

# Meeting **report**

Africa Mediators' Retreat  
2011

23-25 November 2011  
Zanzibar



# “hd Meeting report

The Centre for Humanitarian Dialogue (the HD Centre) is an independent organisation dedicated to improving the prevention of, and response to, armed conflict. We open channels of communication and mediate between parties in conflict, facilitate dialogue, and provide support to the broader mediation and peacebuilding community.

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# Executive summary

The Africa Mediators' Retreat 2011 took place from 23–25 November in Zanzibar, Tanzania. It was co-hosted by the Centre for Humanitarian Dialogue, the Norwegian Ministry of Foreign Affairs and the Mwalimu Nyerere Foundation.

The forty two participants included representatives from the African Union, the United Nations, the Intergovernmental Authority on Development and other regional organisations as well as governments and African and international NGOs. Forty per cent of participants were women with a wide range of experience in mediation, diplomacy, human rights advocacy and community-based approaches to peacemaking.

The Second Vice-President of Zanzibar, Ambassador Seif Ali Iddi, welcomed the participants to Zanzibar and described the island as having emerged from political turmoil to reach a state of greater stability. This direct experience meant that Zanzibar was ideally suited to host discussions on the many difficult situations – including the protracted conflicts that were the subject of the opening session – still threatening African peace and security.

Discussions over the course of the retreat were spirited. They addressed some of the key conflicts and issues facing peacemakers in Africa including the situations in Sudan and South Sudan, Somalia, West Africa, Libya, Burundi and Liberia. Thematic sessions focussed on the future of the African Peace and Security Architecture, the challenges posed by land and water disputes, as well as the role of civil society in peace mediation across the continent.

In the context of the discussion on the African Peace and Security Architecture, participants noted the significant progress made by the African Union (AU) and the Economic Community of West African States (ECOWAS). Important agreements had been reached and documents signed on conflict prevention, human rights and good governance. It is now imperative to focus on implementation. Conflict prevention, rather than conflict management, represents a critical challenge.

During a session addressing both Sudan and South Sudan, participants highlighted the complexity of the interlocking conflicts undermining the prospects for peace and security in each of the two countries. They also touched on the best way to approach cultural, religious and ethnic diversity as well as the sharing of oil revenues.

When discussing Somalia, some participants expressed the hope that the current international attention – which had increased as a consequence of the famine – might create momentum to find a political solution. However, the debate also highlighted the many challenges that remain. These ranged from concerns about implementing the reforms established by the roadmap, to questions regarding the outcome of the interventions launched by Kenya and Ethiopia, which would have important implications for governance in any liberated areas. The session also touched on the complex issues surrounding the question of engagement with Al-Shabaab. In another session on West Africa, participants discussed institutional partnerships in the area of

conflict prevention and, specifically, the ongoing co-operation between ECOWAS, the AU and the United Nations.

During the session on Libya, participants addressed the role of the international community during the different phases of the conflict, the intervention and the current transition. Even as they acknowledged the divisions exposed by the implementation of Security Council Resolution 1973, they argued that what was most needed was to focus on the future and on the provision of support to the Libyan people in their efforts to secure a sustainable peace. Co-operation between the international actors involved – especially the United Nations (UN) and African Union (AU) – was a prerequisite in this process.

Other issues, such as the importance of national ownership of peace processes and questions of inclusion and gender sensitivity, recurred throughout the retreat. Alongside a focus on conflict- and region-specific issues, the retreat also featured sessions on cross-cutting themes such as land and water disputes, and civil society engagement in peace mediation. Participants were also presented with situation reports on Liberia (with a focus on the impact of the elections) and on Burundi (with a focus on the post-conflict challenges still facing the country).

The retreat as a whole presented an opportunity for a sober stock-take of the complexity of the conflicts, and post-conflict transitions, underway across Africa. Participants engaged with seriousness and frankness facilitated, in part, by the informal atmosphere within the retreat. They did not shy away from acknowledging the challenges ahead but they left Zanzibar with some new ideas, having had some good conversations – even arguments – and pleased to have had an opportunity to reconnect with their peers and to lay the groundwork for new partnerships.

