of resolution of the crisis	15
Indonesia’s Aceh province	17
Challenges faced during the peace process	18
Elements of resolution of the crisis	19
Conclusion.....	22
A breaking of ceasefire	23
Northern Ireland, the 1996 Docklands bombing.....	25
Challenges faced during the peace process	14
Elements of resolution of the crisis	27
Conclusion.....	31
Renewed violence	35
Southern Philippines	35
2013 Zamboanga crisis in Philippines	36
Challenges faced during the peace process	36
Elements of resolution of the crisis	38
2015 Mamasapano incident in Philippines.....	39
Challenges faced during the peace process	41

Elements of resolution of the crisis	42
Conclusion.....	44
Spoiler activity.....	45
Inside spoiler	45
Outside spoilers.....	46
Northern Ireland	47
Challenges faced during the peace process	47
Elements of resolution of the crisis	47
Conclusion.....	49
Elections and polarisation.....	51
Challenges faced.....	52
Elements of resolution of the crisis	53

Executive summary

All conflicts, and therefore all peace processes, are different; each conflict presents a unique pattern, specific reasons for its inception and specific actors. However, substantial national and international experience in handling negotiations has shown that there are common factors and principles that can be considered in all cases. Of all armed conflicts that have come to a peaceful resolution since the mid-1980s, 75 per cent have done so via a negotiated settlement.¹ These settlements are not straight-forward, and it is precipitous to assume that a peace process does not encounter obstacles. This paper focuses on assessing common types of crises encountered during a peace process, the challenges actors have faced and how they overcame them. By looking at some major conflicts that have been settled through dialogue and mediation, we are able to determine the most favourable conditions for getting a process back on track after a crisis, with regard to issues that had precipitated the crisis.

The key to a successful peace process, despite any crisis that could occur, is to keep moving forward. We can compare the peace process to keeping a bicycle upright: “you have to keep the process moving forward, however slowly. Never let it fall over”.²

1 Vicenç Fisas, “The design and architecture of peace processes: lessons learned in the wake of crisis”, Norwegian Peacebuilding Resource Center, April 2015

2 K. Yildiz, S. Breau, *The Kurdish Conflict : International Humanitarian Law and Post-Conflict*, 2010

A crisis occurring in a peace process may be defined as any event happening inside or outside the frame of the process which destabilises, endangers, stalls, or even stops it. While there are many different types of crises that may throw a process off track, some of the main examples of crises which have been overcome are examined below.

This paper focuses on five types of crisis and uses major conflicts and peace processes as examples to outline the issues that can spark a crisis and the conditions to keep or get the peace process back on track. The crises analysed below highlight some of the most commonly faced obstacles that are encountered during a peace process.

- **Parked process**

A process gets parked at a point at which negotiations become stalled, with action and progress seemingly impossible on both sides. Reaching a stalemate is common in a peace process; however there are ways to overcome it. Conflicts become “ripe for resolution” in cases of a mutually harmful stalemate.³ When an attractive alternative is capable of creating a situation that is believed to be superior to remaining locked in stalemate, a mutually acceptable solution becomes viable.⁴

Attention is paid within this paper to the examples of insurgencies in Southern Thailand and Indonesia’s Aceh province, which were settled through negotiations after having reached a stalemate. In both cases, a neutral third party helped re-open dialogue by drafting a foundational document that allowed for dialogue to resume. Both cases also display a willingness to return to dialogue in which the parties recognised that they had reached a mutually harmful stalemate.

3 William Zartman, « The timing of peace initiatives : Hurting Stalemates and Ripe Moments », *The Global Review of Ethnopolitics*, September 2001

4 Colin P. Clarke, Christopher Paul, *From Stalemate to Settlement: Lessons for Afghanistan from historical insurgencies that have been resolved through negotiations*, RAND Corporation, 2014

- **A breaking of ceasefire**

A ceasefire demands a real and sincere commitment from both sides, which do not see the cessation of violence as an opportunity to re-arm. The breaking of a ceasefire often sparks violence and distrust among parties, making the peace process difficult to continue. However alternatives to a bilateral ceasefire do exist, such as a *tacit* ceasefire, which allows for violence to de-escalate and for dialogue to resume.

The Northern Ireland peace process faced and overcame a breaking of a ceasefire. Following disagreements with the British government, the Irish Republican Army (IRA) broke its seventeen-month ceasefire by perpetrating a bombing in London in 1996. This paper analyses key elements that allowed the process to resume, including the willingness to rebuild trust, the presence of a neutral third party, the involvement of new political actors and the set-up of a deadline for the parties to reach an agreement.

- **Renewed violence**

During a ceasefire, a renewal of violence may occur, signifying that tensions are still alive among the population. This may endanger the peace process by destroying trust and bringing suspicion and resentment between parties. The key to neutralising the negative effects of renewed violence is for the parties to trust each other's commitment to achieving a peaceful settlement. Frequent communication and demonstration of involvement and citizens' support are both examples of actions that could help bring the parties back to dialogue.

In the Southern Philippines, peace agreements were reached between the Philippines government and the two main insurgent groups, the Moro National Liberation Front (MNLF) and the Moro Islamic Liberation Front (MILF). Following misunderstandings, violence resurfaced during what is referred to as the Zamboanga crisis and the Mamasapano incident. In both cases, the parties re-affirmed their commitment to seek peaceful means of resolution and their willingness to settle tensions.

- **Spoiler activity**

Spoiler activity can be defined as violent and non-violent activities perpetrated by people who do not consider peace as beneficial to them and are willing to undermine peace settlement. A spoiler activity is usually led by dissident groups that emerge from the “mother” organisation. As in the case of renewed violence, frequent communication and demonstration of involvement could help bring the parties back to dialogue. Moreover, the peace process must address the legitimate concerns of all parties in order to be as inclusive as possible. An extension to the agreement previously reached could be a way to address the question of paramilitary groups – included or not in the agreement.

This paper analyses the spoiler activity which took place in Northern Ireland several months after the signing of the Good Friday Agreement in 1998. In this instance, The Real Irish Republican Army (Real IRA), a Provisional Irish Republican Army splinter group, detonated a bomb in Omagh. The Omagh bombing aimed to undermine the Good Friday Agreement, as the Real IRA disagreed with the IRA’s ceasefire and the associated terms of the

Agreement. However the bombing had the opposite effect and led the IRA and the British government to realise how desperately the peace process was needed. Subsequently, both parties re-affirmed their commitment to the Good Friday Agreement and declared that there was no support for this attack.

- **Elections and polarisation**

Societies that experience conflicts are prone to polarisation, which can be enhanced by the contest over political power witnessed during elections and the strong rhetoric sometimes employed. Polarisation causes people on the two sides to take increasingly extreme positions – becoming more and more opposed to each other. This often makes reconciliation and communication challenging and even impossible, endangering the peace process. In order to move forward in the process, polarisation must be softened by securing identities. To do so, each side should convince the other that it accepts their legitimacy, which could be coupled with mutual recognition through political representation. In such cases both parties may also need the help of media to promote a positive reinterpretation of their respective identities and of the peace process overall.

Parked process

Many processes face critical moments of “stalemate” before progress is made. This is the point at which negotiations become stalled, with action and progress seemingly impossible on both sides. This can happen for several reasons including:

- The different parties are not ready to compromise
- Misunderstanding occurring during the exploratory phase of the agreement
- Actors from one side changing and the new actors disagreeing with the terms of negotiations

The following two case studies demonstrate some of the causes leading to a “parked” process:

Southern Thailand

In 1948 ethnic and religious separatist insurgencies appeared, most predominantly in the Malay Patani Region of Southern Thailand. Five groups took part in the insurgency,⁵ including the Patani Malayu National Revolutionary Front (BNR-C). The insurgency became more violent from 2001, and in 2004, officials from the Thai government admitted that they were confronting a “concerted ethnoreligious insurgency with explicit political underpinnings.”⁶ In April 2005, the insurgency extended outside the insurgent-plagued provinces for the first time, with simultaneous explosions

5 The Barisan Revolusi Nasional-Koordinasi (BRN-C), the Runda Kumpulan Kecil (RKK), the Gerakan Mujahidin Islam Patani (GMIP), the Barisan Bersatu Mujahidin Patani (BBMP), the Patani United Liberation Organisation (PULO)

6 Peter Chalk, “The Malay-Muslim insurgency in Southern Thailand”, Rand Corporation, 2008

striking major buildings in three different cities in Thailand. This triggered widespread concern in Thailand and within the wider region.⁷ By 2006, the insurgency was marked by an explicit jihadist undertone, which had not appeared so apparent in previous years. Insurgent Islamist groups continued to perpetrate frequent attacks against establishments associated with Western secularism and against Buddhist monks and civilians, demonstrating a desire to foster inter-religious fear, conflict and hatred. Between 2004 and 2013, nearly 6,000 deaths were reported as being related to the conflict between Southern Thailand insurgents and the Thai government.

