FROM SHAKING HANDS TO SUSTAINING PEACE

Rethinking Pathways for Mediating and Implementing Agreements

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Executive Summary

While peace agreements are frequently symbolized by handshakes, their implementation and the broader goal of sustaining peace present formidable challenges. Despite the extensive efforts and substantial time invested in negotiations, violence often persists, and peace agreements routinely struggle to be put into action. In these contexts, sustaining peace can seem remote and, at times, insurmountable.

This White Paper, associated with this summary by the Global Institute for Strategic Research (GISR) in Qatar, critically examines the reasons why peace agreements falter and explores the role of design, capacity, and political will. It highlights the importance of understanding the wider environments that characterize and shape peace processes and reflects on implementation mechanisms and wider cross-cutting issue areas, where promising practices are evolving to address the shifting landscapes of peace agreement implementation, its aftermath and sustainability.

Within this context, the paper also explores that the increasingly influential roles that emerging and non-traditional small state actors are playing also need to be better understood, and as this paper argues, supported. In the contemporary geopolitical context witnessing growing resistance to Northern- or externally-led political processes, the different perspectives, experiences, and approaches that these actors bring deserve greater attention.

Key Messages

▷ The rising complexity in our conflict environments requires the revisiting of implementation models to cultivate new approaches and theories of change that respond to contemporary contexts and challenges;

▷ Supporting other research, the paper identifies design issues (notably around weak inclusion, poor context relevance, and vagueness of agreements), deficits in state (specifically institutional) capacity, and political obstacles (poor political will and international interference) as persistent core challenges for effectively implementing peace agreements and sustaining peace;

▷ Given the complexity of peace processes, there is an inherent tendency for them to be nonlinear and subject to the pressures of competing political and economic forces. This requires approaches grounded in a longer-term outlook with multifaceted engagement with wider society to better insulate the peace process from competing pressures, and to inclusively seek to address the root causes of strife. This can also serve to hold parties of power-sharing arrangements more accountable, where such arrangements can be vulnerable to abuse by parties not working in the interest of national unity;

▷ How questions of who should be involved in the process and how combatant and wider societal grievances are addressed are pivotal to peace sustainability. The exclusion of key groups, often motivated politically, can result in key issues left unaddressed and a return to conflict. While often requiring greater financial and time investments, holistic and inclusive approaches are associated with greater peace sustainability. Innovative approaches, including the use of digital technologies, such as social media or AI, can enable broader societal engagement in monitoring, verification, and the fostering of a broader understanding of the challenges and opportunities involved;

▷ Peace sustainability imminently rests on the peace process and agreement resonating with local contexts. Employing contextualized and culturally attuned approaches that engage with indigenous values have been shown to be more likely to yield buy-in and for the process to be perceived as legitimate;

▷ Assessing and developing local skills and human talent underpin the ability to implement and sustain agreements. This can be achieved through partnerships and can be indispensable for preventing conflicts from relapsing. For this to be achieved, there is a need for sustained investment to prevent a relapse to conflict;

▷ Small states from different regions are becoming significant contributors in the global peace process mediation and hosting arena. This comes at a time when the overloaded global agenda of complex crises demand greater support and innovative thinking. They bring different values, geopolitical and cultural perspectives, and skill sets to the table and often hold greater legitimacy than great power actors in certain contexts, making them essential partners in fostering peace.

Main Recommendations

With particular relevance for Qatari officials, the following recommendations target mediators, peace process hosts and architects, and the wider community of policymakers, practitioners, and scholars engaged in mediation processes with a view to peace sustainability:

▷ Mediation processes should be designed with attention to the specific contextual needs, awareness that ongoing processes of political settlement are likely, and thus a long-term outlook acknowledging the significant investments in time and resources this requires. A successful political approach should allow the peace process to adapt over the long term, incrementally and nimbly, to changing contexts;

▷ Disagreements need to be approached as political processes. In practical terms, this means ensuring that robust mechanisms to manage disputes in the process are in place, supported by wider processes for sustained engagement with a wide cross-section of society at all levels;

▷ Processes should be designed as inclusively as possible and with a foresight into the future requirements to deliver peace dividends and support reconstruction beyond the political elite, this means involving the diversity of actors, not only those party to the conflict but also those stakeholders in peace. Maintaining a robust communications and media campaign to build public buy-in is key, and a strategic approach to the application of digital technologies should be developed from the outset – one that harnesses how AI, social media and other technologies support effective and inclusive

monitoring and wider implementation – and that anticipates associated risks. Supporting sub-national infrastructures (infrastructures for peace) should be prioritized to consolidate agreement implementation with wider societal involvement;

▷ An inclusive political approach to addressing conflict root causes is needed, requiring that mediators facilitate the building of consensus around the issues and the processes required to address them. Undoubtedly, a long-term outlook and commitment to staged political processes to settle the issues will be required. Some root causes may also lie outside national borders, reflecting the need for innovation and partnerships with external actors, with steadfast efforts to ensure national ownership over the processes and outcomes. Inclusion of marginalized groups is particularly important. Processes should be put in place to avert and/or counteract the exclusion of key stakeholders and parties;

▷ Mediation and peace agreement design and implementation should be led by local and/or regional leadership, and aligned with local culture, values, customs, or long-standing political structures. This will support perceptions of legitimacy of, and ownership in, the process. Capacities may well need to be developed and nurtured to support these goals;

▷ An assessment of indigenous capacity should guide decisions about the needs for long-term development and partnerships. To enhance local capacities, there is a need for sustained investment and training support from trusted, ideally local or regional, experts.

1.0 Introduction

The implementation of peace agreements and sustaining peace constitute immense undertakings, evermore challenged by the rising complexity of our conflict landscapes. As defined by the United Nations Secretary General (UNSG), António Guterres, conflict contexts are characterized by an increasing internationalization and regionalization of conflict (Figure 1)[1], rising numbers of non-state conflict actors and groups, rising violent extremism, and widespread violations of international humanitarian and human rights law (UNSG, 2015). Concurrently, the interconnected nature of violent conflict and other threats – including fragility, poverty, and inequality, and myriad forms of humanitarian crisis – is evermore prescient. Paradoxically, these trends demand synergistic responses at a time when rising geopolitical polarization is paralyzing the international community's ability to respond in an effective, coordinated manner.

Figure 1: Number of Internationalized Violent Conflicts, Global, 1946-2016
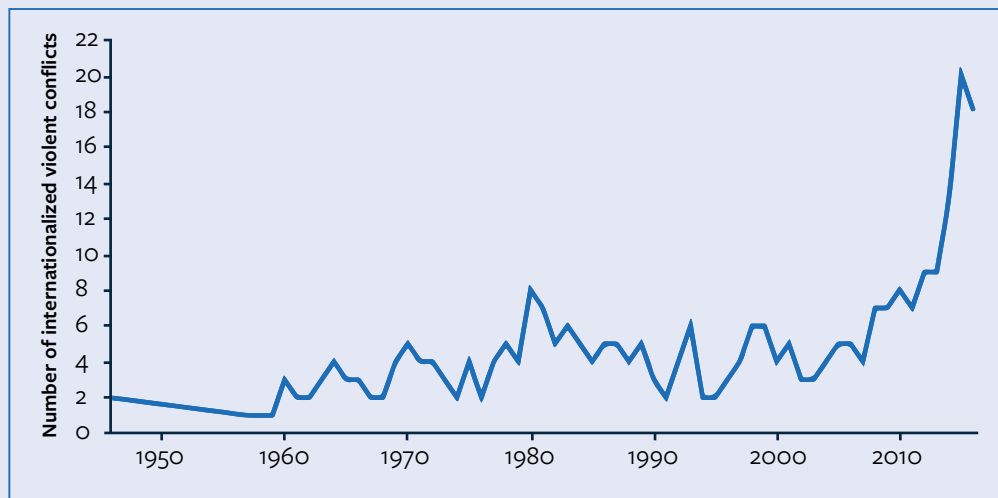
Source: UN-WB, 2018, p. 18. Data derived from Uppsala Conflict Data Program and Peace Research Institution, Oslo (Allansson, Melander, & Themnér, 2017; Gleditsch et al., 2002).

The growing complexity of war, and the consequent reality that making and sustaining peace is far from straightforward, suggests why agreements are more difficult to reach, and why war reversion is so persistent. Conflicts are enduring longer, and in the process they become more difficult to resolve as issues morph and complexify (UN-WB, 2018, p. 18). When parties do achieve an agreement, most revert to war, 18 percent within one year after the conflict ended (UN-WB, 2018, 84). While we have witnessed a trajectory away from imposed (military victory) to negotiated settlements, war reversion is higher in the case of the latter (Mack, 2007). This often occurs where negotiated settlements, often tied to power sharing, empower groups and parties who often protect their own interests rather than serving the public interest and national unity.

