

Mediating Peace in Africa

Securing Conflict Prevention

PEACE
WANTED

Strengthening the Mediation and Conflict Prevention Aspects
of the African Peace and Security Architecture

SHAUNA MOTTIAR AND SALOMÉ VAN JAARSVELD | Rapporteurs

MEDIATING PEACE IN AFRICA:

SECURING CONFLICT PREVENTION

Strengthening the Mediation and
Conflict Prevention Aspects of the
African Peace and Security Architecture

A research report based on
a seminar held in Addis Ababa, Ethiopia
on 4 March 2009 organised by the
African Centre for the Constructive
Resolution of Disputes (ACCORD)
and the Ministry for Foreign Affairs of Finland at the
United Nations Convention Centre,
with the participation of the African Union



MINISTRY FOR FOREIGN
AFFAIRS OF FINLAND



The African Centre for the Constructive Resolution of Disputes (ACCORD) is a civil society institution working throughout Africa to bring creative African solutions to the challenges posed by conflict on the continent. ACCORD's primary aim is to influence political developments by bringing conflict resolution, dialogue and institutional development to the forefront as an alternative to armed violence and protracted conflict.

Acknowledgements

The 4 March 2009 seminar, 'Mediating Peace in Africa: Securing Conflict Prevention', was organised with the generous support of the Ministry for Foreign Affairs of Finland.

The Event

The purpose of the seminar was to focus on strengthening the mediation and conflict prevention aspects of the African Peace and Security Architecture (APSA). Participants reviewed the role of mediation within the peace and security architecture of the African Union (AU) and explored mediation support challenges and opportunities in Africa. Deliberations during the seminar took place under the Chatham House Rule. The meeting brought together prominent individuals with mediation experience and mediation support experts from across Africa for an informed and lively examination of the most salient challenges to effective conflict resolution.

The Rapporteurs

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EXECUTIVE SUMMARY

The African Centre for the Constructive Resolution of Disputes (ACCORD), together with the Ministry of Foreign Affairs of Finland held a seminar in Addis Ababa, Ethiopia on 4 March 2009 on the theme of *Mediating Peace in Africa: Securing Conflict Prevention*. The seminar brought together policymakers, mediation experts and civil society actors to assist the African Union (AU) to strengthen its mediation and conflict prevention mechanisms within the African peace and security architecture.

Africa is entering a new era of conflict resolution and peacebuilding. The formulation of the AU in 2002 and the Peace and Security Council (PSC) in 2004 firmly established institutions dedicated to the promotion of peace, security and stability in Africa. The Protocol Relating to the Establishment of the PSC includes mediation as a specific function of the PSC (AU, 2004: Article 6, 3). Although mediation since the AU and indeed under the Organization of African Unity (OAU) has featured prominently in conflict management on the African continent, specific processes and mechanisms of mediation have not yet been consolidated. Furthermore, the AU has not yet developed a dedicated capacity to manage and support mediation missions in Africa. As a result of this, the 2008-2010 AU Mediation Work Programme has been initiated and, together with support from African and international donor partners, will provide the AU with support and assistance in the development of capacity to analyse conflict situations, undertake fact finding and good offices initiatives, carry out mediation interventions and support peace processes and post-conflict peacebuilding. The seminar was convened in order to inform the AU Mediation Work Programme, based on four themes:



1. Mediating Peace in Africa
2. The New Architecture – Lessons and Insights
3. Mediation Experiences from the Field
4. Mediation Support: Challenges and Opportunities

Five recommendations emerged from the seminar

1. That partnerships and cooperation would strengthen the mediation and conflict prevention aspects of the AU's PSC. Participants agreed that collaboration among a range of African and international actors is critical to strengthen the AU's role in mediation and conflict prevention in Africa. This is particularly salient given the shifts in Africa's relationship with international and regional organisations that mark a move away from traditional donor-recipient relationships towards balanced partnerships. To this end, partnerships among African states, the AU, regional

economic communities, civil society, the European Union (EU) and the United Nations (UN) are vital in ensuring cooperation, coordination and joint solutions.

2. That institutionalising mediation was integral to strengthen the AU's mediation capacity. This could optimally be achieved by acquiring mediation expertise, where mediation is viewed as a professional discipline that requires institutional support and mediation facilities. This implies a move away from *ad hoc* processes and in particular, the development of a viable concept of mediation (much in the same way as a military doctrine is developed).
3. That early warning systems should form an integral part of the mediation and conflict resolution process. To this end, a unit within the PSC should be formed to monitor and evaluate the evolving dynamics of a conflict.
4. That the AU should establish measures to learn from experiences and record lessons for future best practice. This would ultimately mean building and consolidating institutional memory regarding the AU's mediation processes.
5. That civil society can and should play a key role in mediation processes. Civil society has a vital role in mediation owing to *inter alia* its ability to provide specialised knowledge, its proximity to issues on the ground and its ability to engage a broad range of stakeholders.

INTRODUCTION

INTRODUCTION

The African Centre for the Constructive Resolution of Disputes (ACCORD) together with the Ministry of Foreign Affairs of Finland held a seminar in Addis Ababa, Ethiopia on 4 March 2009 on the theme of “Mediating Peace in Africa: Securing Conflict Prevention”. The seminar brought together policymakers, mediation experts and civil society actors to assist the AU in strengthening its mediation and conflict prevention mechanisms within the African peace and security architecture.

The seminar took place in a context of continental and global policy shifts. Participants at the Addis Ababa seminar expressed views that the current era is shaped by three distinct policy shifts. The first is the change in focus from state to human security, embodied in the AU’s right to intervene in member countries in the event of war crimes, genocide and crimes against humanity; a common defence and security policy and the intersection of governance, development and security. The second policy shift is marked by evolving US foreign policy prescriptions based on increased dialogue and partnership for the globe. The third shift is the new Africa-EU joint strategy, emphasising African ownership and common goals and values in the pursuit of peace and stability.

Africa is also entering a new era of conflict resolution and peacebuilding. The formulation of the AU in 2002 and the subsequent formation of the PSC in 2004 firmly established institutions dedicated to the promotion of peace, security and stability in Africa. The Protocol relating to the establishment of the PSC includes mediation as a specific function of the PSC (AU, 2004: Article 6, 3). Although mediation since the AU and indeed under the OAU has featured prominently in conflict management on the African continent specific processes and mechanisms of mediation have yet to be consolidated. Furthermore the AU has yet to develop a dedicated capacity to manage and support mediation missions in Africa. To this end, the 2008-2010 AU Mediation Work Programme has been initiated and, together with support from African and international donor partners, will provide the AU with support and assistance in the development of capacity to analyse conflict situations, undertake fact finding and good offices initiatives, carry-out mediation interventions and support peace processes and post-conflict peacebuilding. The seminar was convened in order to inform the AU Mediation Work Programme, based on four themes:

1. Mediating Peace in Africa
2. The New Architecture – Lessons and Insights
3. Mediation Experiences from the Field
4. Mediation Support: Challenges and Opportunities

Speakers at the seminar included:

- HE Alexander Stubb, Minister for Foreign Affairs of Finland
- HE Erastus Mwencha, Deputy Chairperson of the Commission of the AU
- HE Martti Ahtisaari, Former President of Finland and 2008 Nobel Peace Laureate
- Ambassador Salim Ahmed Salim, former Secretary General of the OAU, member of the AU’s Panel of the Wise and former AU Special Envoy to Darfur
- Ambassador Nicholas Bwakira, AU Special Representative to Somalia

Ambassador Mamadou Bah, AU Special Representative to Burundi

Ambassador Koen Vervaeke, EU Special Representative to the AU

Ambassador Youssef Mahmoud, UN Executive Representative for Burundi

Mr Aziz Pahad, Former Deputy Minister of Foreign Affairs, South Africa

Ms Florence Mpaayei, Executive Director of the Nairobi Peace Initiative-Africa (NPI)

Mr Emmanuel Bombande, Director of the West Africa Network for Peacebuilding (WANEP)

Mr Vasu Gounden, Founder and Executive Director, ACCORD

Mr Cedric de Coning, Senior Research Fellow, ACCORD

This report is based on the Addis Ababa seminar and subsequent research. It aims to capture some of the most salient issues governing the future of the AU's mediation efforts.

BACKGROUND AND CONTEXT

BACKGROUND AND CONTEXT

Mediation is defined as an activity undertaken by a third party with the intention of achieving a compromise or a settlement of issues between conflicting parties (Mitchell, C. 2002). It is therefore a vital element to consider within the African peace and security architecture. Mediation processes have often been employed in an attempt to resolve conflict on the African continent and if these processes can be contextualized, refined and institutionalised they may prove a formidable strategy for conflict resolution.

THE NEW AFRICAN PEACE AND SECURITY ARCHITECTURE

The adoption of the Constitutive Act of the AU in July 2000 has been hailed as the dawn of a new era in Africa, propelled by a vision to regenerate the continent (Juma, 2006:45). Indeed, the regeneration of Africa has been underpinned by the challenge of achieving peace, security and development where the conventional frontiers of security from the Cold War era have been expanded from ideologically defined state security to human security. Africa's new security architecture recognises the shifts in the sources of insecurity from external to internal and from military to non-military, which would include HIV/AIDS, internal displacement and poverty (Akokpari, 2008). In addition to establishing new institutions and organs for building continental peace and prosperity such as the AU Commission, the AU summit in July 2002 adopted the



*Martti Ahtisaari, Chairman, CMI
Erastus Mwencha, Deputy Chairperson, AU*

Protocol Relating to the Establishment of the PSC of the AU. The protocol effectively shaped the peace and security architecture on the continent in terms of a common African defence and security policy. A year later, the African peace and security agenda was crystallised into eight priority areas by Monica Juma (2006, 46):

1. Developing mechanisms, institutional building processes and support instruments for achieving peace and security in Africa.
2. Improving capacity for, and coordination of early action for conflict prevention, management and resolution including the development of peace support operations capabilities.
3. Improving early warning capacity in Africa, through strategic analysis and support.
4. Prioritising strategic security issues as follows: (a) promoting an African definition and action on disarmament, demobilisation, rehabilitation and reconstruction (DDRR) efforts in post-conflict situations (b) coordinating and ensuring effective implementation of African efforts aimed at combating and preventing terrorism.
5. Ensuring efficient and consolidated action for preventing, combating and eradicating the illicit proliferation, circulation and trafficking of small arms and light weapons.
6. Improving the security sector and the capacity for good governance as related to peace and security.
7. Generating minimum standards for application in the exploitation and management of Africa's resources (including non-renewable resources) in areas affected by conflict.
8. Assisting in resource mobilisation for the African Union Peace Fund and for regional initiatives aimed at preventing, managing and resolving conflicts on the continent.

The implementation of the new peace and security agenda was firmly contextualised within the principles of African leadership and ownership through regional economic communities (RECs) and member states, while recognising the role of external partners such as the group of eight industrialised countries (G8), the EU and internal actors such as African civil society. In May 2004, the AU officially launched the PSC. The role of the PSC is to promote peace, security and stability in Africa. It serves as the AU's standing decision-making organ for the prevention, management and resolution of conflicts (AU, 2002). The AU's peace and security mechanisms include the PSC, an African Standby Force, a Military Staff Committee, a Continental Early Warning System and the Panel of the Wise.

According to Article 3 of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union 2002/2003, the objectives of the PSC are to:

- Promote peace, security and stability in Africa, in order to guarantee the protection and preservation of life and property, the well-being of the African people and their environment, as well as the creation of conditions conducive to sustainable development.
- Anticipate and prevent conflicts. In circumstances where conflicts have occurred, the Council shall have the responsibility to undertake peacemaking and peacebuilding functions for the resolution of these conflicts.

- Promote and implement peacebuilding and post-conflict reconstruction activities to consolidate peace and prevent the resurgence of violence.
- Coordinate and harmonise continental efforts in the prevention and combating of international terrorism in all its aspects.
- Develop a common defence policy for the Union.
- Promote and encourage democratic practices, good governance and the rule of law, protect human rights and fundamental freedoms, respect for the sanctity of human life and international humanitarian law, as part of efforts for preventing conflicts. (AU, 2002)

Article 6 of the Protocol lays out the specific functions of the PSC:

- The promotion of peace, security and stability in Africa
- Early warning and preventive diplomacy
- Peace making, mediation, reconciliation and enquiry
- Peace support operations and intervention
- Peacebuilding and post-conflict reconstruction
- Humanitarian action and disaster management
- Any other function as may be decided by the Assembly (AU, 2002)

PARADIGM SHIFTS: ORGANIZATION OF AFRICAN UNITY TO AFRICAN UNION

The formulation of the PSC sealed the commitment of African leaders to promote ‘a stable, secure, peaceful and developed Africa’ through the assumption of ‘a greater role in the maintenance of peace and security in Africa’ (Mwanasali, 2008:41). This is evident within the PSC where the principle of non-intervention has given way to the AU’s right to intervene in member countries in the event of war crimes, genocide and crimes against humanity (AU Constitutive Act Article 23,2). This is in contrast to the OAU’s emphasis on state sovereignty, which resulted in its non-interventionist policies on matters of peace and security on the continent. The new PSC, unlike its predecessor the Mechanism for Conflict Prevention Management and Resolution (CPMR), has thus been given a mandate for robust action. Mwanasali has argued however that the new paradigm shift can only take hold if agreed norms and principles are enforced among AU member states, if there is a will to harmonise Africa’s regional security arrangements and if there is a commitment to provide sustainable and predictable financing of AU peace initiatives by African governments (Mwanasali, 2008).