# Africa Mediators' Retreat 2011

## Agenda

**23** **Wednesday**  
November 2011

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**13.00–15.00** **Informal Buffet Lunch (Aqua Restaurant)**

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**15.00–16.00** **Coffee break (area in front of the Ping Pong Hall)**

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**16.00–18.00** **Welcome and high level opening plenary**  
Welcome words by Ambassador Seif Ali Iddi, Second Vice-President of Zanzibar, followed by words from the co-hosts, Ambassador Salim Ahmed Salim and Dr David Harland. This will be followed by a high-level discussion with Ambassador Haile Menkerios, Special Envoy of the UNSG for Sudan and South Sudan and Ambassador Dr Augustine P. Mahiga, which will be moderated by Dr David Harland.

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**18.00–19.00** **Reception (Library Bar)**

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**19.00–20.00** **Opening dinner (Spices Restaurant)**

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**24** **Thursday**  
November 2011

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**9.00–10.30** **African Peace and Security: From architecture to the practice of prevention (Ping Pong Hall)**

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**10.30–11.00** **Coffee break (area in front of the Ping Pong Hall)**

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**11.00–12.30** **Sudan and South Sudan: Pursuing viable peace (Ping Pong Hall)**

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**12.00–14.30** **Informal lunch (Aqua Restaurant)**

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**14.30–16.00**

Two parallel discussions for participants to choose from

**Collaboration in West Africa: Partnership for peace?**  
(Africa House, break out room #1)

**Somalia: Can a humanitarian emergency open channels for peace?**  
(Africa House, breakout room #2)

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**16.30–17.30**

Two parallel situation reports for participants to choose from

**Burundi** (Africa House, breakout room #1)    **Liberia** (Africa House, break out room #2)

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**18.45–19.30**

**Cocktail drinks (Pool bar)**

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**19.30**

**Informal dinner (Jetty Restaurant)**

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**25**

**Friday**  
November 2011

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**9.00–10.30**

**Libya: Supporting a robust transitional process (Ping Pong Hall)**

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**10.30–11.00**

Coffee break (in front of Ping Pong Hall)

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**11.00 – 12.30**

Two parallel discussions for participants to choose from:

**Land and water disputes: Perennial sources of conflict?**  
(Africa House, breakout room #1)

**Civil society: Constructive engagement around mediated peace**  
(Africa House, breakout room #2)

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**13.00**

**Informal Lunch (Aqua Restaurant)**

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# Opening Plenary

The opening session dealt with the issue of protracted conflicts, their causes and how to address them in a sustainable way. Discussants focused on the cases of Somalia and Sudan in preparation for later retreat discussions on the region. Somalia was described as a remarkably complex conflict as a result of its interlinked internal dynamics and long duration. Somalia is also a paradox: it suffers from long-term conflict although Somalis share the same language and religion. The country is very poor and large parts of the country were repeatedly and severely hit by famine in 2011 and anarchy reigns in large areas. This makes it a place where terrorism and piracy can gain a foothold and the participants noted that the Al-Shabaab, founded in 2002, are a relatively new aspect of the conflict. In addition, the crisis has a regional impact and influences the region around it. There are some positive developments in Somalia: there are new decentralised structures being built in areas that were previously controlled by Al-Shabaab which function like “Greek city states”. The security situation in Mogadishu has also improved and it might provide the Transitional Federal Government with a power base from which to implement the roadmap.

In Sudan, one of the key problems is the continued marginalization of large parts of the population by the central government, and the latter’s failure to address the different conflicts in its territory as well as managing its relationship with the South. It was argued that the conflicts should be addressed in a concerted way and the interplay between them should also be acknowledged.

The conflicts in both countries are marked by a lack of effective governance and the exclusion from public life of certain groups within society. Re-establishing a dialogue, such as the national dialogue put in place after long turmoil in Zanzibar, can help build trust gradually and (re)invigorate the economy. With these foundations in place, further aspects of peace can be developed.

Participants argued all action needed to be grounded in thorough analysis, including of the social realities and existing local structures of the conflict. For example, some participants pointed out that a proper international strategy for Somalia should be grounded in an analysis of Somali society. Should that analysis point to the relevance of clans in society then solutions should be sought which recognise the reality of that society. In general, the participants criticized the lack of adequate conflict analysis in the field which would help the international community to avoid approaches based on an over-simplified analysis .