Peace agreements are also becoming more complex as they endeavor to address the many multi-dimensional issues that tend to underpin conflicts. While agreements during the Cold War focused on cease-fires, with military or technical personnel overseeing verification, the more comprehensive nature of peace and building national ownership requires more actors and more attention to array of issues in play (Abdenur, 2018). Partial agreements are common where time is needed to bring all parties on board (Nilsson, 2008, p. 482). This demonstrates the increasing quantity of agreements per conflict.[2]

It is also the case that less than half of all negotiated provisions in peace agreements are fully implemented[3] (Joshi et al., 2015, p. 556), which some attribute to insufficient attention to implementation plans and how obstacles might be addressed (Paladini & Molloy, 2019; Bekoe, 2008). Even with clear plans, much can change in a post-war setting. Agreements can be impacted by political, economic, and social processes and events that may be occurring simultaneously, reflecting the complexity in and around the process.

Challenges aside, peace agreement implementation is regularly associated with peace sustainability (Molloy & Bell, 2019; UN, 2012). Research has found that levels of peace agreement implementation are associated with duration of peace – both to the signatories of agreements but also between the government and non-signatory groups (Joshi & Quinn, 2017, p. 869). When more comprehensive peace agreements are implemented, they tend to be the most impactful negotiated agreements in terms of ending civil wars (Karreth et al., 2023). In turn, we also see greater innovation in institutional arrangements and new technologies to support agreement monitoring and implementation (Abdenur, 2018).

In 2016, the growing need to better understand and work toward sustaining peace (and preventing violent conflict) drove the adoption of twin United Nations (UN) resolutions by the Security Council and General Assembly addressing these priorities. This focus represented a departure from the policy approach put forth by UNSG Ban Ki Moon (2010) focusing on 'the immediate aftermath of conflict.' The reality is that both a focus on the immediate aftermath or 'the day after' shaking hands, and sustaining peace, are vital. Concerted attention is needed to link them conceptually and practically. Related, we need to better understand how successes achieved in mediation, which often direct attention to the immediate aftermath of conflict, can better translate to sustaining peace. This means enhanced attention to the contexts and conditions informing and shaping more complex agreements and the processes and mechanisms to better ensure both attention to detail in the agreement and its immediate aftermath of conflict on the one hand, and to the human, financial and institutional resources and capacities in place to ensure agreement implementation and sustainability, on the other (McCandless, 2010).

1.1   Emerging Actors in the Mediation Landscape

It is well acknowledged that third parties can play important roles in promoting, encouraging and enabling the enforcement of peace agreement implementation (Molloy & Bell, 2019, p. 1). In practice, state-led mediation has been dominated by great powers, and this continues, as we witness the US, China and other major powers vying to intervene in the world's most pressing conflicts including Yemen, Syria, South Sudan, and Ukraine. While attention to the important roles of Track II mediators has captured policy interest now for some four decades, where unofficial actors have moved various peace processes forward in ways that great power mediators have been challenged to do, attention to the unique roles of small states and emerging powers is growing. Small state mediation is acknowledged in international relations theory (Ingebritsen et al., 2012), and has grown alongside awareness that while large states

have power and leverage to bring and keep parties at the table, their power-driven agreements often do not have sufficient buy-in for durability (Martin, 2007). Their 'mediation with muscle' comes with bias (national interests), which can prove a double-edged sword (Schultz, 2019, p. 5). Small states as mediators appear less threatening, utilizing moral and intellectual persuasion rather than applying pressure through politics or security threats (Eriksson, 2015, p. 3) and strategic power is exercised, rather than possessed. Small states are also less encumbered by domestic constraints and thus can act with greater flexibility (Boussetta, 1987, p. 139-142). Their approaches may well be more conducive to forging nationally owned, and durable, agreements. While historically small states like Norway and Switzerland have played critical roles, a more geopolitically diverse group of state actors are presenting themselves as mediators, i.e., Gabon, Nigeria, Cuba, Malaysia, Saudi Arabia (Barakat, 2014, p. 4; Boutellis et al., 2020, p. 5).

Qatar is one of the most active small states in the mediation field with a growing reputation as a reliable and trustworthy convenor of dialogue and peace negotiations – with experience now in Lebanon, Palestine, Yemen, Sudan (Darfur), Djibouti, Eritrea, Morocco, Mauritania, and most recently in Afghanistan and Chad. Observers have highlighted Qatar's particular mediation strengths around its positive relations with key conflict parties (or ability to forge them), enabling them to lay foundations for inclusive processes, and in its provision of significant finance to support peace implementation. This reflects a growing trend since the mid-1990s across some Gulf states to significantly sponsor humanitarian interventions both during conflict and in post-conflict settings (Barakat & Zyck, 2010, p. 1).

While the flourishing interest in mediation is welcome, the challenges in achieving durable peace agreement implementation and peace sustainability remain profound.

1.2 Purpose, Methods and Layout of This Paper

This White Paper aims to provide insight and foresight for policymakers involved in and supporting mediation efforts, Qatari in particular, into the state of understanding and practice around peace agreement implementation with a view to sustaining peace. As such, it has important implications for the design of such efforts. Methodologically, this 'scoping study' is comprised of desk research and critical analysis, building on decades of practical experience by the authors. Mini case studies are featured for illustration. With the rising attention to the importance of peace sustainability and how to achieve it, comes an increasing breadth of literature that the paper endeavors to draw from.

The paper first examines the factors behind the breakdown of peace agreements, focusing on lessons arising from past efforts. It then reflects on implementation mechanisms and wider cross-cutting issue areas, where promising practices are evolving to address the shifting landscapes of peace agreement implementation, its aftermath and sustainability.

2.0 Why Do Peace Agreements Break Down?

Significant impediments may emerge and impede peace agreement implementation – a reality often not addressed in the text of peace agreements (Bekoe, 2008, p. 1). Three areas of impediment to agreement implementation are prominent for mediators, those being: (1) aspects of design, (2) capacity constraints, and (3) political constraints.[4] These interlinked areas relate to the facilitation and design of peace agreements, and the capacity and political will to implement them. Each of these areas are analyzed in detail in the sub-sections that follow.

2.1 Design Issues

Deficient process and accord design can erode trust and accountability and undermine support for agreements and their implementation. The design of robust implementation mechanisms (i.e., around monitoring, verification, and dispute resolution in particular) is considered a key foundation (see 3.1), as important as the terms of the agreement (Molloy & Bell, 2019, p. 3), and thought needs to be given to obstacles that might arise and how to address them. Design issues can include poor articulation of implementation mechanisms, poor tailoring of the agreement to the context, and insufficient inclusion in the process.

Peace agreements may lack clarity and have uncertain legal standing, particularly around issues of implementation, leading to their breakdown – as highlighted in the mediation of the Darfur deal in 2006, where U.S. pressure on AU mediators resulted in a half-baked agreement that split the rebel groups and fueled conflict (Martin, 2007, p. 37). A degree of ambiguity may be deliberate and expected given the complex nature of these processes and the need in the first instance to reach a ceasefire, and the compromises likely underlying the shaking of hands. At the same time, the more complete a peace agreement is, the easier it will be to implement, as there will be less to be negotiated during implementation (UN S/2009/189, 13). Strong specificity in agreements is associated with stronger agreements. At the same time, where conflicts are protracted[5] (as in the case of Israel-Palestine), contexts can change, and party positions along with them, and new issues arising can challenge both the methods and the outcomes in peace agreement design.

Inadequate consideration and integration of context within agreements can also create challenges for agreement implementation and durability (Molloy & Bell, 2019). Beyond what often amount to checklists, lies the need to understand how sequencing of different issues affects the implementation and how that affects vulnerabilities of parties, differentially (Bekoe, 2008, p. 144). The context with regard to the substantive terms of the settlement and legitimacy of the parties can also influence the effectiveness of sequencing choices. Illustrative, a process involving parties with strong popular support, will better tolerate undertakings such as political democratization in a post-ceasefire stage, where weak popular support in the parties (and uncertainty in terms of the political future) suggests that implementation is better undertaken in a pre-ceasefire and demobilization context (Arnault, 2006, p. 22).

