

# CSS MEDIATION RESOURCES

## **Redefining Peace Leadership** Insights from Track One Women Negotiators and Mediators

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Disclaimer: This report summarizes the authors' observations and reflections from three workshops. It does not aim to provide a comprehensive or consensus view of all participants at these workshops. The views expressed are those of the authors and do not necessarily reflect those of organizations involved.

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***Commemoration Luz Mendez***

*We are deeply saddened about the passing of Luz Mendez, one of the first female signatories of a peace agreement, a gender champion, a great friend and a committed peace activist.*

*We are all grateful that we had the pleasure and honour to capture her wisdom and enjoy her very modest yet powerful presence among ourselves throughout the course of this initiative.*

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# Content

<b>Summary</b>	<b>6</b>
<b>Foreword</b>	<b>10</b>
<b>Introduction</b>	<b>12</b>
<b>Process Design Challenges and Strategies</b>	<b>16</b>
Impartiality	18
National Ownership	22
Mandate and Legitimacy	26
Participation and Inclusivity	34
Peace Agreements and Implementation	40
Gender: Matter of Style and Content	47
<b>Conclusion: Redefining Peace Leadership for the 21st Century</b>	<b>52</b>
<b>Annex I: Questions to Reflect on Negotiation and Mediation Process Design</b>	<b>55</b>
<b>Annex 2: List of Workshop Participants</b>	<b>59</b>

# Summary

To date, despite relative progress in women's participation in peace processes, very little is known about the experiences of women mediators and negotiators in "Track One" peace processes. In an attempt to address this knowledge gap, the Center for Security Studies (CSS) at ETH Zurich, the Kroc Institute for Peace and Justice (Kroc IPJ), the European Institute of Peace, and the Folke Bernadotte Academy (FBA) launched a joint initiative to learn from and with women negotiators and mediators. Through the conceptual lens of process design, this consortium brought together women mediators and negotiators from a broad range of conflict contexts and peace processes to explore the challenges they have faced and the strategies they have developed when engaging in mediation and negotiation at the Track One level. This report highlights key findings from the three workshops that took place between 2019 and 2020 as part of the initiative. It is structured around six key insights from the workshops, with illustrative case examples from Syria, Kenya, Kosovo, Mozambique, and the Philippines. The report concludes with an exploration of what "peace leadership" could and should mean in negotiations and mediation in the 21st century.

## **Impartiality**

At the workshops, the mediators and negotiators highlighted that they faced separate but related dilemmas when it comes to impartiality. Both state and non-state negotiators were concerned by the challenge of dealing with "biased mediators," although from different perspectives. Mediators drew attention to their struggle with the dilemma between promoting impartiality based on "equality" (i.e., treating everyone in the same way regardless of their needs) versus impartiality based on "equitability" (i.e., treating everyone fairly while considering their different needs). The mediators regarded the latter as a fair approach, as it responds to parties' different needs, but noted that equitability also risked reinforcing perceptions of mediator bias. The insights at the workshops suggest that it is helpful if mediators communicate clearly and transparently why they have chosen a certain mediation approach and pay close attention to how misperceptions and power asymmetries that exist between the different parties play out in peace negotiations. Mediators can also avoid some pitfalls by not taking on too many different roles at the same time. Other third-party actors can also play an important role, for instance

by providing capacity building to conflict parties and holding them accountable for peace agreement implementation, thereby allowing the mediator to maintain impartiality.

### **National ownership**

Both the negotiators and mediators highlighted the need for conflict parties to take responsibility for their own peace processes and agreements, although for different reasons. The mediators emphasized that negotiators in a process were responsible to their own constituencies, while the negotiators saw it as a necessity to take ownership to avoid an imposed agreement with little chance of success. The workshop participants also noted that the conflation between mediators and other third parties with their own agenda posed a real challenge to mediation efforts, as it might undermine the negotiators' trust in the process. Mediators and negotiators have a shared responsibility to work towards a common objective, even if they have different roles. When it comes to other third parties that are supportive of peace efforts, a key concern is the role they play in backing the formal peace process. Another is how these actors support leaders among the negotiators who are promoting peace.

### **Mandate and legitimacy**

The challenges highlighted by the participants included mandate restrictions, competing sources of legitimacy, intra-group fragmentation, and being perceived as representatives of women rather than their political party or affiliated institution. The strategies they used to tackle these challenges included going beyond their formal mandate to push for new agenda issues to be addressed, including gender issues. This demonstrates the need for further understanding of the role of mandates and legitimacy in shaping peace negotiations, including its formal and informal dimensions, as well as how negotiators and mediators view and approach their own mandates. Analyzing the sources of a mandate within a negotiation team could make negotiators more aware of the power dynamics within the team, which in turn could help them analyze their own wiggle room for making decisions. Therefore, while mediators must respect confidentiality, the more information mediators can get on the negotiators' mandate, the better. Gaining such information can make mediators more conscious of how they shape process design elements, including agenda setting. Negotiators tend to look at third parties from the perspective of them being "useful" or "not useful." While this is a legitimate strategy, negotiators would also benefit from more in-depth

analysis to get a better insight into mediators' mandates. The participants also stressed the benefit of expanding their agency by utilizing informal mandates.

### **Participation and inclusivity**

There are many challenges involved in promoting meaningful participation and inclusivity in peace processes. The women negotiators at the workshops primarily focused on how the power and influence of patriarchy had a negative impact on their participation and described their innovative strategies to access power and influence peace processes. Third parties have an important role to play in promoting women negotiators' agency and leadership and in challenging the flawed power structures of peace negotiations. Mediators face challenges such as dealing with the skepticism of some negotiators about the need for wider inclusivity, how to create effective linkages between different processes and tracks, and how to promote inclusion while also ensuring a manageable negotiation process. Some of the ways to deal with these challenges include long-term engagement with all the stakeholders involved in the conflict, coordinated and sustained efforts to link the different tracks in a process, and supporting efforts for greater inclusion by actors in a given context rather than prioritizing donor-driven initiatives.

### **Peace agreements and implementation**

There was wide agreement among both the mediators and negotiators about the need to negotiate the implementation modalities before the signing of a peace agreement and for peace agreements to deliver benefits to wider society to have a chance of succeeding. The importance of moving away from so-called constructive ambiguity – i.e., using vague language in peace agreement texts to provide space for parties to interpret them in ways that allow them to reach an agreement – was also highlighted. Another key takeaway from the discussions was that third parties should provide more support to implementation processes. This includes allowing for there to be substantial and long-term engagement, something which requires a lot of resources, time, and political will. Another issue relates to how third parties play multiple roles in peace processes and how the role they play before the signing of an agreement may be different to the one after its signing. Improvement in this area would require greater clarification and coordination regarding these different roles and how they may change from one phase of a peace process to another.



### **Gender: matter of style and content**

Gender issues came out strongly in the discussions on all of the aspects of process design that were covered, even though this was not the focus of the workshops. This might be an indication that women mediators and negotiators – at least the ones participating in this project – are generally aware of gender dynamics in peace negotiations. Participants dealt with the challenges of patriarchal structures, gender biases, and being expected “to tick the gender box” in different ways. While some said they were willing to promote women’s issues in negotiations, others took a different position as they refused to be seen only as representatives of women. Some participants also discussed how they played on existing gender stereotypes as a strategy, while others described how they focused on becoming thematic experts as a way to challenge the perception that they were necessarily gender experts. The diversity of views and strategies provided at the workshops demonstrates the importance of nuanced gender analysis and of not essentializing women who engage in peace processes.

### **Peace leadership**

The main message from the workshop series revolved around the exploration of approaches to negotiation and mediation that would be fitting to the contexts found in the 21st century. The idea here is that this would include the integration of women and men mediators and negotiators’ experiences and insights from the past, while exploring how to adapt and contextualize them in the future. The participants highlighted the need to shift this discussion from the gender dimensions of mediation and negotiation styles to a discussion on what meaningful peace leadership could look like, which could involve being respectful of both the “other” and one’s own interests, needs, and values. They emphasized that both men and women need to move away from traditional forms of “power-over” leadership and towards a more inclusive style of “power-with” leadership, which prioritizes broader human connections and includes values such as empathy, patience, and humility at its heart. Other attributes of this leadership style could include a focus on the agency, expertise, and innovation necessary to create wiggle room within restrictive mandates for negotiators and mediators. With an emphasis on the need for shared responsibility and clearly defined roles among different actors in a peace process, such leadership could play a crucial role in helping to achieve common objectives and, ultimately, sustainable and just peace in the future.

# Foreword

Many peace negotiation processes are heavily reliant on a traditional, power-focused approach – exclusionary and ill-adapted to the complex dynamics of 21st-century conflicts. Instead, what is critically needed is flexibility, adaptability, inclusivity, and innovation to end violence and build lasting peace effectively. It's time to build a better and more comprehensive understanding of peace process design and of the actors, mediators, and negotiators central to its delivery. Key to achieving this is learning from and with the entirety of its experts – and especially women mediators and negotiators.

Overlooking this vast body of expert strategies, perspectives, and experiences results in a significant knowledge gap for the peace mediation community. It is a tremendous, missed opportunity. This is why I am pleased that colleagues from the Center for Security Studies (CSS) at ETH Zurich, the Kroc Institute for Peace and Justice (Kroc IPJ), the European Institute of Peace, and the Folke Bernadotte Academy (FBA) brought expert women together from across a range of different track one negotiation and mediation processes. The space that this initiative provided allowed for a rich exchange between experienced women mediators and negotiators. In particular, this group explored how they navigate processes, stagnation, and how to infuse oxygen into talks. It also examined ways to build a more cooperative and less hierarchical 21st-century peace leadership structure that can be more conducive to establishing lasting peace.

This report and its findings summarise these exchanges, the valuable experiences of this group of experts, and why creating space for dialogue between practitioners of mediation and negotiation plays a crucial role in building peace. It explains how dialogue between these groups can lead to developing a broad pool of strategies to navigate processes, transparency, and the reflection, examination, and critique of previous, less effective methods. It's a process that has resulted in a body of knowledge geared towards providing flexible and adaptive strategies to navigating a rapidly changing conflict environment.

The peace mediation community knows: inclusive and well-informed processes can lead to building more comprehensive agreements that better reflect the needs of the affected society and increase the chances for lasting peace. This report provides the peace mediation community with approaches that will enable them to build more inclusive and informed processes. Peace

support actors at all levels can and should use the vital insights, strategies, wisdom, and expertise shared by women peace leaders in this initiative to increase the success of formal peace processes.

I trust you will find the insights of this report “Redefining Peace Leadership – Insights from Track One Women Negotiators and Mediators” illuminating, invigorating and necessary to forging peace processes that align with the needs of 21st-century conflicts.

**Annika Söder**

President of the Board of Governors European Institute of Peace

# Introduction

Over the past two decades, there has been no shortage of initiatives to demonstrate the importance of women's roles in achieving sustainable peace and security and to promote women's participation in peace processes.<sup>1</sup> Be it through UN Security Council (UNSC) resolutions, national action plans, or research studies on Women, Peace, and Security (WPS), a growing number of national and international actors have declared their commitment to promoting the role of women in conflict resolution and peacebuilding.<sup>2</sup> However, despite these efforts and the normative framework on WPS, women remain largely excluded from peace processes. Despite having played crucial roles in peacebuilding efforts at "Track Two" and "Track Three" levels for decades,<sup>3</sup> very few women have participated as negotiators and mediators in Track One peace processes to date.<sup>4</sup> Women made up only 6 per cent of mediators, 6 per cent of signatories, and 13 per cent of negotiators in the major peace processes that took place between 1992 and 2019. These numbers have not increased much in the past five years.<sup>5</sup>

In addition, insufficient efforts have been undertaken to study the art and craft of mediation and negotiation as applied by the limited pool of leading women professionals in the field. Little is known about the practical

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- 1 A peace process is understood here to include negotiation and mediation, but also many other efforts and initiatives aiming to resolve conflicts peacefully. Harold Saunders, "Pre-negotiation and Circum-negotiation: Arenas of the Peace Process," in Chester Crocker / Fen Hampson / Pamela Aall (eds.), *Managing Global Chaos* (Washington, DC: United States Institute of Peace Press, 1996) 419–432.
  - 2 Find information on countries with National Action Plans (NAPS) here: SecurityWomen, "UNSCR 1325 and National Action Plans (NAPS)," [securitywomen.org, https://www.securitywomen.org/United-nations/unscr-1325-and-national-action-plans-nap0](https://www.securitywomen.org/United-nations/unscr-1325-and-national-action-plans-nap0). Also see the information on UN Security Resolutions 2467 and 2493 here: PeaceWomen "The Resolutions," <http://www.peacewomen.org/why-WPS/solutions/resolutions>. <https://www.securitywomen.org/United-nations/unscr-1325-and-national-action-plans-nap>.
  - 3 See for instance the Accord Insight by Conciliation Resources on women's roles in peacebuilding across a number of contexts: Zahbia Yousuf et al., "Women Building Peace," *Conciliation Resources* March 2013, 1–55, <https://www.c-r.org/accord/women-and-peacebuilding-insight/women-building-peace>.
  - 4 Track One peace negotiations and initiatives include top-level leadership such as political, military, and religious actors. Track Two peace efforts involve mid-level leadership, and Track Three efforts involve grassroots actors. However, most peace processes involve actors from all tracks. See more here: Julia Palmiano Federer et al., "Beyond the Tracks? Reflections on Multitrack Approaches to Peace Processes," *Centre for Humanitarian Dialogue (HD Centre), Center for Security Studies (CSS) at ETH Zurich; Folke Bernadotte Academy (FBA) / swisspeace*, December 2019, <https://fba.se/contentassets/df6f116ee1d94aaab0d53122aded0e70/multi-track-01-block.pdf>.
  - 5 Council on Foreign Relations, "Women's Participation in Peace Processes", [cfr.org, https://www.cfr.org/womens-participation-in-peace-processes](https://www.cfr.org/womens-participation-in-peace-processes).

challenges that they face and the strategies they use when leading or participating in Track One mediation and negotiation efforts. However, these women do exist, and there is a need to learn from their experiences.

