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Money Makers as Peace Makers? Business Actors in Mediation Processes

Andrea Iff, Damiano Sguaitamatti,
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The views expressed in this publication are those of the authors and do not necessarily reflect the views of swisspeace, the Center for Security Studies, nor the Swiss Federal Department of Foreign Affairs.



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Abstract/Zusammenfassung/Résumé

Since the end of cold war, mediation processes have become more and more complex. Today, peace mediation includes a variety of actors, ranging from states, international organizations, NGOs to the private sector. Despite a growing number of practical examples for business engagement in conflict transformation, there are only a few insights into the contributions of business actors to mediation processes. Thus, the aim of this working paper is to shed light on this less researched and discussed issue by assessing: (1) the types of business actors that are involved in mediation processes; (2) the different roles that business actors can play in peace mediation; (3) how and when they can best be involved in the mediation process; and, (4) the specific circumstances and context factors that influence their involvement. The results show that private business actors have an important role to play in Track 1 mediation processes, by providing resources, expertise, networks, and by lobbying for peace. While this research focused on track 1 and 1.5 mediation processes, the study finds that (local) business actors have the potential to play a relevant and active role in lower tracks as mediators and facilitators

Seit dem Ende des kalten Krieges hat die Komplexität von Mediationsprozessen stark zugenommen. Dadurch werden heute unterschiedlichste Akteure wie Staaten, internationale Organisationen, NGOs oder auch der private Wirtschaftssektor in die Friedensmediation miteinbezogen. Trotz der wachsenden Zahl an praktischen Beispielen von wirtschaftlichem Engagement in der Konflikttransformation gibt es aber nur wenige Erkenntnisse über den Beitrag von Wirtschaftsakteuren in Mediationsprozessen. Der Bericht versucht, dieses wenig untersuchte und diskutierte Thema aufzugreifen, indem: 1) die unterschiedlichen Wirtschaftsakteure erfasst und typologisiert werden, 2) die unterschiedlichen Rollen aufgezeigt werden, die Wirtschaftsakteure einnehmen können, 3) untersucht wird, wann und wie Wirtschaftsakteure im Mediationsprozess miteinbezogen werden können und 4) die spezifischen Umstände und Faktoren veranschaulicht werden, die die Beteiligung von Wirtschaftsakteuren bedingen. Die Ergebnisse dieses Berichtes deuten darauf hin, dass private Wirtschaftsakteure eine wichtige Rolle in den Track 1 Mediationsprozessen spielen, da sie Ressourcen und Expertisen bereitstellen, Netzwerke aufbauen und für den Prozess Lobbyarbeit leisten können. Obwohl dieser Bericht auf Mediationsprozesse auf Track 1 und 1.5 fokussiert, muss auch auf die aktive Rolle der lokalen Wirtschaftsakteure auf tieferen Verhandlungsebenen verwiesen werden, wo sie als Vermittler und Prozessbegleiter eine wichtige Funktion einnehmen.

Depuis la fin de la guerre froide, les processus de médiation sont devenus de plus en plus complexes. Aujourd'hui, une grande variété d'acteurs allant des gouvernements au secteur privé en passant par les organisations internationales et les ONGs sont impliqués dans le travail de médiation pour la paix. Malgré le nombre croissant d'exemples pratiques démontrant l'engagement d'entreprises privées dans la transformation de conflits, il existe très peu de travaux sur la contribution du secteur privé à la médiation. Le but de ce rapport est donc de faire la lumière sur ce thème peu étudié et discuté en évaluant: (1) le type d'entreprises qui sont impliquées dans les processus de médiation; (2) les rôles divers que peuvent jouer des entreprises privées dans la médiation de la paix; (3) comment et quand ils doivent être impliqués dans un processus de médiation; (4) les circonstances spécifiques et les facteurs contextuels qui influencent leur implication. Les résultats de cette étude montrent qu'en fournissant des ressources, de l'expertise, des réseaux et en faisant du lobbying pour la paix le secteur privé peut jouer un rôle important dans les processus de médiation de Track 1. Bien que ce rapport se concentre sur la médiation de Track 1 et 1.5, l'étude conclut que les entreprises privées (locales) ont le potentiel de jouer un rôle pertinent et actif en tant que médiateurs et facilitateurs dans des processus plus informels.