Box 1: Peace Agreement Design Challenges, Yemen

*Drawn from Barakat (2014) and ICG (2009)

Qatar began mediation efforts in 2007, during the fourth phase of fighting between the Yemeni government and Houthi rebels. While its mediation efforts helped to produce a set of principles and ceasefire agreement, followed by a 2008 fuller agreement, numerous design issues challenged its durability. Fighting resumed in 2010.

Ineffective articulation of follow-up mechanisms for monitoring implementation was a key concern. Lacking established channels for mediating emerging disputes within the process, the peace agreement easily fell apart. Neither the peace agreement nor the declaration of principles included clear mechanisms to mark progress or solve disputes. Poor progress was not assessed and dealt with, and the inability to resolve them ultimately led to agreement breakdown.

Contextual considerations have also been highlighted with concern. Notably, Yemeni customary practices, or wasata, were not engaged, which could have better ensured compliance of parties through their ability to foster 'moral compulsion' over the warring parties. Further, the Doha Agreement demanded disarmament from only one side (the Houthis), which was not in alignment with the tribal mediation customs and the restorative logic – including mediation among equals – underpinning them (Salmoni et al., 2010, p. 15-16, 22).

Insufficient or ineffectual inclusion may also precipitate poor agreement implementation and lack of durable solutions. In the first instance, the outbreak of civil war is often rooted in exclusions in power and resources (Gurr, 1993; Stewart, 2008; UN & WB, 2018). Exclusion of armed actors from peace processes creates obstacles for implementation and can be a cause for war reversion (Call, 2012). The exclusion of the Taliban from the 2001 Bonn talks is illustrative. The study of political settlements has grown in recent decades, where exclusive settlements reflect underlying "rules of the game" between political elites (Di John & Putzel, 2009), often involving informal arrangements that undermine progress in formal agreements and continue to perpetuate asymmetrical power relations. Zahar and McCandless's (2020) study on inclusion in efforts to make and sustain peace demonstrates challenges that can arise with poor inclusion of relevant elites and societal actors. In South Sudan and Yemen, where important elites were left out, a return to violence was seen. In Bosnia and Herzegovina, South Sudan, and Afghanistan (US-Taliban Doha Agreement), where the wider society felt excluded from the process, citizens failed to develop a sense of national belonging and ties to the state. There is often significant resistance, particularly by political, military and other elites, to inclusion – who may control actor selection, ignore actor inputs, co-opt actors or delegitimize them, and even use repression and violence against them (Bramble & Paffenholtz, 2020, p. vi).

Another key challenge is that inclusion as process (participation), particularly where approached as a box-ticking exercise, does not guarantee inclusive political and economic outcomes (Rocha Menocal, 2020; Bramble & Paffenholtz, 2020; Zahar & McCandless, 2020) – countering a long history of liberal thought and practice premised on the assumption that democracy will drive inclusive development. Achieving meaningful inclusion also faces significant obstacles such as who to include, when and in what

processes, particularly for external mediators with less context familiarity (UN, 2012, p. 14).

VITAL CONCERNS

Finally, a number of issues – what Jean Arnault (2006) has called 'vital concerns' of the parties around their physical, judicial, political, and socioeconomic security – can derail a peace agreement's implementation if they are not adequately addressed in the design of negotiations. These issues, which are deeply political as well, include: the physical security of the parties; their need for protection from judicial prosecution for actions related to the conflict; the political and financial viability of the parties; the socioeconomic well-being of the leadership and combatants; and whether their substantial aspirations and interests are adequately addressed.

While some issues, such as delays or less-than-perfect implementation of specific provisions might be overlooked, these vital concerns may result in parties rescinding their ceasefire obligations. Arnault recommends that they are dealt with in the peace agreement itself, and framed for speedy implementation where possible – especially in relation to the physical security of the parties. Research indicates that while ceasefires tend to be implemented at a higher rate than most other provisions, DDR and security sector related provisions feature highly in agreements, yet are amongst the most poorly implemented (Joshi et al., 2015, p. 556). While amnesty and prisoner release are amongst the highest featured provisions and highest implemented (70% and 75%, respectively), these provisions present deep dilemmas for mediators and parties in terms of prioritizing justice versus peace, which may marginalize other actors and block other transformative objectives.

Particular challenges arise where combatants of one side are required to disarm and demobilize, and fear of prosecution and distrust in protection guarantees can drive such actors to become spoilers. Ensuring socioeconomic well-being beyond immediate needs of the combatants and leadership, and addressing substantive issues of concern will take time, and likely occur well after the ability of rebels to wage war has been reduced. Supporting their political reintegration as stakeholders in political processes or simply as engaged citizens is also vital in their transformation out of war and into civilian life. These processes confront diverse dynamics and sensitivities in different contexts and need to be designed accordingly (Piedmont, 2020).

While these 'vital concerns' retain critical relevance in many contexts, the changing nature of war, notably the proliferation of armed non-state actors with different allegiances, motives, and levels of regard for international norms and rule-based orders – infuses significant context complexity. A number of these vital concerns feature in capacity and political concerns, discussed further below.

2.2 Capacity Constraints

Capacity can be challenged at different stages and levels – in the design of peace agreements, and with respect to the people and institutions required to facilitate implementation – across different sectors. Scholarly research has demonstrated a linkage between low state capacity and peace agreement implementation failure (Doyle & Sambanis, 2006). Beyond the obvious adverse implications for agreement implementation, weak human and institutional capacity can have other, indirect impacts; the inability to act effectively may be interpreted as lack of political will (Arnault, 2006, p. 4), or intention to manipulate the process, and public perceptions of performance can be harmed.

Much of the civil war literature underscores the ties between state capacity and sustaining peace (De Rouen et al., 2010, p. 333), sharing much with academic and policy literatures on state fragility as an impediment to peace. State capacity in peacebuilding contexts can be understood as the ability of the state to exercise authority and achieve goals across political, economic and security realms, including where there may be resistance by other actors within the state.[6] State capacity can differ across realms and sectors, amounting to higher capacity to implement some agreement provision areas (i.e., political) over others (i.e., economic) (Aspinall, 2008). Implementation can also be challenged in the absence of enforced norms and clear regulatory frameworks. Security modalities, well-functioning political, rule of law and service delivery structures, human rights frameworks, and access to resources for development, all reflect needed dimensions of state capacity for implementing agreements – without which conflict conflagration could annihilate peace efforts.

States with low capacity have a tougher time implementing peace agreements and there is greater need for third party support (De Rouen et al. 2010, p. 336). De Rouen et al. (2010) found that levels of state capacity are both a strong predictor of implementation success, and the need for third party mediator intervention. Others have found that states with lower levels of economic development have lower probability levels of agreement implementation (Hoddie & Hartzell, 2003, p. 316-18). This is logical: resources are generally required to implement accord provisions and related institutional reforms and policies (Karreth et al., 2023, p. 497).

Third parties can play important roles where trust between parties is low and parties have commitment issues, especially in providing financial and other resources to buttress capacity deficits that serve as obstacles to implementation. This is not straightforward, as the cases of Burundi and Somalia (see Box 2) illustrate, where very low state capacity can foil efforts entirely.

Box 2: State Capacity, Third Parties and Peace Agreement Implementation

*Drawn from Rouen et al. (2010)

In Burundi and Somalia, despite strong third-party support, low state capacity accounted for peace agreement collapse. Both countries returned to war. In Somalia, the absence of government at national level and anarchic environment undermined trust building and cooperation; lacking state capacity to implement agreements (1993, 1994, 1997) led to their failure. In Burundi, low state capacity undermined the ability of the state to suppress the insurgence and implement state policies, while abuse of authority, corruption, lack of democratic institutions, and underdevelopment and poverty are attributed to the failure of multiple agreements between 1996-2006.

In Mali, third-party intervention was able to supplement the existing moderate state capacity to support implementation of the 1991 and 1992 agreements. The UN supported the pivotal disarmament program, while financial aid from France, the US, the UN and Mali's neighbors eased rebel integration into the military and wider state-society political reforms, and wider implementation efforts.

2.3 Political Constraints

Political obstacles or constraints in the agreement implementation start with political will, which is discussed in the literature as credible commitment problem – a key reason for peace agreement failure (Karreth et al., 2023; Fearon, 2004; Walter, 1997). Commitment problems can occur where status-quo-oriented stakeholders working, i.e., in policy realms, or socioeconomic elites presiding over powerful institutions, may resist changes, or where rebels perceive demobilization might adversely affect their bargaining leverage (Karreth et al., 2023; Schernbeck & Vimalarajah, 2017). Shifting priorities or policy objectives of power holders can also drive commitment problems. At the extreme, spoilers, defined by Stedman et al. (2002, p. 5) as 'leaders and parties who believe that peace emerging from negotiations threatens their power, worldview, and interests, and use violence to undermine attempts to achieve it" constitute a key political obstacle for building and sustaining commitment. In the complex contemporary conflict environments that are increasingly the norm, economic incentives deriving from war economies, often thriving in environments with compromised rule of law, can challenge commitment.