MEDIATION EFFORTS UNDER THE AU

Mediation under the OAU was conducted through its Commission on Mediation, Conciliation and Arbitration (CMCA) but, significantly, operated on an *ad hoc* basis rather than in a manner that could institutionalise the process and procedures for dealing with continental disputes. The OAU dealt with several forms of conflict including border and territorial disputes, political and ideological disputes, secessionist conflicts and inter and intra state conflicts. These conflicts were addressed based on a belief in the moral authority of the OAU, coupled with the political mechanism composed

of heads of state and governments to settle disputes through diplomatic and political interaction. Examples include Somalia and Kenya in 1964 and Libya and Chad in 1977 (Gomes, 2008).

Mediation under the AU on the other hand, as exemplified by its efforts in Darfur, has been described as ‘radical’ when compared to the past inaction of the OAU (Gomes, 2008). An example of this is the way, through a PSC decision, the AU assumed the political responsibility of mediating between the government of Sudan and armed resistance movements the Justice and Equality Movement and the Sudan Liberation Army. It also assumed the security responsibility of deploying African troops on the ground in Darfur to address the humanitarian crisis.

Despite this however, mechanisms and processes for mediation at the AU still need to be defined, institutionalised and consolidated. Currently the principal operational mechanism of mediation at the AU is the AU Commission, which implements mediation interventions and takes decisions regarding their composition and nature. Mediation efforts have so far taken the form of *ad hoc* deployment of special envoys in identified conflict areas on the continent. The AU Commission also takes advice on mediation envoys from the Panel of the Wise. The Panel is also able to make decisions on conflict mediation and act upon them. Support for mediation comes from the Conflict Management Directorate of the Commission. This support does not extend to the field though and takes the form merely of limited research and logistical aid by Directorate desk officers made up of AU staff and UN secondments.

Funds for the AU’s mediation efforts continue to be raised on a case-by-case basis and are often supported by external donor partners, foreign governments and multilateral institutions. Thus, although an appointed special envoy may lead the AU’s mediation effort, there is often a perception that funding partners are running the effort. Participants noted that an example of this incongruity was the AU’s intervention in Sudan, which was the new AU’s first prominent intervention after the formation of the PSC. The AU’s Special Envoy for Darfur was Ambassador Salim Ahmed Salim, a former Secretary-General of the Organisation of African Unity, and the UN’s Special Envoy was Ambassador Jan Eliasson, a former president of the UN General Assembly and foreign minister of Sweden. The AU appeared to contribute less logistical, substantive and financial support than the



Koen Vervaeke, EU Special Representative to the AU



Mamadou Bah, AU Special Representative to Burundi



Nicolas Bwakira, AU Special Representative to Somalia

UN, and as a result the UN was perceived by the media and some of the participants and partners to be the dominant partner in the joint AU/UN mediation effort.

The AU's future mediation efforts will face other procedural, administrative and capacity challenges. While Article 4(h) of the AU's Constitutive Act defines the right to intervene in the case of war crimes, genocide, crimes against humanity and serious threats to peace and security, there are no definitive guidelines that determine the process and point of entry for mediation. In addition, deployed mediators may not be trained specifically in mediation techniques. Furthermore, there are no formal processes to record mediation efforts or to build general guidelines from them.



Pekka Haavisto, Special Envoy of the Minister for Foreign Affairs of Finland

The shortage of in-house experience, expertise, capacity and resources at the AU, has, to date, meant that conflict prevention and mediation efforts have taken an *ad hoc* rather than a systematic, professionalized form. The problem of capacity is starkly felt when mediation efforts are aided by countries, organisations and experts for only short periods of time and then left to fare on their own after a critical period. Participants in Addis Ababa were concerned that the AU may have to operate like a fire brigade, putting out fires here and there, but without the time or resources to plan and reflect on its mediation successes and failures. Similarly, the problem of limited resources is exacerbated when there is no secured, predictable and durable funding for mediation interventions. At times, conflicts have created headlines and therefore attracted funding, but the AU has noted that prevention efforts are not newsworthy and therefore not often adequately funded. There is a clear need therefore for the AU to institutionalise its mediation mechanism as well as expand its support capacity.

STRENGTHENING AU MEDIATION PROCESSES THROUGH PARTNERSHIP

In response to these challenges, which have grown more urgent as the AU has evolved, several capacity building initiatives by various actors have been established. Among these, efforts at strengthening the mediation capacity of the AU are undertaken collaboratively with partners such as the UN through the Department of Political Affairs and the EU, as well as organisations such as Humanitarian Dialogue, the International Peace Institute, the Folke Bernadotte Academy, CMI and ACCORD. Within this broader framework of cooperation, one such initiative is a joint project among ACCORD, the CMI and the AU Conflict Management Directorate (CMD). The CMD is one of four directorates that constitute the AU Peace and Security Department – the others are the Peace Support Operations Directorate, the Secretariat of the Peace and Security Council and the Defense and Security Directorate. The CMD focuses on the establishment of some of the aspects of the peace and security architecture, e.g. an early warning system; the Panel of the Wise; and a Memorandum of Understanding between



From left to right:

Alexander Stubb, Minister for Foreign Affairs of Finland.

Martti Ahtisaari, Chairman, CMI.

Vasu Gounden, Founder and Executive Director, ACCORD

the AU and regional mechanisms for conflict prevention, management and resolution. It also coordinates and supports initiatives to prevent and manage conflicts in Africa. The CMD therefore backstops the Special Envoys and the Special Representatives of the chairperson of the Commission, AU field missions, and is also involved in liaison offices which promote peace and stability, provide information on developments, support implementation of agreements and peacebuilding activities. Liaison offices also ensure an AU presence on the ground.

The AU-ACCORD-CMI project is funded by the government of Finland and aims to strengthen mechanisms and processes of mediation within the AU. It underpins a larger AU initiative to strengthen its mediation support capacity and aims to enhance the development of AU mediation policy by:

- Carrying out a needs analysis on AU mediation to inform strategy and practice by deepening of understanding, reflective practice and transmission of good practice
- Generating knowledge on African and general mediation practice
- Conducting training courses for mediation processes and interventions
- Establishing a stand-by roster that ensures that the AU has at its disposal a real pool of pre-identified and trained personnel for mediation deployment
- Establishing procedures, capacities and structures necessary to ensure deployment of AU mediation support teams

Currently mediation efforts are funded out of the general AU Peace Fund or require *ad hoc* fund raising. The project suggests that a specific mediation support funding arrangement should be considered, perhaps under the AU Peace Fund umbrella, so that funds are available for rapidly deploying AU mediation missions into emerging crisis situations .

PARTNERSHIPS AND COOPERATION

Collaboration between African and international actors is critical in strengthening the AU's role in conflict prevention and mediation in Africa. The new African peace and security architecture is evolving in an era where Africa's relationship with international and regional organisations is shifting from being paternalistic in some sense, to emphasising partnerships. These partnerships include RECs and draw on different synergies to provide support systems for mediation and conflict prevention. To this end, equal partnerships between African states, the AU and RECs such as the Southern African Development Community (SADC); the Economic Community for Central African States (ECCAS); the Economic Community of West African States (ECOWAS); the Intergovernmental Authority on Development (IGAD); and the Arab Magreb Union (AMU), the AU, EU and UN, and between the AU and civil society organisations are important in order to ensure that there is cooperation, coordination, joint solutions and support between and within the actors in the field of conflict prevention and mediation.

Stable and positive partnerships are also essential to ensure that the African peace and security architecture is innovative and can adapt to a constantly changing world. Civil society should also support peace processes by providing specialisation, analyses of conflict situations and convening alternative platforms for dialogue. Between 2000 and 2007 security has developed as an important issue between Africa and Europe, giving way to several AU, UN and EU military and civilian crisis management interventions and mediation efforts in African conflict situations - some successful and others not (CCR, 2007).

Participants noted that it is therefore instructive to look at the role the EU, the UN and RECs have played and are likely to continue to play in conflict prevention and mediation in Africa.

EUROPEAN UNION

In December 2005 the EU adopted a new strategy for Africa 'The EU and Africa: Towards a Strategic Partnership', which was intended to give Europe a comprehensive, integrated and long term framework for relations with Africa (EU Committee, 2006). This policy document was developed, however, with minimal input from Africa. The Joint Africa-EU strategy and its action plan that was approved at the Lisbon Summit in December 2007 thus represent an important turning point. However, it is still to be seen whether the resources and political will underpinning it will be mobilised to achieve its ambitious strategy. The Lisbon Summit noted that the new strategy, in terms of peace and security, is located along two axes. Firstly, on political collaboration between the UN and the AU; secondly, to support and help build a uniquely African capacity to deal with conflicts



Cedric de Coning, Senior Research Fellow, ACCORD

on the continent. An important aspect of this support is predictable funding to provide the tools and resources to deal with peace and security, especially early warning capacity. This sentiment was mirrored at the Addis Ababa meeting, during which it was noted that the EU is supportive of the trend that individual EU member states focus on specific issues on which to provide support to the AU and African states. The aforementioned AU-ACCORD-CMI partnership funded by the government of Finland is a good example of such an initiative by individual EU member states.

The EU has demonstrated a willingness to take political and other risks on the continent. In 2003, the EU deployed its first military crisis management operation in Africa in the Democratic Republic of Congo (DRC), cooperating with the UN and African troops. Since then the EU has launched several military and civilian crisis management operations in Africa and has actively supported AU or UN peacekeeping efforts as well as security sector reform in individual African countries. It has also invested in other international and regional partnerships and has highlighted the need for concurrent military and civil intervention in conflicts and the importance of creating space for political solutions. The EU recognises that African ownership of these processes is of key importance and promotes partnerships based on an equal footing.

THE UNITED NATIONS

The relationship between the UN and Africa has been described as a mixture of 'paternalism and partnership' (Murithi, 2007). Following the formation of the AU, this relationship has been re-characterised however with Africa working to forge an identity as a collective entity capable of functioning as an equal partner in the international sphere. The new African peace and security architecture has already made significant efforts to conduct peace operations on the continent, with ongoing activities in Sudan and Somalia. Further to securing the idea of partnership, there has been an emergence of what is known as a 'hybrid relationship' between the AU and the UN regarding mediation and peacekeeping initiatives in Africa. This involves *inter alia* joint action plans, such as the United Nations/African Union Mission in Darfur (UNAMID), the embedding (by mutual consent) of UN staff within the AU Commission and joint cooperation on mediation.

The Addis Ababa meeting noted that cooperation between the UN and AU on mediation in particular had been limited until AU/UN mediation efforts in Sudan by Special Envoys Salim Ahmed Salim and Jan Eliasson, which led to the North-South Peace Agreement. (As early as January 2008, the envoys were redeployed to Darfur to regenerate peace efforts in the region (UN News Centre, 2008)). The UN's Department of Political Affairs (DPA) in New York has since become the focal point for the organisation's conflict prevention and mediation efforts in Africa and beyond. In particular, it provides support and guidance to UN envoys and political missions in the field; facilitates dialogue processes and implementation of political agreements. With regard to mediation, it has a dedicated Mediation Support Unit, established in 2006 to strengthen the work of the UN in mediation and conflict prevention, which serves as a centre of expertise and knowledge management for the DPA on mediation-related activities. It is also a repository for lessons learned and best practices, and it coordinates training and guidance for mediators. The DPA's new Mediation Support Stand-by Team (an 'on-call' resource for peace envoys around the world, funded initially by the Norwegian government) was announced in 2008 and is managed by the Mediation Support Unit (UN DPA, 2008).

RECs AND REGIONAL PARTNERSHIPS

While a number of AU structures, including the PSC, are responsible for peace and security at the continental level, on the regional level the RECs are the main structures for dealing with peace and security. The AU has eight RECs, which include SADC, ECCAS, ECOWAS, IGAD and AMU. RECs were initially established to facilitate regional economic cooperation but their mandates have broadened to include conflict prevention and peacekeeping. They are now seen as the building blocks of the AU, where the AU provides strategic planning and capacity to manage, direct and coordinate activities. Individual governments take their lead for activities from their respective regional communities.

Despite differing and weak capacities (often dependent on the state of politics in the region) the RECs are ideally placed to *inter alia* provide early warning intelligence and to intervene rapidly at the first sign of conflict, especially because of their proximity to the issues and because they can act faster than the UN (which faces political constraints) or the AU. Indeed, RECs have already played important roles in mediation on the continent. For example, IGAD played a key role in the signing of both the Sudan Comprehensive Peace Agreement and the formation of the Transitional Federal Government (TFG) of Somalia. ECOWAS deployed peace operations in Liberia, Sierra Leone and Guinea-Bissau before the establishment of the new AU and to Côte d'Ivoire in 2003.

There is a need to clarify the mandates of both the AU and RECs, however, and to deepen ways of working together, including a greater level of knowledge sharing between the various organisations and bodies involved in peacekeeping on the continent (Juma, 2006:254-255).