7 Peter Chalk, "The Malay-Muslim insurgency in Southern Thailand", Rand Corporation, 2008

Challenges faced during the peace process

Southern Thailand has experienced successive attempts at dialogue, often hampered by the insurgency leaders' anonymity and the scepticism of the public who feel "used to ineffective efforts to pacify".⁸ In February 2013, former Prime Minister of Thailand Thaksin Shinawatra initiated a dialogue with the help of Malaysia as a facilitator.⁹ Although this process, referred to as the Kuala Lumpur process, finally collapsed, it remains the most successful attempt to date. It succeeded in bringing the Thai government and representatives of the BRN-C group together in meetings and dialogue. Three dialogue sessions took place in total, which brought about changes in the dynamics of the conflict:

- It was the first time a Thai government acknowledged the *political* nature of the insurgency rather than referring to it as "people with different opinions and ideologies than the state".¹⁰
- BRN-C overcame its usual reticence and agreed to articulate a political platform and engage in dialogue.¹¹
- A suspension of hostilities was announced by Ahmad Zamzamin Hashim, Malaysian facilitator of the process, on 12 July 2013.

8 James Bean, "Thailand's little-known peace process", *The Diplomat*, July 2013, online: <http://thediplomat.com/2013/07/thailands-little-known-peace-process/>

9 Mr Thaksin Shinawatra initiated this dialogue with the help of incumbent Malaysian Prime Minister, Najib Razak and the Malaysian facilitator of Southern Thailand conflict, Ahmad Zamzamin Hashim.

10 James Bean, "Thailand's little-known peace process", *The Diplomat*, July 2013, online: <http://thediplomat.com/2013/07/thailands-little-known-peace-process/>

11 "Southern Thailand: Dialogue in doubt", *Report Asia* n°270, International Crisis Group, July 2015

Despite the progress outlined above, the process came to a halt. Highlighting elements of this process, which led to the stalemate, allows for a greater understanding of the dynamics that can lead to obstacles in this context:

- The insurgent groups faced a lack of capacity within the political wing and lack of unification of their demands.¹²
- The Thai government also lacks experience in negotiations of this kind and faced deep internal divisions.¹³
- The military's public scepticism about the process sparked distrust and tensions.
- The process has been criticised for not being inclusive enough.

12 Vicenç Fisas, "The design and architecture of peace processes: lessons learned in the wake of crisis", Norwegian Peacebuilding Resource Center, April 2015

13 "Southern Thailand: Dialogue in doubt", Report Asia n°270, International Crisis Group, July 2015

Elements of resolution of the crisis

Despite the collapse of the Kuala Lumpur process, actors of the ongoing conflict in Thailand proved their willingness to gather again and to find a solution through dialogue. After three years of resurging violence in Thailand, a new process of dialogue is due to resume in which Malaysia remains the facilitator. The actors are currently settling the Terms of Reference for the negotiations and are working to establish durable institutions and a favourable environment by preparing the public for peace talks.¹⁴ Several insurgent groups have joined together under the banner of the Patani Consultative Council (Majlis Syura Patani, MARA Patani) and are ostensibly ready to engage in a process, however, the commitment of BRN hardliners remains to be seen.¹⁵

14 “Southern Thailand peace process shows progress, gets closer to starting official negotiations”, The Borneo Post, February 2016, online: <http://www.theborneopost.com/2016/02/10/southern-thailand-peace-process-shows-progress-gets-closer-to-starting-official-negotiations/>

15 “How to end Thailand’s Southern Insurgency”, The Diplomat, May 2015, online: <http://thediplomat.com/2015/05/how-to-end-thailands-southern-insurgency/>

In this instance we can highlight key elements which allowed for dialogue to resume between the Thai government and the insurgent groups:

- Each side needed to settle its internal divisions before coming to talks. It is important that each party to the conflict is united in its approach regarding a peace process.
- The process has to include representatives of all relevant insurgent groups and representatives from all of the many aspects of civil society in order to be as fully inclusive as possible.
- The draft of a foundational document with which all the parties agree with can help the negotiations to re-start.
- The involvement of a neutral third party.
- The parties should prepare the public for peace talks so the peace process would gain support. The government and the insurgent groups can do so by displaying a positive image of peace, a better alternative than remaining locked in a parked process.¹⁶

16 Colin P. Clarke, Christopher Paul, *From Stalemate to Settlement: Lessons for Afghanistan from historical insurgencies that have been resolved through negotiations*, RAND Corporation, 2014

Indonesia's Aceh province

In 1976, the Free Aceh Movement, known as Gerakan Aceh Merdeka (GAM), was created. Its leader, Hasan di Tiro, declared Aceh province's independence from Indonesia and launched an insurgency against the Indonesian government. The centralist tendencies of then President of Indonesia, Suharto, were seen as a threat to Acehnese religion and culture. The perceived unfair distribution of Acehnese natural resources was also viewed as a reason for grievances. The conflict lay dormant for much of this period, but grew by the end of the 20th century. The ineffectiveness of the government that took over after the fall of the Suharto government is seen to have provided an opportunity for the insurgency to grow and to gain support among the Acehnese population. By 1999 both insurgent troops and the government's military presence had grown within Aceh province.

The first dialogue process between the Indonesian government and GAM started in 1999, bringing some hope of resolution to a conflict that claimed between 12,500 and 15,000 lives.¹⁷ The Centre for Humanitarian Dialogue initiated this process and was officially responsible for facilitating the peace process until 2003.¹⁸

17 Colin P. Clarke, Christopher Paul, *From Stalemate to Settlement: Lessons for Afghanistan from historical insurgencies that have been resolved through negotiations*, RAND Corporation, 2014

18 Humanitarian Dialogue website: <http://www.hdcentre.org/en/our-work/peacemaking/past-activities/aceh-indonesia/>

The first achievement was reached in May 2000, when the “Humanitarian Pause Agreement” was signed by the Indonesian government and GAM, which was then followed by the “Cessation of Hostilities Agreement” (COHA), signed in December 2002.¹⁹ The implementation of the COHA included the establishment of the Aceh Monitoring Mission, composed of the European Union, Switzerland, Norway and the Association of Southeast Asian nations.²⁰ These agreements resulted in a reduction from 20 to 30 armed clashes in Aceh province to none in a few months.²¹ However the COHA did not last long.

Challenges faced during the peace process

On May 2003, a joint council was convened in Tokyo to discuss disagreements over demilitarisation, yet failed to find a compromise. This failure led the Indonesian government to declare martial law in Aceh and announced that it wanted to destroy GAM once for all.²² The Centre for Humanitarian Dialogue acknowledged that the parallel political process was not sufficient at this time for engaging in talks about demilitarisation.²³

19 “Secretary-General welcomes “Humanitarian pause” Agreement between Indonesian Government and Aceh Movement”, UN Press Release SG/SM/7394, May 2000

20 Colin P. Clarke, Christopher Paul, *From Stalemate to Settlement: Lessons for Afghanistan from historical insurgencies that have been resolved through negotiations*, RAND Corporation, 2014

21 David Gorman *in* “The Relationship between State and Media and its effect on Conflict Resolution”, Roundtable Report, Democratic Progress Institute, June 2013

22 Aspinall, Edward, “The Helsinki Agreement: a More Promising Basis for Peace in Aceh?”, East-West Center, Washington, 2005

23 Aceh Initiative, Internal review from the Humanitarian Dialogue, Geneva, November 2003

Elements of resolution of the crisis

After the parking of the process, as described above, it remained stalled until 2005. Two events allowed for the rejuvenation of the peace process in 2004:

- The election of a new President, Susilo Bambang Yudhoyono.
- The worldwide focus on Indonesia that resulted from the 26th December tsunami.

In the immediate aftermath of the tsunami, GAM declared a unilateral cease-fire. The Centre for Humanitarian Dialogue (CHD) supervised several meetings held between officials from the Indonesian government and GAM, in order to engage both sides in talks. Negotiations were resumed under the auspices of the independent NGO, Crisis Management Initiative (CMI), and its Chairman Mr Martti Ahtisaari. The first round of negotiations took place in January 2005 in Helsinki and was the first face-to-face meeting between the parties since May 2003.²⁴

²⁴ “The Aceh Peace Process Follow-up project”, Crisis Management Initiative, online: <http://www.acehpeaceprocess.net/#>

This was followed by four more rounds of negotiations before the Helsinki Agreement was signed on August 2005. This agreement addresses the questions of:

- Governance of Aceh (including political participation, economy, rule of law and the governance of Aceh)
- Protection of human rights
- Amnesty process and the reintegration of combatants into society
- Security arrangements
- Dispute settlement
- Re-establishment of the Aceh Monitoring Mission composed of the European Union, Switzerland, Norway and the Association of Southeast Asian nations.

After nearly three decades of conflict in Indonesia's Aceh province, both parties engaged in dialogue but soon faced a stalemate. Two years later, dialogue resumed and led to the signing of the Helsinki Agreement. The success of the overall process can be attributed to several elements:

- The successive mediation of two independent organizations; the Centre for Humanitarian Dialogue and the Crisis Management Initiative. CHD facilitated the dialogue and implemented a negotiation process. CMI prepared a draft Memorandum of Understanding and led the process until the Agreement was reached.
- The work of the monitoring mission was composed of both committed European and Asian countries. Third party neutral countries are often essential to supervise a peace process, and the active involvement of neighbouring countries can also assist in achieving peace.
- A change of mind from both sides, namely because the conflict reached a point where no side was able to win anymore. This point has been referred to as a Mutually Hurting Stalemate.²⁵
- The need for the Aceh province to be rebuilt after the tsunami, which destroyed many villages and even wiped out some of them.

