

Regional Intergovernmental Organizations in Mediation Efforts Lessons from West Africa

Report

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Publication date:

2013

Permanent link:

<https://doi.org/10.3929/ethz-a-009919870>

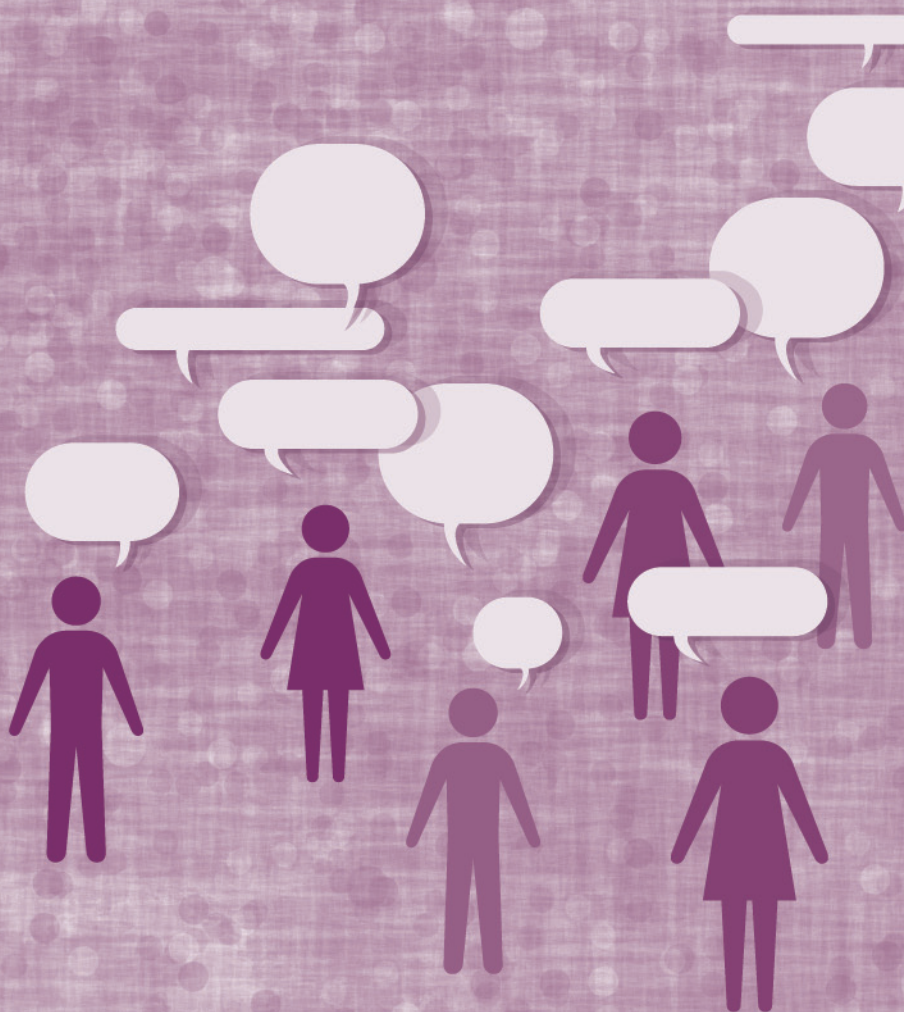
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Originally published in:

MSN Discussion Points 3

Regional Intergovernmental Organizations in Mediation Efforts: Lessons from West Africa



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Online version: www.mediationsupportnetwork.net

Print version: Send an e-mail to info@mediationsupportnetwork.net

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Series: Discussion Points of the Mediation Support Network (MSN)

Layout: Miriam Dahinden (CSS)

Acknowledgements: Thank you to the Swiss Federal Department of Foreign Affairs for financial support covering the production of this document.