While some participants argued that the international community needed to engage with more political leverage and resources in many of these conflicts, it was also emphasised that it was crucial that the parties had ownership over the peace process and the eventual agreement. Some argued that Somalia was a case for Responsibility to Protect in Africa, particularly following a year which saw military measures taken in Côte d’Ivoire and Libya.



On a similar note, it was argued that in Libya the international community should have waited with their intervention and that, in general, local groups and initiatives should be encouraged rather than outsiders interfering when it suits their strategic interests.

A panellist in the session argued that, while each conflict requires a “tailor made approach” after thorough analysis, in all conflicts dialogue is the first step to furthering peace and that making peace durable requires patience. It was further stressed how crucial it is to ensure that efforts are well co-ordinated, that an inclusive approach is adopted by stakeholders, and that change is driven by the population.

# African Peace and Security: From architecture to the practice of prevention

In this session, participants stressed the progress which had been made on the African Peace and Security Architecture in the last years, while underlining that there needed to be a shift from conflict management to conflict prevention for it to be really effective. There was also a sense that resources had to be increased and capacity built in order to ensure that the policies and instruments which had been established were implemented and used.

The instruments used by the Intergovernmental Authority on Development (IGAD) were discussed and it was stressed that IGAD was aiming for a joint initiative of member states. The Dar el Salaam Declaration of November 2004 was seen as crucial in establishing ongoing dialogue in order to prevent a breakdown of relations in the region which could lead to genocide. However, crisis prevention remains weak and this is demonstrated by the current inactivity in the Democratic Republic of Congo or Burundi; as long as there are no casualties, the political will to engage in preventive work is very limited. It was, however, pointed out that conflict prevention was a priority of the African Union (AU) as well as of the United Nations. There are a number of organs within the AU dedicated to conflict prevention in a broader sense as well as others focussed on issues like corruption, good governance elections and early warning of potential conflicts.

The challenge with conflict prevention is that it is not yet mainstreamed. International actors, as well as African regional and sub-regional organisations, rely on peacekeeping as the key instrument when responding to instability in a given country. Peacekeeping is, in some ways, less politically sensitive than a policy of conflict prevention which encounters stronger resistance from the receiving states. However, the disadvantage of relying on peacekeeping is that it limits the AU and other actors to conflict management. It was noted that conflict prevention “requires that you upset people”. The identification of human right abuses and democratic flaws by the AU puts elected heads of states and governments under pressure. As a result, member states tend to be reluctant to criticise each other.

There was a general sense in the session that the AU should not get lost in the process of creating more tools and policies but instead it should focus on implementing and reinforcing the existing mechanisms. The AU should also ensure that the instruments established are sufficiently resourced.

One participant brought up the question of what conflict prevention is trying to prevent, arguing that it is now about preventing large-scale violent conflict. In the participant’s view, however, people affected by conflict are looking for justice, freedom and dignity, as well as an end to oppression. The participant added that if the AU does not engage effectively with these issues it will remain reactive rather than shaping situations to prevent conflict. Overall, participants agreed that the will of leaders to actively identify, and act to confront, violence at an early stage is central to successfully improving conflict prevention.

# Sudan and South Sudan: Pursuing viable peace

In this session, participants examined the challenges of building peace in the two Sudans and the feasibility of a common international approach. The discussion focused primarily on the dilemmas faced by mediators and other external actors confronted by the inter-linked conflicts in Darfur, Southern Kordofan and Blue Nile; the ongoing disputes between Sudan and South Sudan; as well as the deepening unrest in Khartoum and the East, and separate South-South conflicts. Participants stressed that persisting tensions are all symptoms of a long-standing problem, namely the failure of the Sudanese state to manage its diversity and to distribute political and economic power between the centre and the peripheries. This problem had fuelled the separatist tendencies in the South which had led to its independence and were now finding increasing resonance elsewhere.

Some participants pointed out that there had been those within the international community that had long been aware of the links and similarities between the conflict-affected areas. However, approaches to the challenges faced by Sudan – by both the Sudanese and the international community – have nonetheless been fragmented and regionally focused rather than national in scope. For this reason, the African Union High Level Panel on Darfur's identification of the crisis in Darfur as part of a national crisis had been ground-breaking. The Panel had cautioned that resolution would be sustainable only if the root causes of conflict were tackled comprehensively – a point of view shared by participants in this retreat.