25 William Zartman, « The timing of peace initiatives : Hurting Stalemates and Ripe Moments », *The Global Review of Ethnopolitics*, September 2001

Conclusion

When a peace process is parked, violence and armed clashes often resume and may even worsen. However, as violence grows, parties in the conflict also become more amenable to finding ways out of the conflict, including negotiated settlement. Parked processes become “ripe for resolution” in cases of a mutually hurting stalemate, which occurs when all the parties find themselves locked in a state which is detrimental to each actor, though not necessarily to equal degrees or for the same reason. This “mutually hurting stalemate” can increase the desirability of peaceful resolution, which may serve as a superior alternative to remaining locked in stalemate. This means a mutually acceptable solution becomes possible.²⁶

26 Colin P. Clarke, Christopher Paul, *From Stalemate to Settlement: Lessons for Afghanistan from historical insurgencies that have been resolved through negotiations*, RAND Corporation, 2014

A breaking of ceasefire

While it is usually only possible to start the process of disarmament, demobilisation and reintegration (DDR) in the final stages of the negotiation process, a ceasefire can be implemented earlier in order to prevent the process from collapsing due to violence or attacks. A bilateral ceasefire may be difficult to implement, and in this case, a *tacit* ceasefire can often be reached through a “de-escalation of the conflict with zero deaths”.²⁷ A ceasefire demands a real and sincere commitment from both sides that do not see the cessation of violence as an opportunity to re-arm.

Northern Ireland, the 1996 Docklands bombing

The conflict in Northern Ireland can be traced back to English and Scottish settlers who migrated to Northern Ireland in the 1600s. These predominantly Protestant settlers dominated social and political life in the Ulster region of Ireland and discriminated against the indigenous Catholic population, extending their influence throughout the island. In 1801, the Irish Parliament was abolished and Ireland was formally incorporated into the United Kingdom.

In 1919, Irish republicans instigated the Irish war of independence. In 1920 the British Government passed the Government of Ireland Act which partitioned Ireland into the Protestant-dominated north and Catholic-dominated south. In 1921, the south of Ireland became an independent republic whilst the northern section remained under UK sovereignty.

²⁷ Vicenç Fisas, “The design and architecture of peace processes: lessons learned in the wake of crisis”, Norwegian Peacebuilding Resource Center, April 2015

Between 1920 and 1972 the devolved government in Northern Ireland exercised considerable autonomy. The Protestant community generally favoured continued union with the United Kingdom, lending them the name ‘Unionists’ or ‘Loyalists’. The Catholic community generally favoured the idea of a united Irish Republic, causing them to be called ‘Nationalists’ or ‘Republicans’. The political sphere was dominated by Protestants, which led to widespread civil rights violations against the Catholic minority. The inability of the state to address these social inequalities harboured resentment between the two communities and in 1966 inter-communal fighting broke out in the North. This period from the late 1960’s, to the signing of the Good Friday Agreement in 1998, came to be known as ‘The Troubles’.

However, from 1972 onwards, secret backchannel negotiations began to open between the British government and Republican groups, which were often facilitated by civil society actors. These negotiations gave both sides a more nuanced idea of their opposition’s aims and objectives, and demonstrated to Republican paramilitary groups that the British may be willing to negotiate an end to the conflict. During the 1970s and 1980s however, the British government publically stated that they would not negotiate with the IRA. These backchannel discussions therefore laid the basis for open negotiations in the 1990’s where both sides could anticipate a chance of success.

In 1993 the British Prime Minister, John Major, and the Taoiseach (Prime Minister) of the Republic of Ireland, Albert Reynolds, issued the ‘Downing Street Declaration’ which committed both states to

respect the right of Northern Irish citizens to self-determination. This also affirmed the right of the Northern Irish population to transfer sovereignty of the North from the United Kingdom to the Republic of Ireland if the majority of the population wished to do so. The declaration was followed by a ceasefire by the IRA and several prominent Loyalist paramilitaries.²⁸

Challenges faced during the peace process

The ceasefire collapsed less than two years later on 9 February 1996 with the Docklands bombing at Canary Wharf district in London. A large bomb, planted by the IRA, killed two people and caused significant damage to the city. The IRA declared the end of the ceasefire one hour before the bombing.

*"It is with great reluctance that the leadership of the IRA announces that the complete cessation of military operations will end at 6pm on February 9. As we stated on August 31, 1994, the basis for the cessation was to enhance the democratic peace process and to underline our definitive commitment to its success. [...] Instead of embracing the peace process, the British government acted in bad faith with Mr Major and the Unionist leaders squandering this unprecedented opportunity to resolve the conflict. Time and again, over the last 18 months, selfish party political and sectional interests in the London parliament have been placed before the rights of the people of Ireland. [...] The resolution of the conflict in our country demands justice. It demands an inclusive negotiated settlement. That is not possible unless and until the British government faces up to its responsibilities. The blame for the failure thus far of the Irish peace process lies squarely with John Major and his government."*²⁹

28 "The Belfast Project : an overview", Democratic Progress Institute, London, November 2014

29 Statement ending the ceasefire, February 1996, online: <http://cain.ulst.ac.uk/events/peace/docs/ira9296.htm>

The IRA blamed then British Prime Minister, John Major, for refusing to allow Sinn Féin – a political party linked to the IRA – into the talks until the IRA decommissioned its arms. The IRA refused to disarm until an agreement was reached. The issue of decommissioning grew larger and was at the core of the reasoning for the bombing. Moreover, after Major's Government lost its majority in Parliament, it was reliant on unionist votes to stay in power and was therefore suspected of harbouring pro-unionist sympathies. Two main elements led the IRA to break its ceasefire:

- The IRA blamed the British government for acting in bad faith and felt that political interests were considered more important than the peace settlement. These kinds of perceptions could bring suspicion and hostility between the parties.
- The IRA blamed the non-inclusiveness of the talks, as Sinn Féin was not allowed to enter them. Inclusive talks are essential for a peace process to succeed; it has to include representatives of all relevant insurgent groups and representatives from all of the many aspects of civil society.

Elements of resolution of the crisis

At that time, many thought that the negotiations were dead, but political and civil actors were strongly engaged in getting back the belligerents to the negotiations table and found innovative methods to do so. One week after the Docklands bombing and the end of the ceasefire, peace rallies were organized across Northern Ireland. On the political side, John Major and John Bruton, the British and Irish prime ministers, acknowledged that it was imperative to reinstall trust and confidence among the negotiators. They decided to restart the pre-negotiations phase with “proximity talks” set on the 10th of June 1996. The pre-negotiation phase is essential for a peace process to be successful.³⁰ Many issues can be addressed during this phase, including:

- Encouraging parties to commit to negotiations
- Identifying and removing obstacles to negotiations
- Specifying and solving internal differences so each party can speak through a chosen spokesperson
- Speaking about differences that keep parties away from each other
- Getting the parties to agree on a common definition of the problem
- Getting the parties to negotiate: both parties need to acknowledge that the current situation is not acceptable anymore and that they can reach a fair settlement
- Settling an equal balance of power

30 Harold Saunders, “We need a larger theory of negotiation: the importance of pre-negotiation phases”, online: <http://www.colorado.edu/conflict/peace/example/saun7530.htm>

- Arranging for the negotiations to be held: time, location, but also participants, negotiating strategy and guiding principles

The involvement of the United States Special Envoy for Northern Ireland, George Mitchell, from 1995 was crucial. He led a commission that established six principles on non-violence, which all parties to the negotiations had to adhere to. The Mitchell Principles addressed the questions of disarmament and banned the use of force. All parties involved in negotiations had to affirm their commitment to:

- Democratic and exclusively peaceful means of resolving political issues;
- The total disarmament of all paramilitary organisations;
- Agree that such disarmament must be verifiable to the satisfaction of an independent commission;
- Renounce for themselves, and to oppose any effort by others, to use force, or threaten to use force, to influence the course or the outcome of all-party negotiations;
- Agree to abide by the terms of any agreement reached in all-party negotiations and to resort to democratic and exclusively peaceful methods in trying to alter any aspect of that outcome with which they may disagree;
- Urge that "punishment" killings and beatings stop and to take effective steps to prevent such actions.

If a stable environment is essential for starting public negotiations, a requirement to disarm prior to commencing the negotiations serves only to complicate matters.³¹ The Docklands bombing was a reaction to the condition upon the IRA to disarm before Sinn Féin, the political party historically associated to the IRA, would be invited for negotiations. The Mitchell Principles overcame this disagreement by stating that parties to the talks were committed to disarm, but that decommissioning should take place during all-party talks – not before – and that this will be done in a “twin-track” process. Thus, immediate disarmament was no longer a requirement for parties to enter negotiations and confidence measures were built, opening the path to further negotiations. Sinn Féin agreed to the Principles in 1997.