STRENGTHENING MEDIATION CAPACITY

Mediation has been defined in the following ways: 'any intermediary activity ... undertaken by a third party with the primary intention of achieving some compromise settlement of issues at stake between the parties, or at least ending disruptive conflict behaviour' (Mitchell, C., 2002) and 'an extension and elaboration of the negotiation process that involves the intervention of an acceptable, impartial and neutral third party who has no authoritative decision making power to assist contending parties in voluntarily reaching their own mutually acceptable settlement' (Moore, C., 2002).

Mediation is a form of third party intervention in conflict. Its basis is that it does not use force nor is it aimed at helping one or other participants to win. Following from this it is best that mediators remain impartial and many factors thus need consideration. State mediators, for example, may be looking to seek terms that would increase stability while mediation by major powers may be guided by their strategic interests.

The motives of mediators from international organisations on the other hand are generally more complex. Similarly, the various parties involved in mediation will usually have their own reasons for accepting mediation. There are also different modes of mediation that include one or a combination of the following:

- A mediator serving as a communicator or conduit
- Mediators entering into the substance of the negotiation

- The mediator seeking to influence the parties in order to resolve the conflict and thus requiring her/him to become party to the solution

The various techniques employed by mediators include:

- Persuasion: Portraying an alternative as attractive option
- Extraction: Producing an attractive position from each party
- Termination: The ability to withdraw from the mediation
- Deprivation: The ability to withhold resources from one side or shift them to another
- Gratification: The ability to add resources to the outcome (Zartman and Touval, 2007).

Processes of mediation are therefore vital in any conflict resolution/peacebuilding process and the mechanisms employed for mediation are almost certain to impact on the outcome. The AU has a formal mandate to engage in mediation as a form of peacemaking. This mandate is apparent in:

- The Protocol Relating to the Establishment of the Peace and Security Council of the African Union (2002)
- The ECOWAS Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security (1999)
- The SADC Protocol on Politics, Defence and Security cooperation (2001)

As Africa is entering a new era of conflict resolution and peacebuilding, it does not have a dedicated mediation unit or specialist expertise in mediation. The challenges ahead are sobering, however. Since 1990, the cost of armed conflict to Africa's development has been \$284bn; this calculation covers only the cost of armed conflict in periods of actual combat (OXFAM Briefing Paper, October 2007). Globally, nearly 78 conflicts in 2008 cost the world US 18 billion dollars a year (Ahtisaari presentation, Annex IV). Although conflicts and official deaths from conflicts in Africa declined in recent years, these form a relatively small part of the true human cost of wars and the continent cannot become complacent. From 2002 – 2007, for example, the combined total of inter-state and intra-state conflicts declined from 39 to 14, – a drop of 64% - while the official battle-related death toll over the same period dropped from 9,368 to 2,727 i.e. just over 70%. However, the number of recorded campaigns of 'one sided violence' against civilians increased from 2006 – 2007 from five to ten – and the total number of official fatalities rose from 583 – 693 (Mack & Cooper, 2008). Indirect deaths from conflicts are rarely recorded but are lamentable. In the DRC alone, for example, 5.4million people have died since 1998, mostly because of war-exacerbated disease and malnutrition (Mack & Cooper, 2008). Conflict and its resultant human suffering, displacement, division and death have only exacerbated Africa's socioeconomic challenges.

The call for strengthening the AU mediation capacity is a recognition that Africa needs to address its problems urgently. At a seminar held by the Centre for Conflict Resolution (CCR) in Cape Town in 2006 a series of recommendations on mediation in Africa were put forward for consideration. These included the point that mediation efforts in Africa needed to be strengthened through the provision of adequate training for mediators and parties in dispute. Furthermore, mediators should become involved in the process as early as the planning and design stages and should include women and civil society activists. There is also a need to explore appropriate modalities to ensure that the information gathered by the vast network of UN field offices in Africa be used to provide analysis

that could assist mediators. The Mediation Support Unit (within the UN Department of Political Affairs) should provide extensive expert briefings to international mediators (CCR, 2006b). With regard to mediation strategies, five issues need to be borne in mind. The first is that the role of the mediator is only one part of the peace process, with post-conflict reconciliation and peacebuilding still to follow. Second, the mediator is essentially governed by his/her values and thus issues relating to openness and transparency or gender sensitivity will feature accordingly. Third, mediators need to be cognisant of how needs can be balanced by fair distribution of power and resources to parties, recognition of the rights of minorities and by making allowances for cultural diversity. Fourth, successful mediation inspires others in the conflict to embark on the road to peacemaking, and so facilitates transformation of society at all levels. Fifth, seasoned and experienced practitioners carry out mediation and this practice should be supported systematically.

Laurie Nathan has identified three specific areas through which mediation could be institutionalised within the AU, effectively strengthening African mediation initiatives (Nathan, 2007):

Acquiring mediation expertise: Mediation, over the last decade especially, has come to be regarded as a professional discipline encompassing a body of theory, comparative research and case studies. As a discipline, mediation encompasses certain skills and techniques. Among these is the diagnosis of the causes of conflict; engaging in shuttle diplomacy when adversaries refuse to talk to each other; designing and convening the mediation process; identifying common ground between the parties and generating options for resolving deadlocks. These skills and techniques effectively facilitate dialogue and cooperative problem solving and should be mandatory for mediators working in the field.

Entrenching institutional support for mediation: Mediators in conflict situations generally need various forms of support relating to expertise for mediation, country and regional dynamics, intelligence, thematic issues, communications and management, administrative and financial matters. Increased support of this nature for mediation efforts would greatly increase the chances of a more accurate understanding of the conflict and its challenges in a particular context. This would impact more positively on the mediation process.

Instituting a viable concept of mediation: The same rigorous development and refinement involved in military doctrines should apply to mediation in order to formulate a coherent doctrine. The formulation of a mediation doctrine would remove the reliance on methods such as ‘quick fixes’ or ‘strong arm tactics’ which have been shown to affect the peace process.

Following the need to professionalize mediation, Nathan further suggests that the AU and regional organisations set up permanent mediation units composed of staff with the necessary expertise. The units would have two functions: conflict prevention and conflict resolution. The conflict prevention unit would support envoys to prevent or de-escalate conflict within and between states by advising conflicting parties, acting as interlocutor, facilitating confidence-building measures and brokering agreements. The conflict resolution unit would support envoys through formal mediation processes and facilitation and management of multi-party negotiations.

COMPREHENSIVE CONFLICT RESOLUTION AND MANAGEMENT

The mediation process should ideally involve a monitoring and early warning function. It should also extend to the post-conflict phase. Laurie Nathan has made allowance for this in his model of dedicated mediation units for the AU and/or regional organisations (Nathan, 2007). Aside from functioning in dispute resolution, coordination and building an information repository, the units would have an early warning action. This would involve providing advice and updates to senior officials with a view to capturing opportunities for de-escalation of conflict. The units would make an important contribution to early warning by providing the perspective of mediators. Another function of the units could be to monitor and evaluate the evolving dynamics of a conflict, assessing parties' reactions to each other and to the mediators' proposals, or to peace agreements.

Early warning mechanisms (such as the UN Humanitarian Early Warning System) can be traced back to the 1950s and are used to track intelligence – gathering information to predict an attack or to forecast humanitarian or natural disasters. Early warning is a term that is used to describe a variety of activities such as conflict analysis, conflict monitoring, data analysis, risk assessment and advocacy. RECs such as IGAD and ECOWAS have established regional early warning systems. Early warning systems can be either qualitative or quantitative. Whichever methodology is employed, early warning systems should ideally identify the causes of conflict, predict the outbreak of conflict and contribute to the mitigation of the conflict. Achieving the first objective requires data collection, an assessment for warning or identification of possible scenarios to bridge the gap between early warning and response, the formulation of an action proposal, transmitting recommendations and assessing an early response. Achieving the second objective includes engaging the support of decision makers, built around specific conflict prevention mechanisms thereby directly linking warning with actual response initiatives. The third objective would be achieved by identifying and prioritising options for operational response and committing to sustained rather than *ad hoc* efforts (Austin, 2004). Processes of mediation would therefore fit in very well in terms of achieving some of the objectives set out by early warning systems.

Mediation is also an important aspect of peacebuilding and, if properly utilised could achieve not just a settlement of conflict but facilitate a full transformation of relations (Bercovitch, Kadayifei, 2002). If peacebuilding is defined as identifying and supporting those structures that can strengthen and solidify peace in the aftermath of peacemaking and peacekeeping (Doyle & Sambanis, 1999) then peacebuilding encompasses a range of activities and structures before, during and after formal peace agreements between parties are signed. It is also therefore a dynamic process of resolving conflict and rebuilding societies involving mechanisms and structures that can prevent, terminate, transform or resolve conflict. It further involves mechanisms and structures that can strengthen the capacity of a society to manage change without violence. This may involve addressing the root causes of conflict through long-term economic and social provisions as well as policies of reconciliation. A crucial aspect of peacebuilding is the role played by various informal and local conflict resolution mechanisms and structures including second track diplomacy or indigenous conflict resolution methods by unofficial actors such as grass roots organisations.

'The relationship between mediation and a successful transition from war-like behaviour to more cooperative interactions is [however] rarely defined and widely misunderstood' (Bercovitch, 1989:294). Much of the work of mediation identifies it merely as a reactive process in which mediators can help in the post violent phase with a cease-fire and a peace settlement. Mediation can however be

utilised at other stages of the conflict. It can be initiated before the actual fighting takes place (preventive diplomacy); at the early stages of the conflict when the casualties are still low; later in the conflict when the casualties are higher, in order to terminate violence, and after the signing of an agreement to facilitate transition (Bercovitch & Kadayifei, 2002). Mediation initiatives could make peacebuilding efforts more successful by: involving community based initiatives, second track diplomacy and civilian participation; including physical security in the form of demobilisation, citizen protection, police and security reform; acknowledging economic reconstruction such as infrastructure development, micro enterprises and credit assistance; taking into account human rights and the reduction of racial and communal violence; addressing institutional / civil capacity building; accommodating democratic development such as civic education and judicial reform; taking into account basic needs and social reconstruction in the context of re-integrating refugees or combatants.

LEARNING LESSONS

INSTITUTIONALISING MEDIATION LESSONS

LEARNING LESSONS

Laurie Nathan (2007) has argued that in order to further the institutionalisation of mediation within the AU it is vital to build institutional memory and learning. He points out that the lack of thorough mediation assessments, recording of lessons, gradual accumulation of knowledge and a central repository of expertise within African mediation means that each new mediation effort relies on the personal experience of the individuals involved. Notwithstanding the fact that participants at the Addis Ababa seminar concurred that mediation processes should be flexible, creative and responsive they are often confronted by common strategic issues. According to Nathan, these include:

- The merits of confidence building mediation versus power based diplomacy
- The merits of state versus non state mediators
- The relationship between mediation and enforcement action
- The challenge of ensuring compliance with peace agreements
- The leverage exerted by donors who fund the mediation process
- Parties negotiating in bad faith
- Parties negotiating when divided
- Spoilers refusing to be part of mediation talks
- Challenges involving civil society involvement



Laurie Nathan, University of Cape Town

- Regional organisations as arenas of conflict rather than forums for conflict resolution
- The importance of non-partisanship in mediation

The formulation of general knowledge regarding commonly encountered issues while addressing these challenges would, at the very least, help to avoid obvious mistakes and flawed strategies (Nathan, 2007).

Mediation also requires a strong support base in order to enable the process to take place in a dedicated and continuous fashion. Mediators need to be able to communicate with the various parties. Finally, mediators will not be very effective if they do not have a comprehensive understanding of the peculiarities, intricacies and dynamics of a conflict. Support for these aspects would considerably strengthen mediation capacities and would involve the following:

- Maintaining records of meetings and correspondence with parties
- Undertaking research and liaison with country, regional and functional experts
- Coordinating evaluations of mediation initiatives and the development of a body of lessons learnt and best practices
- Providing technical and strategic advice on mediation
- Communicating with adversaries and other parties as emissaries (Nathan, 2005)

As noted earlier, Nathan makes the case that mediation units should be constituted, including within the Panel of the Wise or alternatively located elsewhere under the chairperson of the AU Commission. Placing it within the Panel of the Wise would however, mean that mediation efforts function independently of states, thus ensuring non-partisanship, one of the cornerstones of the practice of mediation. Mediators could then engage in low profile preventive diplomacy before conflict arises. Their flexibility would not be constrained by the vested interests of member states and

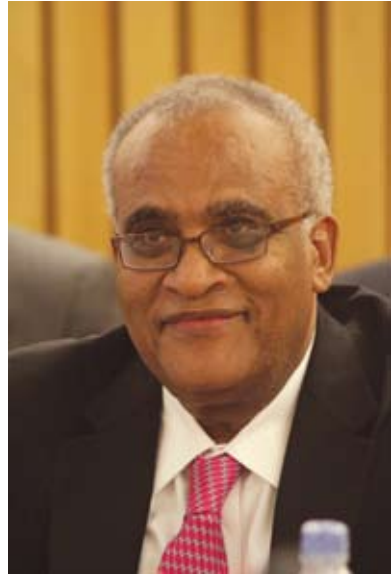
they could more easily make contact with all parties involved. However, mediation under the Panel of the Wise may be complicated because it is unclear whether the AU expects the Panel of the Wise to function in an advisory capacity and also that the Protocol on Peace and Security indicates that mediation could be undertaken by a range of actors such as special envoys and *ad hoc* committees (Nathan, 2005).