To contribute to bridging this gap, an initiative was conceptualized and implemented by a consortium of peace mediation and mediation support organizations; namely, the Kroc Institute of Peace and Justice (IPJ), the Center for Security Studies (CSS), the Folke Bernadotte Academy (FBA), and the European Institute of Peace (EIP). This initiative aimed to learn from and with women negotiators and mediators who have been involved in Track One peace processes all over the world. In particular, the initiative focused on exploring the challenges the participants had faced and the strategies they had developed to deal with them. The added value of this initiative resulted from the way it brought together both the perspectives of negotiators and mediators on the same questions of relevance, conceptualized from a process design angle.

## Participants

The initiative brought together a total of 31 female professionals for in-depth discussions over 3 workshops that took place between 2019 and 2020. The participants included individuals with first-hand experiences in official negotiation and mediation and ranged from lead mediators and negotiators to support actors and advisors. They also represented a wide spectrum of conflict contexts and peace processes from the post-Cold War period (see box 1).<sup>6</sup>

The diversity of experiences that women professionals bring into any room are shaped by a number of factors, such as their professional, political, or institutional affiliations as well as their cultural and educational backgrounds.

Here we focus specifically on different perceptions of negotiators and mediators as regards peace processes. This is done with the hope of contributing to a much-needed exchange between the two groups. In reality, there are often hardened perceptions and narratives on both sides that can hinder a process. For example, negotiators sometimes expect the solution to their conflicts

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6 It is hard, if not impossible, to do justice to the cumulative wisdom of the women negotiators and mediators that attended the workshops. It is also difficult to be clear about which specific insights come from individuals, which are therefore embedded in specific experiences and contexts, and which are derived from a general knowledge of good mediation and negotiation practice. To minimize confusing the two, we have given the workshop participants the chance to correct the text to reduce the risk that they have been misrepresented. Nevertheless, all biases and any remaining mistakes are those of the authors.

### **Box 1: Contexts Discussed and Participant Profiles**

The mediators had experiences from contexts such as Colombia, Cyprus, Burundi, Sudan, South Sudan, Kosovo, Mozambique, Somalia, Afghanistan, the Philippines, Myanmar, Nepal, Yemen, and Syria. They had worked for a range of different actors, including UN member states, non-governmental organizations, and international organizations.

The negotiators brought experiences as lead negotiators and supporting members of negotiation teams from contexts such as Colombia, Cyprus, Guatemala, Indonesia, Kosovo, Northern Ireland, Philippines, Sri Lanka, Syria, Uganda, Ukraine, and Palestine. They had represented armed groups, governments and civil society in the negotiations. Some participants had had roles as both mediators and negotiators.

to come from third-party mediators, while mediators can inadvertently place the responsibility for a lack of progress in processes solely on the parties.

Gender is another element of identity that lies among the constellation of these factors that may or may not shape one's professional engagement. Although gender was not the focus of the workshops, the gender dimensions of mediation and negotiation came out consistently in terms of style, challenges, and strategies. We have tried to capture these dimensions both in the way they provided insights connected to redefining leadership as well as how they form an integral part of other dimensions of peace process design.

### **Methodological approach**

To ensure a common thread ran throughout the three workshops, they were conceptualized within the framework of peace process design. To learn about the nuts and bolts of process design, the same set of questions were asked to negotiators and mediators at two separate workshops. This enabled a joint discussion between both negotiators and mediators on these same questions during the third joint workshop. The following key questions were at the heart of the methodological approach, helping to unpack the challenges faced and strategies used by mediators and negotiators in Track One peace processes:

- What **formats** of peace talks have they participated in?
- What have their **roles and mandates** been?
- How have they **engaged** with different national and international stakeholders?

- How have the **agendas** of the peace processes they have been involved in been set?
- What **challenges** have they faced?
- What **strategies** have they applied to deal with these challenges?

The reason behind framing the questions from a process design perspective rather than from a gender perspective was to keep the primary focus on learning practical strategies from the negotiators and mediators.

By examining the experiences of women in mediation and negotiation at the Track One level, we not only expand our understanding of process design and state-of-the-art mediation but also identify the need for a different nature of the necessary peace leadership appropriate for any given context. The initiative helped us deepen our understanding of mediation by bringing together the mediation community and lead negotiators and negotiation support experts from a wide range of conflict contexts. This approach has allowed us to look at mediation strategies not only from a third-party perspective but also from the viewpoint of negotiators, bringing out important nuances inherent in the respective perceptions while identifying common challenges and strategies. Such nuanced understanding can potentially contribute to dispelling some existing myths and narratives between negotiators and mediators; for example, the perceptions that biased mediators may hinder the process and that there is no such thing as an impartial mediator.

The following report is not meant to be prescriptive but rather descriptive. Neither it is based on in-depth research backed by quantifiable data or a relevant literature review. The report focuses on what we have learned from women mediators and negotiators by giving them space to talk and to voice their experiences and views. The reason for this is that existing reports and publications in the current discourse on shaping peace processes are largely dominated by the experiences of male mediators and negotiators.

With this logic in mind, the report attempts to capture some of the key insights from the three workshops and to do justice to the rich discussions that took place throughout them. The next section identifies challenges related to key process design dimensions, as identified by both negotiators and mediators, and highlights relevant strategies, when possible. The report concludes by synthesizing key insights inspired by the participants, including the need to redefine peace leadership. It also offers recommendations and raises salient questions for further research.

# Process Design Challenges and Strategies

Two objectives inform why a mediator looks at process design, sometimes also called mediation strategy.

One of these objectives is for the mediator to put together a well thought-through strategy to enable a well-structured process for conflict resolution. More often than not, however, political expediency means practitioners run short on time, hindering their ability to design an effective mediation strategy. Nevertheless, there seems to be a consensus in the practitioner<sup>7</sup> and academic communities<sup>8</sup> that a well-designed peace process, in contrast to an improvised one, has a better chance of assisting parties to negotiate agreements successfully. Process design does not replace any political decision-making on content. A peace agreement needs to be negotiated and agreed on by the negotiators of conflict parties. Process design should rather be seen as one way in which mediators can help parties work towards a common process objective. The degree to which mediators shape process design will vary depending on how far they take a more facilitative or directive role.<sup>9</sup>

The underlying idea of process design is to think through key questions such as the following: Who should be at the table? What is the objective of the process and what are the issues that should form the agenda? How and in which format should the talks take place? What are the decision-making modalities and communication strategies? A process-based and thorough analysis of such questions is likely to increase the chances of there being more effective negotiations and the possibility of a negotiated outcome acceptable to the negotiating parties. Process design is in no way an attempt

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7 Inbal Ben Ezer et. al., "Process Design for Peace Mediation: Key Questions for Consideration," ETH Zurich, 2018 (unpublished); Dekha Ibrahim Abdi / Simon J.A. Mason, *Mediation and Governance in Fragile Contexts: Small Steps to Peace* (Boulder: Lynne Rienner Publishers, 2019).

8 Christopher Moore, *The Mediation Process: Practical Strategies for Resolving Conflict, Fourth Edition* (San Francisco: Jossey-Bass, 2014); Ramzi Badran, "Intrastate Peace Agreements and the Durability of Peace," *Conflict Management and Peace Science*, 31:2 (2013): 193–217, <https://doi.org/10.1177/0738894213501133>.

9 More directive approaches may entail a division of roles between negotiators and mediators, with negotiators taking decisions on content and mediators on the process (e.g., where to meet, how to meet, agenda, sequence, etc.). More facilitative approaches are likely to involve more consultation with the parties on questions of process, meaning process design emerges out of discussions with the parties. In practice, a mix of approaches is often used.



to oversimplify the complexity in and around the conflicts of today. Instead, it offers a methodological approach to mediation practitioners to maximize the efficiency of their processes.

A second objective regarding process design is how to revive stalled processes, or, as some of the participants kept saying, how to “insert oxygen” into protracted processes by looking at the nuts and bolts of the relevant mediation design strategy. All the while, this is sometimes done without expecting this to result in significant progress.

Whether the aim is to design a new peace process or revive an existing one, it is important to note that process design does not replace political will on the part of the parties, or compensate for a lack of it, to negotiate an agreement. Instead, the assumption is that if parties become increasingly committed to negotiate rather than continuing to fight, process design may enhance their chances of effective negotiations. The argument for process design is that it is not just “what” parties want (the content) but “how” they go about it (the process) that matters. Commitment and trust, however, are not necessarily present from day one and they generally grow incrementally.

It is with this logic in mind that the negotiator and mediator workshops were designed to maximize learning and exchange experiences on process design elements.

In the subchapters below, we have clustered the key insights around the following main elements<sup>10</sup>:

- **Impartiality:** What is impartiality? How is it viewed from the perspective of the negotiator and the mediator? How does it relate to the role and acceptability of the mediator?
- **National ownership:** How can a process be shaped so that it allows for parties to own both the process and the resulting final agreement? What roles do mediators and other third parties have in terms of promoting national ownership? How can third parties who try to shape or meddle with the outcome of the peace process be dealt with?
- **Mandate and legitimacy:** What are the different sources and forms of mandate and legitimacy? From where do mediators and negotiators draw their leverage? What impacts their mediation and negotiation styles? What affects the dynamics and outcomes of the process and how?

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<sup>10</sup> The clusters used in the workshop went beyond the ones discussed here, including questions of format, agenda setting and sequencing. However, when reviewing the notes, we found the insights could be better integrated into the dimensions listed here.

- **Participation and inclusivity:** Who needs to be involved in the talks? How are they approached? Does broader participation and inclusion in peace processes lead to better processes and outcomes? What are relevant challenges that need to be identified by negotiators when setting up their negotiation teams and by mediators when putting together and carrying out an inclusive peace process?
- **Peace agreements and implementation:** What are the key challenges experienced by negotiators and mediators when it comes to the content and implementation of peace agreements?
- **Gender: style and content:** What are the necessary attributes of inclusive leadership, including decision-making styles and the ability to lead groups out of deadlocks? How does gender play a role in it? Are there gender biases involved when it comes to mediation and negotiation leadership?

Within each element, we attempt to bring out the negotiators and mediators' perspectives on some of the process design dimensions and discuss the interplay between them.

While keeping in mind that all the insights gathered from the workshop participants are very much case and context-specific, we have attempted to summarize our observations in a way that sheds light on key (mis)perceptions and narratives, exploring them in broad terms. Perceptions and perspectives, often overlooked and underestimated in academic discussions, remain at the heart of human dynamics. They shape attitudes and behavior at the negotiation table and beyond, cutting through all the fundamentals of effective mediation.<sup>11</sup>

## Impartiality

There are different understandings of the importance and meaning of the term “impartiality” in mediation. Impartiality was also one of the most frequently discussed concepts in the workshops, and the view of negotiators and mediators on this seemed at first to differ greatly. However, by

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11 The UN uses the following definition of mediation: “Mediation is a process whereby a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict by helping them to develop mutually acceptable agreements.” “Guidance for Effective Mediation,” *United Nations*: (2012). [http://peacemaker.un.org/sites/peacemaker.un.org/files/GuidanceEffectiveMediation\\_UNDPA2012%28english%29\\_0.pdf](http://peacemaker.un.org/sites/peacemaker.un.org/files/GuidanceEffectiveMediation_UNDPA2012%28english%29_0.pdf)

unpacking the term, including its meaning and importance, the discussions also shed light on some surprising similarities between negotiators and mediators' perspectives on impartiality. The differences and similarities that emerged are outlined below.

## **Negotiators**

While acknowledging the value of negotiations assisted by international mediators, the negotiators highlighted the challenges of dealing with mediator bias. It is a challenge for negotiators to navigate such bias, and potentially even manipulation by a mediator, while facing pressure to reach an agreement. Third parties can impact existing power asymmetries in negotiations. However, negotiators do not always know whether a third party is an ally of the opposing party or an impartial international actor. Negotiators benefit from clarity on these issues, even if this is something that is unlikely to be clear from day one in a process. Nevertheless, this would ideally become clearer as time goes by. As one negotiator said, honesty and authenticity are extremely important: "artificial impartiality harms the credibility of the process."

In some cases, negotiators pointed out how "mediator bias is seen to kill the process," particularly if the mediator becomes part of the problem over time. Non-state and government negotiators had different perspectives on this. From the perspective of many non-state negotiators, one of the factors that contributes to mediator bias was said to be the "holiness of sovereignty," meaning that the international community and mediators tend to favor governments over non-state actors. Non-state actors thus tended to believe that there is an asymmetry in the approach of mediators that includes favoritism towards governments. As a result, some non-state actors were of the opinion that the mediators end up supporting the sovereignty of corrupt regimes at the expense of the sovereignty of a whole population discontent with those regimes. This also has an impact on expectations of what can be achieved by an agreement and at what point in time in a given historical context. This perception of bias can also be reinforced by the amount of time mediators might spend with the respective parties, the venues where they might choose to meet the parties, and the international legal standards they might apply in discussions about the agenda. The mediator's impartiality is directly linked to their mandate and to the level of buy-in and support they might enjoy from the mandating institutions, organizations, or states. The less transparency there is about the mediator's wiggle room in this regard, the higher the risk is of the negotiators' expectations being distorted.

