

## Building More Inclusive Political Transitions: A Review of the Syrian Case

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### MEETING REPORT

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On 18-19 July 2013, a group of practitioners, scholars, and policy makers with global experience representing a variety of institutions gathered in Washington, DC to explore how the principles and practicalities of including non-violent, non-state actors in mediation, transition, and peace-making processes can be applied to Syria. The meeting's key objective was to develop viable options for cultivating a more inclusive and gender-sensitive Syrian mediation process, including strategies for implementation.

#### Summary of Key Discussions

##### *What do we mean by 'inclusivity'?*

Historically, peace and transition negotiations have been exclusive processes involving elite state political and military actors. The end of the Cold War gave rise to intra-state conflicts and a proliferation of non-state armed actors, making this approach to conflict resolution increasingly inadequate. The United Nations and other multilateral organizations still struggle to balance the principles of state sovereignty and non-interference with these new realities of warfare. Nonetheless since the 1990s outreach to and inclusion of non-state *armed* actors in peace and transition processes have become more accepted.

Simultaneously, there has been significant and growing support for the inclusion of non-state *unarmed* actors – namely civil society and particularly women's groups. The rationale for this is simple. They are most attuned to the impact of armed conflict on civilians and are essential for the acceptance and sustainability of any negotiated agreements. Such groups are often the first to emerge calling for an end to violence. Some become involved in localized mediation and reconciliation efforts. Others focus on relief and recovery. Often they have access and legitimacy through their social affiliations and identity groups that official negotiators can leverage. Many of the most effective women leaders in conflict areas are active in civil society. Yet these actors remain largely excluded from formal mediation efforts. The reasons for their exclusion range from the belief that exclusive processes are more efficient to practical dilemmas such as who would be eligible and how they could be selected.

### *Does inclusion matter?*

Yes. The World Bank estimates that over 90 percent of civil wars in the past decade took place in countries with a history of conflict.<sup>1</sup> Between 2000 and 2011, one in five peace agreements failed within five years.<sup>2</sup> Increasingly, quantitative and qualitative studies demonstrate that when civil society is included in peace processes in a substantive way—preferably early on and through direct representation at the negotiating table—the resulting agreements are more sustainable. A recent study shows that the inclusion of civil society reduces the risk of peace agreements failing by 64%.<sup>3</sup> Broader representation can, among other things, lead parties to consider important issues not previously on the table, move forward a stalled process, advocate humanitarian rather than military incentives for a political settlement, increase public buy-in of a negotiated settlement, and strengthen the accountability of belligerent parties to their own societies and each other.

Experience suggests that when the question of inclusion is raised and framed as a challenge, mediators tend to opt for the following default positions:

- They press for an exclusive process claiming that multiple actors complicate an already delicate situation;
- They leave the selection of civil society to the main parties to the conflict – armed groups, governments or often self-appointed opposition leaders;
- They agree to widen the process after the agreements are signed so that civil society can support ‘implementation.’

These positions fail to account for the fact that, in many cases, belligerent parties are not necessarily legitimate representatives of their societies. Further, exclusion of civil society from negotiations presents a range of other problems, including that the agreements may not address the needs of key sectors of society (e.g., women, children, and minorities); exclusion can breed public mistrust in the parties and the process, and it limits civil society’s ownership of the negotiated settlement, which will ultimately constrain broad support for its implementation.

### *Is the inclusion of civil society a new phenomenon?*

No. There are numerous indigenous examples of civil society participation in peace-making (e.g., Guatemala, Somalia, Sri Lanka, Northern Ireland, and Liberia). These movements for inclusion frequently emerge locally and organically; supported by international donors and international civil society, but not initiated by them. The absence of systematic attention to inclusivity, however, has meant that in most cases civil society actors have had ad-hoc access and involvement.

There are a handful of exceptional cases. In Guatemala, civil society worked with the government to convene a national dialogue and later participated in a formal advisory group to

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<sup>1</sup> Walter, B. (September 2010) “Conflict Relapse and the Sustainability of Post-Conflict Peace.” *World Development Report 2011 – Background Paper*, 2.

<sup>2</sup> Uppsala Conflict Data Program (December 2012). “UCDP Peace Agreement Dataset v.2.0, 1975-2011.”