Along with the Mitchell Principles, several steps were taken:

- A date for all-party talks to start was set between the British and Irish prime ministers.
- Elections to determine who would take part in the talks were announced. The Northern Ireland (Entry to Negotiations) Act was passed at Westminster on April 1996. This platform created provisions for elections in Northern Ireland for the purpose of providing delegates for negotiations and led to the creation of the Northern Ireland Forum.
- On May 1997, Tony Blair was elected as the new British Prime Minister. He endorsed the Framework Documents published in 1995,³² the Mitchell Report

31 Vicenç Fisas, “The design and architecture of peace processes: lessons learned in the wake of crisis”, Norwegian Peacebuilding Resource Center, April 2015

32 The Documents included a New Framework For Agreement and a Framework

and the criteria for inclusion in all-party talks. Contrary to John Major's Government, which depended on the support of the Unionists after losing its majority in Parliament, the new Prime Minister was not held by promises. He stated that officials would meet Sinn Féin to clarify certain issues.

- On June 1997, the Irish and British Prime Ministers asked the IRA to call for a new and unequivocal ceasefire. This demand was soon followed by the President of Sinn Féin, Gerry Adams. On 20 July 1997, the IRA renewed the 1994 ceasefire; Sinn Féin was invited to take part in the Stormont talks one month later.
- On August 1997, the British and Irish governments signed an agreement to set up an Independent International Commission on Decommissioning (IICD).

Bombings and violence went on while negotiations were held and disagreements came from members of Sinn Féin, which suffered resignations. Yet this did not prevent the Chairman of the talks, George Mitchell, from setting a deadline for an agreement when he felt the negotiations were on the right path. The Good Friday Agreement was finally reached the day after the deadline, on 10 April 1998.

for Accountable Government in Northern Ireland, which proposed a single-chamber 90-member Assembly, to be elected by proportional representation.

Conclusion

The Docklands Bombing Crisis endangered the Northern Ireland peace process by putting an end to the ceasefire. However, it did not put an end to the relations between the parties at conflict, who managed to reach a peace agreement only two years after the break in the ceasefire. We can therefore draw some lessons from this process:

- **Rebuild trust**

The first and most important step that was taken following the cessation of the ceasefire was to maintain the dialogue between the parties. After the bombing, trust had been damaged but the dialogue opened the door to mutual understanding. It led the parties to agree on principles in order to resume negotiations in a respectful atmosphere. When trust collapses or is not possible to reach, mutual understanding is a close alternative that should be sought.

Even though it has not been settled during the Northern Ireland peace process, a verification mechanism could help rebuild trust among parties, especially if it is a joint one. A verification team is responsible for analysing any complaints regarding violations of the ceasefire and has the power to take decisions to resolve this situation.³³

33 Vicenç Fisas, “The design and architecture of peace processes: lessons learned in the wake of crisis”, Norwegian Peacebuilding Resource Center, April 2015

- **Neutral third party actor**

Mediation led by a neutral person is essential in a peace process. The United States Envoy, George Mitchell, had an important role in the process that led to the Belfast Peace Agreement, also known as the Good Friday Agreement. He led a commission establishing the six principles on non-violence, which were a strong basis for the all-party negotiations that he subsequently chaired. Approaching the deadline for the agreement to be reached, Bill Clinton, then President of the United States, made direct contact with party leaders, to encourage them to reach an agreement; demonstrating the significance placed on the process by the US and their vital role in moving it forward successfully.

Nowadays, some 80 per cent of all negotiations seek the facilitation of third parties in order to reach an agreement, and the role of neutral actors is largely seen to be a key element of successful peace processes today.³⁴

- **The Draft of a foundational document**

The Mitchell Principles allowed for the talks to resume by determining main principles that the parties would agree to commit to. When a crisis has endangered or stopped a peace process, drafting main principles that the parties could agree upon has served as a way to remind them of the common ideas and hopes that they share. This helps to rebuild trust and get people back to the table of negotiations.

³⁴ Vicenç Fisas, “The design and architecture of peace processes: lessons learned in the wake of crisis”, Norwegian Peacebuilding Resource Center, April 2015

The Mitchell Principles also allowed for the question of implementation and the suspension of military operations to be addressed.

- **New political actors**

We noticed that the election of Tony Blair as British Prime Minister helped the process. For a long-drawn process facing many crises, the arrival of new political actors that are not bound by previous promises may be beneficial. They can bring dynamism and fresh ideas to the peace process. However, it should be noted that it is often necessary that they agree with and endorse steps taken by their predecessors.

The Northern Ireland's Women Coalition (NIWC) is another example of new political actors changing the dynamics of the peace process. The NIWC was a non-sectarian political party, as seen in the composition of its members. This ethos was especially important during a peace process that sought to heal sectarian divides. The NIWC's approach to the peace process was defined by the pursuit of equality, human rights, and the inclusion of women. Significantly, the NIWC did not take a position on whether Northern Ireland should be a part of the United Kingdom or the Republic of Ireland, but strongly opposed sectarian violence from both sides. In addition, it sent cross community representatives to the negotiating table, one from the Republican community and one from the Unionist community. These actions encouraged peace and reconciliation in Northern Ireland, and were also significant in terms of addressing women's concerns at the negotiating table, and bringing a gendered lens to the GFA.

- **Deadline for an agreement**

When negotiations have gone far enough and an agreement is within reach, the Chairman of the talks can set a deadline. This is a means by which to make the negotiations constructive and to provide a concrete goal for the participants.

- **The “abandonment of arms”**

This expression has been used by the Revolutionary Armed Forces in Colombia (FARC). This is a subtle use of language that conceals an intention to stop using the arms for a time and then hand them over to an international commission, rather than hand them over to the armed forces and government, which the group would consider a humiliating act. This option may be difficult for the government to accept, but it should not be ignored as the aim is for the arms to be rendered inoperable, decommissioned and if possible, destroyed.³⁵

35 Vicenç Fisas, “The design and architecture of peace processes: lessons learned in the wake of crisis”, Norwegian Peacebuilding Resource Center, April 2015

Renewed violence

During a cease fire, a renewal of violence may occur between populations or from dissident groups. That proves that tensions are still alive and have not been quietened by the peace process. Renewed violence may endanger the peace process by destroying trust and bringing suspicion and resentment between parties. The purpose of renewed violence is not to achieve anything directly, but rather to exacerbate doubts. It usually aims at preventing the implementation of the peace by playing on uncertainty between the parties in conflict. We may describe the process as follows: “each side fears that though it may carry out its side of the bargain, the other side will not, catapulting it back to war on disadvantageous terms.”³⁶ Therefore, renewed violence during a peace process may lead to a rejection of a peace settlement, even though majorities on both sides initially favoured the peace agreement.

Southern Philippines

The conflict in the Southern Philippines has been concentrated in the areas where a sizeable Muslim population is found, with various armed groups claiming to represent ‘Moro’ – i.e. Muslim – grievances and aspirations for an independent homeland. This conflict first erupted in the late 1960s and early 1970s in a major armed conflict in the Southern Philippines. Subsequent decades have been characterised by a mixture of accommodation, informal live-and-let-live arrangements, and institutionalised experiments with special autonomy. At the same time, there has been an enduring armed presence and recurring outbreaks of violence

³⁶ Andrew Kydd and Barbara F. Walter, “Sabotaging the Peace: The Politics of Extremist Violence”, International Organization, 2002

among the diverse Muslim and government security forces still active in the region.³⁷

2013 Zamboanga crisis in Philippines

The Moro National Liberation Front (MNLF) was founded in 1969 and took the unprecedented step of calling for an independent homeland for the Bangsamoro people – the people of the ‘Moro’ nation – and mounting an armed guerrilla struggle against the government in support of this goal.

In September 1996, after several agreements, the Philippine government and the insurgents finalized the peace process by signing the Final Peace Agreement. Per the terms of the agreement, the MNLF was granted a degree of autonomy within the territory as outlined in the Tripoli Agreement.³⁸ The Autonomous Region for Muslim Mindanao (ARMM) would remain part of the national territory of the Republic of the Philippines, and the country’s president would retain supervisory control over the regional governor. The 1996 agreement also required the government to provide amnesty to approximately 7,000 insurgents. Many former MNLF members have successfully reintegrated back into society, including the political system.³⁹

Challenges faced during the peace process

The late 1970s and early-mid 1980s saw a discernible lull in the

37 “Briefing Paper: Prospects and Problems for Peace in the Southern Philippines”, Democratic Progress Institute, London, December 2012

38 The Tripoli Agreement was signed in 1976 with the help of the Organisation of the Islamic Conference as facilitator and allow for a cease fire to be reached.