At a fundamental level, building and sustaining political will and wider public buy-in is challenged by the very nature of the compromises that come with peace-making, particularly where some or part of public opinion is likely to represent the extremes in positioning. As well, consolidating peace may well decrease the leverage of armed parties over their followers and wider society. As Arnault (2006, p. 4) has noted, bipolarity wanes after the war, as multipolarity waxes. Moreover, coalitions that formed to support the peace process may unravel in peace, paving way for personal and institutional rivalries, to re-emerge from wartime suppression. These trends can challenge the building of political and public buy-in for the agreement and its implementation.

Tied to commitment problems are concerns that the substantive issues and aspirations of parties are not being sufficiently addressed. This can pertain to 'vital concern' issues making it onto the agenda in the first place (see 2.1), or in the negotiation process where an agreed vision on the issues escapes consensus – or leads to competing concessions that are more difficult to address as time goes on (Box 3). It also features in discussions on root causes, and whether party and wider societal grievances are sufficiently and effectively addressed over time (see 3.4).

Box 3: Competing Concessions in Peace Agreements, South Africa

*Drawn from Ndinga-Kanga et al. (2020) and McCandless et al. (2018)

South Africa's transition from Apartheid was widely considered to be a progressive and inclusive political settlement process. Yet it is one that many South Africans consider to be an incomplete transition, where grievances driving the conflict remain insufficiently addressed. Some argue that competing concessions made in the process foiled intentions to address the structural legacies of apartheid. Notably, provisions made within the political settlement process to protect individual property rights and white owned businesses clashed with efforts to realize more transformative goals – i.e., radical land redistribution and socioeconomic rights to social services, as underscored in the 1996 Constitution. Development policies in the post-apartheid era have not enabled the needed fundamental restructuring of the apartheid economic order.

Power sharing is widely held as a means to address commitment issues (Arnault, 2006; UNDPA, 2012; UNSG, 2009), despite mixed results for sustaining peace across evidenced studies (De Rouen, 2010). While supporters suggest that crafting an approach that fits the unique characteristics of the situation is vital, there is skepticism and concern around the widespread adoption of these arrangements as a universal panacea to political crises. While they may be useful as a short-term measure to restore political stability, power sharing arrangements can reward political actors who use unconstitutional and undemocratic means to achieve their political goals, do not have the interests of society in mind, (Aning & Lartey, 2010; Sriram & Zahar, 2009) and may not have experience in governing. Such arrangements can be particularly challenged in fragile and conflict-affected states, where enhanced grievances and perverse incentives can dominate (Saideman & Zahar, 2008).

Political obstacles also arise with the involvement of international actors. The more complex the situation, the more international contributions will likely be needed, in terms of troops, money, political engagement and sustained assistance (Doyle & Sambanis, 2006). More worrying is the political interference that comes with neighbors or states farther afield involving themselves in civil wars. The UN-World Bank Pathways for Peace (2018) report drew attention to the rising trend (Figure 1, Introduction) of internationalization of conflicts – referencing the phenomena of outside states financing or sending military support to intervene on behalf of domestic parties to conflict. While proxy wars were initiated by the U.S. and Soviet Union in the Cold War era, today emerging powers are intervening in wars, pursing strategic or regional interests (UN-WB, 2018, p. 18). Direct (miliary) intervention by outsiders has been shown to extend the duration of violent conflict, to complicate peace processes (WB-UN, 2018, p. 17), and as Russia's intervention in Ukraine is illustrating – can have massive geopolitical implications for peace and security writ large.

Acknowledging the strong policy consensus that no fail-proof formulas exist for implementing and sustaining peace, the following set of lessons and promising practices respond to the design, capacity, political challenges noted above, and reflect their intersectional nature.

3.0 Lessons and Promising Practices

Mediation literature commonly points to the importance of astutely formulated implementation mechanisms to guide thinking and practice of peace agreements and their implementation. This discussion engages this while exploring a wider set of thematic issues, and associated principles, tools and resources contextualize and inform the mediation environment. These thematic issue areas highlighted here reflect key pathways for rethinking and development of new implementation logics, approaches and theories of change that respond to contemporary contexts and the design, capacity and political challenges that commonly arise in peace agreement implementation.

3.1 Implementation Mechanisms Are Necessary But Not Sufficient

Attention to the role of implementation mechanisms is widely deemed foundational for advancing peace agreement consolidation and implementation. Key challenges, however, lie in ensuring that these mechanisms suit the particularities of particular contexts (Molloy & Bell, 2019, p. 1, 6), and that they build the legitimacy and sustainability of the agreement in increasingly complex environments. As discussed in various handbooks, implementation mechanisms can focus on providing implementation modalities, monitoring and verifying agreement implementation, laying out terms for dispute resolution, legalizing agreements, and building political buy-in around agreements (see Box 4). Their ability to have intended impact, as argued here, entails attention to a wider array of dilemmas (discussed below) and cross-cutting thematic issues (discussed in the following sections).

Box 4: Peace Agreement Implementation Mechanisms: Functions and Case Examples

* Developed by authors, drawing upon framing and cases from Molloy and Bell (2019), where more cases are available.

Providing implementation modalities, i.e., around agreement interpretation, defining implementation timetables, raising and distributing resources, and coordinating implementation processes and committees.	▷ Mozambique case: The General Agreement for Mozambique (1992) established a commission tasked with defining implementation timetables and activities (Article 5).
Monitoring implementation of agreements (or aspects of them) through processes of information collection. This can occur remotely or by actors locally, i.e., by parties to an agreement, a specialist observer team, civil society and citizen reporting. Technological surveillance can also play a role. It is vital to start early in the process and ensure a clear methodology is featured in the accord.	▷ Sudan and South Sudan case (oil): The Agreement between Sudan and South Sudan on Oil and Related Economic Matters (2012) established a Petroleum Monitoring Committee to oversee agreement implementation and dispute resolution, and to provide regular reports to the Parties, including possible recommendations aimed at improving cooperation in the sector, including through new agreements (Article 10).
Verifying compliance where information collected through monitoring is used to evaluate compliance of parties with agreement provisions (in full or in relation to specific components). Verification can serve to identify and deter violations, i.e., by threatening to expose or sanction parties, and can support actors in overcoming information asymmetries and commitment problems.	▷ Guatemala case: The Agreement on the Identity and Rights of Indigenous Peoples (1995) states that the UNSG will undertake verification of party compliance with the terms of the agreement (Annex 2, Article 8).
Dispute resolution to monitor and avert crises. Terms and modalities should clarify how to determine and resolve agreement breaches, and address interpretation conflicts. They can take shape in the form of adjudicative approaches (involving third parties, allowing little room for renegotiation of terms) or flexible ones (involving third parties or parties themselves, providing for ongoing mediation or renegotiation of the agreement between parties with weaker terms around enforcement).	▷ Liberia case: The Comprehensive Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy (LURD), the Movement for Democracy in Liberia (MODEL) and the Political Parties (Accra Agreement) (2003) stipulates that disputes (relating to application or interpretation of provisions) shall be settled through mediation, organized by ECOWAS in collaboration with the AU, the UN and the ICGL (Article XXXVI).

Legalizing provisions to support agreement implementation, enforcement and durability of outcomes. This can occur through national processes (i.e., legislation, constitutional inclusion and oversight), and international ones (incorporation as treaties amongst states or featured in Security Council resolutions).	▷ Sierra Leone case: SC Res. 1315 (2000) established a Special Court for Sierra Leone, not included in the Lomé Agreement. The Court was established to ensure accountability and respond to violations of the agreement and international humanitarian law, where amnesty beneficiaries were engaged in ongoing violence (p. 5).
Building buy-in and ownership – a core foundation for sustaining peace (see 3.3), involves translating or 'decentralizing' the agreement at local levels and expanding the range of actors involved, i.e., through sub-national committees to support local implementation, consultations, dispute resolution.	▷ CAR case: The Accord de cessation des hostilités en République Centrafricaine (2014) called for national monitoring committees to establish sub-national (regional and local) committees to ensure implementation at different levels (Article 8).