Left to right:
Katri Viinikka, Regional Manager, Department for Africa and the Middle East, Ministry for Foreign Affairs of Finland
Janne Oksanen, Desk Officer, Pan African Issues, Ministry for Foreign Affairs of Finland

THE WISDOM OF ELDERS

Notwithstanding possible complications regarding the formal place for mediation within the Panel of the Wise, it is useful to note the origins of the idea of wise elders in Africa in relation to conflict resolution. The Panel of the Wise is motivated by the need to find home-grown solutions to African challenges. Practices from different parts of Africa exemplify the wisdom of senior leaders as relevant to conflict prevention and the maintenance of peace in indigenous settings. Various proverbs abound espousing the wisdom of elders. The Ikwerre people from the Niger Delta area in Nigeria say, 'What an old man sees seated, a youth does not see standing'. A similar expression is found in an East African proverb, 'What old people see seated at the base of the tree young people cannot see from the branches'. The Loa people of Congo have a proverb which states that "Those who do not listen to the voice of the elderly are like trees without roots". Elders are also seen to be discreet and thus trustworthy. A Bassa Liberian belief is that elders are like "a bathtub which cannot expose any secret of those who stand before it daily". There is also significant evidence of elder meetings throughout African history held under trees or in village assemblies such as the Palaver Hut meetings of the Vai and Kapplle people of Liberia. In pre-colonial Nigeria the course through which dispute resolution proceeded was hierarchical with the highest posts occupied by elders. In Uganda, among the Karamojong, the elders resolved disputes by means of discussions and debates before they progressed into conflicts. Likewise, in Ethiopia, among the Boran, the village council and village head had far-reaching political, social, economic and judicial functions including dispute settlement (Oluborode, 2008).



*Salim Ahmed Salim,
Member of the Panel of the Wise, AU*

The AU's Panel of the Wise is composed of five highly respected African personalities who have made an outstanding contribution to the cause of peace, security and development on the continent. They are former OAU secretary-general Salim Ahmed Salim; South Africa's Independent Electoral Commission chief, Brigalia Bam; former Algerian president, Mohamed Ahmed Ben Bella; Benin's Constitutional Court President, Elizabeth Pogon, and former Sao Tome and Principe president, Miguel Trovoada. The panel is tasked with advising the PSC and the Chairperson of the Commission on all issues pertaining to the promotion and maintenance of peace, security and stability in Africa – particularly in the area of conflict prevention. The Panel of the Wise is also tasked with undertaking any action deemed appropriate to support the efforts of the PSC and those of the Chairperson of the Commission on issues relating to the promotion and maintenance of peace on the continent (AU, 2002).

The wisdom these seasoned elders have to offer is not only vital in terms of current mediation but also with regard to knowledge production for the future of mediation. Mediation techniques should be shared across generations and the importance of mentors for leadership was highlighted during the Addis Ababa seminar. Successful transformation inspires mediation and conflict resolution and these lessons should be shared, not only on the continent but also globally. In order to cultivate the

next generation of peacemakers, systems and instruments to support mediation and to facilitate learning and the skill of mediation, are needed. Young professionals in the field should be mentored with direct emphasis on reflection of past efforts, capturing lessons and avoiding past mistakes. The seminar participants agreed that Africa should shift from ‘telling of stories’ to building knowledge. Presently there are no reliable answers to important questions, mainly because rigorous research in a consistent, sustained and ongoing basis is lacking. If this issue is addressed, it will support the development of long-term African solutions to peacebuilding.

CIVIL SOCIETY AND MEDIATION SUPPORT

An entrenched and vibrant civil society is intrinsically linked to democratic consolidation in that it facilitates the participation of citizens in development and governance. Civil society organisations as grass-roots agents of mobilisation ensure that governance includes the voice of local level citizens and actors. As far as good governance is concerned, an autonomous and active civil society is of distinct importance.

In the same way, civil society plays a critical role in the maintenance of peace and security as well as in the process of post-conflict reconstruction and mediation. Civil society has two specific advantages that further its vital role in peace and mediation. The first is its ability to reach people at the grass-roots level in African communities. The second is its advocacy capacity often resulting in bringing to bear the voice of the marginalised on policy development (Mutasa, 2008). Civil society has assumed an increasing role in mediating and negotiating peace agreements across Africa. Religious organisations, youth and women’s groups played a large role in the Inter-Congolese Dialogue while in Rwanda, Burundi and Angola faith-based organisations were intrinsically involved in bringing warring parties to the table (CCR, 2006). Civil society has also played a vital role in the search for peace in Sudan, Liberia, Sierra Leone and Guinea Bissau (Mutasa, 2008).

The importance of the role of civil society in Africa was formally recognised under the OAU in February 1990 when the OAU, UN agencies and African civil society organisations convened the International Conference on Popular Participation in the Recovery and Development Process in Africa in Arusha, Tanzania. The conference sought an understanding of the role of popular participation in the development and transformation of Africa. The outcome, which resulted in the Arusha Charter on Public Participation, highlighted the need for African governments to integrate African civil society into governance structures of key institutions to ensure their participation in defining long term development policies. The space for civil society only officially opened up however after the establishment of the AU (Mutasa, 2008).

The AU’s Constitutive Act of 2000 provides for an Economic Social and Cultural Council (ECOSOCC) (AU Constitutive Act, Articles 5 and 22). ECOSOCC statutes were approved in 2004 at the third summit of the AU and resulted in the Council’s establishment in March 2005. Through ECOSOCC, the AU clearly states its commitment to participatory practices and engagement with civil society. This notwithstanding there remains a need for the consolidation of these practices and engagements. Mutasa has written that one of the challenges has been that of funding – the AU provided only \$1.3 million to the standing committee’s budget when the amount was initially set at \$3.5 million. Moreover, programming funds have been reclaimed because they were not used due to the lack of proposals for their utilisation. Another challenge has been the mobilisation of local

and grass roots participation by the directorate mandated to consolidate the ECOSOCC process (Mutasa, 2008).

The benefits of civil society's role in mediation efforts in Africa are very well illustrated by the case of Ghana during its 2008 election period. The Addis Ababa seminar involved the participation of the West Africa Network for Peace (WANEP), which noted that the election in Ghana was closely contested with the country politically divided and opposing parties both claiming that losing was not an option. Sensing tensions, a coalition of community based organisations was formed which played a mediating role within civil society and between political parties. This initiative proved vital to the outcome of a peaceful election. Lessons which can be drawn from the work of the civil society coalition in Ghana pertaining to mediation mechanisms include:

- Civil society actors are uniquely placed to assist early warning and mitigation of conflict
- Civil society can help to formulate strategic partnerships creating an environment of stability
- Civil society has the ability to bring together important actors
- Civil society actors have the ability to maintain consistent messages that can help quell tensions

Participants at the Addis Ababa seminar agreed with experts that civil society and non-governmental organisations in particular are very well placed to offer support to mediation processes and efforts within the African context. This is so for a number of reasons¹:

1. *Civil society is ideally placed to contribute specialised and context specific knowledge.*

Due to its nature, civil society, and non-governmental organisations in particular, do not have the responsibility to govern, and thus have the luxury of being able to choose when and where they engage, and in which areas they wish to develop a comparative advantage. Governments, international organisations and regional organisations typically have limited opportunities to specialise, because they have to respond to several crises simultaneously, each of which may differ considerably in context. Civil society organisations can compliment these efforts by contributing specialised and context specific knowledge. They are also able to take specific action – by initiating programmatic action, mobilising resources and then acting as change agents. These actions, however, only have meaning if they are part of a larger peacemaking or peacebuilding system. The capacity of civil society to specialise also provides governments and organisations with a ready repository of expertise, and often mediators and mediation support staff move between governmental and non-governmental worlds with ease.

2. *Civil society is able to work at multiple levels to broaden the engagement of ordinary people with the peace process.*

Governmental mediation efforts are typically directed at political elites, while non-governmental organisations have the opportunity to engage with a broader base, including political parties, special interest groups and the private sector. Obviously both are necessary, and complimentary, but too often overly focused on official high-level mediation efforts. Many African civil society organisations work actively at multiple levels to broaden the engagement of ordinary people with the peace process and to encourage, and sometimes facilitate, facets of a wide-ranging national dialogue. In a sense, they 'walk with dirty feet on red carpets'. It is in this context that civil society can also play a useful role in encouraging, and providing a vehicle for, the involvement of groups traditionally excluded from

¹ Points 1,2 and 3 were drawn directly from Cedric de Coning's presentation at the seminar.

the formal political process. This could also include the expansion of participation of women who are rarely present in negotiations.

3. **Civil society can support and participate in post-conflict state building and nation building.** Formal engagement with peace processes by the UN or the AU are often heavily focused on state building. Governmental interventions are costly, preoccupied with exit strategies and thus typically drawn down when the peace process is just beginning to show sustainability. This often means that resource transfers occur before war-torn countries have the capacity to absorb resources meaningfully. National dialogue requires the sustained involvement of the broadest range of civil society, and it often requires the assistance of external facilitation. State building and nation building efforts that are aimed at addressing the root causes of conflict will also inevitably create new tensions in societies in transition, as those that have unduly benefited from unequal access to resources are likely to resist some of



Gurjit Singh,
Ambassador of India to Ethiopia

these changes, while those that have been denied access may lose patience with the slow pace of the transition. It is thus critical to develop local capacities to manage these tensions. International civil society organisations tend to have a long-term engagement with post-conflict countries, and seem to work better with local civil society partners, and indeed, often become localised over time. Sustained post-settlement engagement with all levels of society is critical, and requires close collaboration in efforts at both the international/local and governmental/non-governmental interfaces.

4. **Civil society is uniquely placed to assist early warning.** In Ghana, civil society organisations were able to support mediation efforts by identifying the appropriate time and window for intervention. This was based on a thorough knowledge of local conditions and sentiments. Through these interventions, structural issues causing latent conflict were identified and drawn out. Civil society was also very active in pre-election and election monitoring ensuring the process progressed smoothly.



Kingsley Mamabolo,
Ambassador of South Africa to
Nigeria

5. **Civil society contributions can be maximised in the context of strategic partnerships.** Civil society practitioners with relevant expertise can support mediation efforts such as conflict assessments, design of mediation processes, determining agendas, and establishing how to conduct meetings. However, this input is not enough without building strategic partnerships. The Ghana case study indicates that it is important for civil society to build partnerships and coalitions with each other, the AU, and other bodies in order to maintain leverage and efficacy. There is a danger however that civil society organisations may compete among themselves and derail the peace processes. Nevertheless, civil society is well placed to represent the interests of those people or groups in

society who are not necessarily part of rebel groups and therefore do not demand attention. The African peace and security architecture is mainly a top down structure but for the AU to have legitimacy there is a need for the bottom-up influences of civil society on AU policy. Instead of institutionalising the influences of civil society into AU structures, donors can do more to support the type of initiatives that build relationships between civil society and the AU. The distinction should also be made between civil society organisations that provide support services and organisations that are activist in nature because this will influence the type of partnerships different civil society actors have with the AU and other organisations.

6. ***Civil society has the ability to bring together important actors.*** The Ghana case study illustrated that civil society often has close relationships and access to people and groups with leverage, integrity, respect and legitimacy who can be called on to rise up and be bridge builders. Civil society’s leverage in Ghana was highlighted by its ability to bring stakeholders of the election together in a special forum. Among the stakeholders were the president of Ghana, opposition party leaders and church group leaders. The outcome of the forum was that civil society issued an authoritative media statement stating that all parties were committed to dialogue and a peaceful election. This helped to build a public sense of stability.
7. ***Civil society has the ability to maintain consistent messages.*** In Ghana, civil society maintained the emphasis on dialogue at all cost, over violence. The coalition of civil society actors committed Ghana’s political leaders to be consistent in their dialogue with the public. Civil society organisations also facilitated the concession of the losing candidate. There was a sense that a group of concerned people – including the international community and observers – were doing something. These informal mediation efforts prevented violence from erupting and served to settle rising tensions within the electorate.



Emmanuel Bombande,
Executive Director, West African Network for Peacebuilding

Florence Mpaayei,
Executive Director, N P I

LESSONS FROM THE FIELD

SOMALIA: ‘THERE IS NO PEACE TO KEEP’

HISTORY OF THE SOMALI CONFLICT

The independent Somali Republic was formed in 1960 from the former British and Italian Somaliland. In contrast to many other states which gained independence at the time, Somalis shared the same language, culture and religion, and many expected that the nation would face fewer challenges on the road to democracy. The clan forms of social organisation to which most Somalis belong, however, led to increased political competition, intolerance and politically motivated killings and the proliferation of parties along clan lines. By 1969, President Abdirashid Ali Sharma'arke was assassinated. This was followed by a coup and General Mohamed Siad Barre was installed as president – he eventually led a one-party, authoritarian state. The war with Ethiopia in 1977 and 1978 over the Somali-inhabited Ogaden region, led to the influx of hundreds of thousands of refugees into Somalia and a regional arms race, supported by Cold War powers. This militarised the country further. The 1980s was marked by the proliferation of armed splinter groups (which themselves often consisted of rival factions) and by 1990, the country descended into anarchy after the collapse of President Barre's army. It has been without an effective government since. With the collapse of the central government, rival factions and new factions competed over towns and regions, and many who were not militarised before, took up arms to defend their own territories. Despite mediation efforts by Ethiopia, Egypt and Italy in 1991, fighting between the rival factions of the United Somali Congress (USC) turned Mogadishu into a war zone as they vied for power and control of key areas. The south did not fare much better and became a chaotic battleground between USC forces and the Somali National Front (SNF), who looted and plundered grain stores and uprooted local farmers, leading to the famine in the region in 1992-1993.