39 Colin P. Clarke, Christopher Paul, *From Stalemate to Settlement: Lessons for Afghanistan from historical insurgencies that have been resolved through negotiations*, RAND Corporation, 2014

conflict in the southern Philippines, even as complex patterns of co-optation and “factionalisation” began to erode the organisational and ideological coherence of the struggle for an independent Moro homeland. Some factions within the MNLF were unsatisfied with the outcome of the peace process and the MNLF’s leadership. This led to the fragmentation of the MNLF, as exemplified by the formation of a splinter group known as the Moro Islamic Liberation Front (MILF) in 1977. It claimed to re-articulate the aspirations for independence among the ‘Moro’ population of the Philippines in distinctly Islamic rather than more secular and communal Muslim nationalist terms.⁴⁰

Over the course of 2011 and 2012, negotiations proceeded in Malaysia between the Philippine government and the MILF which led to a framework agreement announced in October 2012. It created the Bangsamoro Basic Law (BBL), a bill which proposed the establishment of a new autonomous political entity known as the Bangsamoro Autonomous Region.⁴¹ However, this sparked unintended consequences: the 2012 Agreement looked to supplant the 1996 Final Peace Agreement signed by the Philippines government and the MNLF by replacing the ARMM with the Bangsamoro Autonomous Region.⁴² This resulted in the MNLF proclaiming the independent state of Bangsamoro Republic in August 2013 – widely unrecognised both internationally and by the Philippine government – and entering the city of Zamboanga

40 “Briefing Paper: Prospects and Problems for Peace in the Southern Philippines”, Democratic Progress Institute, London, December 2012

41 Bangsamoro is the proposed autonomous region for Moro people, in Mindanao island, Southern Philippines

42 “What the Philippines 2016 elections mean for the Mindanao Peace Process”, The University of Nottingham, February 2016, online: <http://nottspolitics.org/2016/02/17/what-the-philippines-2016-elections-mean-for-the-mindanao-peace-process/>

in September 2013, referred to as the Zamboanga crisis. The group captured hostages and attempted to raise the flag of Bangsamoro Republic at the city hall. During 20 days, violent clashes occurred around the city between MNLF and government forces, causing the displacement of 100,000 people and the occupation of several villages by MNLF forces. While all of the hostages were recovered and the self-proclaimed Bangsamoro Republic ceased to exist, the fighting caused economic damage as well as the deaths of 12 civilians.⁴³

Whereas the Philippine government and the MNLF had settled armed clashes through a peace agreement, the 2012 Framework Agreement on the Bangsamoro awoke disagreements and anger. This demonstrated the difficulties faced in achieving and more importantly, maintaining, long lasting peace in the Philippines through an inclusive peace process.

Elements of resolution of the crisis

Amid this new rise in violence, the President of the Philippines, Benigno Aquino, stated that he remained willing to discuss the peace Agreement with the MNLF. The MNLF leaders sought for non-violent ways to seek independence. They endorsed the BBL, seeing it as the best option on the table for a peaceful transition. This incident has not distracted from the peace process with MILF. However, it does highlight that there are several groups operating in the region.⁴⁴

43 “Philippines Peace Process: an update from 2012-2015”, Democratic Progress Institute, London, June 2015

44 “Philippines Peace Process: an update from 2012-2015”, Democratic Progress Institute, London, June 2015

The Zamboanga crisis could have damaged the relations between the Philippine government and the MNLF, possibly leading to the resumption of hostilities, but both parties' experience of conflict pushed them to choose a peaceful way to settle the crisis. They did so by:

- Settling tensions rather than worsening them through belligerent rhetoric.
- Following the crisis, the President of the Philippines quickly declared that he remained willing to negotiate.
- Showing commitment to seek peaceful means of resolution.

The insurgents declared they would ask for independence through non-violent ways and endorsed the Bangsamoro Basic Law, which they first disagreed with.

2015 Mamasapano incident in Philippines

The Moro Islamic Liberation Front (MILF) emerged from a fragmentation of the Moro National Liberation Front (MNLF) in 1977. It claimed to re-articulate the aspirations for independence among the 'Moro' population of the Philippines in distinctly Islamic rather than more secular and communal Muslim nationalist terms.⁴⁵ Complex patterns of co-optation and "factionalisation" began to erode the organisational and ideological coherence of the struggle for an independent Moro homeland.

Over the course of 2011 and 2012, negotiations proceeded in Malaysia between the Philippine government and the MILF. These negotiations were facilitated by the Malaysian government and

⁴⁵ "Briefing Paper: Prospects and Problems for Peace in the Southern Philippines", Democratic Progress Institute, London, December 2012

an International Contact Group (ICG) comprised of the British, Japanese, Turkish, and Saudi Arabian governments and a small group of international NGOs, namely the San Francisco-based Asia Foundation, the Geneva-based Centre for Humanitarian Dialogue, the London-based Conciliation Resources, and the Indonesia-based Islamic association Muhammadiyah. These negotiations have borne fruit in the form of a framework agreement that was announced in October 2012.⁴⁶

The Framework Agreement on the Bangsamoro provided a general framework in which both parties could enter detailed peace negotiations. The successive peace negotiations were split into four parts; the final part, titled the Comprehensive Agreement on the Bangsamoro, signed in March 2014, looked to resolve a range of issues, from disarmament to autonomy, with the target of setting up a regional government by 2016.⁴⁷

46 “Briefing Paper: Prospects and Problems for Peace in the Southern Philippines”, Democratic Progress Institute, London, December 2012

47 “Philippines Peace Process: an update from 2012-2015”, Democratic Progress Institute, London, June 2015

Challenges faced during the peace process

Despite the 2014 declaration being signed, clashes between MILF and the government have persisted. On 25th January 2015, 44 Filipino police officers were killed in Mamasapano, Mindanao, in pursuit of a member of the Bangsamoro Islamic Freedom Fighters (BIFF), a MILF splinter group not involved in the peace process. This created difficulties of trust for both sides:

- On the government side, there was a sense of distrust and anger over the death of 44 police officers.
- The MILF was angered at the government presence in Mamasapano, as under the 2014 Agreement, government forces should coordinate with MILF fighters when entering “rebel territory”.⁴⁸

48 “Philippines Peace Process: an update from 2012-2015”, Democratic Progress Institute, London, June 2015

Elements of resolution of the crisis

There was general anxiety on both sides over how this incident might affect the peace process. However both sides declared violence to be an accident and reconfirmed their commitment to the 2014 Agreement. The MILF offered to help find Zulkifli Abdhir and Abdul Basit Usman, the two targets of the operation that the government forces were looking to capture.⁴⁹

From this example, we can highlight key elements which allowed for the Mamasapano incident to be settled peacefully:

- The willingness from both sides to alleviate the tensions rather than worsening them with belligerent rhetoric. Both sides declared violence to be an “accident” and went on with negotiations.
- A neutral institution to conduct an investigation on prospective violation by any side of the Agreement previously signed. A Senate investigation concluded that the Philippines National Police (PNP), in launching the operation, violated protocol by failing to inform and coordinate with relevant agencies.⁵⁰
- Re-affirmation by both sides of the commitment to the Agreement previously signed. In this case, the MILF offered to help find the two targets of the Philippines government operation.

49 “Philippines Peace Process: an update from 2012-2015”, Democratic Progress Institute, London, June 2015

50 “What the Philippines 2016 elections mean for the Mindanao Peace Process”, The University of Nottingham, February 2016, online: <http://nottspolitics.org/2016/02/17/what-the-philippines-2016-elections-mean-for-the-mindanao-peace-process/>

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The Mamasapano incident had significant repercussions for the passing of the Bangsamoro Basic Law in the Philippines Senate, which has currently been suspended. In May 2016 a new President of the Philippines was also elected, and it remains to be seen whether the change in leadership will have an impact on the peace process. The 2014 Agreement remains binding, which means that the new administration must find a way to implement it. However, it will take strong political will from the new government to engage with the disillusioned local communities throughout the process and to maintain the peace in Bangsamoro.⁵¹

51 “Philippines Elections 2016 and the Mindanao Peace Process”, International Institute for Democracy and Electoral Assistance, 2015, online: <http://www.idea.int/asia-pacific/philippine-elections-2016-and-the-mindanao-peace-process.cfm>

Conclusion

Thus, we can assess that renewed violence may succeed in destroying a peace settlement if it fosters mistrust between the groups that have attempted to implement the deal. For a peace process to be fulfilled, even in case of renewed violence, the parties need to trust each other's commitment to peace settlement. Removing the inherent doubts about the intentions of both sides will neutralise the negative effects of renewed violence. To do so, both parties may:

- Create ways to communicate frequently and easily, so they can avoid relying on biased means of information or interpreting actions of dissident groups.
- Openly demonstrate willingness and involvement from citizens to support the peace process.
- Show willingness to settle tensions.
- Re-affirm their commitment to any previous signed agreement and show commitment in seeking peaceful means of resolution.

Spoiler activity

A spoiler activity can be defined as a violent or non-violent activity perpetrated by a person or group who do not consider peace to be beneficial for them and who are willing to undermine progress towards a peace settlement. Some distinguish between outside and inside spoilers.