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EXECUTIVE SUMMARY

The Mediation Support Network (MSN) is a small, global network of organizations that support mediation in peace negotiations.¹ From October 10th to 11th 2012 the MSN met in Accra, Ghana, under the auspices of the West Africa Network for Peacebuilding (WANEP). In this meeting the network addressed the topic of “Regional Intergovernmental Organizations (RIGOs) in Mediation Efforts and the Complementary Roles of International Actors”. The following summary reflects the MSN’s discussion and the speakers’ inputs (ECOWAS, UNOWA, EU, UN MSU and the Ghana Peace Council) on this topic. These discussion points do not provide a comprehensive or consensus view of MSN members. Rather, they are a reflection of key issues that were discussed and that may be useful to better understand various mediation actors and ways of improving collaboration between them. In a nutshell, the MSN meeting in Accra underlined the need to see peace mediation as a collective activity, especially involving RIGOs and civil society organizations (CSOs), and not as the exclusive domain of the state. The following points in particular were highlighted:

- **Lead role of regional intergovernmental organizations (RIGOs):** RIGOs have a lead mediation role in many regions. Nevertheless, they often depend heavily on support from other mediation entities to fulfill this role (e.g. states, other RIGOs, the UN, NGOs, and CSOs). The collaboration between ECOWAS, a RIGO, and WANEP, an NGO, illustrates the use of comparative advantages, e.g. of political leverage from the RIGO, and technical know-how from an NGO.
- **Unity of civil society facilitates mediation:** As threats to peace have changed to become increasingly intra-state, it is important to strengthen national mediation capacities within countries, especially those of CSOs. International mediation efforts are more likely to succeed in conflict-afflicted countries that have a unified civil society that can put pressure on armed groups and political parties for mediation. The opposite is true for countries with a polarized civil society. More effort is thus needed to support CSOs who support the depolarization of their society.
- **Information sharing as a first step to better collaboration:** Efficient cooperation between the UN, RIGOs, states, NGOs, and CSOs is challenging and still depends heavily on personalities. Information sharing within and between organizations is the first fundamental step towards better collaboration. CSOs should not only be involved in conflict analyses, but also in mediation response mechanisms.

INTRODUCTION

The MSN workshop sought to learn from the experiences of different RIGOs summarized in the text below. Due to the workshop taking place in Ghana, special attention was placed on the experiences of ECOWAS, UNOWA, the EU regional office and the national experience of Ghana.

ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS): INSTITUTIONALIZING MEDIATION COLLABORATION IN AN INSTABLE REGION²

The media is mostly interested in mediation in periods of active conflict, meaning that many of the efforts undertaken in order to prevent conflicts remain less visible. ECOWAS sees mediation more in the realm of conflict prevention. As such, it often talks to governments and politicians before a conflict breaks out, but this happens quietly most of the time. With regards to ECOWAS’ work in the region, five main points can be highlighted:

- **A good context analysis is key to adequate mediation responses:** Understanding the context is very important when responding to a conflict. There needs to be a critical analysis of the interests of all the internal and external parties. West Africa, for instance, is an unstable region, the nature of which must be understood before any mediation effort is launched. Its location between the Gulf of Guinea and the Sahara-belt gives it a high potential for wealth generation, but is also a source of conflict. Challenges that arise from this push and pull between the sea and the Sahara include piracy, unregulated fishing, oil bunkering, drugs, arms and human trafficking, as well as terrorism. However, the main triggers of conflict in the region are national elections and international dynamics. This is the framework within which ECOWAS operates and its role should be read within these contextual interactions.
- **Working with CSOs:** West Africa has learnt how important it is to build collaborative agreements in order to deal with conflicts. Therein, CSOs play a crucial role. Civil society in West Africa has a capacity to act regionally (e.g. WANEP, WACSO, WIPNET, etc.), which seems quite unique compared to other regions. CSOs have positioned themselves at the center stage of conflict resolution and have their distinct comparative advantages. While ECOWAS is an

¹ See the list of members at the back of this document, or at <http://www.mediationsupportnetwork.net>

² Thank you to Dr. Abdel Fataou Musah, Director of the Department of Political Affairs of ECOWAS, for his very insightful presentation. This section seeks to summarize key messages from the presentation and subsequent discussion with MSN, rather than present the speaker’s input word by word.

organization of member states, it would like, in the long-run, to transform from an “ECOWAS of states” to an “ECOWAS of citizens”. In terms of tools already set in place, there is a department within ECOWAS that deals with CSOs. ECOWAS has also facilitated the emergence of a regional civil society network, the West African Civil Society Forum (WACSO) which provides an interface between civil society groups and ECOWAS. Moreover, the organization has a direct MoU with civil society organizations such as the Kofi Annan Center and WANEP. But civil society is not necessarily one of the actors that are mandated to respond in a situation of crisis. So how can they be better used not only for early warning, but also as an integrative part of the structural response to conflicts?