In northern Somalia, however, the Somali National Movement (SNM) took over governance of the region, leading to the formation on 17 May 1991, of the independent Republic of Somaliland (along the same borders as that of the former British Somaliland). Peaceful elections were held in 1993. The Puntland Regional State (in the Northeast of Somalia) was formed in 1998, and is an autonomous regional administration with a Legislature, Judiciary and an Executive (Puntland Government, 2009).

In 2000, after the Djibouti-supported Somali National Peace Conference in Arta, the Transitional National Government (TNG) was created. It was however seen by many as dominated by the Hawiye clan, and so did not contribute to bringing peace to Mogadishu. By 2003, the TNG was unable to perform its function to set the scene for a constitutional conference and elections. The 14th peace process, undertaken by IGAD, led to the establishment of the Transitional Federal Government (TFG) in 2004, with Abdullahi Yusuf Ahmed elected president of the TFG. In 2008, President Yusuf resigned while UN-sponsored talks between the TFG and the Alliance for the Re-Liberation of Somalia (ARS) were underway in Djibouti. In 2009, a TFG-ARS unity government was formed and Ethiopian military forces, which supported the TFG against the opposition Council of Islamic Courts (CIC), withdrew from the country. In 2009, the TFG's mandate was extended until 2011.

(Sources: United Nations, 1996; ISS, 2005; CIA, 2009)

BACKGROUND

Mediation efforts have consistently failed in Somalia². Views differ as to why the country has seen 14 failed peace agreements since the collapse of Siad Barre's regime in 1991. Many blame domestic spoilers (whose views often fail to be accommodated in negotiations), lack of leadership in Somalia and the competitive political culture rooted in Somalis' clan system. Others argue that the Somali state's collapse (excluding Puntland and Somaliland) corresponds to the interests of external actors and certain regional governments. Some point to failure by the international community to act in a timely and appropriate manner and to understand accurately the situation in Somalia, which has led to a number of missed opportunities. The establishment of the TFG in 2004, and the TFG-ARS unity government in 2009, brought hope to some of the warring factions in Somalia. (Menkhaus, 2007).

PEACEMAKING, THE UN AND THE AU IN SOMALIA

The AU and the UN, among others, have played a leading role in recent efforts to restore peace and stability, and mediate peace in Somalia. The UN Secretary-General's Special Representative for Somalia and former foreign minister of Mauritania, Ambassador Ahmedou Ould-Abdallah has been actively involved since September 2007 in brokering peace in Somalia, a country that has never truly achieved lasting stability (ISS, 2005). Ambassador Ould-Abdallah was instrumental in the ceasefire agreement of June 2008 between the TFG and the main opposition group, the Alliance for the Reliberation of Somalia (ARS). He also heads the Nairobi-based UN Political Office of Somalia (UNPOS), which is overseen by the UN Department of Political Affairs in New York. The UNPOS was established in 1995 with the aim of assisting the UN Secretary General to 'advance the cause of peace and reconciliation through contacts with Somali leaders, civic organizations and the States and organizations concerned' (UNPOS, 2009a). The UN is taking steps to build the capacity of UNPOS, and is considering moving the office to Mogadishu in order to improve the UN's effectiveness in Somalia and to boost UN credibility in the country. Such a move will form part of a new strategy by the UN to provide stability to the country. UNPOS also acted in an advisory role to the offices of the UN Secretary General, and the Security Council, which developed a new strategy for Somalia that includes a UN peacekeeping force, subject to developments in the peace process.

To this end, a long-standing issue has been the deployment of international stabilising forces in Somalia. When the African Union Mission to Somalia (AMISOM) troops were deployed to Somalia at the start of 2007, the intention was to assist Ethiopian troops to restore peace in Somalia and to pave the way for international UN peacekeeping forces. The UN's last involvement of this nature ended in 1995 with the withdrawal of the UN Operation in Somalia II (UNOSOM II) troops after escalation of inter-clan fighting (ISS, 2005). To date the UN Security Council has not yet decided whether to implement its plan to deploy UN troops to Somalia to take over from AMISOM (UN News Centre, 2009) as it is felt that sending peacekeepers when a peace enforcement mission, approved by the UN Security Council, is needed, would be inappropriate (Hull and Svensson, 2008). It has however scaled up other forms of technical, logistical and financial support to AMISOM, although the AU recently renewed calls for the UN to deploy an international peacekeeping mission (AU Peace and Security Council, 2009). Days after this call, AMISOM troops were attacked and 11 Burundian peacekeepers were killed, reportedly by civilians (UNPOS, 2009b). The AU is not alone – the TFG

2 Throughout, 'Somalia' refers to the country Somalia, with the exclusion of the two northern mini states, Puntland and Somaliland.

and some opposing groups have called for the deployment of UN forces in the country. This has become pressing since the withdrawal of Ethiopian troops, which has left a vacuum that has to be filled by AMISOM.

AMISOM is the AU's third peacekeeping operation and has faced similar challenges to the AU's other operations in Sudan and Burundi, namely a lack of capacity and resources. Originally mandated to constitute 8,000 troops, only 3,000 troops from Burundi and Uganda have been deployed due to a shortage of resources of both the AU and its member states, and the security situation on the ground. The AU PSC has called on its member states to 'urgently provide troops to enable AMISOM to reach its authorised strength' (AU Peace and Security Council, 2009).

LESSONS FROM SOMALIA

The meeting reported that even before the signing of the Djibouti Ceasefire Agreement in 2008, the role of peacekeepers in Somalia was a topic of debate, both in terms of the presence of Ethiopian troops (assisting the government but deeply unpopular with civilians and fuelling further insurgency) and calls for the AU and UN to deploy peacekeeping missions to the country. For some, the key issue was that there 'is no peace to keep', and that intervention was necessary to restore peace in order to create the conditions for dialogue and peacemaking. This point pertains in particular to the area around Mogadishu. Others are of the view that there is indeed peace to keep elsewhere in the country and that there should be a move away from generalisations about the conflict in Somalia. Development and peacebuilding efforts should be concentrated in the many areas where there is peace, to create incentives for warring parties to lay down their arms (Sadiki, 2009).

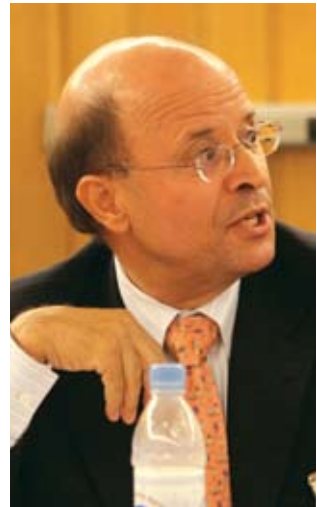
Participants noted that the peacemaking process in Somalia has been extremely complex, in part because of the multiplicity of actors involved in the conflict. Internally, the conflict involves the ineffective and limited TFG plus several groups of insurgents. Externally, the two main opposition



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Aziz Pahad,
Former Deputy Minister of Foreign Affairs, South Africa



Youssef Mahmoud,
UN Executive Representative for Burundi

factions, international actors such as the AU, the UN, and other special envoys and ambassadors, have all further complicated the peacemaking process. Despite these complications, the 15th peace agreement was signed in Djibouti during August 2008. The Addis Ababa seminar discussions addressed the past, lessons learned and prospects for peace in Somalia and elsewhere:

- *Speaking with one voice:* A new development for Somalia and an important lesson for future mediation efforts is that the AU and other African and international actors should adhere to a coherent and coordinated approach when dealing with conflicts. This helps to facilitate mediation and mitigate competition; it also prevents competing interests from derailing dialogue. In Somalia, for example, Ambassador Ould-Abdallah was appointed as key mediator by the UN; his role was recognised and respected by the AU and other actors. Other ambassadors and actors who were involved in peace processes could only act on behalf of the main mediator.
- *Building confidence:* In Somalia, seminars were organised for negotiating parties to debate and agree on the causes of conflict in the country. This helped to build confidence between parties and confidence in the peace process.
- *Common codes of conduct:* Of key importance to form a common basis for discussion is a code of conduct that negotiating parties should agree on. In Namibia, the lack of such a code of conduct resulted in parties using abusive language and carrying arms during negotiations, for example. This is a lesson that could be applied to Somalia.
- *Media coverage:* The media can play a significant role in the peace process as it has the capacity to drive the transition process by influencing the local population. It can also propagate information to attract international funding and support for peace processes. On the other hand, it can also be manipulated and distort the true picture. For example, the meeting reported that Somalis are a peace-loving nation and the global image of being a conflict prone society is based on the actions of a small number of militants. The media could play a role in mending confidence on the part of the international and regional community and donors, by reporting objectively and accurately on the present situation in Somalia.
- *Working with diaspora communities:* The diaspora can play a role in funding and fuelling war. The EU, United Kingdom (UK), US and Canada need to develop their capacity to deal with members of the diaspora who are actively involved in contributing to conflict.
- *Rebuilding confidence and peace support in Somalia:* AMISOM has played a constructive role in Somalia. For example, the mission set up military clinics and distributed humanitarian aid. There is a need to rebuild confidence in peace support inside and outside of Somalia's borders, particularly with Burundi, whose soldiers were killed in attacks against AMISOM forces.

BURUNDI: 'THE PEACEFUL KINGDOM'

HISTORY OF THE CONFLICT

From independence in 1962, until the signing of the Arusha Agreement in 2000, Burundi was plagued by inter-ethnic violence between the Tutsi minority and Hutu majority. In 1993, the first president, Melchior Ndadaye was assassinated, setting in motion a civil war in which over 300,000 people were killed and hundreds of thousands displaced.

In 1998, most political parties attended peace talks in Arusha, Tanzania, but shortly afterwards the armed wing of the Hutu party, the Conseil National pour la Défense de la Démocratie (CNDD), the Forces pour la Défense de la Démocratie (FDD) and Palipehutu's armed wing, the Forces Nationales pour la Libération (FNL), broke away from their political parties. This did not prevent the remaining political parties from engaging in further prolonged discussions, which led to the signing of the Arusha Peace and Reconciliation Agreement for Burundi on 28 August 2000. The agreement established power-sharing in the government, ethnic balance in the military and police, the creation of a truth and reconciliation commission, reform of the judicial system, and embodied reconciliation, good governance and the rule of law (Arusha Peace and Reconciliation Agreement for Burundi, 2000). The period after signing of the agreement was marked by increased fighting by the FNL and the FDD, who rejected the peace agreement. This did not prevent the establishment of a transitional government, a National Assembly and Senate, all of which remained in place until 2002. Fighting continued in the first half of 2003 between the Armed Forces of Burundi (FAB) and the CNDD-FDD but after lengthy mediation efforts, the CNDD-FDD signed a peace accord in November 2003 and joined the government. This turned the CNDD-FDD into a political party and facilitated the integration of the movement into the new Burundian armed forces. The FNL continued the armed struggle, however, leading to the UN Security Council Resolution 1545, which authorised the deployment of a United Nations operation in Burundi (ONUB) to support and implement the Arusha Agreement, and to take over from the African Union Mission in Burundi (AMIB). Although violence was reduced by the CNDD-FDD integration into government, severe fighting continued especially in FNL strongholds. Despite these difficult conditions, a successful referendum on the new Constitution was held in February 2005, and received endorsement from over 90% of the electorate. In the same year, what was deemed peaceful, free and fair parliamentary and presidential elections were held, but there were reports of CNDD-FDD loyalists harming, intimidating and threatening political opponents in the run-up to the elections (Human Rights Watch, 2006). In what came as a surprise to many in the international community, the main pre-dominantly Hutu former rebel group, CNDD-FDD, won both the presidential and parliamentary elections – and Pierre Nkurunziza was elected President. This significantly reduced the power of the parties who had been in control of the transitional government. The ruling Hutu party, Front pour la Démocratie au Burundi (FRODEBU), was a distant second and Union pour le Progres National (UPRONA), the main Tutsi party, came third (BBC, 2005). The FNL rejected another offer of peace talks after the elections.

During 2005 and the first half of 2006 both government forces and rebel forces were reportedly responsible for raping, killing, abducting, torturing and robbing civilians (Human Rights Watch, 2006b). Following intense negotiations and international pressure, the FNL and the government signed a ceasefire agreement in September 2006, further improving the security

situation for the people of Burundi. To date, despite a number of political crises and outbreaks of sporadic violence, the peace agreement has endured and Burundians will vote again in 2010 parliamentary elections.