Inside spoiler

An inside spoiler could be defined as someone who agreed to and signed a peace agreement but then failed to fulfil their obligations.⁵² Such a crisis occurred during the Lebanese Civil War, which started in 1975. Israeli forces invaded Lebanon and besieged Beirut in 1982 as a result of its instability. However, in May 1983, Lebanon and Israel reached an agreement that put an end to the state of war between the two countries. This provided the impetus for a staged withdrawal by Israeli forces, on the condition of the establishment of a Lebanese Army "security zone" in South Lebanon along the border area. However, the confessionalist government of Lebanon that had signed the agreement collapsed in February 1984, preventing Lebanon from keeping its side of the agreement. The conflict was eventually ended thanks to the creation of a tripartite commission composed of Saudi Arabia, Morocco, and Algeria who helped brokered the Taif Agreement in 1989.⁵³

52 Stephen J. Stedman, "Spoiler Problems in Peace Processes," in Stern, Paul and Druckman, eds. *International Conflict Resolution After the Cold War*, Washington, DC: National Academies Press, 2000.

53 Colin P. Clarke, Christopher Paul, *From Stalemate to Settlement: Lessons for Afghanistan from historical insurgencies that have been resolved through negotiations*, RAND Corporation, 2014

Outside spoilers

We focus here on outside spoilers; parties who are excluded or who exclude themselves from the peace process and aim at hindering, delaying or undermining the conflict settlement. It is important to appreciate that not all conflicts can be resolved by accommodation, nor can every conflict find a solution that addresses the demands of all the warring parties. All parties do not necessarily seek peace; some groups have clear incentives for the continuation of violent conflict.⁵⁴ Moreover, spoiling has an inherently subjective component: one side's reasonable demands may be perceived as spoiling by the other side.⁵⁵

Spoilers actively seek to undermine the peace process through a variety of means and for a variety of motives. The most commonly used tactics include the assassination of moderates and the creation of alliances with conservative members in the armed forces and police to sabotage any agreement.⁵⁶ Such activities are usually led by dissident groups that emerge from the “mother” organisation. Responding to the imperative to demonstrate their existence and signal their dissent, they can often be more violent than the initial organisation.⁵⁷

54 Stephen J. Stedman, "Spoiler Problems in Peace Processes," in Stern, Paul and Druckman, eds. *International Conflict Resolution After the Cold War*, Washington, DC: National Academies Press, 2000.

55 “The impact of Spoiler on Peace Processes and Peace Building”, United Nations University, Policy Brief, 2006

56 Stephen J. Stedman, "Spoiler Problems in Peace Processes," in Stern, Paul and Druckman, eds. *International Conflict Resolution After the Cold War*, Washington, DC: National Academies Press, 2000.

57 Colin P. Clarke, Christopher Paul, *From Stalemate to Settlement: Lessons for Afghanistan from historical insurgencies that have been resolved through negotiations*, RAND Corporation, 2014

Northern Ireland

See page 13 for more detailed explanations on the Northern Ireland conflict.

Challenges faced during the peace process

On August 1998, the Real Irish Republican Army, a Provisional Irish Republican Army splinter group, detonated a bomb in Omagh, a Northern Irish city steeped in religious symbolism. The bombing was carried out to signal the Real IRA's opposition to the IRA's ceasefire and the Good Friday Agreement.

The factions within the IRA who could not accept the ceasefire and the Agreement posed a serious threat to enduring peace as the conclusion of The Troubles was so nascent. Their violent actions, such as the Omagh bombing which killed 31 people, could have been enough to destroy the peace process.

Elements of resolution of the crisis

However the Omagh bombing had the opposite effect and led the IRA and the British government to realise how necessary the peace process was and how much they were committed to peace settlement through the implementation of the Good Friday Agreement.⁵⁸

58 "Keeping a peace process on track, a Comparative Study Visit report Dublin, Dundalk and Belfast, 19th – 23rd April 2015", Democratic Progress Institute, London

A referendum was held on May 1998 in order for citizens to register support for the Belfast agreement. Catholics and Protestants voted overwhelmingly for peace, and the mandate provided by this highly public referendum helps to explain why terrorist violence subsequently declined and why attacks such as the Omagh bombing failed to undermine the peace process.⁵⁹ There was no popular support for the Real IRA's Omagh bombing.⁶⁰

Key elements can be drawn from the way this crisis was overcome:

- Both sides should be committed to the implementation of the agreement previously signed.
- Each side should have trust in other's willingness to settle peace by peaceful means.
- Any process should pass some type of public referendum or plebiscite. Active engagement of civil society in a peace process is essential for assuring democratic accountability by the parties to a conflict.⁶¹

59 Andrew Kydd, Barbara F. Walter, "Sabotaging the Peace: The Politics of Extremist Violence", *International Organisation*, Spring 2002

60 "Keeping a peace process on track, a Comparative Study Visit report Dublin, Dundalk and Belfast, 19th – 23rd April 2015", Democratic Progress Institute, London

61 "The Relationship between State and Media and its effect on Conflict Resolution", Democratic Progress Institute, Roundtable Meeting, Mardin, June 2013

Conclusion

Peace processes may attract spoilers but measures can also be taken in order to prevent them from achieving their goal of undermining the peace process.

The same advice as for a renewal of violence can apply:

- Create ways to communicate frequently and easily, so they can avoid relying on biased means of information or interpreting actions of dissident groups.
- Openly demonstrate willingness and involvement from citizens to support the peace process.
- The peace process must accommodate the legitimate concerns of all parties to the greatest extent possible and be sensitive to the concerns of weaker groups so they will not feel that peace is settled against them.
- The peace process must seek not only to secure immediate goals such as peace and stability but also shared principles, human rights and the rule of law.
- It is essential that the leaders of the protagonists are legitimate representatives so they can represent their constituents' goals, but also exert control over their constituents' behaviour.⁶²
- Introduce a unifying figure with responsibility for bringing the dissident groups to talks may create a path to a common agenda. This figure may be internal or external to the armed group.⁶³

62 "The impact of Spoiler on Peace Processes and Peace Building", United Nations University, Policy Brief, 2006

63 Vicens Fisas, "The design and architecture of peace processes: lessons learned in the wake of crisis", Norwegian Peacebuilding Resource Center, April 2015

- The presence of an armed group on terrorist lists can be a disadvantage to making progress in a negotiation. The withdrawal of this restriction could serve as an incentive.⁶⁴
- Should economic sanctions exist, their withdrawal could also serve as an incentive.⁶⁵
- After a peace agreement is reached, the parties may agree on a new extension to the agreement, which would address the question of paramilitary groups – included or not in the peace agreement previously signed. For example, in Northern Ireland, the document entitled “A Fresh Start: The Stormont Agreement and Implementation Plan” was reached in November 2015 and addressed the question of paramilitary groups which are still working.⁶⁶

64 Vicenç Fisas, “The design and architecture of peace processes: lessons learned in the wake of crisis”, Norwegian Peacebuilding Resource Center, April 2015

65 Vicenç Fisas, “The design and architecture of peace processes: lessons learned in the wake of crisis”, Norwegian Peacebuilding Resource Center, April 2015

66 “A Fresh Start from Northern Ireland”, Democratic Progress Institute, London, March 2016

Elections and polarisation

As the electoral process represents the transfer of a dispute and the means to resolve it from the battlefield to the ballot box, through a contest over political power, it could serve to disrupt and endanger a peace process. An election can change the overall political landscape and balance of power, especially among a divided and traumatised society that is emerging from conflict.⁶⁷

Societies that experience conflicts are often prone to polarisation, which can be enhanced by elections and the strong rhetoric sometimes employed throughout the process. Polarisation is the process that leads previously impartial individuals to take sides in a conflict. It can also cause those on the two sides to adopt increasingly extreme positions – becoming more and more opposed to each other and assuming an “us” and “them” mentality. This set of circumstances is something that may make reconciliation and public support of a process all the more challenging. When polarisation enters politics through elections, it has the potential to contribute to significantly divide society and risks further escalating conflict. Political polarisation reinforces the idea of two different sides standing in society and creates a void between these two sides. In such a context, communication between the two sides is often impossible. The media can also exacerbate this notion by acknowledging that the two sides are too far apart, culturally and ideologically, to agree on a common agenda.

67 Stockholm International Peace Research Institute, Yearbook 2005

Challenges faced

Another major crisis that actors within a peace process can face is the polarisation of society. This can often happen following political elections and may trigger hostility and hatred among society, which may seriously damage the peace process. A polarised society is characterised by:

- People taking extreme positions, thinking and acting according to an “us” and “them” mentality.
- Displaying characteristics of a polarised society, the media can reinforce and feed polarisation, initiating a vicious circle.
- Communication between sides at conflict, and therefore the pursuit of the peace process, is made impossible.

Elements of resolution of the crisis

In order to move forward in the process, polarisation must be softened. Polarisation often arises as a result of two different actors fearing that the other may undermine, ignore or deny its own identity and concerns. Softening polarisation should then aim at securing identities. Several approaches may be suitable in achieving this aim, depending on the kind of conflict, one of which may be for senior leaders to acknowledge, respect, and accommodate different identities, and maybe to share political power.⁶⁸

The following can be seen as key elements necessary for the continuation of a process in times of crisis:

- Most importantly, to move forward in the process, each side must convince the other that it accepts the other's legitimacy.⁶⁹
- Mutual recognition coupled with political separation. Sadat's recognition of Israel and Israel's recognition of the legitimacy of the Palestinian identity are examples of this approach.
- Creating interdependent, multi-ethnic coalitions.
- Displaying a positive image of the peace process in order to gain active civil society support.