Participants acknowledged that the international response had been in keeping with the priorities set by Sudan's ruling National Congress Party (NCP), which had sought to address the multiple conflicts through separate peace processes. However, while international fragmentation had been fostered by the Government, other factors had also contributed to it. As one contributor pointed out, John Garang had a vision for a new Sudan but after his death the rebel movements did not define their grievances and demands in the context of a national call for change.

Looking forward, a few participants expressed cautious optimism: international actors are now pushing for a more holistic approach; the different processes are more clearly linked to each other than in the past; and opposition groups are acting more cohesively in their attempts to transform Sudan. Some participants also expressed their belief that the constitutional review process could provide an opportunity to tackle governance issues comprehensively. As one participant reported, there is a degree of support for an inclusive broad-based constitutional conference within the NCP.

However, most contributors felt that the prospects for peace and stability in the two Sudans are not particularly encouraging. It is, for example, difficult even to define what the policy towards the two Sudans is among major international actors. One participant warned that the Government might approach the constitution-drafting process in a legalistic manner and might not address critical decisions on the allocation of power and resources.

Participants also emphasised that the separate tracks and the different protocols negotiated on Abyei, Southern Kordofan and Blue Nile have built limitations into the peace process. Capacity, pressure and incentives are diminished by their distribution across the various initiatives.

The session concluded with reflections on the opportunities that can be seized in the two Sudans and the lessons which can be learned at this stage. Some participants argued that there is a need to unlock the North-North track before an economic deal can be reached between Sudan and South Sudan. One emphasised the importance of a “declaration of principles” similar to that adopted in the North-South process in 1994. It was also suggested that Sudanese and international efforts should focus on addressing the central issue of governance with an eye to broadening the voices at the negotiating table and catalysing a more substantive conversation. There was also an urgent need to do more with regard to Southern Kordofan and the Blue Nile.

# Collaboration in West Africa: Partnerships for peace?

The discussion in this session recognised the importance of, and need for, co-operation among various mediation actors in West Africa, while also addressing the difficulties involved in accomplishing such co-operation.

The panellists began the session with a discussion on recent developments in Liberia and the role of different mediation actors around the electoral process held in the autumn of 2011. It was emphasised that the Economic Community of West African States (ECOWAS) is central to West Africa's peace and security architecture and that ECOWAS' leadership is crucial for the achievement of positive outcomes. It was also noted that the International Contact Group on Liberia (ICGL) had been an effective forum since the signing of the Accra peace agreement but in the past year and a half it had ceased to meet regularly and to function effectively. This posed a difficulty for the United Nations Mission in Liberia (UNMIL) because the UN benefits from working with partners such as the ICGL, which could have played a valuable role around the elections.

The participants noted it was extremely important that, in anticipation of the elections in October 2011, ECOWAS had appointed an envoy and, as a result, the UN had a partner in the process in the period around the elections. This partnership was very positive. One discussant suggested that there are certain issues in mediation and political engagement by third parties that cannot be underestimated and one of them is the role that African leaders can play in encouraging other African leaders to seek peaceful solutions to disputes.

Participants also made reference to the pitfalls of referring cases to the regional organisations. In some cases, the UN Security Council refers to the regional organisations because its members fail to agree on a course of action and it is therefore convenient to declare that a regional organisation is managing, or is responsible for, an issue. However, ideally, the UN and regional organisations should support each other's actions and jointly develop their capacities.

Referring to co-ordination in the early stages of prevention, participants acknowledged that it has proved difficult for institutional actors to outline scenarios before crises escalate. One participant noted that the difficulties involved in sharing information among institutions is part of the reason why such co-operation is rendered difficult. Therefore, a framework is needed to enable such co-operation to take place. However, the participant added that the UN Mission in West Africa did offer the UN the opportunity to work closely with ECOWAS and the West African civil society in various forums.

Discussants also elaborated on the ways in which mediation actors work together and depend on each other. In Côte d'Ivoire, for example, ECOWAS relied on the UN's certification of the election results to define its response and ECOWAS was convinced that there was no ambiguity about the results.

There was, therefore, a healthy chain of support spanning the response at the regional level by ECOWAS and at the international level by the UN.