(Sources: Action Aid, 2006; Global Security, 2006)

MEDIATION

The AU has played a leading role in mediation and peacekeeping in Burundi. The choice of respected persons of high international standing as AU-appointed mediators and the strategies employed to facilitate the peace negotiations, helped the Burundian people to achieve the signing in August 2000 of the Arusha Peace and Reconciliation Agreement, which was followed by a number of other cease-fire agreements and peace agreements with different armed movements. The peace process initially facilitated by the first President of Tanzania, Julius Nyerere, and then, after his death, by former South African President Nelson Mandela, was underpinned by an interesting strategy which combined three mediation approaches (Bercovitch, 2005):

1. Power-based, deal-brokering mediation, where mediators bring their power to bear on negotiations.
2. Interest-based, problem-solving mediation, where ownership of the process lies with parties and generates options to satisfy the interests of all parties.
3. Transformative mediation, where the aim is to empower and to change the relationship between parties and their perceptions about each other.

One strategy was to make the mediation process as inclusive as possible to give political parties ownership of, and confidence in the process and trust in each other. Both Nyerere and Mandela set out to include even the smallest political parties, other stakeholders and armed movements in the process and parties were encouraged to talk freely to each other. Mark Bomani, Mandela's adviser during the process recounts that 'once they know that the other fellow has not a tail, is a human being like you, and his concerns and anxieties are the same as yours, then you become less distrustful' (CCR, 2001). What some call coercive diplomacy³ and others define as power-based approaches, also played a role in propelling the process forward. Both facilitators used their stature, influence and the international spotlight on the process to take a tough stance to force parties to adhere to the deadlines set for reaching an agreement. Mandela brought his own experience of South Africa to bear on the process by forcing the parties to see that, although the conflict is fundamentally political, it had important ethnic dimensions. It is said that 'many Burundians have found Mandela's explicitly ethnic discourse distasteful, but crude as it may be, it has made easier the frank discussion of ethnicity within Burundi and has provided the way out of deadlock on the issue of who would be president during the transition' (CCR, 2001). Finally, regional powers also exerted their own pressure by implementing regional sanctions after a coup d'état in June 1996.

An important achievement however was that the content of the agreement was produced by Burundians themselves and even more so that they generally agreed on the causes of conflict. To this end, Protocol I of the Arusha Agreement set out the Nature of the Burundi Conflict, Problems of Genocide and Exclusion and their Solutions (Arusha Peace and Reconciliation Agreement for Burundi, 2000).

3 See for example Nathan, L., 2004, *Mediation and the African Union's Panel of the Wise*, Submission to the Commission for Africa, 15 July.

IMPLEMENTATION

AU mediation and the presence of AU appointed mediators continued to feature in Burundi during the implementation phase of the 2000 agreement. In particular there have been ongoing efforts by South Africa (on behalf of the AU) to facilitate the transformation of rebel groups to political parties, and their soldiers into the government forces. In 2004, Jacob Zuma, then Deputy President of South Africa, met with a range of signatories and non-signatories of the Arusha Accord to assist parties to reach a compromise on power sharing and democracy issues. One outcome was that Mr Zuma highlighted legitimate concerns that non-signatories in particular had about political freedoms that were being curtailed by the transitional constitution and which had been preventing public electioneering. Until 2008, another South African facilitator, Charles Nqakula, then South Africa's Minister of Safety and Security, was involved in ongoing efforts to integrate remaining rebel movements. He, for example, met with the leader of the last remaining rebel group, the FNL, Agathon Rwasa and the President of Burundi, Pierre Nkurunziza in August of 2008, with a view to speeding up the peace process and to integrate the group into public institutions (Boshoff, 2008). Mediators can therefore play a key role in post-conflict peacebuilding by giving a voice to disenfranchised groups, and raising legitimate concerns that could compromise peace efforts.

Beginning in 2003, the AMIB forces facilitated the implementation of the ceasefire agreements and ensured that defence and security were stable and well managed by the newly created national defence and security structures (AU, 2003). As the first fully-fledged peace operation of the AU, the role of AMIB was to establish an environment conducive for UN intervention. The mission's mandate involved liaison between parties, monitoring of the ceasefire agreement, technical assistance to DDR and the delivery of humanitarian assistance. In 2004, the United Nations Operation in Burundi (ONUB) was established to support and further assist the Burundians to implement the Arusha Agreement. This mandate was completed at the end of 2006, after which the UN Security Council established the UN Integrated Office for Burundi (BINUB). BINUB's mandate (BINUB, 2007) includes:

- Peace consolidation and democratic governance
- Disarmament, demobilisation, reinsertion and reform of the security sector
- Promotion and protection of human rights and measures to end impunity
- Donor and UN agency coordination

LESSONS FROM BURUNDI

Participants in the Addis Ababa meeting noted that in the transition phase following a peace agreement, residual, long-standing social, economic and political challenges remain and could reverse the progress made. There therefore needs to be a policy shift that strengthens local and national engagement in post-conflict societies at two levels:

1. The onus of peacebuilding gradually should be placed on national stakeholders, while ensuring that continued engagement of regional and other external actors such as the UN and the AU do not undermine national efforts.
2. Mediation facilitation after signing of the peace agreement should make use of national resources and capabilities, where appropriate and conducive to dialogue.

It was difficult to implement such policies in Burundi for a range of reasons. A history of sporadic violence and impunity had undermined the peacebuilding tradition in Burundi, once referred to as ‘the peaceful kingdom’, and eroded the legitimacy of local and traditional conflict resolution mechanisms, such as the Bashingantahe. The impatience of a multiplicity of external actors to define the problem, find a solution, seek funding and push through a solution also became problematic. This was mitigated by AU and external support for a national dialogue plan that had a number of positive spin-offs, most notably in establishing a role for women in the peace process and for Burundians themselves to become peace facilitators. Burundian facilitators were trained to take the lead in peacebuilding and gained wide credence. For example when the country faced a crisis on who should be the members of the Independent Electoral Commission (IEC), two members from facilitators groups were selected, indicating that national leaders were starting to rise above internal divisions to develop constructive solutions.

Despite the difficulties experienced, the peace process in Burundi has the hallmark of a potential success story. A number of factors contributed to the success, many of which relate to the qualities of the mediators of the peace process:

- *The judicious choice of experienced mediators:* Nyerere and Mandela were internationally respected and highly competent individuals with moral and political integrity, who had widespread legitimacy in Burundi. Both individuals demonstrated a genuine investment in the quest for peace, freedom and the emancipation of the people of Burundi. Nyerere also understood the challenges faced by Burundians, since Tanzania had been a haven for the country’s refugees.
- *Inclusiveness helps to create synergy that facilitates the progress of peace processes:* The peace process was marked by Nyerere and Mandela’s willingness to listen to all groups, including international and national observers, and special envoys.
- *Oversimplification of the process of mediation and of an understanding of a conflict can be a trap for mediators:* The mediators never assumed that, just because Burundi is a small country, its problems would be simple, and understood that the causes of its conflict, and their consequences, were complex.
- *Burundians were encouraged to take ownership of their country’s problems:* To this end, parties were given concrete responsibilities to discharge, especially to contribute to agree on why there is conflict and to come up with solutions.
- *Civil society played an important role:* A wide range of civil society actors helped to build confidence and bring together different stakeholders. Moreover, the work done by non governmental organisations like ACCORD and other humanitarian organisations, outside of the official mediation process, was a key aspect of the peace process.
- *The importance of political will to find solutions:* Without the willingness of most of the stakeholders to come to the table, the peace agreement would not have been possible. Much depends on whether the parties to a conflict are ready to talk. Thus, the strategic timing of mediation and intervention is important.

CONCLUSION

CONCLUSION

Given the changing nature of global relationships, African institutions need to build more equitable partnerships within the continent and with other global actors. Africa also has a diverse and active civil society culture allowing for innovative insights and formulations of conflict mediation. This context, and the evolving international system, provides many opportunities for the AU to establish and strengthen mechanisms of mediation that address conflict particular to the African continent in a way that will sustain peace.

Drawing from the proceedings of the seminar it is clear that the new African peace and security architecture requires an institutionalisation of mediation processes. The AU peace and security agenda needs to be supported in terms of mediation mechanisms and processes in order to move from *ad hoc* mediation initiatives to more institutionalised and systematic ones. Partnerships among African states; between the AU and regional organisations; the AU, EU and UN; and between AU and civil society organisations are important in order to ensure that there is cooperation, coordination, joint solutions and support among and within the actors in the field of conflict resolution and mediation.

Building institutional capacity will also lead to a pro-active approach to mediation specifically, and conflict management, broadly. To this end, more prominence should be given to prevention efforts and the role that mediation and mediators can play in preventing violence from erupting. The early warning system should be strengthened to provide early indications of the symptoms of potential conflict, before they erupt, and should provide space for the deployment of mediators at this stage. Likewise, the role of the mediator to provide support in post conflict reconciliation efforts and the implementation of peace agreements is of utmost importance. In order to further the institutionalisation of mediation within the AU, it is vital to build institutional memory and learning. There is an urgent need for thorough mediation assessments, recording of lessons, gradual accumulation and a central repository of knowledge within Africa's mediation capacity. Mediation techniques should be shared across generations and the importance of mentors for leadership should be highlighted. Finally, civil society is poised to provide support to processes of mediation through specialisation, conflict analysis, accurate intervention timing, building coalitions, maintaining consistent messages and engendering dialogue among a diverse range of stakeholders.



Seminar Participants

BIBLIOGRAPHY

- Action Aid, 2006, 'BINUB: Good governance, security sector reform and enhancing human rights: enhancing priorities', London.
- African Union, 2000, 'Constitutive Act of the African Union 2000/2001', Addis Ababa. Available at <www.africa-union.org/root/au/aboutau/constitutive_act_en.htm> accessed on 12 March 2009.
- African Union, 2002, 'Protocol Relating to the Establishment of the Peace and Security Council of the African Union 2002/2003', Addis Ababa. Available at <www.africa-union.org/root/au/Documents/Treaties/text/Protocol-peace%20and%20security.pdf> accessed on 18 March 2009.
- African Union, 2003, 'Communiqué of the Ninety-first Ordinary Session of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution at Ambassadorial Level', Addis Ababa, 2 April.
- African Union, 2009, 'Press statement', AU Peace and Security Council, 170th meeting, Addis Ababa, 18 February. Available at <www.african-union.org> accessed on 12 March 2009.
- Arusha Peace and Reconciliation Agreement for Burundi, 2000. Available at <http://www.usip.org/library/pa/burundi/pa_burundi_08282000_toc.html>, accessed on 12 March 2009.
- Akokpari, J, 2008, 'Building a unified Africa', in Akokpari, J, Ndinga-Muvumba, A, Murithi, T, (eds), *The African Union and its Institutions*, Jacana Media, Auckland and Centre for Conflict Resolution (CCR), Cape Town
- Austin, A., 2004, 'Early Warning and the Feld: A Cargo Cult Science?', Berghof Research Center for Constructive Conflict Management, Berlin.
- BBC News, 2005, 'Tutsi party accepts Burundi poll', BBC, London, 7 July. Available at <www.bbc.co.uk>, accessed on 20 April 2009.
- Bercovitch, J., 1989, 'International dispute mediation: a comparative empirical analysis' in Kressal, K. & Pruitt, D. (eds), *Mediation Research*, San Francisco, Jossey Bass.
- Bercovitch, J. & Kadayifci, A., 2002, 'Exploring the relevance and contribution of mediation to peacebuilding', *Peace and Conflict Studies*, Vol. 9, No 2, Nova Southeastern University, Fort Lauderdale.
- Bercovitch, J. 2005, 'Mediation success or failure: A search for the elusive criteria', *Cardoso Journal of Conflict Resolution*, Vol. 7, p301.
- Boshoff, H., 2008, 'Stumbling blocks remain in the Burundi peace process', Institute for Security Studies, Pretoria, 3 November. Available at <http://www.issafrica.org/index.php?link_id=14&slink_id=6795&link_type=12&slink_type=12&tmpl_id=3> accessed on 18 March 2009.
- Centre for Conflict Resolution, 2001, 'Methods of the mediator', Cape Town, quoted from an interview with Mark Bomani, Dar es Salaam, November 2001. Available at <http://ccrweb.ccr.uct.ac.za/archive/two/11_56/burundi_chapter4.html>, accessed on 18 March 2009.
- Centre for Conflict Resolution, 2002, 'Methods of the mediator', Track Two, Vol. 5&6, October 2002, Cape Town. Available at <http://ccrweb.ccr.uct.ac.za/archive/two/11_56/burundi_chapter4.html>, accessed on 18 March 2009.
- Centre for Conflict Resolution, 2005, 'The peacebuilding role of civil society in Southern Africa', Maseru, October.
- Centre for Conflict Resolution, 2006, 'The peacebuilding role of civil society in Central Africa', Douala, April.
- Centre for Conflict Resolution, 2007, 'Eurafrique? Africa and Europe in a new century', Cape Town, November.
- Central Intelligence Agency, 2009, 'World Fact Book: Somalia'. Available at <<https://www.cia.gov/library/publications/the-world-factbook/geos/so.html>> accessed on 23 April 2009.