Mediators and those hosting or supporting peace processes confront a range of dilemmas that defy simple implementation logics and theories of change. Mediation dilemmas include navigating tensions around: i) achieving specificity and remaining flexible; ii) maintaining good relationships and impartiality; and iii) supporting sovereignty and adhering to international standards. Regarding the first, the intricate, evolving nature of agreements, particularly as threats multiply and crises intertwine, a push toward understanding how to nurture more flexible agreements and processes is growing. The UN's *Guidance on Effective Mediation* reflects the intention to find balance with this dilemma: "Rather than being a series of ad hoc diplomatic engagements, mediation is a flexible but structured undertaking" (UNDPA, 2012, p. 4). Concerning the second, scholars underscore the benefits of establishing strong rapport with all parties, including secondary conflict parties and other interested states, through regularized communications (ICG, 2009, p. 20-21; UNDPA, 2012, p. 8-10) and clarifying mediation motives upfront to offset potential spoilers (Barakat, 2014, p. 37).

Supporting sovereignty and international standards simultaneously can be particularly challenging where the state is a key conflict actor, and society is likely divided in its allegiances, including on support for international actors and standards. Third-party mediators have obligations to uphold the rules of international law governing the particular situation, abiding by normative and legal frameworks that contribute to agreement legitimacy and durability (UNDPA, 2012, p. 16). Challenges arise with competing interpretations and dilemmas – i.e., ending violence and pursuing justice – which consequently may be viewed varyingly by different parties. Navigating tensions around this dilemma also arise in the ways that capacity development is supported (see 3.6). Avenues to address the sovereignty-international standards tension require trust building between the actors involved, greater openness to new, and in particular, non-Western models to advance peace, and democratizing structures of international law- and decision-making.

Each context presents different challenges and variables around implementation that require fresh reflection and analysis. Actors supporting mediation processes need to squarely reflect on these and find pathways to address, and ideally transcend them. The following thematic areas aim to further support mediators and those influencing peace processes, adapting to new and more complex environments and crafting what are likely to be more strategic and impactful approaches that hold promise for stronger implementation and sustaining peace.

3.2 Understanding Peace As Ongoing Processes of Political Settlement At All Levels

While it is logical that the more complete a peace agreement is, the easier it will be to implement, reaching agreement on everything important in politically challenged processes is rarely feasible. The immediate post-agreement thus remains a mediation- and negotiation-heavy period, where negotiations frequently persist around efforts to bring armed opposition groups who refused to sign the initial agreement, and amongst signatories (now plausibly members of transitional governments) on outstanding issues (Papagianni, 2009, p. 3; UNSG, 2009). There may also be a need for sub-national agreements to be forged, finalized, and fed into larger national agreements – particularly where numerous conflicts reside within a state (Box 5).

Box 5: Multi-levelled Mediation Efforts

* Drawn from DPPA practice note for mediators engaging at the local level (2022)

The growing complexity of conflict, and a proliferation of actors and agendas seeking to influence peace processes, direct mediators to understand the links between local (or sub-national) conflicts and national ones. Multi-level mediation strategies are increasingly viewed as vital for building and sustaining peace. This is reflected in the rising inclusion of local mediation in peacekeeping and special political mission mandates.

Mediators are advised that circumstances where local engagement may be strategically useful include when: local conflicts threaten to derail a national mediation process; efforts to initiate national mediation processes are slow to gain traction; the outcomes of national-level processes are fragile and implementation slow; or, when populations or communities are at risk or threatened. Linking mediation tracks is not straightforward. Efforts need to be designed with pragmatism, flexibility and careful assessment of the rationale for engagement and risks involved, through lenses of conflict sensitivity, inclusion and gender. The International Peace Institute concurs, underscoring the importance of supporting local ownership of processes, ensuring coherence and collaboration of actors engaging in mediation, prioritizing the Do No Harm principle, and leveraging capacities of different actors (Boutellis et al., 2020).

Scholars have conceptualized 'formalized political unsettlement' as a common outcome of the interplay of actors at all levels in complex contexts (Pospisil & Rocha Menocal, 2017, p. 557). These outcomes tend to contain rather than resolve conflict, block transformation into normal politics, and involve international actors (Pospisil, 2020, p. 5). Approaches for involvement should be grounded in the understanding that achieving political settlements are complex, long-term tasks, that they alone will not radically alter power dynamics, and pragmatism needs to guide the exploiting of opportunities to nurture more inclusion alongside and through the transformation of political and legal institutions of the state (Pospisil & Rocha Menocal, 2017, p. 557).

Box 6: Extended Processes of Political Settlement and Unsettlement, Afghanistan

* Drawn from author Barakat's personal experiences.

Following the 9/11 (2001) attacks on the U.S., and the Taliban's refusal to handover Usama Bin Laden, the U.S. invaded Afghanistan which at the time was under the rule of the Taliban. Soon after, when the Taliban lost Kabul, they attempted to negotiate with the U.S., but Washington and its national allies, particularly the Northern Alliance were feeling victorious and ignored the outreach. The Taliban withdrawal into the mountains and into Pakistan was misinterpreted as their final defeat.

To cement their victory and maintain stability, the U.S. and its international allies embarked on one of the most expensive liberal state building projects ever, lasting some two decades. A new constitution was drafted in Bonn in 2022, excluding the Taliban. Following a short interim, government elections were held, where the Taliban and many Pashtun tribes did not join. Following some three years of exclusion from the political process, shock and displacement, the Taliban, morally emboldened to push back against "foreign occupation," managed to regroup and build additional alliances. They were able to exploit societal outrage over cultural insensitivities displayed by the intervention, perceived to be at the expense of Islamic and Pashtun traditional values. By 2005, the fierce attacks by the Taliban on the invading troops and the illegitimate government (in their eyes), were quickly building into a full-scale war.

By 2008, losses for the U.S. and its allies, particularly UK and Germany, had mounted and it was clear that the war could not be won militarily (Barakat, 2008); the U.S. and NATO member states realized that a negotiated solution between the Taliban and the Republic would need to be pursued. The Taliban refused, viewing the internationally recognized Afghan government as illegitimate, a puppet of the U.S. While negotiation channels were being created, Obama's arrival into power in 2008 conversely saw a renewed attempt to defeat the Taliban with a surge in forces and investment. Over the next four years, the Taliban strengthened as grievances against U.S. and allied forces mounted countrywide, forcing the U.S. to conclude that negotiations were the only way out. For this, the Taliban needed to develop an accessible 'political' base. After considering several possible locations (including Saudi Arabia and UAE), the U.S. approached Qatar to host a Political Office for the Taliban in Doha, which opened in 2012-13.

Trump's ascent to presidential power in 2017 increased U.S. determination to withdraw from Afghanistan, and a fresh process to seek a political settlement started. Qatar stepped in to facilitate, quickly consolidated its mediation capabilities, and was able to engage both the U.S. and the Taliban in an intensive negotiation effort. This culminated in 2020 with the 29 February Doha Agreement that saw the withdrawal of the U.S. and allied forces, triggering the Taliban's return to power on 15 August, 2021. Two years on, the Taliban continue to refuse any form of political settlement or power sharing, insisting that a centralized powerful state is the only way for Afghanistan to secure its borders and maintain its sovereignty.

Political transformation processes often entail repeated re-negotiation over time, maintaining robust oversight and monitoring mechanisms, and well-crafted dispute resolution mechanisms (see Box 4) to ensure that extended, multi-levelled processes do not break down. Flexible (rather than adjudicative) approaches that allow for ongoing (re)negotiation and clarifying of the agreement may be better suited in these contexts. The notion of adaptive mediation is similarly gaining traction as it speaks to how mediators can navigate complexity and uncertainty. It is oriented toward parties (the more inclusive, the better) finding their own solutions and sustaining them, where feedback and planning processes enable "purposeful selection-based adaptation of the mediation process" (C. de Coning, 2022, p. 42). Mediators play a facilitative role only.

The proliferation of prospects for diverse stakeholders to participate in implementation means that the contributions of many informal, Track II processes and mechanisms need to be factored into thinking about the nature of the negotiation space and agreement implementation. Widening inclusion is vital, and while often rife with political challenges and setbacks, opportunities for renegotiation can advance more inclusive processes overall (Bramble & Paffenholtz, 2020, p. 46). Critically, interventions across sectors and levels need attention to connectivity, synergies, and how feedback processes interrelate and influence outcomes. Building coherence in and through the range of implementation mechanisms, and wider processes central to peace consolidation, i.e., dialogues, constitutional reform, the development of new policies and national visions, will greatly influence the potential to forge new, more inclusive and resilient social contracts that will help to sustain peace (McCandless et al., 2018).