68 Janet Gross Stein, "Image, Identity and Conflict Resolution," in Chester Crocker, Fen Hampson and Pamela Aall, eds. *Managing Global Chaos*, Washington, D.C.: United States Institute of Peace Press, 1996

69 Colin P. Clarke, Christopher Paul, *From Stalemate to Settlement: Lessons for Afghanistan from historical insurgencies that have been resolved through negotiations*, RAND Corporation, 2014

- Promoting positive reinterpretation of identities by emphasising general common norms shared by both identities, such as fairness, reciprocity, and compassion.⁷⁰

⁷⁰ Janet Gross Stein, "Image, Identity and Conflict Resolution," in Chester Crocker, Fen Hampson and Pamela Aall, eds. *Managing Global Chaos*, Washington, D.C.: United States Institute of Peace Press, 1996

DPI Board Members



Kerim Yildiz (Director):

Kerim Yildiz is Chief Executive Officer of DPI. He is an expert in international human rights law and minority rights, and has written extensively on international human rights mechanisms and international humanitarian law. Kerim is the recipient of a number of awards, including from the Lawyers Committee for Human Rights for his services to protect human rights and promote the rule of law in 1996, the Sigrid Rausing Trust's Human Rights Award for Leadership in Indigenous and Minority Rights in 2005, and the Gruber Prize for Justice in 2011.



Nick Stewart QC (Chair):

Nicholas Stewart, QC, is a barrister and Deputy High Court Judge (Chancery and Queen's Bench Divisions) in the United Kingdom. He is the former Chair of the Bar Human Rights Committee of England and Wales and Former President of Union Internationale des Avocats.



Prof. Penny Green (Secretary):

Professor Penny Green is Professor of Law and Globalisation at Queen Mary University of London, UK, and Director of the International State Crime Initiative (ISCI), UK. She joined Queen Mary University in September 2014 following seven years as Professor of Law and Criminology at King's College London, UK. Professor Green has published widely on state crime, state-corporate crime, natural disasters, Turkish criminal justice and politics, transnational crime and asylum and forced migration.



Priscilla Hayner:

Priscilla Hayner is co-founder of the International Center for Transitional Justice. She is a global expert on truth commissions and transitional justice initiatives and has authored several books on these topics. She is former consultant to the Ford Foundation, the UN High Commissioner for Human Rights and numerous other organisations.



Arild Humlen:

Arild Humlen is a lawyer and Director of the Norwegian Bar Association's Legal Committee. He is widely published within a number of jurisdictions, with emphasis on international civil law and human rights, and he has lectured at the law faculty of several universities in Norway. Arild is the recipient of the Honor Prize of the Bar Association of Oslo for his work on the rule of law and in 2015 he was awarded the Honor Prize from the international organisation Save the Children for his efforts to strengthen the legal rights of children.



Jacki Muirhead:

Jacki Muirhead was appointed Chambers Administrator at Devereux Chambers, London, UK, in November 2015. Her previous roles include Practice Director at FJ Cleveland LLP, Business Manager at Counsels' Chambers Limited and Deputy Advocates Clerk at the Faculty of Advocates, UK.



Prof. David Petrasek:

Professor David Petrasek is Associate Professor at Graduate School of Public and International Affairs, University of Ottawa, Canada. He is former Special Adviser to the Secretary-General of Amnesty International. He has worked extensively on human rights, humanitarian and conflict resolution issues, including for Amnesty International (1990-96), for the Office of the UN High Commissioner for Human Rights (1997-98), for the International Council on Human Rights Policy (1998-02) and as Director of Policy at the Centre for Humanitarian Dialogue (2003-07).



Antonia Potter:

Antonia Potter Prentice has wide ranging experience on a range of humanitarian, development, peacemaking and peacebuilding issues. She has lived and worked extensively in, and on, conflict and post-war environments; increasingly specialised in women's empowerment she has worked directly with women and peace process actors in countries including Afghanistan, Cambodia, the Democratic Republic of Congo, Libya, Indonesia, Myanmar, Nepal and Philippines, South Sudan, Timor-Leste, Yemen, and at the global policy level. She has also published widely on these topics. Antonia co-founded the Athena Consortium as part of which she acts as Senior Manager on Mediation Support, Gender and Inclusion for the Crisis Management Initiative (CMI) and as Senior Adviser to the European Institute for Peace (EIP).

DPI Council of Experts



Dermot Ahern

Dermot Ahern is a former Irish Member of Parliament and Government Minister and was a key figure for more than 20 years in the Irish peace process, including in negotiations for the Good Friday Agreement and the St Andrews Agreement. He also has extensive experience at EU Council level, including as a key negotiator and signatory to the Constitutional and Lisbon Treaties. In 2005, he was appointed by the then UN Secretary General Kofi Annan to be a Special Envoy on the issue of UN Reform.



Dr Mehmet Asutay

Professor Mehmet Asutay is a Professor of Middle Eastern and Islamic Political Economy & Finance at the Durham University Business School, UK. He researches, teaches and supervises research on Islamic political economy and finance, Middle Eastern economic development and finance, the political economy of Middle East, including Turkish and Kurdish political economies.



Ali Bayramoğlu:

Ali Bayramoğlu is a writer and political commentator. He is a columnist for the Turkish daily newspaper *Yeni Safak*. He is a member of the former Wise Persons Commission in Turkey, established by then Prime Minister Erdoğan.



Prof. Christine Bell:

Professor Christine Bell is a legal expert based in Edinburgh, Scotland. She is Professor of Constitutional Law and Assistant Principal (Global Justice) at the University of Edinburgh and a Fellow of the British Academy. She is an expert on transitional justice, peace negotiations, constitutional law and human rights law. She regularly conducts training on these topics for diplomats, mediators and lawyers, and has been involved as a legal advisor in a number of peace negotiations.



Cengiz Çandar:

Cengiz Çandar is a senior journalist and columnist for Turkish newspaper Radikal Daily News. He is an expert on the Middle East and former war correspondent. He served as special adviser to former Turkish president Turgut Ozal.



Yılmaz Ensaroğlu:

Yılmaz Ensaroğlu is the former Director of Law and Human Rights Studies at SETA Foundation for Political, Economic and Social Research in Ankara, Turkey. He is a member of the Executive Board of the Joint Platform for Human Rights, the Human Rights Agenda Association (İHGD) and Human Rights Research Association (İHAD). He is also Chief Editor of the Journal of the Human Rights Dialogue and member of the former Wise Persons Commission in Turkey, established by then Prime Minister Erdoğan.



Prof. Mervyn Frost:

Mervyn Frost is Professor of International Relations in the Department of War Studies at King's College London, UK. He was previously Chair of Politics at the University of Natal, Durban, South Africa and was President of the South African Political Studies Association. He is an expert on human rights in international relations, humanitarian intervention, justice in world politics, democratising global governance, the just war tradition in an era of New Wars, and, ethics in a globalising world.



Martin Griffiths:

Martin Griffiths is a senior international mediator and Executive Director of the European Institute of Peace (EIP). From 1999 to 2010 he was the founding Director of the Centre for Humanitarian Dialogue in Geneva where he specialised in developing political dialogue between governments and insurgents in a range of countries across Asia, Africa and Europe. He is a co-founder of Inter Mediate, a London based NGO devoted to conflict resolution, and has worked for international organisations including UNICEF, Save the Children and Action Aid. Martin has also worked in the British Diplomatic Service and for the UN, including as Director of the Department of Humanitarian Affairs (Geneva), Deputy to the Emergency Relief Coordinator (New York), Regional Humanitarian Coordinator for the Great Lakes, Regional Coordinator in the Balkans and Deputy Head of the Supervisory Mission in Syria (UNSMIS).



Kezban Hatemi:

Kezban Hatemi holds an LL.B. from Istanbul University and is registered with the Istanbul Bar Association. She has worked as a self employed lawyer, with Turkey's National Commission to UNESCO as well as a campaigner and advocate during the Bosnian War. She was involved in drafting the Turkish Civil Code and Law of Foundations as well as in preparing the legal groundwork for the chapters on Religious Freedoms, Minorities and Community Foundations within the Framework Law of Harmonization prepared by Turkey in preparation for EU accession. She has published articles on human rights, women's rights, minority rights, children's rights, animal rights and the fight against drugs. She is a member of the former Wise Persons Commission in Turkey, established by then Prime Minister Erdoğan, and sits on the Board of Trustees of the Technical University and the Darulacaze Foundation.



Dr. Edel Hughes:

Dr Edel Hughes is Senior Lecturer at University of East London, UK. Prior to joining the University of East London, Edel was awarded an LL.M. and a PhD in International Human Rights Law from the National University of Ireland, Galway, in 2003 and 2009, respectively. Between 2006 and 2011 she was a Lecturer in Law at the School of Law, University of Limerick, Ireland.