- **Importance of a united civil society:** For mediation to be successful it is very helpful to have a “republican” civil society network and a set of minimal standards (non-violence, internal democracy, elections, accountability and transparency etc.) around which civil society actors are united. As such, they can push the parties to play by the rules of the game. If civil society has principles and a common purpose that unites its members, mediation support becomes much easier. All these factors increase the chances of success of the cooperation between CSOs, RIGOs and the UN. When civil society is divided and controlled by a small group, cooperation becomes much more difficult. For instance, in Guinea CSOs clearly made themselves heard and brought the mediation process forward by pressuring Moussa Dadis Camara to step down. In contrast, in Côte d’Ivoire civil society was very divided and mainly organized and mobilized around ethnicity. There is also the example of CSOs being silenced as in the regions controlled by extremist organizations in Mali. In Côte d’Ivoire and Mali there is no single civil society platform and no pressure on political parties and actors to stick to minimal standards. This makes mediation efforts much more difficult.

- **Interaction between RIGOs, the UN and CSOs:** In order to have efficient cooperation, there needs to be some rules of engagement. If you only have ad hoc relationships, the tendency for partnerships to fall apart is very high. ECOWAS always tries to sign MOUs with their respective partners to define the different roles. Moreover, cooperation should be according to the “subsidiary principle”: When one organization cannot act, the other can step in. It is impossible to have peace in the region without the support of RIGOs. In the ECOWAS Conflict Prevention Framework (ECPF) there is a mediation component. This institutionalization is key to create an enabling environment, support dialogue and increase resilience to crisis. Early warning and the use of CSOs are essential parts of this institutionalization. But institutionalization should go even further and foresee clearer mechanisms to create linkages between national and regional peace architectures as well as

between RIGO and CSO processes. The ultimate objective would be a people-centered mediation architecture for the region.

- **Electoral standards:** Given that elections are identified as a main cause of instability in the region, ECOWAS has got clear standards on elections and its Supplementary Protocol on Democracy and Good Governance as well as the ECPF also have sections on elections (neutrality of security agencies, separation of powers, etc.). ECOWAS also facilitated the emergence of a network of electoral commissions in the region. With regards to its electoral missions, ECOWAS seeks to be developmental, rather than judgmental. It wants to improve; not ostracize. There is also an attempt to move election observation processes in line with international standards. Different countries have signed onto this process.

In summary, ECOWAS has a mediation framework that allows for everyone to participate, including CSOs and others. The AU is the regional partner for the UN, in which ECOWAS is also represented. The experiences of collaboration of ECOWAS are therefore linked to the increased institutionalization of mediation in the region.

UNITED NATIONS OFFICE FOR WEST AFRICA (UNOWA): MEDIATORS’ SUCCESSFUL COLLABORATION IN THE GUINEA PEACE PROCESS³

In today’s world, individuals are coming back as primary players in mostly intrastate conflicts. As a result mediation increasingly happens between people and authorities. Three main questions thus need to be explored: 1) How can the UN, which was not created to mediate in intrastate conflicts, react to this new situation? 2) How can we make the voices of the people that are the main actors heard? 3) How do we manage the complexity of working together?

Even if state-centric, the UN system, and UNDP in particular, still has a large focus on civil society actors. Nevertheless, in track 1 level negotiations, the involvement of civil society still hinges on personal characteristics of the chief mediator and the will of civil society to effectively fight for its place at the table. UN Security Council Resolution 2056 related to Mali⁴ underlines the need to have more women involved in mediation processes, an indication that paradigms are slowly changing.

³ Thank you to the Head of the Mediation Support Section of UNOWA, Peter Sampson, for his very insightful presentation. This section seeks to summarize key messages from the presentation and subsequent discussion with MSN, rather than present the speaker’s input word by word, or any official position of the respective organization.