3.3 The Importance of Widening Meaningful Inclusion

Inclusion has a direct impact on the quality and depth of national ownership (UNDPA, 2012, p. 14), and is increasingly evidenced as contributing to greater agreement sustainability (Evans, 2012; Paffenholtz, 2014; Rocha Menocal, 2015). This is not, however, straightforward, reflecting the challenges highlighted above (see 2.1).

Building public buy-in and ownership (Box 4) in the agreement and its implementation requires establishing meaningful inclusion. This means going beyond numbers of participants. It is associated with actors ultimately shaping outcomes (Paffenholtz, 2014), and structural issues being addressed and implemented in agreement processes (Zahar & McCandless, 2020, p. 125). Based on expansive comparative research, Bramble and Paffenholtz (2020, p. vi) suggest that key enablers of inclusive processes involve: including detailed inclusion provisions in agreements; early inclusion in the process; and opportunities for actors to influence the process and its outcomes.

Achieving meaningful inclusion requires countering political obstacles, and likely providing support for weaker actors to participate effectively. The UN's guide to mediation (UNDPA, 2012, p. 14) and wider peace scholarship (Ozerderm & Mac Ginty, 2019) support what peace scholar Adam Curle (1971) argued long ago – that power asymmetries are crucial to address if transformative peace processes stand a chance. Strengthening the negotiating capacities of less powerful parties and civil society is likely needed for their effective participation. Decisions around who is included and how can greatly impact power dynamics in the process and the resulting direction of peace (Bramble & Paffenholtz, 2020, p. vi). In particular, how 'hard-to-reach' and 'hard-to-influence' groups, including coups, or groups with jihadist or criminal motives, present particular challenges. While mainstream policy discourse has historically held the position that 'terrorists' should not be included in negotiations, a principle often not adhered to in

practice, the more public tide of opinion appears to be turning toward the notion that it is rather crucial to talk to everyone in the interests of peace. This is particularly so where such groups may have well rooted support in and by local communities (Devermont & Harris, 2020).

While elite inclusion, societal inclusion, and especially the interaction between them can help countries to weather crises and "transition another day," achieving measurable progress in the eyes of citizens on expected deliverables is likely where sustainability ultimately lies (Zahar & McCandless, 2020, p. 120). In short, transformational structural and systemic reform is ultimately imperative – on the core issues that drove conflict in the first place – if inclusive processes hold hope of translating into inclusive outcomes that support peace sustainability (see 3.4). This is not going to occur on provision implemented on a box-ticking approach; a focus on inclusive outcomes needs to be maintained at every step in the process (Bramble & Paffenholtz, 2020, p. 47). Maintaining a robust communications strategy and media campaign as talks evolve to prepare the public for outcomes and establishing appropriate expectations is key (UNDPA, 2012, p. 15) – particularly important in an age of citizen journalism and given the power of social media, where processes can be hijacked by spoilers without proactive efforts to support public awareness.

While power sharing agreements are designed to foster inclusion at the political elite level (though may produce adverse outcomes, see 2.3), ensuring lasting infrastructures for peace (I4P) can support the widening of inclusion and decentralizing of the peace process to sub-national and community levels. I4P draws attention to the networks of mechanisms, structures, resources and capacities that exist and can be further developed into an architecture to support peace agreement implementation and sustainability (Van Tongeren et al., 2012, p. 2). South Africa is often lauded for being one of the most inclusive peace processes in history with a robust I4P at its core. The national peace architecture with regional and local committees built inclusion and accountability in, and legitimacy around, the peace process, while mediating conflict and preventing further violence at local levels (Spies, 2002; Zahar & McCandless, 2020). These committees were dismantled in the post-agreement setting, however. One wonders if they could not have played a valuable ongoing role – building a stronger state-society relationship to address ongoing sources of conflict and grievance. Today, some two decades since the end of apartheid, high tensions and ongoing protests at local levels persist, notably around deeply unequal and unfair service delivery, illustrative of what many consider to be South Africa's incomplete transition.

Colombia is increasingly observed for its inclusive practices and the benefits they are having for peace. Bakinur (2019, p. 471) argues that a "legalized, public, and inclusive framework made a peace agreement possible in Colombia" – and that this was lacking in Turkey which led peace talks to fail. In addition to a 'degree of inclusivity' in the actual negotiations, the broad efforts to legalize the agreement and create public buy-in with strong information shared publicly about the content of negotiations helped to reduce information asymmetry and commitment problems while setting guidelines to protect the process from exogenous shocks. The Barometer Initiative in Colombia (see Box 7), involving an external third party, has also played a critical role in advancing inclusion in and around the process. Highly inclusive monitoring processes such as this foster broader societal and key stakeholder participation in crafting the needed long horizon view and strategies needed to tie the achievements of mediation, to processes and outcomes enabling peace to sustain.

Box 7: Inclusive Peace Agreement Monitoring, Colombia

*Drawn from Abdenur (2018) and the Barometer Initiative (2022)[7]

The Barometer Initiative, a project of the University of Notre Dame, applies the Peace Accords Matrix methodology to the monitoring and verification of the 2016 Colombian Peace Agreement, signed between the Government of Colombia and Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo (FARC-EP).

The initiative offers a uniquely inclusive approach to peace processes monitoring, where a large number of stakeholders and influential actors are engaged. The data is widely available, rendering a more open and accountable process, where evidence-based analysis supports implementation. Offering a clear technical methodology, it fosters practices that allow for implementation to be collectively discussed and assessed, raising attention to issues of timing and pace, as well as the quality of implementation. The complex accord involving six agreements is broken down into measurable components, including 578 stipulations (which are actionable items), then broken into sub-themes and overarching themes – all of which supports the tracking of progress.

The initiative uniquely involves a university-based research center playing such a direct role in the support of peace agreement implementation. Given the use of the overarching PA-X methodology, the benefits for comparative analysis and learning to support other contexts are many.

Lastly, the role of digital technology as a tool for advancing inclusion, amongst other areas to support mediation and implementation processes, is growing (Box 8). While the drawbacks and dangers that digital technologies can present are serious, their potential to radically transform peace processes in time, space and scope should not be overlooked by mediators.

Box 8: Harnessing the Potential of Digital Technologies, IA and Social Media

*Drawn from DPPA (2021) & Swiss Peace (2021)

Attention to the roles of digital technology is growing – inspired not least by the fact that over half of the global population uses social media. The pandemic has vastly increased the use of online platforms for virtual global communications – and in the process radically elevated the public's literacy for digital technologies. Mediators need to understand and use digital tools and address related risks (UN DPPA, 2021) – lest they be left behind.

In recent years, the UN has utilized social media to support inclusion in peace processes. In Libya, social media was utilized to help prepare for the Libyan Political Dialogue Forum (LPDF), supporting an inclusive platform to support the process, notably establishing a code of ethics to prevent and tone down hateful and disruptive content. In Yemen, the Office of the Special Envoy

has actively used social media platforms to offer inclusive spaces for listening to societal concerns and perspectives in what is a highly polarized political environment.

The use of Artificial Intelligence (AI) in peace processes is also being explored and tested. While there are dangers AI poses when utilized against the interests of peace – i.e., to guide disinformation campaigns, cyberwarfare, and promulgating other cyber security threats, it can also serve peace processes by rapid collection and summarizing of information to test support for agreement provisions or scenarios, and provide real-time data to inform decision-making. New technologies such as remote quantum sensing with geospatial imaging can offer sophisticated and efficient ways to advance monitoring and verification processes (Moore, 2023). Research is also investigating how such technologies can support early warning of potential mass violence, war crimes, banned weapon use, and political instability (Gavin, n.d).

3.4 Addressing Root Causes and Navigating Complexity

The durability of peace also requires addressing root causes and grievances, which usually speak directly to the content of accords, but can also affect choices around process. Some scholars have critiqued the notion of root causes – that it sets unrealistic standards for peace operations (Call, 2008), that root causes and grievances shift over time, and that attention is needed, rather, to the conditions and correlates of peace (Diehl, 2016) and the peace and resilience capacities of societies (Mahmoud, 2023). While the UN has also debated the idea of root causes and the associated responsibilities for member states in making and building peace over time, policy consensus by member states on the need to address them has grown.[8] The question is, will all parties agree in defining which structures and systems ultimately need transforming? Critical peace scholars have argued that policy actors tend to ignore the global political economy path-determining structures of violence and hierarchies of power, instead targeting attention to domestic issues (McCandless & Faus Onbargi, 2023; Pugh, 2012). Paradoxically, making and sustaining peace within countries ultimately requires addressing regional, international and global drivers of conflict and fragility that impact the ability of national actors to build and maintain ownership over peace, and to create conditions for mediation success over time. There are apertures to address these that deserve attention, illustrated in the new UN Agenda for Peace (NAfP) that reflect the UNSG António Guterres' continuing efforts to highlight the ways in which the global political economy features in the conflict and peace landscape. These include what international financial institutions and other powerful multilateral actors need to do to create a facilitative context for peace within countries (UN, 2023).