<sup>3</sup> Nilsson, D. (2012). “Anchoring the Peace: Civil Society Actors in Peace Accords and Durable Peace.” *International Interactions: Empirical and Theoretical Research in International Relations*, 38(2), 243-266.

the negotiations, with UN assistance. In Mozambique, business and religious leaders collaborated on shuttle diplomacy to bring the parties to the negotiating table. Similarly in South Africa, business and religious leaders together with all political parties were among the signatories and key implementers of the National Peace Accord that ended apartheid. In Liberia, Northern Ireland, Sierra Leone, Sri Lanka, Aceh, and Somalia, to name a few, women civil society leaders played a pivotal role in mediating between parties, initiating ceasefires, and widening the space for negotiated solutions to the conflict.

Ideally, international actors will seek out these interlocutors (see “criteria for inclusion” below) and support locally-led initiatives with resources and training, while also advocating for the recognition and inclusion of local civil society. In reality, despite a plethora of resolutions and policies, key international and regional organizations have failed to integrate systematic and structured inclusion of civil society as part of their mediation strategies.

### *Do Syrian civil society activists want to be included in any mediation and transition process?*

Yes. The preliminary results of a survey of 50 Syrians representing a range of organizations indicate that they support inclusion of civil society in international-level negotiations (87% in favor). However, most have never been contacted by international actors (the UN or others). As a result they have incomplete or no access to information on the prospective Geneva II talks and other political transition planning. Most (81%) have not engaged with any of the international actors working on the political transition for reasons ranging from lack of security to absence of a strategy by internationals to involve civil society. The majority of groups surveyed were in support of the opposition; however, some leaned toward support of the government.

### *Who should be included? What are the criteria for inclusion?*

Inclusion is typically predicated on the notion of parties being ‘legitimate’ or credible. In reality, however, it is the parties that have the power to perpetrate violence that are often given a seat at the table. The capacity for violence or ability to spoil an agreement is often the primary determinant of legitimacy for inclusion in the process. Yet when unarmed civil society actors seek inclusion, they face accusations of being ‘too elite and politicized’ or ‘too grassroots and unqualified’. It is not pragmatic to assume that all civil society entities have a role or could be included in transition and mediation processes, which makes the question of what criteria could be considered for outreach to and inclusion of civil society actors an important one. The criteria identified by Syrians surveyed in advance of the workshop and those who participated in the workshop (see box below) are useful on two counts. First, they can help determine what might be inclusive enough – i.e. still limited but wider than just the elite and armed groups. Second, they can help bring in groups and resources that add value and strengthen the process.

A default approach of many international actors has been to seek out democracy and human rights groups that mimic the structure and organization of a modern, Western non-governmental organization. But civil society often exists in a more traditional form and NGOs may not be the most authoritative representatives of broad constituencies. Many connectors exist at the core of the culture and often are less likely to engage with outsiders. That said, we can look to historical experiences to pinpoint characteristics among civil society actors that enable them to have a positive impact on the process and outcome of negotiations.

### **Top five criteria identified by Syrian civil society (via survey, ranked):**

1. Connected to the “ground”;
2. Representative/inclusive (e.g., of geographic areas, sects, gender, ethnicities, etc.);
3. Politically independent;
4. Experienced (in, e.g., politics, human rights, transitional justice, etc.); and
5. Organized/demonstrating sustained activity.

### **Top criteria identified by workshop participants (unranked):**

- Commitment to a base or constituency;
- Diverse/representative of minority groups, women, and youth;
- Mobilization capacity;
- Feedback loops that connect their constituency to their actions, and vice versa;
- Gender-sensitive;
- Commitment to human rights and equality;
- Technical expertise; and
- Ability to influence public opinion.

### *How should civil society representatives be selected? Can the process be ‘inclusive enough’?*

The question of how civil society participants are selected is sensitive and difficult, but shouldn’t paralyze those tasked with designing and implementing peace processes. Ideally, different sectors of civil society (e.g., trade unions, women’s groups, minority groups, etc.) would elect their own sector-specific representatives, as in Guatemala. However, there are other models of election, nomination, self-selection, and appointment that can be adapted for various contexts (see “Models for Inclusion in Syria” below). But even an inclusive process cannot include every individual or group. Those who do gain access must take on the responsibility to bring forward the perspectives and concerns of excluded groups. When possible there should be consultative mechanisms (real or virtual) to discuss, inform, and build support for the process. Ultimately, the ‘selection challenge’ should not be used as an excuse to revert to an exclusive process.

## **Models for Inclusion in Syria**

### *Direct Representation*

Direct representation is constituted by participation of civil society representatives on each of the official delegations and/or a separate official delegation comprised solely of civil society members.