The discussion concluded by addressing the fact that there is no clear international hierarchy of organisations and all organisations (international, regional and sub-regional) are made up of sovereign member states which are unwilling to see their national interests subsumed. Participants expressed optimism in relation to the guidelines aiming to improve the African Union – United Nations partnership but acknowledged the ongoing difficulties in the relationship.

# Somalia: Can a humanitarian emergency open channels for peace?

In this session, participants openly acknowledged the long record of limited success by Somalis and international actors to foster internal dynamics that might sustain a peaceful Somalia. The Somali crisis was described as having four principal causes: 1) a flawed political process, involving at least 15 failed peace processes or conferences; 2) a mismanaged security approach and lack of disarmament (indicated by 40 million small arms circulating in the country); 3) the neglect of the Somali youth, who represent no less than 60% of the population; and 4) continuous humanitarian crises and a failure to prevent new ones. Managing a Somali-owned process that is based on the reality of a decentralised, devolved Somalia was identified as the key challenge.

One participant had been cautiously optimistic that the current famine and the international attention on the situation in Somalia could lead to positive developments but now feared that it was too late. The participant pointed out that, in contrast to previous agreements, the Kampala Accord of June 2011 had several positive characteristics: it was inclusive of the Parliament and the President as well as regional actors such as Puntland and Alu Sunna Wa Jamma; it had been launched in Mogadishu, strengthening local ownership; and it included compliance mechanisms.

The participants in the session agreed that the Transitional Federal Government (TFG) was relatively weak. A new government and interim constitution were needed both because the TFG's (extended) mandate is due to expire in August 2012, and to ensure security. In considering arrangements for the future, several participants insisted that "legitimacy cannot be imposed" by the international community but needed to come from within. Any future government should be headed by a credible and legitimate leader. Participants observed that the emergence of new governance structures across some regions of Somalia – likened to "Greek city states" – had been a positive development. One suggested that a decentralised, confederalist system could even encourage Somaliland, which is more peaceful and prosperous than elsewhere in Somalia, to refrain from pursuing independence. Another noted that the international community had tried many different approaches in Somalia, excluding only one: non-interference and Somali ownership. A third bluntly admitted that as we do not yet understand what led to "complete failure, the total fragmentation" of Somalia "we don't know what would work".

As one participant put it, Somalia was a "mediators' nightmare and the diplomats' graveyard". The participant found it difficult to hope that famine might increase the likelihood of peace, as Al-Shabaab remains in control of large parts of the famine-affected territories and was limiting humanitarian access. The participant argued that as long as Al-Shabaab was not given some security guarantees, it had no incentive to engage in substantive peace talks.

Humanitarian access remains a significant concern and it was noted that the humanitarian community had tried to make inroads with Al-Shabaab but no Westerners except national staff from UNICEF, the ICRC and the Norwegian Refugee Council had been granted access.

The discussion further elaborated on regional dynamics and, more specifically, the Kenyan and Ethiopian military interventions into Somali territory. Views diverged as to whether these interventions were part of a coherent regional strategy and had been adequately planned. A final question which was raised in the session was what government structures the TFG might be able to deploy – with international support – into any areas that might be liberated by Kenyan and Ethiopian forces and what impact these combined forces would have on the future of the country.



# Situation Report on Liberia

The situation report on Liberia examined the current situation in the country as well as developments prior to, and during, the 2011 elections. The report was followed by a question and answer session which enabled participants to verify various existing claims, voice concerns and consider visions for Liberia's future.

The report began with an account of the electoral campaign and the preventive steps taken by the UN mission, ECOWAS and the Centre for Humanitarian Dialogue once the campaigners and their supporters appeared close to inciting violence. The session looked at the first and second rounds of the elections in detail and considered their vulnerability to actual or perceived fraud as well as the assessments by local and international observers of how the process had actually been conducted.

While observer reports ascertained that the first round of voting was transparent and fair, the counting of votes and the release of the electoral results triggered accusations of manipulation and massive fraud. The Congress for Democratic Change (CDC) called for the restructuring of the Elections Commission as well as other demands which could not be met on constitutional grounds. Subsequently, the CDC announced that it would boycott the run-off elections and urged its sympathizers to rally in support the day before the elections. Clashes ensued between the protesters and the police which resulted in the death of one Liberian and injuries to several others. A committee was set up to investigate the violent incidents but the facts remain unclear and tensions continue to affect post-election dialogue in Liberian politics and society.