⁴ <http://www.un.org/News/Press/docs/2012/sc10698.doc.htm>

UNOWA as an organization is the first UN regional political mission. It was created as a result of a Security Council mission to Sierra Leone in 2000 which recommended that comprehensive actions be taken to respond to the instabilities in the West African sub-region. Its core mandate is to reinforce the conflict prevention / mediation efforts of ECOWAS. UNOWA is a small office headed by a Special Representative of the Secretary General. It works in the fifteen ECOWAS countries and Mauritania. The type of support that UNOWA provides comes in three different forms: either through joint African Union (AU) – ECOWAS – UN mediation efforts, through ECOWAS mediation efforts that the UN supports or through direct UN-led mediation efforts.

The case study of Guinea illustrates the positive impact of cooperation between different sets of actors in peace mediation. In Guinea, ECOWAS, the AU and the UN worked jointly from 2009 to 2011 in order to restore constitutional order after the 2008 military coup d'état. They all operated under a common normative framework by condemning the coup d'état. Against this background, they created an international contact group and provided their good offices. After the massacre of 28 September 2009, where security guards opened fire on a peaceful rally and killed 160 people and injured 1400, the priority became to keep Guinea from falling into civil war. The President of Burkina Faso was nominated as ECOWAS mediator and negotiations started. In the next fourteen months, 55 UN good offices missions in cooperation with ECOWAS and the AU took place. A crucial aspect in this regard was that the different organizations always acted as a group and their actions were well coordinated, despite the complex nature of their respective institutional set-ups. The lessons learned from the Guinea example can be summarized in six main points:

- **The contact group was vital:** The contact group had regular meetings to see how the process advanced. Even if members did not always agree and were at times shouting at each other, it was essential to get a minimum consensus on how to proceed in the mediation process and to always act as a group.
- **Rapid and effective technical support was critical:** The UN provided financial and technical means to actors at key stages through, for example, grants to train police to secure the elections, local level peace-building, and the use of UNOWA air assets to facilitate participation of international actors in contact group meetings.
- **Personalities count:** The heads of the mediation entities knew each other and had prior experience in each other's organizations. They therefore not only got on well, but were also aware of the institutional constraints that their counterparts could face.
- **Importance of making voices heard:** Local voices were expressed and they greatly influenced the process by pushing it forward. Women were especially

vocal in expressing the need to look to the future. Often, however, the personal commitment of the mediator and the parties will still play a major role in determining whether CSOs are brought into the process or not. The question to be asked, therefore, is what are the mechanisms to ensure that coordination with CSOs happens, even if prior relationships with CSOs are missing?

- **Influence of internal dynamics:** Mediation processes are always influenced by internal dynamics that external actors cannot control. In Guinea for instance, leadership change in the junta heavily influenced the feasibility of holding elections.
- **United civil society is key:** Civil society in the Guinea peace process was part of the Forces Vives and as such participated in the negotiation process as a key actor. Civil society, however, was weakened when the transitional government was set up as some of its leaders went into the government. As such, civil society was united to chase the military out, but not afterwards in building the future.

In summary, lack of cooperation between mediators is a viable indicator that a mediation may fail. The case of Guinea shows that, despite needing a complex institutional set-up, cooperation between diverse mediation entities is possible and a corner stone of success. Personalities, channels to hear local voices, and internal dynamics of the conflict parties were key factors in this positive example.

EUROPEAN UNION (EU): FROM DONOR TO CONFLICT PREVENTION ACTOR⁵

Before speaking about the EU's experiences in collaborating with other mediation entities in West Africa, it is insightful to highlight some important changes in EU external action that came into force with the Lisbon Treaty and have shaped the organization's mediation and conflict prevention profile:

- **Nature of EU delegations:** Firstly, the EU has created a new structure for its external action: The European External Action Service (EEAS). The staff of the new European service is sourced from national diplomatic services and European institutions (Commission and Council). In addition to the traditional cooperation activities of the EU, the Lisbon Treaty has given new diplomatic competencies to its delegations.

⁵ Thank you to Judikael Regnaut, Head of the political section at the EU Delegation to Ghana, for his very insightful presentation. This section seeks to summarize key messages from the presentation and subsequent discussion with MSN, rather than present the speaker's input word by word, or any official position of the respective organization.