Government negotiators also often view mediators as being biased, but for different reasons. Often, mediators need to take account of the capacity gap between conflict parties and may attempt to bridge this gap by offering technical support to non-state actors who have no administrative resources or political experience. When this assistance is not offered to both sides, some government representatives perceive that the mediators favor the “weaker parties.”

Some negotiators also felt that mediators and other third parties occasionally hid behind notions of “impartiality,” such as when they were perceived as not being willing or able to hold the stronger conflict parties accountable for breaching agreements or violating commitments to the peace process. This also raised the question of what roles third parties can take on at the same time. For instance, can the role of holding parties accountable to agreements be compatible with that of assisting parties to work towards agreements? From this perspective, a lack of clarity about roles and the view that mediators are taking the side of the stronger party can contribute to the other parties becoming hardliners, as they lose trust in the mediation process and the role of the mediator.

These contrasting views from non-state and state negotiators highlight how important issues of bias and impartiality are to negotiators and how these concerns often determine whether they will accept a mediator or not. The insights also demonstrate that impartiality is viewed differently depending on an actor’s perceptions, which may vary greatly depending on the role, background, and needs of the negotiators. In a nutshell, impartiality is a minefield for a mediator, and it raises issues that mediators need to monitor given the strong perceptions negotiators can have towards them.

## **Mediators**

The mediators, in turn, highlighted the many challenges related to impartiality from their perspective. One such challenge is how different understandings of impartiality are used and relate to differing meanings of “fairness.” This can cause confusion in communication with conflict parties. For example, this can be the case when it comes to impartiality based on “equality” (i.e., treating all sides fairly and in the same way regardless of their needs) versus impartiality based on “equitability” (i.e., treating all sides fairly but considering their different needs). The idea of impartiality based on equality may be seen as “impartial” by the conflict parties, but it is not possible as parties have different needs. Impartiality based on equitability is more

realistic and more in tune with the spirit of fairness. However, it can be easily viewed by conflict parties as being biased. One way to deal with this problem, as suggested by one of the mediators, is to be transparent and honest, including by explaining the idea to the conflict parties. However, the ability to be transparent in this way depends on the wiggle room the mediator has within their mandate; for instance, if it is possible for them to leverage their international or institutional relationships, as well as political and human capital, to do so. The joint exchange between mediators and negotiators showed how important it is to work to build mutual understanding through dialogue in order to overcome mutual misconceptions. After a conversation during which a few mediators explained the rationale behind impartiality based on equitability, one negotiator stated that she had learned to view the role of the mediators from a different perspective. She said that while she had previously thought the mediators deliberately sided with the weaker party, learning this different perspective allowed her to put herself in the mediators' shoes.

## **Discussion**

There was broad agreement between negotiators and mediators that impartiality is a difficult but important topic. Some ways forward suggested by the insights of the discussions include 1) recognizing that there are different perceptions and understandings of impartiality and bias, 2) making the distinction between impartiality based on equality and equitability, and 3) mediators practicing principles of honesty and transparency and not taking on too many different roles at the same time.

Third parties may need to hold stronger conflict parties accountable for non-compliance with the implementation of peace agreements, especially when the stronger party happens to be a big power. However, this should not be the role of the mediator, whose task it is to help the parties negotiate the agreement. A clearer separation between the role of the mediator and that of other third parties, who may support implementation, monitoring or capacity building, could help overcome this challenge to a certain extent. Clarity regarding roles, however, was seen as a challenge for mediators, especially for those in international organizations, where institutional restrictions often result in mediation professionals having to take on multiple roles. This means that despite their principle of impartiality in their role of being the mediator, the position of such professionals is often affected by the other roles they have to play within their institution.

## **Kenya Case Study: Maintaining Impartiality during the National Dialogue and Reconciliation Process**

Meredith Preston McGhie was an advisor to H.E. Kofi Annan and the Panel of Eminent African Personalities, which provided mediation support during the Kenya National Dialogue and Reconciliation Process in early 2008. The mediators brought together the two main political parties to resolve a post-election dispute in Kenya, which had triggered widespread violence across the country.

The question of impartiality is always a challenge and a minefield for any mediator. In the process in Kenya, the mediation team used several strategies to address concerns from both parties about the impartiality of the mediators.

One approach was to invite technical experts on key issues discussed in the talks, including the question of the elections as well as broader issues such as transitional justice and constitutional reform. Bringing in the experts made it possible for the mediation team to avoid stating an opinion in favor of one option or another in the talks. Instead, the experts offered their advice and options, and if parties regarded this as favoring one side over the other, the use of the experts meant the mediators still had the space to address this as needed. One particularly tricky question was how to determine which party had won the election. To resolve this, a matrix of options was developed, which enabled the parties to discuss and agree on what was possible in order to move beyond the elections. This also meant the mediation team did not make any kind of statements about their preferred option. This was critical to maintaining the impartiality of the mediation.

## **National Ownership**

One of the key fundamentals of effective mediation, as set out in the UN Guidance<sup>12</sup>, is the consent, legitimacy and acceptance of mediation by the parties, something which leaves a high degree of autonomy in decision-making power in the hands of negotiators. The mediator is there to assist the negotiators. They are not there to decide the content of the peace agreement on behalf of the negotiators.<sup>13</sup> This often is captured in terms such as “consent” or “national ownership.” The argument is that issues of autonomy,

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12 “Guidance for Effective Mediation,” *United Nations*: (2012).

13 Moore, *The Mediation Process*.

consent, and national ownership are necessary ingredients for acceptable, sustainable, and legitimate agreements. However, the reality is more complex. The word “mediation” is often misused to cover up externally driven interference by regional or international actors with vested interests in the conflict. While this reality was recognized by both negotiators and mediators in the workshops, there were many nuances in terms of how they experienced and viewed the need for national ownership.

### **Negotiators**

Many negotiators expressed that they were sometimes confused about the role of third parties. It does not always seem to be clear to them whether a third party is neutral, an ally, or a biased international actor, with the concern being that a biased mediator might entrench the power asymmetry that exists among the parties. Several negotiators stressed the need for themselves to take ownership over the process and outcome and to push back against unrealistic expectations from external actors. They also stressed that parties should not rely on the mediator or another third party to resolve the conflict for them, though they outlined that these actors could help to facilitate the process. The parties felt very strongly about the need to arrive at an agreement themselves in order to ensure that its implementation would be successful. They were equally keen not to be led to accept an imposed agreement, which could see them being left behind with a fragile peace once the relevant third parties have exited. Some negotiators were ambivalent about mediators with a clear political agenda, especially when they also had a role as a guarantor of the mediation process. These negotiators recognized the need for the mediator to have power in order to move the process forward. However, they also noted that such power often came with a strong political agenda and a clear interest in the outcome of the mediation process.

### **Mediators**

In their discussions, the mediators emphasized that “we cannot be more zealous than the parties, who need to be aware that they are responsible *vis-à-vis* their constituencies.” From their perspective, it is important for negotiators to take ownership of their peace process. Further, negotiators should not place the whole responsibility for progress in the process on the mediators or necessarily blame the mediators if there is inaction in the process.

Occasionally, mediators are conflated with other third parties. In such situations, the role of the mediator, who is aiming to support parties with

their negotiation process, merges and mixes with the role of powerful external actors, who have their own agenda which may consist of trying to shape the outcome of the peace process. This undoubtedly causes confusion among negotiators about the motivations and usefulness of third parties, especially when it comes to how external pressure and power politics interfere with peace processes.

When they addressed this challenge at the workshops, the mediators identified the need to work to ensure that their institutional leadership, such as a head of state or special envoy, was willing to take risks to defend their mediation process rather than interfere. The mediators also wanted stronger leadership from the side of negotiators. This included the need for elites who would be willing to risk their political capital by promoting peace narratives to build their constituencies' support for peace. Such leaders would need to be willing "to change hearts and minds and reframe their stories, rather than following constituencies with no peace agendas." Such efforts could be supported through the design of peace processes, which provide sufficient space for both mediators and negotiators to build and invest the political capital necessary to promote such peace leadership.

When mediators do not have the institutional leadership to support their efforts, or do not see the necessary leadership within the negotiation delegations, there are always the options of handing the process over to another mediator or simply walking away from the peace process. These would be difficult decisions for any mediator to take. It is not easy to determine when it is right to stay and attempt to revitalize a process and when to move on to free the process from being held back by institutional interests or those of some of the negotiating conflict parties. Nevertheless, there was general agreement among the mediators that it was not useful to support "a system of peacemaking that forces people to pile bad decisions on top of each other, essentially challenging the unwillingness of all parties involved to accept failure."

## **Discussion**

External pressures and power politics create a reality that both mediators and negotiators see as a key challenge which takes up a lot of resources. The participants highlighted that the multilateral institutions responsible for international conflict resolution were under enormous strain due to increased geopolitical tensions and an elevation in the assertiveness of regional and big powers. They described how powerful states and actors interfered in peace



processes, which sometimes led to the official mediation process being sidelined or delegitimized. It is important for all parties involved to make a nuanced distinction between the profiles, mandates, and motivations of third parties in order to grasp their ability and willingness to deal with the challenge of interference. Third parties can be big powers who reinforce power asymmetries between the negotiation parties and keep the peace process hostage to further their own foreign policy or economic interests. In such contexts, it is important to take a constructive approach that accounts for what can be done realistically, one which is not too normatively driven and does not ignore geopolitical realities. Third parties can also be mediators, who might represent non-governmental organizations, states, or regional or intergovernmental organizations that seek to support parties in efforts to reach agreements. In both cases, the third parties have their own interests and motivations. However, in the case of the big power, there is a risk of a skewed outcome, while in the case of the mediator, they ideally help the parties to reach an agreement which is owned by the parties themselves.

This nuanced approach to making clear distinctions between actors does not necessarily settle the issue of big power politics' impact on peace processes. Neither does it deal with negotiators' overall responsibility to work towards agreements. However, it certainly contributes to unpacking the misconceptions that negotiators and mediators might have about each other. This approach can create space for exploring the positive impact of external powers, which, in the words of one mediator, can provide "incentives from outside to allow for a change from inside" in certain contexts. There is also a clear need for supporters of multilateralism to work together to ensure multilateral institutions become better placed to navigate complexity in peace negotiations. This could include making these institutions more agile and adaptive so that they are capable of responding to an ever-changing conflict landscape. Strengthening their ability to analyze regional conflict dynamics and build stronger relations with regional institutions and actors would also be important.<sup>14</sup>

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14 International Peace Institute, "Mediation and Peace Processes: IPI Blue Paper No. 8," *International Peace Institute*, 2009. [https://www.ipinst.org/wp-content/uploads/publications/mediation\\_epub.pdf](https://www.ipinst.org/wp-content/uploads/publications/mediation_epub.pdf).

## **Philippines Case Study: National Actors Sometimes Need Behind-the-Scenes International Support**

Dr. Emma Leslie was a member of the International Contact Group (ICG), established in 2009 to support the peace negotiations between the Philippine government and the Moro Islamic Liberation Front (MILF). The aim of the negotiations was to solve the armed conflict, during which the MILF had fought against the government to establish an independent Muslim region on the island of Mindanao. The ICG was mandated to “exert the necessary leverage and assistance towards sustaining the trust and confidence of both sides at the negotiating table.”

The negotiations reached a deadlock in August 2011 when the MILF rejected the Philippine government’s proposal, describing the gap between this proposal and their own as being like that between “heaven and earth.” The ICG engaged in mediation efforts to help resolve the deadlock. Leslie led the “charge” of shuttle mediation between the negotiators. By moving between key stakeholders in the negotiations, listening to their perspectives, working to clarify key points, and ascertaining if there was the political will to continue, the ICG finally persuaded the negotiators to return to the talks.

In 2014, the parties signed the Comprehensive Agreement on the Bangsamoro, which provided for a process to grant the Mindanao region greater political autonomy. Rightly, the primary credit for the successful negotiations went to the two parties and civil society stakeholders across the Philippines. This was, after all, a national process with national ownership. However, in the words of MILF chief negotiator Mohagher Iqbal, “the international support behind the scenes was ‘exceptional’ and saved the process on that particular day.”

## **Mandate and Legitimacy**

Negotiators and mediators are guided by their mandate when engaging in a negotiation process. The mandate can stem from different sources and have both a formal and informal dimension. The mandate can be understood as the negotiators’ or mediators’ “marching orders,” both indicating the aim they are working towards as well as some of the parameters and “no-go zones.” The negotiator’s mandate may be fundamentally different to that of a mediator, as it is derived from their delegation leadership and their constituencies, while the mediator’s mandate is derived from their mandating

organization and the parties. To better understand the role that mandates play in shaping peace processes, it is key to strengthen the understanding of how negotiators and mediators view their mandate and the extent to which these perspectives differ or align.

**Negotiators:** The negotiators described how they derived their credibility and leverage from their personalities, institutional or political affiliations, and, more importantly, their mandates. A negotiator's mandate can have different sources. The main mandate of a negotiator can come from their delegation leadership, political party affiliation, or the leading elites in an armed group or a government. The mandate can also come from civil society and the different constituencies they represent. If a negotiator has a clear mandate from both their leadership and their constituencies, this greatly strengthens their leverage. If a negotiator feels that their leadership is going down a path that does not align with their reading of their constituencies' needs, they may end up in a difficult situation. Formally, they would need to follow their leadership, but their sense of moral duty and views about content may make them feel the need to follow their constituencies. If the gap becomes too big, the negotiator may need to resign or only continue to be present if they have limited possibilities to impact the talks.