The situation report concluded by noting that the disputed presidential elections had illustrated the pressing need for Liberia to draw up, and follow through on, plans for national reconciliation, youth employment and constitutional reform. The comments and questions from the audience at the end of the session included reflections on the high degree of co-ordination between international actors and the need for sustained conflict prevention in the region.

# Situation Report on Burundi

The situation report on Burundi suggested a country at a crucial crossroads in its history. While, in an earlier session, Burundi was referred to as “a success”, one participant suggested that it was possible to regard “the glass as half full or half empty”. The 2000 Arusha accord is being largely respected and the 2010 presidential elections did not lead to violence despite their irregularities – the opposition pulled out after the first of five phases. The Government has also taken some positive steps including setting up a national human rights commission; starting work on transitional justice; initiating some improvements in health services and education; and completing a draft strategy on good governance and the fight against corruption. Participants warned, however, that the peace which Burundi enjoyed was fragile and clouded by worrying developments.

Foremost among these developments was a disconcertingly high number of extrajudicial killings. While the UN had documented 46 killings of opposition supporters between January and October 2011 (which reached 60 by year-end), one NGO estimated as many as 300 in the last six months. In either case, the numbers represented a “steady drumbeat” of killings linked to government security forces and the youth wing of the ruling party. Meanwhile, Burundi’s border is porous and vulnerable to armed groups which cross to stage violent attacks. Burundi’s Government has also accused neighbouring Democratic Republic of Congo and Tanzania of being a safe haven for opposition groups. The leadership of the opposition – including Agathon Rwasa of the National Liberation Forces (FNL) – is in exile and the opposition coalition periodically issues communiqués condemning the killings and setting out demands. However, while some opposition members are calling for rebellion, the opposition was described as having no meaningful political platform or vision for the country.

Civil society and the media are more developed in Burundi than in neighbouring states but they remain under constant pressure from the Government. One participant observed that ethnic tensions between Hutus and Tutsis had diminished to a remarkable degree. According to another contributor, the lack of political competition between the majority Hutus did not necessarily mean that tensions could not easily escalate into violence again. Participants generally agreed that the political sphere needed to be normalized in order to create more room for opposition parties to operate freely and allow political dynamics to move beyond a cycle of attack and retaliation.

Burundi is one of the five poorest countries in the world and politicians, like most people, were described as primarily preoccupied with their own political and economic survival. It was noted that the economy, including the crucial coffee industry, was struggling and donor interest in Burundi was low (especially when compared with neighbouring Rwanda). Foreign investors are also deterred by Burundi’s weak infrastructure and lower revenues compared with neighbouring countries. Development was deemed critical to Burundi’s stability and participants felt international engagement should be encouraged. The situation report concluded with the assessment that it was possible to be “guardedly optimistic” regarding Burundi’s future, not least because of encouraging signs such as renewed South African investment.

# Libya: Supporting a robust transitional process

This session examined the multiple challenges facing Libya as the country moves away from violent conflict and transitions to a post-Qaddafi era. The discussion addressed the sensitivities surrounding the passage and implementation of United Nations (UN) Security Council Resolution 1973 but emphasised the importance of looking forward and the need for effective co-operation between international actors working to support Libya.

Participants agreed that there were many problems facing Libya during the transition process. A “robust” transitional process suggests something sustainable, enduring and healthy; however, the international community needed to “brace itself” for a process that was likely to be fairly complex. The security situation was clearly one of the most pressing issues facing Libya. With no clear-cut balance of power among different stakeholders, and continuing rivalry among heavily armed militias, it had proven difficult to stabilise the country and to forge a common agenda for the future. Participants were also concerned that Libya’s security challenge also has regional implications as weapons had reportedly been flowing to Niger, Chad, Mali and Mauritania.

Drawing on comparative experience, one participant expressed scepticism that elections could be held in the coming year in the absence of a robust peacekeeping force. The participant suggested that the deployment of the African Standby Force might be a possibility, whereas others contended that the wishes of the Libyans ruled this out. Contributions from participants emphasised the need for external electoral assistance, institutional consolidation, as well as an agreement on power-sharing among tribal groups and militias prior to holding elections.