- **Towards a comprehensive approach:** Secondly, on development issues, the EU is promoting a comprehensive approach. Rather than isolating development work, the EU tries to link development tools with security and political targets. A good example is the strategy adopted in the Horn of Africa, which combines security issues (e.g. fight against piracy) and development. Because challenges cannot be addressed solely at a national level, the EU has always adopted a regional approach, for example with the Sahel Strategy in West Africa, or a continental-level approach with the EU-Africa Strategy. Finally, the EU does not want to be seen just as a donor, but also as a global political actor.
- **Mediation in conflict prevention:** The third change is with regards to mediation, a field in which the EU has always been active although not necessarily under that name. For instance in Ghana, the EU does not have a mediation program *stricto sensu*, but is one of the main actors supporting the institutions involved in the 2012 electoral process (i.e. the Electoral Commission, the Commission on Civic Education and the National Media Commission). All these institutions played a major role to smooth the ground for the 2012 peaceful elections, which were a major contribution to conflict prevention.

Besides these already ongoing activities, the EU now wants to have a more formalized approach to conflict prevention. Since 2009, the EU has strengthened its mediation and dialogue capacities. The commitment to mediation as an important tool for conflict prevention has also been endorsed by member states. This means that specific tools for conflict prevention will be developed in the future.

The EU wants to work closely with CSOs, RIGOs (e.g. ECOWAS, AU) and international organizations (e.g. UN) while at the same time avoiding duplications.

In conflict prevention, the EU works very closely with the UN. In Ghana, for example, the EU has started a project with UNDP aimed at equipping national and local actors in conflict management processes. The EU also already cooperates with the AU and ECOWAS in the domain of peace and security.

However, it is important not to forget the grassroots level. When it comes to cooperation between different actors, it is important to create networks of CSOs at both the regional and national level. In fact, a key question for the EU is how national initiatives can be effectively promoted? In Ghana, for example, a multi-donor pooled fund mechanism – Star Ghana – was set up to channel money from donors (EU, DfID, DANIDA and USAID) and manage calls for proposals from CSOs. Having this centralized mechanism anchored at the national level gives more legitimacy to the selected CSOs.

In summary, it is important to have funding mechanisms that permit better funding and visibility of the

CSOs in a given country. Indeed, lack of funding is one of the critical elements that CSOs suffer from. In West Africa, there has been an increasing understanding that this type of support is necessary. Ghana presents a positive case of a vibrant and unified civil society; the example should be made more public in the region so that lessons can be spread and learnt.

GHANA PEACE COUNCIL: SETTING UP ARCHITECTURES FOR PEACE⁶

This section highlights how the Ghana Peace Council was established, as well as what challenges it faces today.

HISTORICAL BACKGROUND

In pre-colonial Ghana there were two types of social organization: chiefly groups organized around kingdoms and ethnic groups organized around a spiritual mediator. In contrast to the French who ruled directly over their colonies, the English had an indirect rule through chiefs. In the areas of Ghana which were organized around chiefdoms, the chiefs remained the same. Meanwhile, in those areas not organized around chiefdoms, someone from the nearest kingdom came to rule over the populace. After independence, conflicts started over the question of what to do with the chiefs who were not from the region. They had been imposed and given political legitimacy and, although overtime integrated with the communities they ruled, were still regarded as strangers by the indigenous populations. The conflicts were also linked to land and power struggles. Throughout the country, and particularly in the northern region, violence broke out. Communities that had interacted peacefully before were now trapped in a cycle of violence. The capacity for response at the national level was weak. Each time a community went up in flames, government forces were sent to impose peace. Usually, the government just sought to determine who was wrong and who was right through commissions of inquiry. However, the government was also split and every attempt at settlement was perceived by the opposition as the government manipulating the conflict in its favor. Even the justice system was seen as biased.