Mandates can be unclear and difficult to navigate, and they are often closely linked to the negotiators' maneuvering space to bring issues of importance to the table and their ability to make sure they are prioritized. To deal with these challenges, the negotiators at the workshops highlighted the need to have legitimacy and agency, which is often rooted in their personality and how they interact with others. This calls attention to the interplay between the formal and informal dimensions of mandates. Quite often, these different sources of mandates – i.e., leadership, constituencies, and how these are shaped by informal and formal aspects – can lead to certain tensions and have gender-related dimensions.

To provide an example, in one case raised at the workshops, a negotiator was said to be criticized by her constituencies, particularly when women's issues were not brought to the agenda. However, she did not perceive women's issues as being part of the mandate that her party's leadership had given her. She stated that "if your mandate is from your [military] leadership, you stick to those issues they mandate you to tackle." The mandate provided by the leadership did not necessarily give her the legitimacy to address women's issues, yet not bringing up these issues brought her criticism from the larger constituencies.

In another case, a negotiator reached out on her own initiative to national and international actors and made allies with the opposing party in the negotiation process on gender-related issues. Meetings would take place in informal and private spaces like bathrooms. In these meetings, women from both sides of the negotiations agreed that the men on each side had to push for women's issues to be prioritized and that they needed both male and female perspectives on these issues to be represented.

Other cases provided less successful examples of negotiators using their own initiative. In one, a negotiator talked to women's organizations within the conflict context, but she lacked the space and mandate to relay back to the negotiation table what she had heard. This was because the conflict parties did not prioritize gender issues, referring to how the official mandate lacked a gender provision. Such outreach, where what has been gathered is not passed on to the negotiations, can unintentionally create false expectations among those consulted, something which risks creating a lack of trust in the process and its outcome. In certain cases, such exercises can end up in women's issues being ridiculed and joked about by the negotiating parties. As welcome as this personality-driven initiative was, it is important to manage the expectations of women's organizations in a clear and realistic way. One way to do this is to communicate clearly and regularly with them about the preconditions for raising their issues in the negotiations and, when possible, to work with them to develop strategies on how to navigate these challenges.

The negotiators explained they sometimes experienced tensions between being regarded as women representing women (often as they were the only woman in the delegation) and being seen as representatives of an institution or party. Some participants pushed back against the expectation that they would represent women and women's issues solely because they themselves were women. One women negotiator said the following: "A man doesn't have to contribute 'as a man' – he just contributes. Why do I have to be characterized by my womanhood?" In some cases, negotiators explained that they adhered to their formal mandates and pushed for agenda issues for which they were mandated while ignoring women's issues. Others described how they went beyond their formal mandate and created room for women's gender issues in particular, whether out of personal interest, their own initiative, or because of gender-specific experiences. One negotiator described how the fact that she was also a member of a women's organization made her aware of gender inequality issues. She said that she saw it as her role to be a

champion for women, and she used her mandate to try to advance gender equality throughout the negotiations, including through collaboration with women's groups. In other words, mandates are elastic to a certain degree and depend on context and the negotiator's personality and initiative.

One key recommendation that could address the challenges of navigating mandates is to create space within negotiation delegations to discuss and debate sources of mandates and how to understand, implement, and reconcile respective mandates. This should help to overcome the dangers of intra-group fragmentation – by enabling the negotiation delegation to deal with opposing views within the team and create a coherent negotiation strategy – while also possibly generating fresh ideas and elasticity, which lie at the heart of effective negotiations. The negotiators at the workshops described how they dealt with intra-group fragmentation in their negotiation teams, for instance when it came to gender aspects. In one case, a negotiation team convinced their leadership about the need to prioritize women's issues by establishing alliances within the team, and this was managed even though the delegation leader was initially against such prioritization. In another case, a woman negotiator described how she used her “non-threatening” role as a woman in a team, a perception she described as being largely driven by male egos, to unify the negotiation delegation in a kind of insider mediator role. Nevertheless, such intra-group debate on understanding a mandate should remain within a negotiation delegation. If a delegation carries its internal divisions into talks with the other side, it risks undermining its negotiating power and its chances of success. With that being said, mediation support actors can provide support to negotiation team members to engage more effectively in such internal dialogue.

The stronger the mandate, the greater the decision-making power. Decision-making power can be broken down into levels,<sup>15</sup> and being made aware of these levels helps to clarify for a negotiator the level on which they are mandated to shape and make decisions. It is also important to note that the level of negotiation power may also differ depending on the agenda item. Different negotiators in the same negotiation team may have different levels

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15 "Robert Weibel (www.cenad.org) speaks of five levels of negotiation power: 1) power by being 'legitimately' at the negotiation table, and being adequately mandated to be there; 2) power to take a position, 3) power to leave your initial position, to show flexibility, 4) power to take an initial decision at the 'table', at the level of the negotiation, 5) power to float the decision back home at your company or government and win support for it." Lazaro Sumbeiywo, "To Be a Negotiator: Strategies and Tactics," *Center for Security Studies (CSS) at ETH Zurich / swisspeace*, 2009, <https://css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-security-studies/pdfs/To-Be-a-Negotiator.pdf>.

of decision-making power. If one of the parties has no decision-making power mandated by their leadership, it creates an asymmetric dynamic and essentially hampers progress in the negotiations. The participants at the workshops described a situation where a conflict party had not wanted any progress in the negotiations at all, which led to them appointing a negotiation delegation head with practically no decision-making power and a stalemate in the process.

In summary, negotiation mandates are closely tied to agenda setting, intra-group dynamics, and the decision-making power of key negotiators.

### Mediators

When it comes to mandates, two dimensions are fundamental for mediators. One concerns gaining clarity on their own mandate and trying to make the best out of it, even if it is not perfect. The second is about understanding the sources and possible interpretations of the negotiators' mandates.

As to the first dimension, it is accepted practice that mediators are given mandates by international governmental organizations and by the conflict parties themselves.<sup>16</sup> If these sources of mandate do not sufficiently align, mediators will not be able to mediate. The mandate needs to be clear and narrow enough to give direction, while also sufficiently broad and flexible in order for the mediator to have room for maneuver and move the process forward. One of the most problematic instructions often embedded in a mediator's mandate is the time pressure to get an agreement within an unrealistic time frame. This leads to pieces of paper that are not supported by the parties and will therefore not be implemented without ongoing heavy pressure from outside.<sup>17</sup>

Mediators can be restricted by their own institutional mandates, for example, regarding the inclusion of civil society members working on women's issues. This is especially the case when the institutional mandate focuses particularly on the Track One level and elites and revolves around key secu-

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16 On mandates see Laurie Nathan, "Marching Orders: Exploring the Mediation Mandate," *African Security*, 10:3-4 (August 2017), 155-175, <https://doi.org/10.1080/19392206.2017.1352393>; Isak Svensson / Peter Wallensteen, *The Go-Between: Jan Eliasson and the Styles of Mediation* (Washington, DC: United States Institute of Peace, December 2010); Allard Duursma / Isak Svensson, "Introducing an Agenda-based Measurement of Mediation Success: The Divergent Effects of the Manipulation Strategy in African Civil Wars," *International Negotiation* 24:2 (April 2019), 296-323, <https://doi.org/10.1163/15718069-24011175>.

17 Laurie Nathan, "The Failure of Deadline Diplomacy for Darfur," *RUSI Journal* 151:4 (October 2009), 74-78, <https://doi.org/10.1080/03071840609442040>; Laurie Nathan, "The Role of Third Parties," [www.peacemediation.ch](http://www.peacemediation.ch) youtube.com 18.03.2009, [https://youtu.be/y9\\_2w4GE4\\_M](https://youtu.be/y9_2w4GE4_M).

rity and political issues. In one peace process, when asked about including the WPS agenda into the process, the negotiators pointed to the mediator's mandate, which lacked any gender stipulations.

At the workshops, the mediators described some of the strategies they used to deal with these challenges, which were mostly focused on building trust, casting a wide net, and listening to all stakeholders. Mediators in small and private mediation organizations sometimes found that an effective way of getting an informal mandate from the parties was by building relationships and gaining the parties' trust. Mediators from international or regional organizations, meanwhile, described how they often found themselves to be restricted by their institutional mandates.

Nevertheless, personality-driven initiatives, despite the creativity that often comes with them, will always have a limited reach and impact as long as there is insufficient traction to push salient solutions at all levels, from civil society up to governments and across multiple tracks.

With regard to the second dimension, mediators often do not pay enough attention to what is driving the negotiators. Instead, they focus more on their own mandate. By placing a greater focus on understanding the negotiators' different sources and conceptions of their mandate (e.g., as outlined above), mediators will be able to get a much better sense of what is going on inside and outside the negotiation room.

For example, the realization that there may be different and even contradicting negotiation mandates can lead a mediator to adapt the process design to give enough time and space for intra-group debate and outreach to constituencies. Rather than pushing for non-stop negotiations, mediators can call for breaks so that the internal and outreach work of the negotiators can take place. If there is not enough space and work going on outside the formal negotiation room, progress risks being hampered within it.

A nuanced understanding by mediators of negotiators' mandates can also make mediators more cautious on how they shape the agenda and use pressure. Using pressure can lead to party fragmentation – as it tends to favor quick and hierarchical decisions on the side of negotiation delegations, which are not supported by other delegation members and the parties' constituencies. There is a dangerous temptation on the side of mediators to use pressure as a shortcut to success instead of professionally supporting a genuine negotiation process that might take time and space in different formats.

## Discussion

Regardless of their source, formal mandates have certain restrictions which limit the possibilities for action. This raises the question for both mediators and negotiators as to how much wiggle room there is for navigating within and beyond these mandates. Discussion on these issues at the workshops revealed a set of challenges which relate to the interplay between mandates and agenda setting, mandates and inter-party fragmentation, and mandates and decision-making power. The examples given of attempts to circumvent mandate restrictions without jeopardizing legitimacy were almost always driven by personality, bringing to the fore once again the importance of personalities and the initiatives individuals take, be they negotiators or mediators. The moral standing of mediators and lead negotiators, the relationships they build with different stakeholders, and the trust that comes with both of these are crucial for exercising informal mandates and creating elasticity in formal mandates that does not overstep boundaries.

The mediators raised the issue of how far their fellow mediation practitioners should go to support negotiators when they are dealing with intra-group fragmentation and establishing their legitimacy *vis-à-vis* their constituencies. In essence, this highlights the need to connect the different tracks in a peace process, and it raises the question as to what role the mediator can play in making this a reality. One participant described how a rebel group leader had wanted to go back to consult his constituency, but the mediator prevented him out of concern that the mediation team would be seen as favoring the “weaker party.” A negotiator shared another relevant instance, one in which she resisted giving in to a mediator’s pressure for a symbolic act of reconciliation and confidence building with the opponent, as it would have jeopardized her legitimacy as a negotiator in the eyes of her constituency. Instead of giving in to the pressure, she took the initiative to have an informal lunch with the mediator to inform him of the nuances of the conflict dynamics and to prevent a potential loss of support among her constituency. This personal initiative enabled the formal mediator to get a more nuanced understanding of the conflict, which enabled him to carry out his mandate in a more pragmatic and effective manner. This illustrates why negotiators can and should work to shape the process design elements of the negotiation processes they participate in. By gaining a better understanding of process design elements, negotiators will be in a better position to do this. The discussions at the workshops also revealed the complexities of developing and navigating mandates. This highlights the need for a greater understanding of mandates



that considers specific political contexts and conflict dynamics, potentially by drawing on lessons learned and previous failures and successes.

### **Kosovo Case Study: Ending the Violence While Also Dealing with Root Causes**

Dr. Edita Tahiri, former deputy prime minister and minister of foreign affairs of Kosovo and Chair of the Regional Women's Lobby in South East Europe, believes that negotiating peace in war times is the most challenging task for a peace negotiator. Tahiri had such an experience in 1999 when she played a key role in ending the war in her country, Kosovo. This international process was known as the Rambouillet Peace Conference.

Tahiri was desperate to end the war and the severe hardships her people had faced. For her, one of the main dilemmas she faced was "what kind of peace were they negotiating?" Tahiri wanted to achieve peace with two dimensions: The first was to ensure that a genocide would never happen against her people again; the second was for the dream for freedom and independence to come true.

Reaching a peace agreement is not only about stopping wars but also about removing the root causes of war. At one point, the peace talks in Rambouillet, France, were not leading towards achieving the two desired dimensions. The international mediators' suggested compromise was to end the war immediately and build up to independence in a gradual process. For Tahiri and her colleagues, this caused a great dilemma regarding their goals. Nevertheless, they accepted the peace agreement in principle and returned home to acquire the people's support. For three weeks, Tahiri and her team focused on legitimacy building, which included a range of consultations with stakeholders, such as peaceful and armed resistance representatives, academics, students, civil society, and women's groups. This process played a crucial role in building legitimacy for both Tahiri and the agreement, and it also led to the eventual signing by her team of the Rambouillet Peace Agreement.

Although not signed by the other side, this peace agreement paved the way for peace and independence for the Kosovo people, which was supported by the international intervention of the US and NATO. Both used force to stop the war and bring about peace in 1999. Independence came in 2008, and the International Court of Justice confirmed its legality in 2010. Twenty years on from the war, the words of one woman she met still remain in Tahiri's thoughts: "We want to see our children free from violence, please give a chance to peace but do not betray our dream, it can come later but should come."