- Doyle, M. & Sambanis, N., 1999, 'Building peace: challenges and strategies after civil war', Unpublished Paper, World Bank, Washington DC.
- European Union Committee, 2006, 'The EU and Africa: towards a strategic partnership', 34th Report of Session 2005-06, Volume I Report, House of Lords, London.
- Global Security, 2006, 'Burundi civil war', Alexandria VA. Available at <<http://www.globalsecurity.org/military/world/war/burundi.htm>> accessed on 19 April 2009.
- Gomes, S., 2008, 'The peacemaking role of the OAU and the AU: a comparative analysis', in Akokpari, J., Ndinga-Muvumba, A. & Murithi, T. (eds), *The African Union and its Institutions*, Jacana Media, Auckland and Centre for Conflict Resolution (CCR), Cape Town.
- Hull, C. & Svensson, E., 2008, 'African Union Mission in Somalia (AMISOM): exemplifying African Union peacekeeping challenges', Swedish Defence Research Agency, Stockholm.
- Human Rights Watch, 2006, 'Overview of human rights issues in Burundi', pp.1-2., quoted by Action Aid, 'BINUB: Good governance, security sector reform and enhancing human rights: enhancing priorities', London.
- Human Rights Watch, 2006b, 'Warning signs: Continuing abuses in Burundi', Vol. 3 No 27, pp.4-8., quoted by Action Aid, 2006, 'BINUB: Good governance, security sector reform and enhancing human rights: enhancing priorities', London.
- Institute for Security Studies, 2005, 'Somalia fact files', March. Available at <http://www.issafrica.org/index.php?link_id=14&slink_id=3483&link_type=12&tlink_type=12&tmpl_id=3> accessed on 19 March 2009.
- Juma, M., (ed), 2006, 'Compendium of key documents relating to peace and security in Africa', Pretoria University Law Press, Pretoria.
- Klingebiel, S. et al, 2008, 'Donor contributions to the strengthening of the African peace and security architecture', German Development Institute, Bonn.
- Mack, A. & Cooper, T., 2008, 'A new peace in Africa?', *Conflict Trends*, 4, ACCORD, Durban.
- Menkhaus, K., 2007, 'Mediation efforts in Somalia', in *African Mediators Retreat*, pp.38-41, quoted by Aberg, A. et al, 2008, in 'Unpacking the mystery of mediation in African peace processes', Centre for Security Studies, Zurich.
- Murithi, T. & Hudson, J., 2006b, 'United Nations mediation experience in Africa', Policy Advisory Group Seminar, Centre for Conflict Resolution, Cape Town.
- Murithi, T., 2007, 'Between paternalism and hybrid partnership: the emerging UN and Africa relationship in peace operations', *Dialogue on Globalisation*, Briefing Paper, New York.
- Murithi, T. & Ndinga-Muvumba, A., 2008, 'Building an African Union for the 21st century' in Akokpari, J., Ndinga-Muvumba, A. & Murithi, T. (eds), *The African Union and its Institutions*, Jacana Media, Auckland and Centre for Conflict Resolution (CCR), Cape Town.
- Mutasa, C., 2008, 'A critical appraisal of the African Union – ECOSOCC civil society interface' in Akokpari, J., Ndinga-Muvumba, A. & Murithi, T. (eds), *The African Union and its Institutions*, Jacana Media, Auckland and Centre for Conflict Resolution (CCR), Cape Town.
- Mwanasali, M., 2008, 'From non-interference to non-indifference: the emerging doctrine of conflict prevention in Africa', in Akokpari, J., Ndinga-Muvumba, A. & Murithi, T. (eds), *The African Union and its Institutions*, Jacana Media, Auckland and Centre for Conflict Resolution (CCR), Cape Town.
- Nathan, L., 1999, 'When push comes to shove: the failure of international mediation in African civil wars', *Track Two*, Vol 8 no 2, Centre for Conflict Resolution, Cape Town.
- Nathan, L., 2007, 'Mediation in African conflicts; the gap between mandate and capacity', *Africa Mediators Retreat*, 23 – 25 April, Zanzibar, Tanzania.
- Nathan, L., 2004, 'Mediation and the African Union's Panel of the Wise', in Discussion Paper no 10: A Submission to the Commission for Africa, 2005, Crisis States Research Centre, London School of Economics, London.

- Oluborode, J., 2008, 'The African Union peace and security architecture: can the Panel of the Wise make a difference?', LLM Thesis, University of Pretoria.
- Oxfam, 2007, 'Africa's missing billions: International arms flows and the cost of conflict', Oxfam Briefing Paper, October.
- Puntland Government, 2009, 'Puntland state profile: historical background'. Available at <<http://www.puntlandgovt.com/profile.php>> accessed on 27 April 2009.
- Sadiki, K. ACCORD Analyst, Interview. 28 April 2009, Durban.
- United Nations, 2006, 'The United Nations and Somalia 1992-1996', Department of Public Information, New York, pp 9-29.
- United Nations Department of Political Affairs, 2008, 'New UN mediation team hitting stride', United Nations, New York, Summer – Fall.
- United Nations Integrated Office in Burundi, 2007, 'Mandate, strategies and programs', United Nations, New York, 1 January. Available at <http://binub.turretelev.com/en/index.php?option=com_content&task=view&id=20&Itemid=48> accessed on 15 April 2009.
- United Nations News Centre, 2008, 'Darfur: UN, African Union envoys in Sudan to reinvigorate peace process', United Nations, 13 January, New York. Available at <<http://www.un.org/apps/news/story.asp?NewsID=25281&Cr=Darfur&Cr1>> accessed on 18 March 2009.
- United Nations News Centre, 2009, 'Somalia: top UN envoy praises new government, urges full support', United Nations, 13 March, <http://www.un.org/apps/news/story.asp?NewsID=30176&Cr=somali&Cr1>> accessed on 18 March 2009.
- United Nations Operation in Burundi, 2006, United Nations, <<http://www.un.org/Depts/dpko/missions/onub/>> accessed on 18 March 2009.
- United Nations Political Office for Somalia, 2009, 'UN in Somalia', United Nations, New York. Available at <http://www.un-somalia.org/UN_Somalia/index.asp> accessed on 25 March 2009.
- United Nations Political Office for Somalia, 2009, 'SRSG condemns killing of AMISOM troops in Mogadishu', United Nations, 20 April 2009. Available at <http://www.un-somalia.org/Pressroom/Press_Releases/UNPOS_Media_Advisory122.asp>, accessed on 18 March 2009.
- Zartman, I. & Touval, S., 2007, 'International mediation', in Crocker, C. et al (eds), *Leashing the dogs of war: conflict management in a divided world*, United States Institute of Peace Press, Washington D. C.

ANNEX I: LIST OF ABBREVIATIONS

| | | |
|-----------------------|---------------------------------------|--|
| LIST OF ABBREVIATIONS | ACCORD | African Centre for the Constructive Resolution of Disputes |
| | AMISOM | African Union Mission to Somalia |
| | AMU | Arab Magreb Union |
| | ARS | Alliance for the Reliberation of Somalia |
| | AU | African Union |
| | BINUB | UN Integrated Office for Burundi |
| | CMI | Crisis Management Initiative |
| | CMCA | Commission on Mediation, Conciliation and Arbitration |
| | CMD | Conflict Management Directorate |
| | CNDD | Conseil National pour la Défense de la Démocratie |
| | CPMR | Conflict Prevention Management and Resolution |
| | DDRR | Disarmament, Demobilisation, Rehabilitation and Reconstruction |
| | ECCAS | Economic Community for Central African States |
| | ECOWAS | Economic Community of West African States |
| | ECOSOCC | Economic Social and Cultural Council |
| | EU | European Union |
| | FAB | Armed Forces of Burundi |
| | FDD | Forces pour la Défense de la Démocratie |
| | FNL | Forces Nationales pour la Libération |
| | FRODEBU | Front pour la Démocratie au Burundi |
| | IEC | Independent Electoral Commission |
| | IGAD | Intergovernmental Authority on Development |
| | NPI | Nairobi Peace Initiative |
| | OAU | Organization of African Unity |
| | REC(s) | Regional Economic Community/ies |
| | SADC | Southern African Development Community |
| | SNF | Somali National Front |
| | SNM | Somali National Movement |
| | TFG | Transitional Federal Government |
| | UN | United Nations |
| | UNPOS | UN Political Office of Somalia |
| | UNOSOM II | UN Operation in Somalia II |
| UPRONA | Union pour le Progres National | |
| UN DPA | UN Department of Political Affairs | |
| UNOB | United Nations Operation in Burundi | |
| WANEP | West Africa Network for Peacebuilding | |

ANNEX II: AGENDA

4 March 2009

United Nations Conference Centre – United Nations Economic Commission for Africa

Addis Ababa, Ethiopia

AGENDA

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|---|--|--|
| MEDIATING PEACE IN AFRICA | | |
| CHAIR: MR VASU GOUNDEN – EXECUTIVE DIRECTOR: ACCORD | | |
| 09:00 – 10:30 | Welcome and Opening Address | H.E. Mr Erastus Mwencha – Deputy Chairperson of the Commission of the AU |
| | Key Note Address: Implementation of the EU-Africa Strategy on Peace and Security, the Finnish Perspective | H.E. Mr Alexander Stubb – Minister for Foreign Affairs of Finland |
| | Key Note Address: Reflections on Mediating Peace | H.E. Mr Martti Ahtisaari – Former President of Finland, 2008 Nobel Peace Laureate and Chairman of CMI |
| SESSION 1: THE NEW ARCHITECTURE – LESSONS AND INSIGHTS | | |
| CHAIR: AMBASSADOR NICHOLAS BWAKIRA – AU SPECIAL REPRESENTATIVE TO SOMALIA | | |
| 10:30 – 11:30 | Peacemaking in Africa: From the OAU to the AU | Amb. Salim Ahmed Salim – Former Executive Secretary of the OAU, Former AU Special Envoy to Darfur, Member of the AU Panel of the Wise |
| | The EU Experience on Creating an Architecture for Peace and Security | Amb. Koen Vervaeke – EU Special Representative to the AU |
| 11:30 – 12:00 | COFFEE & TEA BREAK | |
| SESSION 2: MEDIATION EXPERIENCES FROM THE FIELD | | |
| CHAIR: MR AZIZ PAHAD – FORMER DEPUTY MINISTER OF FOREIGN AFFAIRS OF SOUTH AFRICA | | |
| 12:00 – 13:30 | Lessons of Mediation in Burundi | Amb. Mamadou Bah – AU Special Representative to Burundi <i>And</i> Amb. Youssef Mahmoud – UN Executive Representative for Burundi |
| | Lessons of Mediation in Somalia | Amb. Nicolas Bwakira – AU Special Representative to Somalia |

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|--|---|--|
| 13:30 – 14:30 | LUNCH | |
| SESSION 3: MEDIATION SUPPORT: CHALLENGES AND OPPORTUNITIES | | |
| CHAIR: MS FLORENCE MPAAYEI – EXECUTIVE DIRECTOR, NAIROBI PEACE INITIATIVE | | |
| 14:30 – 16:00 | Perspectives from Civil Society | Mr Cedric de Coning – Senior Research Fellow, ACCORD <i>And</i> Mr Emmanuel Bombande – Executive Director, WANEP |
| 16:00 – 16:15 | COFFEE & TEA BREAK | |
| 16:15 – 16:45 | Keynote Address and Concluding Comments | H.E. Erastus Mwencha – Deputy Chairperson of the Commission of the AU |



Presentation by *Youssef Mahmoud*, UN Executive Representative for Burundi

ANNEX III: PARTICIPANTS LIST

PARTICIPANTS LIST

- Kirsti Aarnio,
Ambassador of Finland to Ethiopia
- Tarja Aarnio,
Representative of Ministry for Foreign Affairs of Finland
- Babatunde Afolabi,
Representative, ECOWAS
- Martti Ahtisaari,
Chairman, CMI
- Ragnar Angeby,
Folke Bernadotte Academy
- Jori Arvonon,
Senior Political Advisor to the Minister for Foreign Affairs of Finland
- Mamadou Bah,
AU Special Representative to Burundi
- Guy Banim,
Conflict Prevention and Crisis Management, EU
- Antonio Benedito,
Ambassador of Spain to Ethiopia
- Emmanuel Bombande,
Executive Director, WANEP
- Nicolas Bwakira,
AU Special Representative to Somalia
- Didier Boschung,
Counsellor of Switzerland to Ethiopia
- Subhash Chand,
Second Secretary (Political), Embassy of India to Ethiopia
- Cedric de Coning,
Senior Research Fellow, ACCORD
- Amadou Diongue,
Analyst, AU Commission
- Sofia Moreira de Sousa,
Political Counsellor, EU Delegation to the AU
- Vera Fernandes,
Ambassador of Portugal to Ethiopia
- Abdi Foum,
Deputy Head of Mission, Embassy of Sweden to Ethiopia
- Vasu Gounden,
Founder and Executive Director, ACCORD
- Pekka Haavisto,
Special Envoy of the Minister for Foreign Affairs of Finland
- Alphons Hennekens,
Ambassador of the Netherlands to Ethiopia

Antje Herrberg,
Director, Martti Ahtisaari Rapid Response Facility, CMI

Fatou Camara Houel,
Department for Political Affairs, UN

Timo Järvinen,
Ministry for Foreign Affairs of Finland

Tanja Jääskeläinen,
Senior Adviser to the Minister for Foreign Affairs of Finland