Against this background, the people of Ghana supported the idea to have a national capacity for peace that could be trusted to be truly impartial and that would have the moral capacity to convene dialogue. Thereby it could create a space that people could trust and in which issues could be talked about. Civil society organizations also welcomed this idea because they

⁶ Thank you to Emmanuel Bombande, Executive Director of WANEP, for his very insightful presentation. This section seeks to summarize key messages from the presentation and subsequent discussion with MSN, rather than present the speaker's input word by word, or any official position of the respective organization.

had struggled in their mediation efforts with a lack of legitimacy and limited durability of dialog outcomes. People appreciated the efforts of civil society actors but wondered about their capacity to witness or implement agreements. In many cases, to have a Member of Parliament bear witness to an accord was perceived as having much more weight. The idea of the peace council went even further, foreseeing a state mediation institution that would have the legitimacy of the state.

Apart from this internal realization of the need for a national capacity, the idea also gained support internationally. When Kofi Annan, at the occasion of a visit to Ghana, observed the violence in the country, he set up an assessment team. Its report led to the appointment of the first peace and governance adviser to Ghana and saw the beginning of a tripartite process involving civil society, UNDP and the government. The first two tried to convince the government that an impartial professional body was necessary to bring peace to Ghana. The government, embarrassed at this time by the violence in the country, accepted the idea.

SETTING UP THE PEACE COUNCIL

From there, the Ghana Peace Council was set up. The first phase was to get the political buy-in by convening several meetings from the national to the regional (sub-national) level on what the Peace Council should look like. On the national level, acceptance was easily established because WANEP was working with UNDP so the proposal could hardly be contested. At the regional level in Ghana, WANEP convened meetings and conducted workshops with security actors to ensure that everyone agreed on the composition of the Council.

Then, the Peace Council started its work. It became a resource in the country and when dialogue was convened, it was through the chair of the Peace Council that this was done. Usually, the chair presided over the sessions and WANEP did the facilitation. Especially in 2008, when political tensions were high, the value of the Peace Council was made evident when it managed to calm the situation. Today one can ask the question whether in 2010–2011 violence would have broken out to the extent it did in Côte d'Ivoire had the country also had a convening national capacity to do shuttle diplomacy and assist politicians in solving the crisis. The money spent on the setting up and functioning of the Peace Council was thus definitely worthwhile because in any case it was less than what would have been spent on peacekeepers.

LEGAL BACKING

The second phase of the Peace Council's establishment was to establish a legal basis in order to improve its political legitimacy. For this, the Parliament passed a bill which states that the Council permanently coordinates all national activities to continuously promote

peace. As such, the Peace Council is now enshrined in Ghanaian law and linked to the Ministry of the Interior. When needed, the Council has a direct entry point to government, but the latter does not mingle in its affairs. The budget of the Peace Council is also now factored into the national budget (previously funding came from UNDP). The full time staff at the secretariat is paid by the government. The members are not paid but they get an allowance to compensate for meetings and travel. As much as possible, they must be seen to be autonomous, particularly by the population.

OUTLOOK

Some challenges remain, such as the gender balance of the Council as most of the institutions in a position to appoint members chose men. This was especially true of the religious institutions. The President of Ghana was the only one to appoint a woman. Another challenge is the Council's tenuous presence at the regional level. The Council was supposed to set up regional peace councils and from there descend to the district level. These regional and district councils, however, have not yet been set up. In the meantime, when there are disputes at the district level, civil society intervenes.

In conclusion, for most of the conflicts in which the Peace Council intervenes, the aim is not to find solutions but to get the parties to sign up to a framework agreement committing them to non-violence. In this way, they are creating spaces for dialogue. These dialogue platforms are vital at the interface between the modern and the traditional state. As democracy deepens, this interface will change, but the importance of having a space for dialogue remains.

CONCLUSIONS

Due to the increased complexity of peace mediation, diverse mediation entities are needed. Although collaboration is challenging, there are cases where it has been successful. Sharing information on planned or ongoing mediation efforts is one fundamental factor that facilitates collaboration. Often information sharing within organizations has to be improved as much as between organizations. Personalities that have experienced different organizational set-ups also enhance understanding and inter-institutional collaboration. The examples from West Africa show how collaboration can be institutionalized both on the regional and national level: providing food for thought also for other regions.

MEDIATION SUPPORT NETWORK

PROFILE

The Mediation Support Network (MSN) is a small, global network of primarily non-governmental organizations that support mediation in peace negotiations.