## Participation and Inclusivity

Both from a process design and a normative point of view, participation and inclusivity are probably two of the most frequently discussed aspects of peace processes. These issues lie at the heart of peace process design as they are directly linked to the credibility and sustainability of peace processes. Participation and inclusivity tend to be conflated and used interchangeably. However, while participation often implies the active involvement of key actors in a process,<sup>18</sup> inclusivity refers “to the extent and manner in which the views and needs of conflict parties and other stakeholders are represented and integrated into the process and outcome of a mediation effort.”<sup>19</sup>

Both negotiators and mediators at the workshops identified a set of challenges related to promoting meaningful participation and inclusivity that related to the nexus between broadening participation and inter- and intra-group fragmentation, the legitimacy of the actors included in the main process, and creating effective linkages between different processes on different tracks.

### Negotiators

While they acknowledged the pros and cons of wider and narrower participation and inclusion in their respective processes, many negotiators remain skeptical of liberal normative frameworks, which push for wider inclusivity irrespective of the specific contexts and situations they are confronted with. Indeed, reflecting this, the negotiators at the workshops emphasized that the demand for inclusion and participation must be driven by actors directly affected by the conflict and the process rather than donors or third parties. This does not mean to suggest, however, that there will always be a consensus within a negotiation team, or between negotiators and the larger constituency they represent, on these issues.

Issues of women’s participation and inclusion driven by third parties often become conflated with questions about the inclusion of other groups.

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18 “...we define horizontal inclusivity as the participation of key stakeholders who have the capacity to implement and/or spoil peace and who represent important constituencies.” (p. 9) and “we define vertical inclusivity as the extent to which larger segments of the population have access to, and influence over, decision making – with a specific emphasis on (previously) marginalised societal sectors” (p. 9) Véronique Dudouet / Stina Lundström, *Post-war Political Settlements: From Participatory Transition Processes to Inclusive State-building and Governance* (Berlin: Berghof Foundation, 2016). <https://berghof-foundation.org/library/post-war-political-settlements-from-participatory-transition-processes-to-inclusive-state-building-and-governance>.

19 United Nations, *Guidance for Effective Mediation*, 11.

While they recognized that inclusive peace processes go beyond the participation of women, the negotiators at the workshops primarily focused on challenges related to women's participation when addressing the topic, including through in-depth discussions on their own experiences as women negotiators.

In addition to the importance of consultations, alliance building, and common agenda setting as key components of a solid negotiation strategy, many participants explained they faced challenges in terms of claiming power and gaining autonomy as a negotiator. This was especially the case with negotiators who received their mandate from civil society actors. The power and influence of patriarchy, especially when negotiating with military regimes, was seen as suppressive. Indeed, the participants gave several examples of how this had a negative impact on women's participation in negotiations. When women at the table did not feel politically empowered, autonomy and effective negotiation seemed impossible.

The strategies the participants identified to deal with the issue of patriarchy included efforts to map connections to power to be able to influence the process. Women negotiators had to learn to navigate egos, analyze power dynamics, and determine how to access power, especially when "infiltrating masculine structures," as one participant put it. It was suggested that in order to claim power, "you make yourself the chief negotiator even if you are not," yet without jeopardizing the unity of your negotiation team. This all calls for sufficient intra-party preparations. Many negotiators described the importance of becoming a content expert, carving out space through one's expertise, and analyzing power and mapping ways of access to it, often by identifying allies and leveraging relationships. If perceived merely as a "gender expert" or as the token woman in the room, negotiators can adopt an approach of specializing in another area to become indispensable as a topical or methodological expert, for instance on Security Sector Reform (SSR) or Disarmament, Demobilization, and Reintegration (DDR). At the workshops, this was seen as a way to demonstrate the value of women negotiators instead of simply talking about the importance of women's inclusion. Another example of dealing with patriarchal systems of power involved the case of how a few negotiators from civil society had joined forces with other women to build coalitions and form political movements for women as a strategy to gain power and influence in the relevant peace talks. As well as being used to push for women's issues, these efforts were also leveraged for others, such as broader inclusion, democracy, and human rights. This speaks to the level

of confidence and capacity necessary for women negotiators to utilize their agency. The participants agreed that the agency of women negotiators must be increased in order for them to be able to negotiate from a position of power and act autonomously, free from the influence of external factors or an exaggerated fear of jeopardizing the process – while still remaining within the parameters of their mandate.

## Mediators

Over the past decade, the issue of the participation of all key actors as well as the inclusivity of peace processes has been debated. For most mediators, there is little doubt that when it comes to ensuring commitment and engagement in a peace process, it is not only key actors that need to be drawn into the process with legitimacy and political clout. Indeed, it is also necessary to do the same with the constituencies of these actors and the diversity of others whose lives are affected by the conflict and who will be impacted by the outcome of the peace negotiations. Mediators and other third parties have an important role to play in supporting broader participation in the process, including by creating mechanisms to facilitate the inclusion of civil society. At the same time, it is impossible to include and represent everyone in a negotiation process. Political violence often results from a lack of societal inclusion in politics, but paradoxically peace negotiations and mediation are practically by definition non-democratic<sup>20</sup> processes.

The general idea from a mediator's perspective is that peace negotiations and reaching a peace agreement are steps in the direction of greater societal inclusion. The challenge lies in the balancing act between promoting inclusion while also ensuring a manageable negotiation process. If a process is too broad, it risks being unmanageable and hence ineffective. If too exclusive, processes face the problem of being too detached from the reality of the people whose lives they will affect, making them unsustainable. When facing the reality that “more is not always better,” mediators can struggle with the “how” of inclusive participation. In this regard, three challenges were discussed in-depth at the workshops.

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20 Democracy here is understood in broad terms and includes the following: 1) some form of separation of powers, meaning power is not all in the hands of one person or institution; for example, in customary cultures it could be divided between the traditional chief and the spirit medium; 2) some form of representation of the people, which in customary approaches can be achieved through hereditary, rotational systems and not necessarily involve elections; and 3) the rule of law. This very broad understanding of democracy leaves a great deal of room to include non-Western cultural perceptions.

The first is linked to enabling for sufficient legitimate representation of the negotiators – i.e. sufficient buy-in and support from their constituencies – to ensure the implementation of eventual agreements. As mediation only works with the consent of the key actors, the level of participation can be shaped by mediators, but it cannot be imposed. Mediators are often confronted with the difficulty of grasping the real source and level of legitimacy of key actors and their influence at the negotiating table. To a certain extent, mediators can strongly encourage the participation of negotiators who have legitimacy *in the eyes of* their constituencies, but they cannot demand or guarantee this. The legitimacy of negotiators is closely linked to their leverage, representation, and decision-making power at the negotiation table, which when absent, risks impeding the process and blocking any progress.

A second challenge is directly related to the fragmentation of actors, both among and within civil society groups and conflict parties, as well as the question of whether and how to include potential spoilers. This challenge potentially calls for different third party roles with some working more on intra-group dynamics and others more on inter-group dynamics. This way, mediators working on the inter-group level will not lose their impartiality by working more with one side than the other.

A third challenge relates to how to build effective linkages between different processes and tracks and how to ensure civil society groups have real influence, which if not achieved through representation at the table could potentially be done through other means such as consultative platforms or the use of media. A first step in this direction could be to map the different processes on the different tracks and to analyze the extent to which they support or hinder each other.<sup>21</sup> The participants noted that in some contexts, the inclusion of civil society representatives is mere window-dressing and these actors did not have any real influence. In others, effective inclusion mechanisms exist, but they often required a lot of time and energy on the part of mediators and conflict parties.

## Discussion

At the workshops, both negotiators and mediators shared a wide range of strategies to deal with the challenges of inter- and intra-group fragmentation, legitimacy, and representation. For the most part, these included reaching out to a diverse group of stakeholders in informal fora. Almost everyone

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21 Federer et al., *Reflections on Multitrack Approaches*.

had been “casting their net rather wide,” reaching out not only to those in positions of power but to everyone involved in the conflict. Many participants believed this was something women negotiators and mediators were more likely to do than men, who they thought were more likely to take a narrower approach and primarily reach out to those with the most power. The common strategies used by most of the participants to do this were building trust-based relationships, investing their own personal capital to enable access, and conducting regular consultations with a wide range of stakeholders. However, this does not mean that all women negotiators and mediators are cooperative, as was reflected in the discussions. For example, in connection with the point above about compromising integrity, it was mentioned that some women practitioners are very competitive as they have to work hard to gain influence in hierarchical political decision-making structures. In the words of one participant: “the pie at the top is small” and some negotiators are driven by their own political interests at the expense of legitimacy and the representation of larger constituencies.

This point raised interesting discussions in both the negotiator and mediator groups, with the argument being made that an attempt to “infiltrate the masculine structures compromises women negotiators’ integrity and risks co-opting them into suppressive structures.” The element of power in mandates becomes obvious within and between negotiating teams and gives rise to inter- and intra-group tensions during processes. Instead of adapting to existing – and at times broken – power structures, there were suggestions both from the negotiators and mediators that there is a need to change the system. In the words of one participant: “We cannot just continue adding women to a flawed system. We need to challenge the systems that continue to uphold barriers to women’s participation.” It was suggested that this would require reframing who is at the table (who is negotiating), re-examining what is on the table (what is the agenda), and turning the tables (format and approaches) (see Philippines case study page 50). Attempts to shift how the existing system is framed first need to overcome the psychological, technical, conceptual, and political barriers to women’s participation. To help in this effort, third party actors should also support women who engage in negotiations as political actors in their own right and not expect them to represent other women or promote gender issues in the negotiations, unless this is something that they themselves want to pursue.

According to the participants, when it came to promoting inclusive participation through multiple stakeholder consultations and their strategic

engagement, gender considerations seemed to happen organically in their mediation and negotiation styles. The mediators and negotiators alike stressed the importance of having empathy, patience, perseverance, and humility in peace processes. This raises interesting questions about what mediation leadership skills are required in order to mediate effectively and whether gender plays a role when it comes to mediator and negotiator styles. This includes the question of whether the negotiation and mediation styles of the attending women participants shared a common denominator, namely something resulting from women being empathetic and prioritizing relationships, or if men would have come up with the same insights. If the latter is the case, any differences in style could simply be a reflection of the participants' understanding of what effective mediation and negotiations entail.<sup>22</sup> One participant noted: "When women do mediation, they tend to use the template for mediation which has been used for decades. When women are able to use the skills they have acquired from the way that they have been socialized, which is different from men, they can do things differently and bring new perspectives to the table." Gender dimensions are discussed in more detail in the Gender: Matter of Style and Content section below.

### **Syria Case Study: Launching a Political Movement to Advance Women's Political Participation**

The Syrian conflict has been ongoing since 2011. What started as peaceful protests against President Bashar al-Assad led quickly to violence and eventually civil war. Official peace talks between the Syrian regime and the Syrian opposition were initiated in 2014, under the auspices of the UN. The peace talks have been progressing slowly, and women have been underrepresented throughout the peace process.

Mariam Jalabi, Director of the Syrian Opposition Coalition (SOC) Office to the UN23, was part of the technical team which supported the SOC delegation. As part of the effort to strengthen women's inclusion in the talks, Jalabi initially became part of the Women's Advisory Committee for the SOC. However, it soon

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22 This initiative focused on women's experiences from Track One peace processes, which means that it was not possible to compare women and men's perceptions, experiences, and strategies. Nor was it possible to analyze how they relate and interact with each other in peace negotiations. This could potentially be explored in future studies.

23 PODCAST: *Listen, Ladies* Interviews Miriam Jalabi, Director of the Syrian National Coalition, Inclusive Security, 18 September 2017, <https://www.inclusivesecurity.org/2017/09/18/podcast-listen-ladies-interviews-miriam-jalabi-director-syrian-national-coalition>

became clear that it was very hard to influence the negotiation table as an advisor. Therefore, Jalabi and her colleagues decided to launch the Syrian Women's Political Movement in 2017, which aims to advance women's rights and political participation, including in the official peace talks. The movement has opened up the space for more women to be included in the talks, with women's participation within the opposition delegation increasing from 7 to 14 per cent.

Jalabi continues to be an active force in advocating for women's inclusion in what is a very complicated political process, and she is guided by the belief that a democratic and truly representative Syria cannot be achieved without women being at every decision-making table.

## Peace Agreements and Implementation

The implementation of peace agreements is one of the major challenges in the world of peace mediation today. A lot of resources and human capital are usually invested in the pre-talks and the actual peace talks in many contexts, only for there to be major implementation challenges later on in the post-agreement phase.<sup>24</sup> The experiences of both the negotiators and mediators at the workshops provided no exceptions to this general state of affairs, despite them being from a diversity of contexts. Nevertheless, the candid and in-depth discussions that took place allowed for the sharing of a wide range of experiences regarding implementation challenges and ways to deal with them, particularly from the negotiators' side.

### Negotiators

One of the most obvious challenges raised by the negotiators related to the so-called trap of constructive ambiguity in peace agreements, which refers to using vague language in peace agreements to allow parties space to interpret provisions in a way they think serves their interests and leads them to agree on a common text. Such ambiguity renders agreements non-implementable. However, mediators use constructive ambiguity to move processes forward

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24 Jean Arnault, "Good Agreement? Bad Agreement? An Implementation Perspective," *Center of International Studies, Princeton University*, 2000. [https://peacemaker.un.org/sites/peacemaker.un.org/files/Good%20AgreementBad%20Agreement\\_Arnault.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/Good%20AgreementBad%20Agreement_Arnault.pdf). Felix Colchester, Laura Henao Izquierdo and Philipp Lustenberger "Implementing Peace Agreements: Supporting the Transition from the Negotiation Table to Reality" Mediation Support Network (MSN) Discussion Points 2020 <https://css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/MSN%20Discussion%20Points%20Nr.10.pdf>.



and get parties to commit to peace agreements. While this approach enables progress in the short term, if clauses are to be implemented, it becomes a liability over the longer term. The implementation of such peace agreements can become hostage to the ambiguous formulations of their key provisions, which can lead to a failure to deliver immediate benefits to society and risk jeopardizing the peace process. A way to deal with this challenge is to make sure that any use of constructive ambiguity is clarified before the final agreement is signed and that this is supplemented with additional concrete steps and implementation mechanisms.