Bearing in mind the diversity of opinion, much research points to the importance of addressing core issues of conflict and grievance to sustain peace and prevent future conflict (UN-WB, 2018). Qatar's mediation of Lebanon's 2006 dispute is assessed as having positively averted a major crisis, but not addressing the root causes of the dispute – namely the structure of political institutions and relations between its principal actors – which ultimately led to its breakdown (Barakat, 2014, p. 16-18; Makdisi et al., 2010). A nine-country study of countries affected by conflict (McCandless et al., 2018) revealed that key issues driving conflict in all countries were not addressed coherently or effectively over time – constituting a key obstacle to deepening social cohesion (notably trust, but also a sense of belonging), strengthening the social contract, and ultimately sustaining peace. While these issues may have morphed somewhat over time, their roots – primarily around control of power and resources – constituted consistent problems for peace.

As reflected throughout this report, durable agreement implementation and sustaining peace are also profoundly challenged by the rising complexity of contexts characterized by intertwining and threat multiplying forms of crisis – including environmental disasters driven by climate change. There has been a growing movement within policy and practice communities to address what has been conceptualized as the humanitarian-development-peace (HDP) nexus. This 'triple nexus' endeavors to harness and synergize international efforts to address this complexity where financing resources are outstripping demands. While nexus approaches aim to shift responses beyond emergency, toward addressing root causes, mediators will need to navigate the tensions between crafting of pathways to synergize and coordinate these important efforts and interests, while ensuring national ownership (McCandless & Faus Onbargi, 2023). Deep understanding of local contexts comprising the national is further crucial in the design of relevant, appropriate, and effective responses (Barakat & Milton, 2020). This will need to inform multi-scalar responses – crucial for tackling root causes of the increasingly interlinked crises.

3.5 The Primacy of Context- and Cultural-Sensitivity

In addition to responding to the causes of a particular conflict, effective mediation processes also need to respond to other dimensions of context – the interests of different parties and the needs of broader society, the dynamics of the regional and international environment (DPA, 2012, p. 4), the capacities of the state (De Rouen et al., 2019, p. 344), and the cultures that are embedded within, and inform context. Crafting implementation mechanisms in ways that are context-sensitive, relevant for and accepted by those affected, should be a priority for those facilitating such processes (Molloy & Bell, 2019, p. 1, 14).

Respecting context and culture suggests the need to move away from hard power approaches (the use of political and financial might to impose solutions) – the orientation of great power mediators. It suggests why smaller states can make strong contributions as mediators, employing more facilitative approaches that can help to reduce power asymmetries between parties (Slim, 1992), eliciting more context relevant and more widely accepted agreements. The value of such approaches may well become increasingly apparent as the pressures on UN peace missions to reduce ambitions to play a political role, as geopolitical influences and dynamics rise in importance (Abós, 2023).

Context sensitivity also suggests the need for utilizing structures embedded in particular contexts to make and sustain the peace. Various peace processes have pointed to the importance of meaningfully engaging customary or traditional mediation for sustaining peace (Abo-Alasrar, 2020; Barakat, 2014; McCandless et al., 2018) – particularly relevant given the trust that such actors often hold with local communities (McCandless, 2018). In mediating African conflicts, the AU has emphasized the importance of African leadership and ownership through regional economic communities (RECs) and member states, while recognizing the role that external partners can play in supporting mediation processes. The AU has developed various structures to support mediation processes in inclusive and context-sensitive ways (see Box 9). Mediation actors (be they small or big states) can work with such structures to support greater local, national and regional ownership of peace in context-sensitive ways.

The AU's Panel of the Wise is mandated to support the efforts of the AU's Peace and Security Council, particularly in conflict prevention, and to advise on the efforts of various AU peace mechanisms. The group is comprised of five revered African politicians who have made a significant contribution to the efforts of peace and security throughout the continent. The Panel's role is grounded in the widely held African respect for the wisdom and trustworthiness of elders. ECOWAS has developed a similar body, called the Council of the Wise.

The African Network of Women in Conflict Prevention and Peace Mediation (FemWise) is a subsidiary body of the Panel of the Wise and a critical pillar of the AU's Peace and Security Architecture (APSA). The network aims to strengthen women's roles in conflict prevention and mediation as a platform for strategic advocacy, capacity-building and networking.

3.6 Ensuring Capacity and Forging Partnerships

UNDERSTANDING CAPACITY NEEDS AND BEST APPROACHES IN CONTEXT

Mediation outcomes should account for, and foster the ability of national actors to lead their transitions. Where capacities are weak, they can be developed over time or supplemented with the inclusion of different actors in agreement implementation. Third parties can play valuable roles in dispute resolution mechanisms (see Box 4) while local actors can critically monitor conflict flashpoints at local levels.

Robust capacity assessments are vital. Often brain drain in contexts affected by conflict has deeply undermined national human capital, and too much is being expected of weak national and local institutions. The proliferation of operational, policy, program and assessment frameworks and agreements with different international institutions can be utterly overwhelming for transitional governments (McCandless, 2008). The global policy dialogue between OECD countries, the g7+ group of fragile and conflict affected states and civil society, the International Dialogue on Peacebuilding and Statebuilding (IDPS), called for a commitment to "one vision one plan" at the heart of its 'New Deal for Engagement in Fragile States' – precisely to address this problem.

Understanding best practices in capacity development is important. De Weijer and McCandless (2015, p. 82-84) describe the evolution or shifts in thinking and practice on capacity: from individual to systemic perspectives; from a focus on skills, to performance, to the ability to thrive; from value-neutral or technocratic perspectives to value-driven perspectives and factoring in the role of power; and, from externally controlled efforts to strengthening of endogenous capacities. This latter point aligns with the notion of resilience – a concept central to humanitarian efforts, and working within and across the HDP nexus.

The challenge of sufficient infrastructure to support follow-up engagement (and the need for this to be planned for prior to the onset of negotiations) can be particularly challenging for small states like Qatar, where ascertaining sufficient civil servants with skills and knowledge to support post-settlement

implementation can be challenging (Barakat, 2014, p. 37). In contexts affected by conflict and fragility, approaches that are long-term, mentoring and coaching (on the job) – oriented and engage those with like-minded experience (i.e., South-South, Fragile-to-Fragile, or simply from the region) to support capacity development are likely to be more effective.[10]

STRATEGIC FINANCIAL SUPPORT

Financial backing can support mediation logistics and incentivizing participation in the process, and an operative mediation environment. It can also support peace agreement implementation and related post-conflict reconstruction (Barakat, 2014, p. 24). Material incentives for weaker parties are important for increasing the prospects of peace (Schrodt & Gerner, 2004). Resources need to be handled carefully so that they do not fuel inequity in the process or adversely incentivize participation in ways that do not serve the peace process. In mediation processes in Yemen, Darfur and Chad, participants were perceived as prolonging processes as they personally benefitted from 5-star accommodations. These dynamics can undermine societal buy-in and the legitimacy of the process.

Scholarship demonstrates that intergovernmental organization economic leverage can incentivize agreement implementation (Karreth et al., 2023, p. 516); there is considerable concern about the roles of aid in fostering dependency and in tying aid to economic models that are not context-sensitive. Ghani and Lockhart (2009, p. 335) argue that a 'sovereignty gap' arises from, amongst other things, the tendency of foreign donors to create parallel structures, providing services through non-state actors, and through the unpredictability of aid flows. As played out in the New Deal/IDPS process – and a tension to overcome in aid generally – Northern donors tend to want to see institutional reforms before putting money through national 'country systems' while recipient governments believe they can't reform systems without channeling money through their institutions. Financiers need to embrace the fact that building institutions takes time; the multiple transitions required to restore confidence and produce citizen dividends can take some 15-30 years to materialize (World Bank, 2011, preface). Despite awareness on these issues, technical support in complex crises continues to reflect short-term objectives at odds with transformative goals (Cochrane, 2020).