MISSION

The mission of the MSN is to promote and improve mediation practice, processes, and standards to address political tensions and armed conflict.

Furthermore, the MSN connects different mediation support units and organizations with the intention of

- promoting exchange about planned and ongoing activities to enable synergies and cumulative impact;
- providing opportunities for collaboration, initiating, and encouraging joint activities;
- sharing analysis of trends and ways to address emerging challenges in the field of peace mediation.

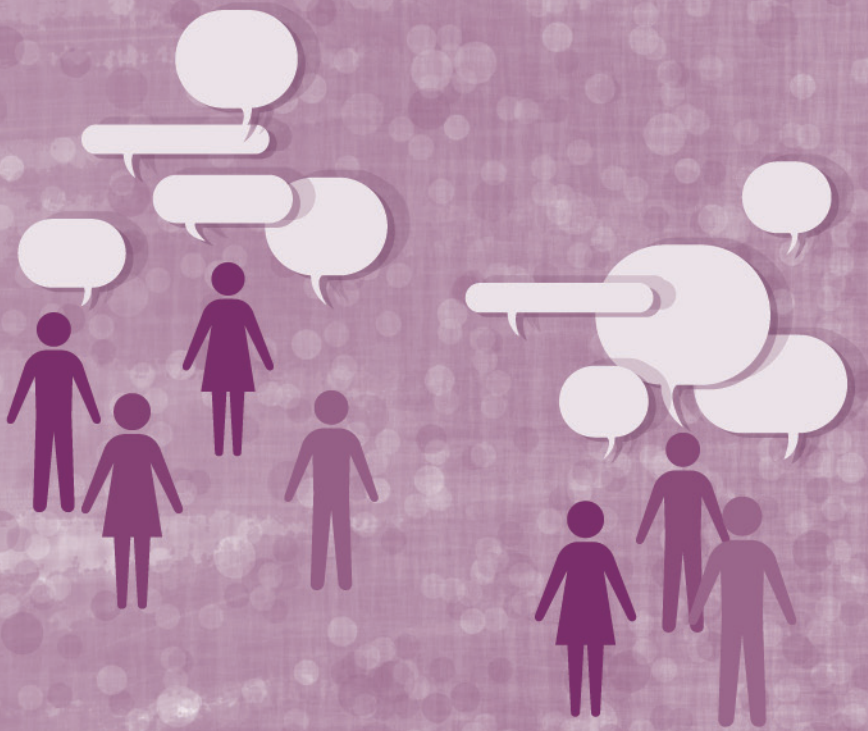
ACTIVITIES

The MSN meets once or twice a year in different places. The organization of the meetings rotates, and each meeting is hosted by a network partner. Each meeting has a primary topical focus that is jointly decided by all network members.

MSN MEMBERS IN 2013

- African Centre for the Constructive Resolution of Disputes (ACCORD) www.accord.org.za
- Berghof Foundation www.berghof-foundation.org
- Carter Center, Conflict Resolution Program www.cart-center.org
- Center for Peace Mediation (CPM) www.peacemediation.de
- Centre for Mediation in Africa, University of Pretoria (CMA) www.centreformediation.up.ac.za
- Conciliation Resources (CR) www.c-r.org
- Crisis Management Initiative (CMI) www.cmi.fi
- Folke Bernadotte Academy (FBA) www.folkebernadotteacademy.se

- Foundation for Tolerance International (FTI) <http://fti.org.kg>
- Centre for Humanitarian Dialogue (HDC) www.hdcentre.org
- Initiative on Quiet Diplomacy (IQD) www.iqdiplomacy.org
- Mediation Support Project (MSP), swisspeace and Center for Security Studies (CSS) ETH Zurich www.swisspeace.ch & www.css.ethz.ch
- Nairobi Peace Initiative (NPI) www.npi-africa.org
- Servicios Y Asesoría Para La Paz (SERAPAZ) www.serapaz.org.mx
- Southeast Asian Conflict Studies Network (SEACSN) www.seacsn.usm.my
- UN Mediation Support Unit (PMD/MSU) <http://peacemaker.un.org/mediation-support>
- US Institute of Peace (USIP) www.usip.org
- West Africa Network for Peacebuilding (WANEP) www.wanep.org



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