The second main challenge that the negotiators discussed in relation to implementation was the detachment of the larger public from the peace agreements signed by elites. Such elite deals are not owned by the societies they affect, and therefore wider populations are hesitant to support their implementation. One approach to deal with this challenge discussed at the workshop was the idea of the incremental implementation of partial agreements, sometimes also referred to as Confidence Building Measures (CBMs),<sup>25</sup> as negotiations continue and before the final agreement. The idea here is to allow for the benefit of the peace process to be seen by wider society. However, it might not be possible or even desirable to push for CBMs during negotiations in all cases. Further, this approach should only be carried out with careful consideration of the existing conflict dynamics in any given context.

The third challenge raised was about when negotiators end up being “left alone” right after signing a peace agreement, with no platform to go back to in order to negotiate the implementation modalities or any mechanisms of compliance. Accepted good practice is to negotiate the implementation modalities before the signing of the final peace agreement. This has helped in many cases, but it does require time and resources that may not be available if there is a rush to finish the final agreement.

The fourth challenge addressed key issues that were identified in relation to peace agreement provisions. At the heart of this matter are perceptions that there seems to be a tendency on the side of the international community to apply a “one size fits all” approach to different contexts, leading to

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25 Simon J. A. Mason / Matthias Siegfried, “Confidence Building Measures (CBMs) in Peace Processes,” in: *Managing Peace Processes: Process Related Questions. A Handbook for AU Practitioners Volume 1* (Addis Ababa: African Union; Geneva: Centre for Humanitarian Dialogue, 2013), 57–77, <https://www.hdcentre.org/wp-content/uploads/2016/07/AU-Handbook-Volume-1-Process-related-questions-July-2013.pdf>.

a lack of nuanced provisions on, for example, power-sharing, elections, and DDR. However, if these clauses are not negotiated and tailored to specific contexts, they are likely to lead to implementation failures.

Finally, the negotiators discussed challenges regarding elections. One such challenge is that there may be insufficient preparation time and resources to allow for safe, free, and fair elections. Elections are inherently competitive, and if a society has not had sufficient time to deal with the past and reconcile with it, elections may reignite violence. Further, without necessary reform of election modalities, elections can be misused. A second challenge is that election models built around a “winner takes it all” approach can lead to new conflicts. On the other hand, elections and parliamentary systems built around coalitions can lead to a paralysis of government. A third difficulty is that an actor who loses an election may be tempted to use violence as a means to negotiate a power sharing deal in order to gain power or stay in government<sup>26</sup>. Finally, peace requires compromise and, in some contexts, societies may not be ready for armed actors, which may have violated human rights, to transform into political parties that can participate in elections. On the other hand, if armed groups cannot transform into political parties, they may refuse to end violence.

Despite these challenges, there are no real alternatives to elections over the long term, as peace agreements suffer from a democratic deficit. The role of peace agreements is to lay the foundation for a more democratic future society, for instance through providing quotas for women and minority groups or by setting out guiding principles for a new constitution. This is also the reason why waiting too long to hold elections can be risky. Thus, the question is more about how and when to hold elections, who is involved in preparing and running them, and how to build in modalities to avoid violent escalation and to instill trust in the election process. For example, for the final question, this could involve jointly signed codes of conduct and public commitments to truth and reconciliation.

As with elections, there are multiple challenges related to DDR. The UN outlines four preconditions for the effective implementation of a DDR program: “the signing of a negotiated ceasefire and/or peace agreement that provides the framework for DDR; trust in the peace process; willingness of

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26 Laurie Nathan, “How and Why African Mediators Compromise Democracy,” *University of Pennsylvania*, 2016. This paper was prepared for the Conference on the Ethics of Negotiation in Armed Conflicts at the Center for Ethics and the Rule of Law, University of Pennsylvania, 14–16 April 2016, <https://www.law.upenn.edu/live/files/5397-nathan---mediators-compromise-democracy.pdf>

the parties to the armed conflict to engage in DDR; and a minimum guarantee of security.”<sup>27</sup> Often, these preconditions are not met, but DDR programs are still initiated and then generally fail. Ex-combatants put down arms with the promise of better livelihoods. However, if this does not happen and their safety cannot be guaranteed, they may end up returning to armed conflict, transforming into criminal groups, or getting killed. There is an economic but also socio-psychological component to DDR. If not done carefully, the integration of ex-combatants into society can lead to resentment and anger among the population, which in its turn can lead to the resumption of violence. Nevertheless, there are currently no real alternatives to DDR. Thus, in order to carry out DDR to minimize the chances of it failing, the questions again are more about *how* (e.g., addressing security, economic, and psycho-social and societal needs), *when* (e.g., only once crucial parts of the peace agreement have been implemented and the context is ready for DDR), and *who* (e.g., community DDR<sup>28</sup> focuses on the role of communities, so that not just combatants are supported).

## Mediators

Mediators often referred to how their mandates allow or prevent any role for them beyond the signing of the peace agreement, as well as the need to ensure inclusive and legitimate participation in the post-agreement phase. In general, when it comes to post-agreement engagement by mediators, there are two schools of thoughts outlining the pros and cons of exiting and staying on.

The first school of thought within the mediation practice community attempts to maintain the separation between mediation and implementation by encouraging the engagement of another third party to oversee and guarantee the implementation of the peace agreement. The logic behind this approach is that the art and science of bringing parties together to find common ground so they can reach agreements differs from that of guaranteeing that parties remain committed to their agreements. This suggests that if mediators stay engaged in the post-agreement phase, there is a danger the par-

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27 United Nations, “Level 2 Concepts, Policy and Strategy of the IDDRS: 2.10 The UN Approach to DDR,” *United Nations Disarmament, Demobilization and Reintegration Resources Centre*, p. 2, November 2019. <https://www.unddr.org/wp-content/uploads/2021/02/IDDRS-2.10-The-UN-Approach-To-DDR.pdf>.

28 Jeremy Brickhill, “Mediating Security Arrangements in Peace Processes: Critical Perspectives from the Field” *Center for Security Studies (CSS) at ETH Zurich*, 2018. [https://css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/MediationResources-Mediating\\_Security\\_2018.pdf](https://css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/MediationResources-Mediating_Security_2018.pdf).

ties will end up renegotiating the agreement instead of moving on to its implementation. The idea here is that different phases of peace processes need different third-party actors to take the lead. Thus, mediators also require an exit strategy to allow space for other actors to bring in the necessary expertise, fresh ideas, and energy for implementation. If one follows this school of thought, a solid handover from the mediators to the new third-party that will handle implementation is key, as is making sure that the provisions in the peace agreement are as clearly formulated and implementable as possible.<sup>29</sup>

The other school of thought argues that mediators should stay on after the signing of the peace agreement as they already have the trust of the parties, know the provisions of the agreements, and are well placed to support parties should disagreement arise. In some contexts, conflict parties are committed to a certain mediator – due to personality, reputation, or previous relationships – and are reluctant to extend that commitment to other third-party actors in the implementation phase. According to this school of thought, the momentum generated by a successful negotiation process and the mediators involved should not be taken for granted in the implementation phase.

Despite their differences, both approaches acknowledge the crucial role of third parties in supporting the implementation of peace agreements.

## Discussion

Peace agreements can fail or be only partly effective in the implementation phase because they are either too ambitious and too comprehensive or because they are too narrow, insufficiently address key issues, and lack the required clarity for their implementation. While the detail of a peace agreement depends heavily on the specific conflict it addresses, there was wide consensus among the negotiators and mediators at the workshops that if an agreement fails to deliver benefits to wider society, it is unlikely to last. Poor quality ceasefire agreements that have only some elements of political and socio-economic provisions may also fail if they are not linked to a political peace process.<sup>30</sup> Further, if an agreement has simply been copied and pasted

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29 Simon A. Mason, "Learning from the Swiss Mediation and Facilitation Experiences in Sudan," Center for Security Studies (CSS) at ETH Zurich / swisspeace, 2007, 22. [https://www.swisspeace.ch/fileadmin/user\\_upload/Media/Topics/Mediation/Resources/Publications/English\\_Mason\\_Simon\\_A.\\_Lehren\\_aus\\_den\\_Schweizerischen\\_Mediations-\\_und\\_Fazilitationsdiensten\\_im\\_Sudan.pdf](https://www.swisspeace.ch/fileadmin/user_upload/Media/Topics/Mediation/Resources/Publications/English_Mason_Simon_A._Lehren_aus_den_Schweizerischen_Mediations-_und_Fazilitationsdiensten_im_Sudan.pdf).

30 Brickhill, *Mediating Security Arrangements*. P.16–17.

from elsewhere or is badly crafted, this may result in one or more of the parties potentially using vaguely formulated elements of the agreement text to cover up their lack of will to it carry out, stalling the implementation process.

Peace agreements can also fail because the conflict parties that brokered them lack the necessary legitimacy, interest, or commitment to deliver in the implementation phase. Third party actors often overestimate the chances of success of an agreement, which may lead them not to invest enough time and resources in supporting its implementation. It therefore seems necessary to approach the different stages of a peace process in a more strategic and holistic manner. This would include the creation of solid preparations for implementation during the negotiation phase and being prepared to invest in long-term support while not setting out to achieve what is unfeasible in a given context. The road to peace after the signing of a peace agreement is often long and rocky, and third parties need to be in it for the long haul.

There was agreement among participants at the workshops on the need to negotiate implementation modalities before the final signing of a peace agreement, regardless of an agreement's nature or the context around it. However, as noted above, this requires sufficient time and resources. Further, there are also several other preconditions that are necessary to maximize the chances of gaining an agreement on implementation modalities. In some of the cases discussed, mediators had pushed for addressing the way forward for implementation (e.g., Sudan Comprehensive Peace Agreement process 2002–2005) and in other cases, the negotiators had taken the initiative to persuade mediators to facilitate implementation modalities during the negotiations (e.g., Kosovo). At the workshops, participants identified commitment and political will to implement the agreement as crucial preconditions for effective implementation. When it comes to dealing with challenges related to the topical provisions of peace agreements, it is commonly accepted that one size does not fit all. However, there still seems to be a tendency for agreements to re-use templates from other contexts, which essentially can lead to their failure. What seems to lie behind the reluctance to challenge “business as usual” is the unwillingness to question institutional approaches as well as the state-building approach to peacebuilding at large. In sum, successfully negotiating implementation modalities before the signing of peace agreements requires sufficient time and resources, context-specific approaches, and the political will to implement these modalities.

## **Mozambique Case Study: Peace Agreements and Implementation**

Since the end of its civil war in 1992, Mozambique has sought peace on multiple occasions. In this period, peace negotiations have often taken place against a backdrop of intimidation and violence, which has previously resulted in there being little confidence in the process and parties renege on their commitments.

Since 2016, Neha Sanghrajka, formerly at HD Centre and now with the United Nations, has been a member of the core mediation team for the country, which includes Mirko Manzoni, former Swiss ambassador to Mozambique and current Personal Envoy of the UN Secretary-General for Mozambique, and Jonathan Powell, CEO of Inter Mediate. This team adopted a new approach to build peace in the country. By implementing confidence building measures (CBMs) in parallel with negotiations, the mediation team increased public confidence in the process and consolidated the buy in of key stakeholders. The focus of this approach was on achieving and maintaining trust between the two principals, namely President Filipe Nyusi and Afonso Dhlakama, the then leader of the Mozambican National Resistance (Renamo).

At the beginning of the process, the mediation team successfully negotiated a temporary ceasefire, which ultimately became a definitive ceasefire. This was a significant confidence-building step, achieved before the signing of any agreement. With the rolling ceasefire in place, negotiations proceeded. The talks then focused on repositioning the army to deescalate tension in the field, negotiations to deepen decentralization and discussion on military affairs. Parliament subsequently approved the outcomes of these talks, with the unanimous approval of an amendment to the constitution on decentralization and the signing of a Memorandum of Understanding on Military Affairs between President Nyusi and Dhlakama's successor, Ossufo Momade, which laid out a roadmap for disarmament, demobilization, and reintegration (DDR) and placement of former Renamo combatants into the police and army. With confidence established in the process, Renamo initiated the DDR process one week before the signing of the peace agreement.

The combination of early-stage implementation with concurrent negotiations helped build trust. It gave the process tangible momentum by highlighting the gains made and motivated the parties to sign the Agreement on the Definitive Cessation of Military Hostilities and the Maputo Accord for Peace and National Reconciliation in August 2019. Since then, DDR has advanced steadily and will continue until all former Renamo combatants (5,221 people) have demobilized and returned to their communities.

## Gender: Matter of Style and Content

As highlighted in the introduction of this report, the aim of the initiative was not to frame the experiences of the women mediator and negotiator participants strictly in gender terms. Instead, it was to allow these aspects to come out organically throughout the discussions. Gender issues regarding process design were raised and debated at length by the participants, and this section is an attempt to capture some key aspects of these discussions. More specifically, it focuses on the gender-related aspects discussed in terms of how women negotiators and mediators advance and achieve their goals (style) and what they do in these endeavors (content). The composition and diversity of experiences of both groups was a great testament to heterogeneity of women. While their mediation and negotiation styles and approaches were formed by a constellation of factors such as their political affiliation, professional and educational background, and personal experiences, the discussions made it clear that their gender and their gendered experiences also played an important role.