Prof Dr Ahmet Insel:

Professor Ahmet Insel is a former faculty member of Galatasaray University in Istanbul, Turkey and Paris 1 Panthéon Sorbonne University, France. He is Managing Editor of the Turkish editing house Iletisim and member of the editorial board of monthly review Birikim. He is a regular columnist at Cumhuriyet newspaper and an author who published several books and articles in Turkish and French languages.



Avila Kilmurray: A founder member of the Northern Ireland Women's Coalition and was part of the Coalition's negotiating team for the Good Friday Agreement. She has written extensively on community action, the women's movement and conflict transformation. Serves on the Board of Conciliation Resources (UK); the Global Fund for Community Foundations; Conflict Resolution Services Ireland and the Institute for British Irish Studies. Avila was the first Women's Officer for the Transport & General Workers Union for Ireland (1990-1994) and became Director of the Community Foundation for Northern Ireland in 1994. Avila was awarded the Raymond Georis Prize for Innovative Philanthropy through the European Foundation Centre.



Joost Legendijk:

Joost Legendijk is a columnist for the Turkish dailies Zaman and Today's Zaman and a lecturer at the Suleyman Shah University, Istanbul, Turkey. He has authored and edited a number of books on the EU, European policies and modern Turkey. From 1998 to 2009 he was a member of the European Parliament (EP) for the Dutch Green-Left party. In the EP he focused on foreign policy and EU enlargement and served as the chairman of the parliaments' Turkey Delegation and as rapporteur for the parliament on the Balkans and Kosovo. From 2009 to 2012 he worked as a senior adviser at the Istanbul Policy Center in Istanbul, Turkey.



Dr Salomón Lerner Febres: Professor Salomón Lerner Febres holds a PhD in Philosophy from Université Catholique de Louvain. He is Executive President of the Center for Democracy and Human Rights at the Pontifical Catholic University of Peru and Rector Emeritus of Pontifical Catholic University of Peru. He is former President of the Truth and Reconciliation Commission of Peru. Professor Lerner has given many talks and speeches about the role and the nature of the university, the problems of scholar research in higher education and about ethics and public culture. Furthermore, he has participated in numerous conferences in Peru and other countries about violence and pacification. In addition, he has been a speaker and panellist in multiple workshops and symposiums about the work and findings of the Truth and Reconciliation Commission of Peru.



Prof. Ram Manikkalingam:

Professor Ram Manikkalingam is Visiting Professor at the Department of Political Science, University of Amsterdam in the Netherlands. He served as Senior Advisor to the President of Sri Lanka. He is an expert on issues pertaining to conflict, multiculturalism and democracy, and has authored multiple works on these topics. He is founding board member of the Laksham Kadirgamar Institute for Strategic Studies and International Relations, Colombo, Sri Lanka.



Bejan Matur:

Bejan Matur is a renowned Turkey-based author and poet. She has published ten works of poetry and prose. In her writing she focuses mainly on Kurdish politics, the Armenian issue, minority issues, prison literature and women's rights. She has won several literary prizes and her work has been translated into over 28 languages. She was formerly Director of the Diyarbakır Cultural Art Foundation (DKSV).



Monica McWilliams: Professor of Women's Studies, based in the Transitional Justice Institute at the University of Ulster. Was the Chief Commissioner of the Northern Ireland Human Rights Commission from 2005-2011 and responsible for delivering the advice on a Bill of Rights for Northern Ireland. Co-founder of the Northern Ireland Women's Coalition political party and was elected to a seat at the Multi-Party Peace Negotiations, which led to the Belfast (Good Friday) Peace Agreement in 1998. Served as a member of the Northern Ireland Legislative Assembly from 1998-2003 and the Northern Ireland Forum for Dialogue and Understanding from 1996-1998. Publications focus on domestic violence, human security and the role of women in peace processes.



Mark Muller QC:

Mark Muller QC is a senior advocate at Doughty Street Chambers (London) and the Scottish Faculty of Advocates (Edinburgh). He specialises in public international law and human rights. He has many years' experience of advising on conflict resolution, mediation, ceasefire and power-sharing and first-hand experience of a number of conflict zones, including Afghanistan, Libya, Iraq and Syria. Since 2005 he is Senior Advisor to the Centre for Humanitarian Dialogue, Beyond Conflict and Inter Mediate. He is also a Harvard Law School Fellow and former Chair of the Bar Human Rights Committee and Head of Rule of Law for the Bar Council. He is the founder of Beyond Borders – a Scottish initiative dedicated to fostering peace and international understanding through cultural dialogue. He currently acts as Senior Mediation Expert for the Standby Team of Mediators of the UN Department of Political Affairs.



Giles Portman:

Giles Portman is an experienced British and EU diplomat, having worked for the UK Foreign Office in Brussels, New York, Prague and as Deputy Head of Mission in Ankara; and for the EU's External Action Service as an Adviser to the High Representative, Head of Division for Turkey and Eastern Neighbourhood strategic communications adviser.



Jonathan Powell: Jonathan Powell is founder and CEO of Inter Mediate, an NGO devoted to conflict resolution working in the Middle East, Latin America, Africa and Asia. He was appointed as the UK Official Envoy to Libya by Prime Minister David Cameron in 2014. Jonathan was Chief of Staff to Tony Blair from 1995 to 2007, and from 1997 he was also Chief British Negotiator on Northern Ireland. From 1978 to 79 he was a broadcast journalist with the BBC and Granada TV, and from 1979 to 1994 a British Diplomat.



Sir Kieran Prendergast: Sir Kieran Prendergast served in the British Foreign Office, including in Cyprus, Turkey, Israel, the Netherlands, Kenya and New York. He was later head of the Foreign and Commonwealth Office dealing with Apartheid and Namibia. He is former UN Under-Secretary-General for Political Affairs. He was also Convenor of the Secretary General's Executive Committee on Peace and Security and engaged in peacemaking efforts in Afghanistan, Burundi, Cyprus, the DRC, East Timor, Guatemala, Iraq, the Middle East, Somalia and Sudan.



Rajesh Rai:

Rajesh Rai was called to the Bar in 1993. His areas of expertise include Human Rights Law, Immigration and Asylum Law and Public Law. He is Founding Director of HIC, a community centred NGO based in Cameroon, and of Human Energy (Uganda) Ltd. He was previously Director of The Joint Council for the Welfare of Immigrants (JCWI). He lectures on a wide variety of legal issues, both for the Bar Human Rights Council and internationally in India, Africa, Asia and the USA.



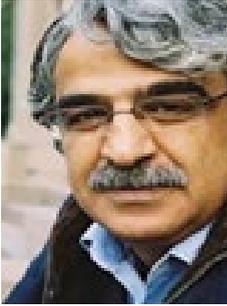
Sir David Reddaway:

Sir David Reddaway now works as an adviser, board member and consultant in the private and university sectors. He previously served as British Ambassador to Turkey and to Ireland; High Commissioner to Canada; UK Special Representative for Afghanistan; and Charge d’Affaires in Iran, where he had first worked during the Iranian Revolution. He has also worked in Argentina, India and Spain. He was a Fellow at Harvard University and a volunteer teacher in Ethiopia. He read History at Cambridge and Persian at the School of Oriental and African Studies in London.



Prof. Naomi Roht-Arriaza:

Professor Naomi Roht-Arriaza is Distinguished Professor of Law at, San Francisco, USA. She is an expert on transitional justice, human rights violations, international criminal law and global environmental issues, and has authored several works on these issues.



Prof. Dr. Mithat Sancar:

Professor Dr Mithat Sancar was formerly Professor of Law at the University of Ankara, Turkey. He is an expert on constitutional citizenship and transitional justice. He has written extensively on international human rights law and constitutional issues. He is a member of the former Wise Persons Commission in Turkey, established by then Prime Minister Erdoğan. In Turkey's 2015 general election he was elected as an MP for Mardin Province.



Catherine Woollard:

Catherine Woollard is an independent consultant based in Brussels. Previously she served as the Director of the Brussels Office of Independent Diplomat, and from 2008 to 2014 she was the Executive Director of the European Peacebuilding Liaison Office (EPLO) – a Brussels-based network of not-for-profit organisations working on conflict prevention and peacebuilding. She previously held the positions of Director of Policy, Communications and Comparative Learning at Conciliation Resources, Senior Programme Coordinator (South East Europe/CIS/Turkey) at Transparency International and Europe/Central Asia Programme Coordinator at Minority Rights Group International. She has also worked as a consultant advising governments on anti-corruption and governance reform, as a lecturer in political science, teaching and researching on the EU and international politics, and for the UK civil service.



Prof. Dr. Sevtap Yokuş:

Professor Dr Sevtap Yokuş is a Professor of Law at the University of Kemerburgaz, Istanbul, Turkey. She holds a PhD in Public Law from the Faculty of Law, Istanbul University, awarded in 1995 for her thesis which assessed the state of emergency regime in Turkey with reference to the European Convention on Human Rights. She is a widely published expert in the areas of Constitutional Law and Human Rights and has multiple years' experience of working as a university lecturer at undergraduate, postgraduate and doctoral level. She also has experience of working as a lawyer in the European Court of Human Rights. Since 2009 she has been contributing to the ongoing work to prepare a new constitution in Turkey.



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