Participants in the session also stressed the importance of national reconciliation and issues of justice, including questions relating to the fate of African migrant workers. One participant cautioned that efforts towards national reconciliation in Libya were growing more complicated by the day. Regional differences and rivalries had so far complicated efforts to impose national authority over rebel brigades and to eliminate arbitrary detention practices.

Participants debated the implementation of UN Security Council resolution 1973, which had been approved partly as a result of the support of the African members of the Security Council. The controversy that had arisen regarding the extent to which a mandate for the protection of civilians had evolved into a strategy for regime change had far-reaching consequences.

The discussion revealed opposing narratives among some of the participants, particularly regarding the position taken by the African Union (AU). The AU was strongly defended as having pursued an “African-led process consistent with SCR 1973” even as others suggested that Libya’s complex identity and international relevance made it unrealistic to expect that an African-led process could prevail.

Despite these differences, there was considerable convergence on many important issues relating to Libya's future, including the need for AU and UN co-operation in the coming period. The speakers agreed that internal and external agendas should focus on non-proliferation, justice and reconciliation, as well as electoral assistance and support for the resumption of public services.

# Land and water disputes: Perennial sources of conflicts?

This session addressed the role of land and water in wider political conflicts and efforts to resolve them. It distinguished conflicts over natural resources from conflicts in which disputes over land and water played constituent parts. The session also questioned the extent to which individual approaches to these conflicts were analysed in order to learn lessons and improve future practice.

A few participants pointed out that issues around land are at the centre of the evolution from traditional to modern states in Africa. Different forms of land ownership and the relationship between nomadic and sedentary groups are all evolving. In the meantime, conflicts continue to be fuelled by the differences between the traditional structures and identities which are still in place in many African countries, and the realities of modern state institutions and societies. Unfortunately there is a lack of national capacity to manage these conflicts and, as a result, there are many examples of conflicts which have roots in, or strong links to, land and water issues throughout Africa.

Participants observed that land and water disputes can have an impact on all phases of conflict; they can trigger conflict, accelerate it, or contribute to its re-emergence. The electoral crisis in Kenya in 2007/2008, for example, fuelled a pre-existing conflict over land in the Rift valley. As a consequence, the revised Constitution addresses land ownership and the National Land Commission is continuing to engage on the issue. Côte d'Ivoire was another example cited by participants of a conflict in which land had been a core element. In Côte d'Ivoire, the dispute over land was used by political actors and escalated into violence and a full blown political conflict. The Ivoirian case also exemplified a situation in which land became linked to issues of identity.

Land can be understood as the basis of nationality, a sense of belonging to a particular ethnic group, or a connection to ancestors. The concept of land ownership was described as relatively new in the session; different groups had long used land in various ways to satisfy their needs and its regulation was an inherently complex process which, at times, caused conflict. Competition between different lifestyles – pastoralists and farmers, or rural and urban dwellers – was further complicated by climate change and other factors such as population growth, migration, flows of refugees and urbanisation. These changes, which in some regions have developed at an accelerated pace, heighten the tensions surrounding access to, and use of, limited resources such as land and water.

One participant drew attention to the different historical approaches to land and land use in Africa. The British had practiced “indirect rule” in their West African colonies. Their separation of land as a source of legitimacy and political power had contributed to the breaking up of traditional power structures as well as traditional dispute settlement mechanisms. In contrast, in francophone countries the land was owned by the state which decided on its uses; in Côte d'Ivoire this led to migration to the western parts of the country in order to cultivate the fertile land found there.

While under this approach the land got used in a productive way, it also created underlying resentments; some of these were evident during the electoral crisis in Côte d'Ivoire and remain present today.

As one participant pointed out, the challenges for mediators working on disputes over land and/or water include breaking down the dispute to manageable elements and working towards a solution that offers mutual gains. These challenges can often be approached by identifying the ways water is used and by addressing who decides the appropriate forms of use. In conclusion, participants agreed that mediation of these disputes could be improved greatly and could benefit from sharing best practice.

# Civil society: Constructive engagement around mediated peace

In this session, participants considered the involvement of civil society, including women and other groups, in peace processes to date and the impact of their involvement.