### Negotiators

The unwillingness of some women negotiators to represent women's issues or gender-related aspects in peace talks can have different sources. For some it is simply a matter of mandate limitations and professional expertise, while for others it is a matter of defying gendered expectations that women automatically should talk about soft issues, which is how gender issues usually are seen. Some of the women negotiators explained that when they did not have gender issues included within their mandates, they did not make efforts to raise these issues during talks. However, others – out of personal interest, initiative, or gendered experiences – noted that they managed to find creative ways to bring these issues into discussions. In a very cautious and well thought-through manner, some negotiators also tried to strike alliances with key international and national stakeholders to raise the importance of gender issues in peace talks and to bring these issues into the agenda at a later stage in the negotiations. This highlights the importance of personality and initiative in getting these issues on the table.

When it came to the issue of the inclusion of gender issues and the promotion of the WPS agenda, many of the negotiators brought up examples of contexts where women's movements and civil society groups had worked hard to gain influence in the negotiations and to put gender equality

issues high on the agenda. In some cases, however, negotiators pointed to the fact that the WPS agenda was mostly driven by donors and other third parties, which lent it a certain weight and leverage, but also the danger of being seen as something imposed from outside. This indicates that if negotiators internalize the need for the inclusion of gender issues in their peace talks, this is likely to be more effective. However, if these issues are imposed from the outside, the whole exercise risks becoming tokenistic window-dressing or it may even be used politically to advance other agendas.

### **Mediators**

Some of the mediators shared experiences of being faced with resistance from the parties when suggesting the inclusion of WPS issues, including with references to mandates not having any provisions on gender issues. There was also a discussion regarding one mediator who nevertheless remained dedicated to pursuing the WPS agenda and set up an informal format for consultations on the issues. In this case, the lead negotiators refused to join, showing their lack of interest in the matter. A mediator's commitment to gender issues, however genuine they might be, faces limits when parties refuse to take them seriously. This can be further exacerbated by the problem of raising and meeting expectations vis-à-vis women's organizations with WPS agendas. In the case just described, the mediator, after managing to initiate a number of consultations with women's organizations on gender issues, was unable to turn her efforts into discussion points at the official table, as the parties referred to lack of gender provisions in their mandates. Something else worth noting is that mediators that push for gender-sensitive participation and agendas often do not themselves have a well-balanced gender mediation team. This obviously renders the whole approach tokenistic rather than genuine and committed.

### **Discussion**

The conflation of gender and women has been observed in many cases, where women negotiators or mediators often are automatically expected to "tick the gender box." However, being a woman negotiator and mediator does not automatically render one a gender specialist. The negotiators and mediators at the workshops explained that perceptions of them solely as gender experts meant that they sometimes were sidelined and marginalized in the processes they were involved in. Frequently, this misperception has been at the heart of a critique that many women negotiators and mediators have faced in different contexts.



On the other hand, the negotiators also described how, while at the negotiation table, women would sometimes face demeaning language from their male negotiator colleagues that would belittle their influence, including by referring to their age and gender. The mediators also described how their work was impacted negatively by their gender in some situations. In one case, a mediator representing a regional organization was met with resistance when she was planning to meet with the conflict parties – they told her that they did not want to work with a woman. She got in touch with the higher leadership within her organization, who communicated to the conflict parties that they would have to accept her as the mediator if they wanted the organization's support. The conflict parties went on to accept her as the mediator.

Some participants expressed concerns that women were being held to a higher standard than men. In the words of one participant: "We worry when we do not bring qualified women to the negotiating table, but nobody worries when we bring useless men." However, no matter where on this spectrum they stood, almost all workshop participants were aware of their gender having being a factor in their work, even if they would be reluctant to express this or attribute their style and approaches to their gender alone.

The participants used a diverse set of strategies to navigate and influence the male-dominated and competitive spaces of peace negotiations. Some of the negotiators explained that gender bias can play a negative role and render women more competitive and prone to exclude others due to the limited opportunities they get at the table. Due to their perceptions of their gender as a limiting factor and the (self-perceived) need to prove themselves as being competent and strong, some women professionals might inadvertently emulate the existing power-driven style of negotiating and mediating. For instance, one negotiator described how she was sometimes influenced by her male team members' behavior – including by taking up a lot of space and making fast decisions – during negotiations. At the same time, women may face resistance and pushback when adopting such an approach. When reflecting on gender biases, one participant said: "If a man is assertive and competitive, he is seen as effective. If a woman is acting that way, she is seen as difficult or argumentative."

Other participants used strategies which played on stereotypes about women. This included dismantling male egos with empathy, using jokes to ease tensions and break through difficult situations, and working to unify their teams in their role as the only senior woman in the team, as they were

not perceived as a competitor. Another strategy was the use of what was described as “cigarette tactics” in informal spaces, which meant portraying oneself as being powerless as a way to gain more power. One participant described how she saw dressing up and putting on make-up in the morning as part of her job and as a strategy to influence the negotiations.

In order to allow for the diversity of perceptions and experiences regarding the gender aspects of mediator and negotiator styles to be expressed, the participants suggested that there was a need to shift the discussion away from “male and female ways of doing mediation and negotiation” towards a conversation on redefining peace leadership. It would be a fallacy to assume that there is one single way for women to act as negotiators and mediators. Even though a constellation of gender-related elements came to the fore in discussions on all the key process design elements, the participants identified the need for a reframing of experiences, with a move away from gender dimensions and towards addressing leadership styles that both men and women could and should adopt. All the participants identified with the need for both men and women to steer away from traditional coercive power-driven (i.e., “power-over”) leadership styles and to adopt a more inclusive and integrative style of leadership (i.e., “power-with” using synergies and teamwork), which could be exercised by both men and women alike.

### **Philippines Case Study: Gender Expertise and Presence “Turned the Tables”**

Irene Santiago was a member of the Philippine government panel negotiating with the MILF and the first chair of the panel implementing the Bangsamoro Peace Agreement. Currently, she is Peace Adviser to the Mayor of Davao City in the Philippines. The Philippine government and the MILF started peace negotiations in 1996 and finally signed a comprehensive peace agreement in 2014. Irene Santiago was a member of the process from 2001–2004.

To help ensure that gender was a part of the peace processes, Santiago used a framework she developed from decades of experience in community organization and advocacy. This framework groups issues of gender under three categories: at the table, on the table, and turning the tables. This grouping is then followed by an analysis of the conceptual, technical, and political gender issues in each of these categories.

The first category, at the table, is about participation, the question is: Who is at the table? For example, in the peace process in the Philippines, one of the perceived conceptual problems when it came to the issue of gender was that

the negotiations focused on ending the war, meaning only war actors were at the negotiation table. Santiago believed that if the talks could also focus on building peace, women had a greater chance of being a part of the negotiating panel. Moving forward, Santiago found ways to bring herself and other women into the process. They focused on not just ending the war but building peace.

Initially, in the negotiations, Santiago faced a technical barrier as she was not versed in security issues. However, through dedicated study, she became an expert not only on gender but also security issues. A reason for this was that she perceived that if her area of expertise was gender alone, she would be marginalized in the process after only a brief period. Since security issues were first and foremost on the agenda, Santiago was able to become a valuable negotiating panel member through her security expertise. As a result, once Santiago's presence became a "value-added" move, women's demands for participation in the peace process were answered.

The second category, on the table, is about what issues are in the agenda, the question is: What is being negotiated? The political barrier to ensuring gender was a part of the agenda was related to influence in decision-making. To overcome this barrier, Santiago saw it is essential to employ an inside and outside strategy to advance women's participation in the negotiations, as well as issues seen as important by women. The women's movement is a political movement, and it must always have a role in peace processes. So, from the inside, Santiago leveraged her position to bring women and their perspectives into the talks. She also encouraged women's groups outside of the talks to advocate for their needs.

Lastly, for Santiago, turning the tables is about structural changes that address the root causes of war and violence, it is about the question: What are appropriate formats and approaches to the conflict? One key element for structural change is participation or having a voice in local institutions. To address this, Santiago became active in promoting the formation of Local Monitoring Teams, within which it was easier for local community members, including women, to actively monitor the ceasefire.

A core belief of Santiago is that when women understand the conceptual, technical, and political barriers to equality, equity, and justice, they can contribute to peace agreements and other peace processes.

# Conclusion: Redefining Peace Leadership for the 21st Century

The three workshops enabled candid discussions and open dialogue between women negotiators and mediators on process design and relevant challenges and strategies. These conversations tackled difficult questions, which provided insights for the participants on how to get a better grasp on possibilities for complementing and supporting each other's work. They also allowed for the unpacking of perceptions and narratives on common process design challenges and the misunderstandings that can exist between different actors involved in peace processes. The workshops showed the need to not only look at the differences and similarities between mediators and negotiators but also between non-state and state negotiators. Furthermore, the exchanges between negotiators and mediators highlighted why it is important to have a clear separation between the roles and responsibilities of mediators and other third parties.

What emerged from this initiative were a number of key questions (see Annex I) and tentative findings that can hopefully contribute to redefining peace leadership for the 21st century. Here we describe four of these findings.

*First, each peace process is unique, but some patterns can be found across cases:* The discussions over the course of the three workshops reaffirmed this conventional wisdom, that there is no perfect formula for designing processes and no one perfect way of conducting negotiations and mediation. However, they also attested to the fact that despite the need for customized peace processes and an in-depth understanding of a conflict and its dynamics, the establishment of a clear format, a structured approach, and a vision for a process is fundamental. To maximize the chances of success when designing peace processes, it is important to unpack existing practices of peace mediation further and draw lessons from doing so. When combined with a great deal of flexibility and the political will of actors, this type of structured approach – which is built on principles such as being goal-oriented, conducting regular conflict analysis, seeking to maintain impartiality, promoting national ownership, and striving for pragmatic inclusivity – should allow space for substantial negotiations and desired outcomes for all parties involved.

*Second, process design requires balancing flexibility and the need to adhere to structures:* Mediation and negotiation support needs to be agile in order to respond to new issues that arise, and timelines may need to be revised depending on how peace talks progress. Rushing peace processes to meet timelines may lead to poor peace agreements that lack the necessary buy-in from all parties concerned and that are difficult to implement. In the end, peace process design requires a balancing act between flexibility, agility, context, and the need to adhere to structures when faced with challenges. The key is that processes are well thought through and that when improvisation takes place, it does so within a structured and contextualized framework.

In almost all peace processes where the workshop participants had been engaged, the format of the talks and their respective mandates were predefined, which led to limited wiggle room and left very little space for enabling progress. In some cases, the participants were faced with the need “to insert oxygen into stalled processes” where institutional, political, and geopolitical restrictions had hindered progress towards peace. Under such circumstances, if they are to move things forward, most negotiators and mediators have to develop new expertise and knowledge. This may include adopting strategies such as combining a principled approach with innovation and flexibility and finding creative ways to operate within existing, often-flawed formats.

*Third, moving to a nuanced analysis of women’s diverse roles, experiences, and strategies:* The discussions showed the need to move away from simplistic narratives about women’s participation in peace processes and towards an in-depth and nuanced analysis of their diverse roles, experiences, and strategies. This also requires examination of how they navigate the complex gender dynamics of peace negotiations, including patriarchal systems of power. All of this could make actors who seek to strengthen women’s roles and influence in peace processes better equipped for the task. Such nuanced analysis could be used to develop targeted and specific support, promoting women leaders as key actors in their own right – regardless of whether they are mediators, negotiators, or civil society actors – without essentializing their participation or reinforcing existing gender dynamics. It is also crucial for those who support peace processes to lead by example and appoint more women in leadership roles in mediation teams, especially if they want to be credible when pushing for women’s inclusion.

*Finally, use values, expertise, teamwork, and personality in redefining peace leadership:* The main finding at the workshops was that in all situations

where women adopted strategies to influence a process, it seems to have paid off to “bring in the personal” and adopt approaches driven by values, expertise, teamwork and personality. This highlights the key insight of the need to reflect on leadership styles. The experiences and insights of mediators and negotiators, be they women or men, on what works and does not work could help define approaches to how to negotiate and mediate in the conflict contexts of the 21st century. In essence, such insights suggest that this leadership should be about shared responsibility with clear roles, jointly working towards commonly agreed objectives, and, ultimately, sustainable peace. Such leadership could pave the way for more integrative and innovative styles of interacting with each other to replace the existing “power over”<sup>31</sup> others discourse with a power “with others”<sup>32</sup> discourse. Such leadership also includes values such as empathy, patience, and humility at its heart. It also prioritizes active listening and the building of relationships and human connections with conflict parties and other stakeholders at all levels. At the same time, this all requires the need for agency for actors so they are able to make decisions and to push things forward. This approach to leadership creates wiggle room within restrictive mandates and space for approaches and initiatives driven by personality and expertise; it is not constrained by rigid structures and does not perpetuate power asymmetries. While mediation practitioners already regard many of these practices and values as key parts of effective peace mediation, the use of traditional power-driven and power-focused leadership, which does not give space to the “other”, remain common in negotiation processes.

There is a key role for women mediators and negotiators to play through exchanges of their experiences, including on the future of how such leadership addressed above could look and become more common practice in peace mediation and negotiation in the 21st century. These efforts could be furthered by bringing in their male counterparts in developing and adopting such inclusive and collectively responsible peace leadership.

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31 “The most commonly recognized form of power, power over, has many negative associations for people, such as repression, force, coercion, discrimination, corruption, and abuse.” Lisa VeneKlasen and Valerie Miller, “A New Weave of Power, People & Politics: The Action Guide for Advocacy and Citizen Participation” Practical Action Pub., 2007, <https://justassociates.org/en/resources/new-weave-power-people-politics-action-guide-advocacy-and-citizen-participation>, p. 45.