The need for long-term, strategic, synergistic and transparent investment is crucial to support peace agreement implementation. Long-term investments act to counter the fragility of agreements and states over time. This aligns with the HDP nexus goal of tying humanitarian investments to peace and development efforts. Strategic and transparent investment can ensure that aid is not perceived to be benefitting elites but addressing key priorities – i.e., building government capacities and infrastructure, supporting local economies, and addressing other issues reflecting root causes of the conflict (Barakat, 2014, p. 38). Those hosting and financing peace processes would do well to solicit collaboration and promote synergy in strategy with the various global funds supporting peace, humanitarianism and development. In contexts where there are, simultaneously, pressures for national actors to transition to more carbon-neutral environments, there may be possibilities to align with these actors where congruent goals can support just environmental and peace transitions (McCandless & Faus Onbargi, 2023).

Box 10: Rising Power and Donor-Aid Practices

Gulf states tend to deliver aid with attention to recipient country sovereignty, cultural autonomy and human security, motivated by religiously rooted principles of charitable giving. Their approaches tend to depart from Western donors which tend to be guided by donor country national political objectives. Gulf aid tends to focus on government leadership in planning and undertaking of reconstruction, without formal conditionality or earmarking common with Western donors (Barakat & Zyck, 2010, p. 48).

Gulf aid approaches broadly align with those of rising powers aid in peacebuilding contexts, which are oriented toward supporting sovereignty and recipient country national interests, working through and building capacity of state institutions. They also tend to be developmentalist and technical in nature (to reduce dependency) with attention to long time horizons (Call & de Coning, 2017).

FORGING PARTNERSHIPS TO SUPPORT IMPLEMENTATION AND SUSTAINABILITY

Scholars concur that coordination and collaboration are integral to sustaining peace, and in ensuring coherence in mediation processes. As UNDPA guidance (2012, p. 4) states, the proliferation of actors involved in mediation "makes coherence, coordination and complementarity of mediation efforts both essential and challenging." Co-led mediation efforts are growing, though producing mixed results. Having a lead mediator is crucial to overcome the challenges with diverse approaches to decision-making, political cultures, levels and types of resources and procedures, and legal and normative frameworks in use by different actors (UN, 2012, p. 18).

The valuable roles of development actors in peace agreement implementation should also not be overlooked. While political mediators have primary responsibility for tactical decisions, development actors have likely been in the setting long prior and can support the political process in targeted ways – i.e., facilitating civil society engagement, and providing root cause analysis of the conflict and supporting reconstruction planning. Development actors can also help to educate political actors about the economic and social issues relevant to the conflict and pathways for addressing them (Papagianni, 2009, p. 3-8). They also play pivotal roles in the wider context of implementing agreements, as they remain long after mediators leave. The importance of economic recovery – in ways that address poor or uneven development – is essential for building confidence in the peace process, addressing grievances and driving agreement sustainability (Woodward, 2002).

Forging mediation partnerships is particularly valuable for small states, and newer states engaging in these roles – where partnering with others with longer track records in mediation can be involved and prove capacity and expertise in their diplomacy efforts (Barakat, 2014, p. 38). Partnering with experienced non-governmental institutions in the mediation field, including the Centre for Humanitarian Dialogue or the Kroc School's Barometer Initiative (Box 7), can help to ensure that the wide range of implementation tasks and needs can find support.

Forging partnerships in mediation is consistent with the notion of networked multilateralism put forth by the UNSG Guterres, grounded in the notion that partnerships across a diverse array of actors are needed to address the complex nature of interlocking peace and security threats (UN, 2023). Equally, to finance enduring peace processes, such partnerships are needed across funds and agencies supporting the making and sustaining of peace. As the UN endeavors to build the resources and scope of its peacebuilding architecture, evident by recommendations to member states in the NAfP to elevate the work of the Peacebuilding Commission to serve collective member state peacebuilding discussions and goals, and the Peacebuilding Fund to support in-country peace processes (UN, 2023), these offer important spaces where emerging and non-traditional small state actors can partner in supporting peace efforts.

4.0 Conclusion: From Shaking Hands to Sustaining Peace

> Both the characteristics of the process and the contents of the accord determine the viability of a peace agreement. Its durability is generally based on the degree of political commitment of the conflict parties, buy-in from the population, the extent to which it addresses the root causes of the conflict, and whether it can withstand the stresses of implementation – in particular whether there are adequate processes to deal with possible disagreements that arise during implementation (UNDPA, 2012, p. 20).

Since this valued 2012 UNDPA guidance, we are witnessing greater appreciation of the rising complexity in conflict environments that challenge agreement-making. As highlighted throughout this paper, many aspects of peace will still need to be negotiated or renegotiated in a 'post' accord context, and challenges will likely persist and morph if processes are prolonged. Academic and practitioner perspectives have long embodied this – where sustaining peace is viewed not as an end state but a process of working to politically settle the conflict through time and geographical space. The 2016 UN Twin UNSC and UNGA Resolutions on sustaining peace and preventing conflict reinforced thinking around the vital need to focus on root causes, while building inclusive national visions around political solutions to support national buy-in. A needed focus on building resilience capacities that exist locally and can support peace implementation and crisis prevention is also growing – building on decades of work by scholar-practitioners, and now supported in the logic of the HDP nexus. This needs to be oriented in a transformative, rather than simply adaptive manner, to address political-economy root causes of both conflict and crisis (McCandless & Faus Onbargi, 2023). If infused with a commitment to accountability and solidarity needed to redress the international drivers of conflict, crisis and fragility, networked multilateralism will offer a critical tool to compliment efforts driving peace within countries, while serving wider conflict prevention goals.

While assessing whether provisions have been implemented can be a straightforward task, understanding the wider impacts and realization of what are likely needed systemic changes to address root causes of conflict is far more complex. This is due to the time that systemic change takes, and its occurrence in non-linear and unpredictable ways (UNSG, 2020, p. 4). Assessing progress in peace agreement implementation needs to follow suit in logic, theories of change and methods.

Debates around making and sustaining peace span centuries and will likely never abate as contexts change and contention amongst diverse stakeholders over how best to achieve this goal will persist. Key challenges for mediators include supporting national actors to find durable pathways for meaningful inclusion that honor a plurality of perspectives, while ensuring that agreements are consecutive and interlocking, with robust and flexible implementation mechanisms capable of guiding the systemic changes needed to sustain peace. The promising practices reflect evolving wisdom drawn from a wide

body of evidence derived from research and practice, and associated practical guidance, suggesting needed directions to achieve these goals.

Contextualizing and localizing peace agreements demand that we learn from best practices while focusing on best-fit approaches in varied contexts – which also applies to the mediators and hosting of mediation processes. Smaller states, and especially those coming from less well-represented constituencies of mediation practice such as Qatar, can offer innovation in thinking, methods and new forms of practice. Such actors may well hold greater legitimacy than great power actors in certain contexts – particularly at this geopolitical moment reflecting serious resistance to Northern- or externally-driven political processes and outcomes. This is likely where structural and historical legacies have left deep scars and continue to influence societal perceptions and affect geopolitical relationships. In such contexts, these smaller and more diverse set of states may likely be more culturally attuned, and have greater autonomy to facilitate conditions where local actors are better supported to sit in the drivers' seat of their peace process.

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Endnotes

[1] New data shows that in 2021, nearly half of all conflicts were internationalized (Uppsala University, 2021).

[2] This trend is evidenced in the University of Edinburgh's peace agreement database, PA-X – a trend that grew sharply from 2005 and saw its peak in the mid-2010s (Bell & Badanjak, 2019, p. 459).

[3] 28% are never initiated or are minimally implemented.

[4] Much research explores political and capacity-related obstacles. Jean Arnault (2006) discusses 'vital concerns' as a third key area of obstacles, which are folded here into a wider discussion on design issues.

[5] Azar (2003) argued that protracted conflicts stem from a mix of basic human needs, including security, belonging and recognition, distributive justice, and economic and political grievances.

[6] Slightly adapted from De Rouen et al., who draw from Arnold (1989).

[7] https://peaceaccords.nd.edu/barometer

[8] Root causes language is featured in the UNSC/UNGA twin resolutions on sustaining peace, and in consecutive UNSG reports. The language also features in UN mediation reports and guidance – as a criteria for 'quality' or 'successful' peace agreements (UN, 2012; UNSG, 2009).

[9] https://www.peaceau.org/en/article/panel-of-the-wise, https://www.globalwomenmediators.org/femwise-africa/

[10] See, i.e., Pillay and McCandless' (2011, p. 46-47) analysis of the CAP program in Afghanistan. The g7+ has put forth the notion of fragile-to-fragile cooperation and peer learning, advocating along similar lines of reasoning. https://www.g7plus.org/peer-learning-and-fragile-to-fragile-cooperation/

DECLARATION OF COMPETING INTEREST

The author declares that he has no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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