- Case Precedent: Northern Ireland, Somalia
- In Syria: Direct representation in the prospective Geneva II talks would allow selected civil society groups to convey the concerns and interests of their constituencies as well as knowledge of on-the-ground realities to the technical negotiations. Their position in the talks could be leveraged to enhance information sharing with their respective

constituencies, which could serve to mobilize support for an agreement—something that is crucial given the questions of representation plaguing both the government and the opposition.

- Participant Selection: Ideally, participants would be selected or elected by Syrian groups, networks, and organizations. International NGOs and the UN could assist by mapping and conducting outreach to a variety of actors, providing information about the process, and sharing examples of past successes and challenges to inform selection. Parameters to identify civil society entities that are committed to ending the conflict through a negotiated political transition could include those who are sensitive to the differential needs and circumstances of diverse sectors of society (including minorities, women, youth, etc.), those who have the technical knowledge to contribute substantively to the discussions (with support, as needed), and those who are already engaged in mediation and peacemaking work at a local level. The objective would also be to identify groups that are working towards peace in their communities (whether in communities controlled by the opposition or the government), have demonstrated some ability to hold parties to the conflict accountable, and retain broad understanding of humanitarian need.
- Preparatory Phase: As the primary mediator, the UN should shape the formal mediation strategy to include outreach to and engagement with civil society. The Envoy should establish timely information sharing mechanisms and feedback loops, as well as systematic and structured engagements, such that civil society actors have adequate time to prepare and provide input into evolving processes. The UN must also work with key states to broaden support for a more inclusive process. Meanwhile, international donors can provide funding and technical resources, as well as a safe space for convening civil society representatives, for dialogue and confidence building, and technical skill building in preparation for negotiations. International civil society organizations should share information about their Track II activities and develop a cohesive, coordinated strategy to strengthen Syrian civil society capacities and widen receptivity for and understanding of the benefits of an inclusive peace process. Finally, a media component would be useful to raise general awareness, understanding, and receptivity regarding the importance of civil society's inclusion among the wider Syrian public.
- Keys to Success: Civil society should be represented in critical mass to have real influence over the talks and avoid tokenism. They should be involved as early as possible with a role in shaping the process. Civil society delegates, with support from the mediator, must also create mechanisms to consult with their constituencies about their needs and priorities, insert those into recommendations and positions, and share information about the process back outward to the public in a transparent, open manner. If consultative mechanisms function well, they can build trust in the delegations and ensure that the diverse perspectives of minority groups and others are well represented.

### *Official Consultative Forum*

An official consultative forum typically serves as a formal advisory body to the negotiation process, with a mandate set by the mediator, parties to the conflict, or civil society itself. Though

it does not necessarily include a seat for civil society at the negotiating table, a direct feedback loop is established between the forum and the official talks.

- Case Precedent: Guatemala, Philippines, South Africa
- In Syria: Formation of an official consultative forum could provide a space for developing recommendations for pre-negotiation confidence building measures, soliciting input on key issues to be negotiated, building consensus on constituent priorities vis-à-vis the articles in the Geneva I Communique, and establishing a channel for marginalized groups to communicate their needs. Once official negotiations commence, negotiating parties could be invited to dialogue with forum participants, who would act as intermediaries from their constituencies to the negotiating teams and vice versa. As in Guatemala, the forum could draft position papers on different topics of the negotiations with recommendations for agreement language and implementation mechanisms.
- Participant Selection: International and national NGOs could jointly identify the categories of groups that need to be represented (e.g., women's groups, human rights groups, religious groups, business leaders, etc.) – both those opposing and supporting the government. A steering committee consisting of central actors within each of these groups would lead a consultative process to determine who participates in the forum.
- Preparatory Phase: Assurance of safety for forum participants will rely heavily on the forum being sanctioned by the armed opposition, government, and UN-appointed mediator. After negotiating and securing an official mandate for the forum, interested civil society representatives would receive training on interest-based negotiation and how to communicate positions to policymakers. They would also map the perspectives of stakeholder groups on core issues and set an agenda of topics of common interest for discussion in the forum. The forum could be convened under the auspices of the UN, regional NGO, or other neutral actor. Whoever the convener, they would then fund a technical secretariat to support development of the forum.
- Keys to Success: Official consultative forums can be used as window dressing by parties and have no influence on outcomes of the negotiations if there is no formal mandate for the negotiating parties to receive, review, and address the positions presented by civil society via the forum. An official forum formed prior to Track I negotiations would need to be positioned for direct connection to Track I talks once they proceed. The forum would need sufficient technical and logistical support to have the capacity to engage directly with the negotiations process, providing input into on-going negotiations and timely responses to draft proposals.