32 “*Power with* has to do with finding common ground among different interests and building collective strength. Based on mutual support, solidarity, and collaboration, power with multiplies individual talents and knowledge. Power with can help build bridges across different interests to transform or reduce social conflict and promote equitable relations.” Lisa VeneKlasen and Valerie Miller, “A New Weave of Power...” p. 45.

# Annex I:

## Questions to Reflect on Negotiation and Mediation Process Design

Building on the insights of the workshops, the following questions aim to encourage reflections on dimensions that may shape the design of negotiation and mediation processes in other contexts. The questions are based on a synthesis of this report by Jennifer Bradshaw (Kroc IPJ).

### Impartiality

1. *Perceptions*: What are the different perceptions of the mediator's impartiality in this process?
2. *Communication*: How has the mediator communicated their understanding of impartiality (e.g., is it based on equality or equitability) to the parties?
3. *Roles*: Are multiple third-party roles (e.g., donor, mediator, monitor, and implementer) held by any relevant organization? Is this harming an organization's ability to be impartial?

### National Ownership

4. *Vision*: To what extent do the different third parties working in a given context have a common vision of working towards a sustainable, just peace which is owned by the people living in the context?
5. *Roles*: How have the roles and responsibilities of third parties and negotiators been clarified?
6. *Pressure*: What can be done by both mediators and negotiators to push back against external actors' unrealistic expectations and pressure?
7. *Leverage*: What can be done to leverage the ability of external powers to provide "incentives from outside to allow for a change from the inside"?

### Mandate and Legitimacy

8. *Understanding*: What are the sources, parameters, and flexibility of the mediators' mandate? What about the negotiators' mandate?
9. *Personalities*: How can personalities, informal spaces, and trust building efforts be used to enhance the room for maneuver given by the more formal mandates, without these being over-stepped?

10. *Intra-party*: What are different mandates within a given party, and how do they affect intra-party dynamics?
11. *Consultations*: How can formats and spaces be created for parties to consult with their constituencies?

### **Participation and Inclusivity**

12. *Expertise*: How can third-party actors and negotiators make sure that women's expertise is utilized and recognized? How can they ensure that women are able to participate in their own right in processes and are not automatically seen as gender experts or women representatives?
13. *Alliances*: Can novel alliances be crafted across conflict lines or between negotiators and mediators to promote women's inclusion more effectively?
14. *Coalitions*: Can coalitions between negotiators and civil society actors help to promote the inclusion of often marginalized topics such as women's rights, democracy, and human rights in the process?
15. *Insiders*: Which local actors, organizations, and processes can be supported to foster more pluralistic and representative inclusion of topics and actors in processes?
16. *Outreach*: How can third parties and negotiators reach out to different voices of society, especially those which have been silenced? How can this be done without raising false expectations about how they will be taken up in the process?
17. *Attitude*: To what extent do mediators and negotiators take the time to nourish the attitudes necessary for meaningful inclusion, such as empathy, patience, perseverance, agency, and humility?
18. *Power*: What are the existing power structures, and what are the gendered dimensions of these structures? How can these be accessed by identifying allies, developing expertise, and leveraging relationships?

### **Peace Agreements and Implementation**

19. *Ambiguity*: Has creative or constructive ambiguity been used in the peace agreement? If this will affect implementation, how can the ambiguity be clarified and cleared up before the agreement is signed?
20. *CBMs*: Can Confidence Building Measures (CBMs) be used to enable wider society to see the benefits of the peace process?
21. *Implementation modalities*: Have the implementation modalities been negotiated before the signing of the final peace agreement?



22. *Tailor-made*: To what extent have the process and agreement been tailored to the specific conflict context? Has an approach of copying and pasting from other agreements, which is likely to lead to an agreement's failure, been avoided?
23. *Democracy*: How can the democratic deficit inherent in the peace agreement be rectified during the implementation phase, e.g., through inclusive formats and commissions?
24. *Disarmament*: To what extent have the necessary preconditions been met that would need to be in place before Disarmament, Demobilization, and Reintegration (DDR) can be implemented (e.g., secure environment, willingness to disarm, trust in the peace agreement, livelihood opportunities, and community acceptance)?
25. *Third parties*: Which third parties and which third-party roles will be needed in the implementation phase? Is there clarification on the changing of roles for currently engaged third parties and the handing over of roles between different third parties for the transition to the implementation phase?

## Gender

26. *Gender analysis*: What are the culturally and socially constructed roles, needs, perceptions, and relations of women and men in the given context, and how do these play out in the peace process?
27. *Interaction*: How do gender dynamics interact with other dimensions, such as political affiliation, professional and educational background, personal experiences, cultural and religious identities, and worldviews?
28. *Insiders*: How can insiders from a given cultural context bring gender issues to the table?
29. *Mediation teams*: What is the gender balance in the mediation team, and is this balance sufficient to send a credible message about the benefits of gender diversity?
30. *Gender expertise*: What can be done to clarify that women are not automatically gender experts because they are women? How can men also be encouraged to increase their gender expertise?
31. *Bias*: What can both mediators and negotiators do to become more aware of gender biases and their potential impact on the process?
32. *Understanding*: How can peace practitioners strengthen their understanding of how women navigate peace processes through different strategies and tactics so as to inform the way third parties support women's engagement?

## **Redefining Peace Leadership**

33. *Leadership*: What could new forms of peace leadership look like?
34. *Power-with*: How can we move from a coercive “power-over” to a cooperative “power-with” approach to peace leadership that places greater emphasis on teamwork, human connections, and the values of empathy, patience, agency, and humility?
35. *Balance*: How can we find the balance between a structured and principled approach to process design, while being sufficiently flexible and adaptive to conflict dynamics?
36. *Timing*: How can we avoid fixed deadlines that are likely to lead to flawed peace agreements, but still have ways of monitoring and pushing for progress?
37. *Transformation*: Rather than just adapting to or navigating flawed peace processes in the short term, how far can mediation and negotiation teams go in bringing about more profound transformation in the peace processes system? What steps could be taken to challenge existing gender norms and biases and to change power structures and institutions that uphold barriers to women’s participation?

# Annex II: List of Workshop Participants

**Hanan Ashrawi (PhD)** Head of MIFTAH (The Palestinian Initiative for the Promotion of Global Dialogue and Democracy), Member of the Palestinian Legislative Council, and Member of the Executive Committee of the Palestine Liberation Organization

**Betty Bigombe** Former Senior Director Fragility, Conflict and Violence, World Bank, and Ugandan Special Envoy to the South Sudan Peace Process

**Mô Bleeker** Swiss Special Envoy for Colombia and Special Envoy for Dealing with the Past and Prevention of Atrocities of the Federal Department of Foreign Affairs (FDFA), Switzerland

**Ketevan Chumbadze** Deputy Political Director of the Ministry of Foreign Affairs of Georgia

**Miriam Coronel-Ferrer** Professor of Department of Political Science, University of the Philippines Diliman, Member of the UN Standby Team of Senior Mediation Advisers, and Member of the Southeast Asian Network of Women Peace Negotiators and Mediators

**Chris Coulter (PhD)** Head of Peace Process Support, Folke Bernadotte Academy (FBA)

**Kate Economidou** Co-founder of Hands Across the Divide and the Association of Management Studies and a founding member of the Women Waging Peace Network

**Marika Fahlén** Swedish Ambassador/Special Envoy (rtd) for the Horn of Africa at the Ministry for Foreign Affairs in Stockholm and Member of the Swedish Women's Mediation Network

**Bronagh Hinds** Senior Advisor to the Special Envoy's Women's Advisory Board in the UN-mediated negotiations on Syria, Co-founder of Northern Ireland Women's Coalition, and Senior Associate at DemocraShe

**Mariam Jalabi** Representative of the Syrian Opposition Coalition to the UN in New York and Co-founder of Syrian Women's Political Movement

**Stephanie Koury** Principal Political Affairs Officer and Chief of Staff for the UN Special Coordinator for Lebanon

**Ja Nan Lahtaw** Executive Director of the Nyein (Shalom) Foundation

**Stine Lehmann-Larsen** Deputy Executive Director – Engagement, Dialogue and Process Design, the European Institute of Peace and Member of the Nordic Women Mediators – Denmark

**Emma Leslie (PhD)** Executive Director, Centre for Peace and Conflict Studies (CPCS), Member of Women Mediators across the Commonwealth (WMC), and Member of the Southeast Asian Network of Women Peace Negotiators and Mediators

**Valeriya Lutkovska** Commissioner for the Observance of the Convention for the Protection of Human Rights and Fundamental Freedoms and Ombudsperson of Ukraine, 2012–2018

**Helen Lwegasila Brahim** Retired Tanzanian diplomat and Member of the Facilitation Team of Former President B.W. Mkaapa in the East African Community-led Inter-Burundi Dialogue

**Shadia Marhaban** Mediatorat Mediators beyond Borders and Member of the Southeast Asian Network of Women Peace Negotiators and Mediators

**Luz Mendez** President of the Executive Board of the National Union of Guatemalan Women. Took part in the Table of Peace Negotiations as a member of the Guatemalan National Revolutionary Unity

**Rasa Ostrauskaite** Ambassador, EU Permanent Representative to the Organization for Security and Co-operation in Europe at the European External Action Service (EEAS)

**Meredith Preston McGhie** The Secretary General for the Global Centre for Pluralism in Canada and Member of Women Mediators across the Commonwealth (WMC)

**Robinah Rubimbwa** National Coordinator of the Coalition for Action on Resolution 1325, Uganda and Member of Women Mediators across the Commonwealth (WMC)

**Kumudini Samuel** Member of the Gender Sub Committee of the Sri Lankan Peace Process 2002–2005, Director of Programmes and Research at the Women and Media Collective, and works with DAWN, (Development Alternatives with Women for a New Era) in its domain, Political Restructuring and Social Transformation

**Neha Sanghrajka** Senior Mediation Advisor, UN, Member of Women Mediators across the Commonwealth (WMC)

**Irene Santiago** Member of the Philippine government panel negotiating with the Moro Islamic Liberation Front, first Chair of the Panel Implementing the Bangsamoro Peace Agreement, and Peace Adviser to the Mayor, Davao City, Philippines

**Luz Helena Sarmiento Villamizar** Former Minister of Environment and Sustainable Development of Colombia

**Elizabeth Spehar** Special Representative of the Secretary-General and Head of Mission of the UN Peacekeeping Force in Cyprus (UNFICYP) and Deputy Special Adviser of the Secretary-General for Cyprus (DSASG) and acting Head of Good Offices

**Pia Stjernvall** Ambassador of Finland to Kosovo and Member of Nordic Women Mediators – Finland

**Edita Tahiri (PhD)** Former Deputy Prime Minister and Minister of Foreign Affairs of Kosovo, Chair of the Regional Women's Lobby in South East Europe

**Graciela (Gachi) Tapia** Dialogue & Mediation Senior Adviser and Consultant for UN Mediation Support Unit, Department of Political and Peacebuilding Affairs and UN Women

**Ingrid Tersman** Swedish Ambassador to Azerbaijan, Tajikistan, Turkmenistan, and Uzbekistan and Member of the Swedish Women's Mediation Network

**Preeti Thapa** Deputy Country Representative, The Asia Foundation – Nepal

**CSS Mediation Resources** is a series that aims to provide methodological guidance and insights to mediators, negotiators and peace practitioners working to address violent political conflicts. It is produced by the Mediation Support Team of the Center for Security Studies at ETH Zurich, with contributions from occasional guest authors. Previous issues include:

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The goal of the Mediation Support Project (MSP) is to improve the effectiveness of Swiss and international peace mediation. The MSP was established in 2005 as a joint venture between the Swiss Peace Foundation (swisspeace) and the Center for Security Studies (CSS) at ETH Zurich. The MSP is a service provider to the Swiss Federal Department of Foreign Affairs (FDFA), but also to mediators and conflict parties that are strategically important for the FDFA.

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“This thought-provoking report illustrates the challenges and strategies of process design and looks at how peace leadership can be redefined for the 21st century. The shared experiences outlined in the report capture the obstacles faced by women because of their gender and while it is empowering to hear about the countless strategies used to navigate the male-dominated space of peace negotiations, it also serves as a reminder to their counterparts and to all male colleagues, to do better.”  
*Asif R. Khan, Chief, Mediation Support and Gender, Peace and Security, Department of Political and Peacebuilding Affairs, United Nations*

“Beyond gender: peace leadership is instrumental in achieving sustainable peace. This publication discusses key elements one needs to bear in mind when building peace.”  
*Ambassador Simon Geissbühler, Head of the Peace and Human Rights Division, Swiss Federal Department of Foreign Affairs (FDFA)*

“This is a timely report about the experiences of women mediators and negotiators in ‘Track One’ peace processes. As someone who was in this role over two decades ago, I didn’t have the benefit of this information but those involved today will have after reading this document. A road map is presented on women’s peace leadership. Most important of all are the strategies included here so that this issue will be taken more seriously in the future. I am pleased that so many from conflict regions around the world gave of their time and skills to make this such a worthwhile venture. Those working at the high level of peace negotiation and mediation will not be able to say that they don’t know what changes they should be making. The call to action is for their implementation since we know by now that these strategic changes will be of great benefit to those working for a more just and peaceful world.”  
*Monica McWilliams, Signatory to the 1998 Good Friday Agreement and Commissioner for the disbandment of paramilitary organisations in Northern Ireland*