The panellists began by underlining the importance of properly assessing the nature of civil society groups and the potential contribution they might make to a peace process. Civil society can span professional associations, faith-based groups, Islamic charities, traditional community groups, as well as movements and networks, so peacemakers cannot automatically assume that they will have a constructive effect on the process. The panellists pointed out that mediation teams need to have the capacity to manage this diversity and to make a systematic selection of civil society representatives.

The session considered specific peace processes as well as the main strategies for civil society inclusion which have emerged from them. In Darfur, for instance, it was felt that radical Arab communities needed to be involved in the peace process in order to ensure buy-in from hardliners. The peace process in the Democratic Republic of the Congo offered an example of direct participation by civil society groups as a means of enhancing legitimacy and representation around the negotiating table. The Kenyan model provided an example of informal consultations that enabled mediators to tap into the knowledge and expertise of the civil society at large. The South African peace process was referred to as an illustration of the favourable conditions which typically enable civil society to be involved in actual policy formulation. These enabling factors included the strong nature of South African civil society; the wide political space available to existing networks; the receptiveness of political parties to engage with civil society; and, last but not least, the advantage of carrying out negotiations inside the country.

Despite this track record, the main message of the discussion was that the international community has not been able to adjust existing knowledge to the needs of different peace processes. Participants argued that the international community does not decide how to best make use of civil society on a case by case basis, in light of the context and the expertise available. As a result, international peacemakers tend to consult with the same elite civil society groups specialising in conflict resolution; to automatically mix traditional institutions with modern associations; and to sideline groups working on advocacy, protection and monitoring.

The participants also noted the difficulties faced by mediation teams in situations where there is a strong civil society but it has been absorbed into the political arena and has changed its role from genuinely representing the people to supporting political parties (as in Somalia and South Sudan). Participants also raised the issue of political support to civil society groups, including support from regional organisations. Most contributors argued that regional entities have not been effective in engaging civil society, with some institutions neglecting to offer support and others resisting the inclusion of civil society in formal negotiations. However, one participant clarified that ECOWAS is one of the regional entities which has held meetings with civil society organisations to work on strategies for conflict prevention.

Participants concluded by highlighting that one of the key messages to be taken away from the discussion concerns the need to clarify the role of civil society. Empowering an informal process is often thought to disempower the formal process, so mediators need to make it clear that civil society representatives are not at the table to share power with the signatory parties but to help them fulfil their responsibilities and reach out to the wider population.



# Conclusions and reflections

The Africa Mediators' Retreat brought together a group of outstanding mediators and peacemakers from Africa and beyond. During the three days of the retreat, participants were able to draw on, and build on, their extensive experience and knowledge of the situations and topics under discussion.

Shared knowledge, but often competing perspectives, created vigorous debate. A broad mix of participants, with younger practitioners joining more seasoned professionals, and the intimacy of the retreat's relatively small size encouraged an atmosphere in which differences were openly aired. Speakers were encouraged to leave aside their institutional affiliations and share their personal views and observations as well as the details of decision-making processes.

Across the retreat, views diverged on the role and performance of the international community. Following a year which had seen complex and contested interventions in Côte d'Ivoire and Libya, some argued for "African solutions for African problems" and called for stronger local ownership and a more assertive role for the African Union. Others highlighted the need for African states to fully inhabit their global responsibilities as well as those within regional and sub-regional organisations.

Conflict prevention was identified as the core challenge for the future. Obstacles included a lack of will within the international community to take early action, problems of co-ordination, and the difficulties encountered within multilateral organisations when it comes to restraining or criticising the behaviour of their own membership. The timing of international interventions, issues of leadership and co-ordination among the multifarious international actors who might be engaged, and the need to build both the legitimacy and efficacy of local structures were all identified as critical issues.

Since the retreat's conclusion participants have provided the HD Centre with helpful feedback. In general, they indicated that they found the retreat insightful and useful for their professional networks. Some suggested extending some of the sessions in order to allow for more in-depth discussion, an idea which the HD Centre would like to take up in the future.

The Oslo forum team hopes that the ideas and initiatives discussed at the retreat will make a substantive contribution to peacemaking in Africa. We look forward to the next event in the Oslo forum series: the Oslo forum mediators' retreat in June 2012.



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