### *High-Level Civil Society Initiatives*

Civil society leaders have intervened at a senior level to open lines of communication between conflicting parties and act as catalysts for official talks. Once talks are initiated, they can also work in parallel to keep pressure on negotiators and act as interlocutors to break impasses.

- Case Precedent: Mozambique, South Africa, Sierra Leone, Sri Lanka

- In Syria: The international community can help make space available for individual Syrian leaders or networks to enter a catalytic role. For instance, civil society needs more information about the negotiation process and more capacity through technical resources and skills training. Prominent leaders can act as credible interlocutors between the conflict parties, shuttling information and confidence-building measures back and forth, and putting pressure on the parties to meet (and remain) at the negotiating table. As in South Africa or Mozambique, these same leaders can then play a more official role as mediators to the talks, or remain unofficial intermediaries who can move forward a stalled process when necessary.
- Participant Selection: Identification of likely leaders for a high-level civil society initiative is necessarily exclusive as few will have both the moral authority and political access necessary to influence the key parties. International actors should reach out to representative networks to identify prominent leaders/groups/entities who could command trust and respect from a wide range of Syrians. A key consideration will be which leaders are able and willing to work together across opposing constituencies to leverage collective authority.
- Preparatory Phase: The UN or international civil society organizations can convene preliminary meetings for civil society leaders from different backgrounds to build trust, discuss shared issues, and recommend credible interlocutors to engage with the parties on their behalf. Likely representatives could receive training in advocacy, negotiation, and communications, to build capacity in the functions necessary to act as interlocutors between the parties. Whichever actor helps convene these preliminary high-level civil society meetings could also provide funding for a secretariat to support an ongoing parallel initiative once Track I talks commence.
- Keys to Success: Leaders must have access to key political figures – this necessitates finding representatives who may be more closely tied to one or the other party, yet will be perceived as neutral. Given the security situation, it may be difficult to identify and access leaders who are willing to speak up directly to the government or armed opposition and support negotiations between the two. Much of the initiative will involve quiet advocacy, rather than public pressure.

## Conclusions

Syrian civil society has a vital role to play in the political transition process. They are organized and willing to accept this responsibility. The inculcation and sustainability of any negotiated agreement requires their direct participation. Ultimately, this conversation is one that Syrians must advance, but the international community has a key role to play in facilitating the inclusion of civil society in the unfolding political transition. International decision-makers should not shy away from this role, but rather rely on historical lessons and the expertise of Syrian partners to support an inclusive process that will lead to sustainable peace.

## Background and Contact Information for Host Organizations

Since its founding in 1999, **Inclusive Security** has used research, advocacy, and training to promote the inclusion of all stakeholders, particularly women, in peace processes around the world. Globally, Inclusive Security is one of few organizations with extensive experience providing customized training for and advocacy on women's inclusion in processes ranging from peace negotiations to demobilization of ex-combatants and security sector reform. The institute has conducted over 150 trainings for more than 4,000 peacebuilders and policymakers, and facilitated numerous diverse coalitions of women in Afghanistan, Bosnia, Colombia, Iraq, Israel, Liberia, Libya, Nepal, Palestine, Pakistan, Rwanda, South Sudan, Sudan, and other conflict areas, which have made concrete contributions to peacebuilding in their communities and regions.

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Formed in 2006, the **International Civil Society Action Network (ICAN)** aims to strengthen women's participation and influence in conflict prevention, social justice, coexistence, and peace building efforts in situations of closed political space and conflict-affected states. ICAN's MENA program seeks to elevate the voices and impact of women's civil society groups on issues of rights, security and peace in countries undergoing transitions, affected by rising militarism and extremism targeting women.

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**Nonviolent Peaceforce (NP)** deploys teams of specially trained unarmed civilian peacekeepers to areas of violent conflict for the direct physical protection of civilians and works with local civil society organizations to prevent further violence. With peacekeepers from 40 countries serving in the Mindanao region of the Philippines, South Sudan, the South Caucasus and Myanmar, NP is creating a large-scale unarmed peacekeeping force. NP has Special Consultative Status with the United Nations Economic and Social Council (ECOSOC).

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