Dawda Jobarteh,
Africa Progress Panel

Therese Jonsson,
Project Officer, Folke Bernadotte Academy

Timo Kantola,
Head of Unit, Political Department, Ministry for Foreign Affairs of Finland

Sofie Karlsson,
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Yvonne Kasumba,
Coordinator, Peacekeeping Unit, ACCORD

Jens-Peter Kjemprud,
Ambassador of Norway to Ethiopia

Kinichi Komano,
Ambassador of Japan to Ethiopia

Mathias Kruger,
First Secretary, Regional Affairs - Peace and Security, Embassy of Sweden to Ethiopia

Liisa Laakso,
Department of Political Science, University of Helsinki

Kalle Liesinen,
Executive Director, CMI

Wisdom Lopa,
Embassy of Zambia to Ethiopia

Walter Lotze,
Coordinator, Peacebuilding Unit, ACCORD

Kari Lumikero,
Journalist, MTV3 News and Current Affairs

Youssef Mahmoud,
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Kingsley Mamabolo,
Ambassador of South Africa to Nigeria

Rene Milas,
Head of Political Section, EU Delegation to the AU

Shauna Mottiar,
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Erastus Mwencha,
Deputy Chairperson, AU

Betty Namubiru,
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Laurie Nathan,
University of Cape Town

Nathan Ndoboli,
Counsellor, Embassy of Uganda to Ethiopia

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Janne Oksanen,
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Aziz Pahad
Former Deputy Minister of Foreign Affairs, South Africa

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Mikkel Pederson,
Head, Training for Peace, Norwegian Institute of International Affairs

Mokete Lawrence Pherudi,
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Rolf Ree,
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Nissa Roguiai,
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Olli Ruohomaki,
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Matti Saari,
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Salim Ahmed Salim,
Member of the Panel of the Wise, AU

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Teemu Tanner,
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Musa I Tsabedze,
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Salomé van Jaarsveld,
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Pekka Venäläinen,
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Katri Viinikka,
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Pekka Vuorela,
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Yvonne Kasumba, Coordinator: Peacekeeping Unit, ACCORD
Aziz Pahad, Former Deputy Minister of Foreign Affairs, South Africa
Salim Ahmed Salim, Member of the Panel of the Wise, AU



Walter Lotze,
Coordinator, Peacebuilding Unit, ACCORD



Salomé van Jaarsveld,
Knowledge Production Officer, ACCORD

ANNEX IV

*Presented by President Martti Ahtisaari,
at the occasion of*

*MEDIATING PEACE IN AFRICA: SECURING CONFLICT
PREVENTION SEMINAR
Addis Ababa, 4 March 2009*

REFLECTIONS ON PEACE MEDIATION

REFLECTIONS ON PEACE MEDIATION

Honourable Colleagues,
Excellencies, Ladies and Gentlemen,

With the foundation of the African Union and contribution of some key individuals, such as former Secretary-General Kofi Annan, Africa is entering into a new era of conflict resolution and peace mediation.

The scale of the challenge is sobering. Africa suffers from a number of conflicts – according to one measure seventy eight conflicts were raging during 2008 with twelve of these being highly violent. Africa, according to research, loses around \$18bn per year due to wars, civil wars, and insurgencies. On average, an armed conflict shrinks an African nation’s economy by 15 per cent, and this is probably a conservative estimate. The strengthening of the AU’s Mediation capacity is recognition that finding ways to solve these conflicts is the means to demonstrate that Africa can address this problem.

The Africa Union will set an example for other regional organizations to develop the capacity to mediate within the global framework of the United Nations. The United Nations is the most important ‘peace-making’ body – there is no alternative. But the UN cannot do it all alone. It is often constrained and over-burdened with mandates for which it does not have adequate resources. It is now the obligation of regional organizations such as the African Union to contribute to the mission of the United Nations.

I am a citizen of the European Union. My experience as an eternally displaced person as a Karelian Finn has shown challenges and the opportunities of peace from my early childhood. It is not that long ago that Europe was in a full-scale war. Today, I am proud that the European Union seeks to share its experiences and values of peace with the world. This has underpinned the EU commitment to the shared priority to place the promotion of peace and security at the heart of the Africa-EU Strategic Partnership. It is encouraging that this is a commitment backed up with more than just words: I am sure my colleague from the EU will remind us that the EU’s African Peace Facility has been by far the most important source of funding to support the African Peace & Security Agenda.

I am particularly pleased, therefore, to offer my strongest endorsement of the Finnish initiative to support the partnership between CMI, ACCORD and the AU in further developing the AU mediation capacity and I am hopeful that Finland will take a leading role in the deepening of the AU-EU exchanges on mediation.



Martti Ahtisaari, Chairman, CMI

Ladies and Gentlemen,

Today, I would like to share with you six insights that I have gained during my career and in the hope they may trigger thinking and discussion during this conference and hopefully beyond.

1: A peace process is ONE essential building block in building peace but not all.

My first point concerns context: The role of a mediator must be understood as being only one part of a peace process.

In the life of a conflict, the most effective but least publicized mediation lies in the prevention of that conflict. The mediator is central to preventive diplomacy. Consider the lives and enormous sums of money that could be saved if we had increased recognition and engagement of mediators earlier in the stages of conflict. But, early warning systems and mechanisms are only effective instruments when they trigger action. But we also know that conflicts do occur. In this instance, one can compare the role of a Mediator to that of a midwife: we can assist the parties to come to a peace agreement, but the child – peace – is owned by the parties. Sometimes such a process can take years. The conditions for peace to grow needs to be in place. For Africa in particular, this means that poverty needs to be eradicated, and human security for all people need to be provided for. Democratic governance and economic development will allow peace to flourish and become sustainable.

Living in a multimedia world, we too quickly forget the suffering of a people or a nation-state when they are no longer part of the headline news. From my experience in Africa, Asia and Europe, I know that a peace agreement is just a beginning. Post conflict reconciliation is an equally vital part of the peace process. The hard work only starts after a peace agreement has been concluded. The agreements reached have to be implemented. This is why a peace agreement must benefit from measures to observe, monitor and reward a peace process. Sufficient resources have to be provided to provide for lasting peace.

I have been impressed with the willpower of the African people to come to peace through their efforts in reconciliation. Reconciliation requires long term dialogue of the people torn by conflict, it requires painful questions to be addressed, and it requires a fundamental commitment for peace by all involved. Such a process takes years, yes, even generations. What always impressed me most during my Africa years was the ability of Africans to forgive. This is a rare gift. Unfortunately I have not witnessed the same in Europe.

2. Values are anchors in peacemaking

People consistently ask me what a good mediator is. As each conflict and each mediator is unique, this is a question that is not easy to answer. The answer is: it depends. The most important resources that a mediator can rely on is his or her own values. And maybe not surprisingly, these values come from our upbringing and our beliefs, some of which maybe culturally bound, but many of which are universal. The bringing out of a peace mediator and sharing these essential values is probably what makes mediation an art.

One value that has come with my Nordic upbringing just like my African colleagues is that we need to give conflicting parties the sufficient space to speak and listen with our mind and heart. Asking the right questions will get the parties to find answers to their problems themselves. We, as mediators lead the process by supporting the parties, and this is what produces results.

We have to be positive and encouraging: The nicest compliment I have been given was by an Eritrean economist who said that he wanted to spend a year with me to learn how one says difficult things in a nice manner. For me, it means to believe always in the good in people, and also that conflicting parties need constant encouragement. One of my profound beliefs is that all conflicts can be resolved. Wars and conflicts are not inevitable. They are caused by human beings. There are always interests that are furthered by war. Therefore those who have power and influence can also stop them.

Openness and transparency is another value but let us not fall into the trap of believing that such values cannot be cultivated. There will be those who resist openness and transparency since it threatens their power. But there are always ways which can be found to build the necessary trust to encourage the kind of openness and transparency. This is a crucial tool towards peaceful resolution of disputes.

Gender equality and sensitivity in peace making is another value I care about and will continue to advocate for. In Africa and elsewhere we find many women as able facilitators in conflict resolution, but too seldom we recognize the importance of including women in top level negotiations, nor do we – the international community - appoint enough women mediators. Why we do not do that, is simply a mystery to me.

On the subject of values, let me address the vexing question of how to reconcile the values and principles of justice with those of peace. Peace and justice are not and cannot be opposites. Nevertheless, we have seen specific cases, and not least on the African continent, where mediators face very real dilemmas concerning the scope of peace agreements and their relation to international law. My own personal view is based on my experience as a mediator not as a jurist. A mediator is not a prosecutor. A mediator acts in the shadow of international law, but needs to be given the necessary discretion during peace negotiations. Certainly no blanket amnesties for genocide, war crimes and

crimes against humanity are acceptable but local solutions must be allowed to emerge and develop to allow reconciliation.

3. We need to open our minds when resolving conflicts

When talking about peace mediation we most often refer to internal conflicts, it is evident that the very principle of sovereignty is most often at stake. This is particularly the case with Africa, where ethnic grievance can be both cause and consequence of conflict. Acknowledging the interests of parties or people in conflict, however, does not have to result in changing state boundaries. It is about ensuring the human security of all, including minorities. Mediating towards better governance is preferable to mediating a separation. And here many options are possible. Mediators need to take care to investigate how needs can be balanced by fair distribution of power and resources to parties, recognize the rights and plight of minorities, and allow for cultural diversity.

To many, peace negotiations are seen to be conducted by small elite. But peace mediators do not work alone: indeed working in isolation is a recipe for failure. All my peace assignments have taught me that a peace process is largely a matter of cooperation and partnership between different actors, parties to a conflict, other peace mediators, governments, the civil society and international organizations. Namibia is an excellent example of this. The process leading to Namibian independence was long and required strong commitment and determination from the Namibians. We managed to get all the key actors, the Western five (US, UK, France, Germany and Canada), the Soviet Union, the Organisation of African Unity, (represented by the African front-line states), the South-African government and all the political parties in Namibia, including SWAPO, to work towards a shared goal. It also taught that a durable solution can only be found if one is also prepared to engage in discussions with your political opponents.

In this context, we need to be acutely aware of the role of mediation support. I have had the opportunity to work with many highly qualified colleagues in different peace processes. Their flexibility to engage in processes, to reach out to parties that some state actors have impediments to link in, their expertise and insights is something that needs to be integral to our approach to mediation. In other words, specialized organisations in this field such as the Crisis Management Initiative, or the co organiser of this conference, ACCORD, as well as others non governmental organisations present here today are important centres of excellence that do and can support capacity building and engagement in mediation efforts. They are part of the core business.

4. Inspire and Transform with Mediation

Successful conflict resolution inspires others in conflict to take the courage to embark on the path of peacemaking. This was also the case with Namibia which I believe inspired South Africans to begin the process of democratic change. The more effectively we engage in mediation at all levels of conflict, the more we will create hope for others engaged in conflict that peacemaking is also a way to realize the interests of conflict parties.

Mediation that is geared to building peace inevitably requires the transformation of society at all levels. This work is not simply the monopoly of governments. Lasting peace and reconciliation need a constituency and this is only acquired through the participation of institutions outside of government. This is why I want to stress the importance of engaging civil society in an effective way, parallel and integral to a peace process. They are the clients of the conflict parties; they are essential institutions of society that will bear the burden of ensuring

reconciliation. We have to be open to their concerns, even and especially if they do have different aspirations of the negotiating parties. Their involvement in the process is a necessity.

5. Cultivating the next generation of peacemakers

Mediation in Africa as well as elsewhere in the world is carried out by seasoned and experienced practitioners. We must now cultivate the future generation of peace-makers. Whilst my generation has practiced mediation more as an art, we should support its systematization, based on the understanding of needs. I know from my experience that a mediation process has many and in most crucial times technical aspects which the mediator alone cannot manage him or herself. The more readily available and tailored those instruments and expertise we have, the more efficient we will become. Mediation is also a skill. There are outstanding young professionals in this field that we need to mentor and give them the opportunity to practice, learn and build capacity.

6. Shouldering responsibility – sharing peace

I am seriously concerned about the large number of conflicts that the international community has not solved. We should never accept and allow that some conflicts remain frozen forever, and in consequence people suffer. A peace process is important but we have to be result oriented. This means more skills, more resources, and more pressure from the international community. Each unresolved conflict is to be seen as a vital challenge. We must, together, learn from our experiences. Learning has many dimensions: we need to reflect on our past efforts and capture them in a way that they can be easily shared, to improve, and not to forget our mistakes. We need to do so in a focused and meaningful manner. And, maybe most importantly, we need to accept that there are things that we can still learn about making peace.

Ladies and Gentlemen,

I am proud that the government of Finland has made a firm commitment to assist in the building of building mediation capacity on the African continent through a partnership between the AU, ACCORD and CMI. This partnership will bring expertise and support to ensure AU mediators, AU Special Representatives, and mechanisms such as the Panel of the Wise, with to bring peace to the African continent. May I wish you good success in today's conference with good opportunity to maybe discuss some of the issues that I have raised.



Strengthening the Mediation and Conflict Prevention Aspects of the African Peace and Security Architecture

A research report based on a seminar held in Addis Ababa, Ethiopia on 4 March 2009 organised by the African Centre for the Constructive Resolution of Disputes (ACCORD) and the Ministry for Foreign Affairs of Finland at the United Nations Convention Centre (UNCC), with the participation of the African Union (AU) Commission



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