Foreword

Business actors are not only affected by conflict and in some circumstances beneficiaries of war economies, but they also need to be considered as part of the solution. This study was thus commissioned to take a closer look at economic actors and their possibilities not only to sustain peace and development after a peace agreement is reached but how they can specifically contribute to peace negotiations. The results show that businesses can play an important role in peace mediation processes through direct and indirect involvement with the help of mediators who can identify and assess what types of roles they can play.

The search for answers to these problems is deeply rooted in Switzerland's commitment to the promotion of peace and the protection of human rights. These efforts are components of the Swiss foreign policy goals of the Constitution of Switzerland. Both the Mediation Support Desk and the Business and Human Rights Desk of the Federal Department of Foreign Affairs Political Division IV on Human Security are therefore strongly involved in the support of peace processes. This study brings together two interests of Swiss foreign policy by assessing the link between business actors and mediation in peace negotiations.

The last years have demonstrated that 'mediation' can be an efficient tool to bring the parties of a conflict to the negotiation table, to support their discussions and to contribute to more lasting solutions to a conflict. Swiss diplomats and mediation experts have been engaged in a wide range of mediation activities, either directly or as members of international missions in more than 20 countries or regions. Switzerland engages in mediation processes by supporting the activities of international organizations and specialized NGOs. Through these partners, Switzerland offers capacity building training to conflict parties on negotiation techniques and relevant topics. Further, Switzerland: invests in research on best practices and lessons learned; supports the development of guidance notes to improve the performance of mediators and their teams; and explores new approaches of mediation.

Switzerland has also engaged in numerous projects that work with corporations to foster their capacities to respect human rights and to develop conflict sensitive business practises. In accordance with a Parliament mandate, the Human Security and Business desk works together with representatives of the private economy, civil society and governments to develop methods and instruments, aimed at minimizing the negative influences of business activities on human rights and the course of conflicts, and promoting ways in which they can have a positive impact.

In addition to this working paper, the Peace Mediation Essentials publication has been developed as a guidance tool that targets mediators. Nevertheless, it is also important for business actors as it informs them about their potential and actual impact. The acknowledgement of a company's impact and the framing of policies through the avoidance of negative and the promotion of positive contributions to peace is a recent approach used to develop corporate responsibilities outside the company-owner or company-shareholder relations.

This study provides a conceptualization of relevant issues, important guidance on how businesses can engage effectively in mediation, while answering important and provoking questions. These efforts must be highlighted and appreciated. Switzerland would like to thank the team of researchers for their valuable work and is happy that it can envisage the engagement of business in future mediation activities.

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1 Introduction

The complexity of contemporary violent conflicts calls for the involvement and leadership of state institutions alongside other actors such as NGOs, international organizations as well as business actors. The Swiss government states, for example, that “The promotion of peace and human rights is the responsibility of the state, but other players (e.g. from the private economy and civil society) and informal groups can also make valuable contributions. Switzerland therefore regards dialogue with non-state players and their integration into peace and human rights policies as an important form of co-operation which it intends to intensify in the future” (Federal Department of Foreign Affairs FDFA, 2007).

In particular, the role of business actors in supporting peace processes remains a novel perspective and approach as little research has been done on their activities. Despite a growing number of practical examples where business actors have engaged in conflict transformation, their role is significantly less established than that of NGOs.

Mediation processes are one field, in which the contribution of business actors is particularly less researched. Even though the report of the UN Secretary-General on enhancing mediation and its support activities promotes a multiple-actors approach which includes the United Nations, regional organizations, states, and NGOs, it fails to mention the inclusion of business actors (Moon, 2009). Their relevance and their possible contributions have not yet been researched in depth, although international and national or local companies have a big interest in a stable, peaceful context. Therefore, it is the aim of this working paper to provide insight on the role of business actors in mediation processes. Namely, it assesses four main areas:

1. The different types of business actors in mediation processes;
2. The role business actors can play in peace mediation;
3. How they can best be involved in the mediation process; and,
4. What context factors influence their involvement in these processes.

The results are based on existing literature, desk research and interviews with over twenty renowned mediators, academics, and experts in peacebuilding. Thus an academic approach is taken to the topic. Further, a practical tool for mediators was developed and elaborated in the Peace Mediation Essentials series on the same topic (swisspeace/ETH/CSS forthcoming).

The evidence shows that private business actors have an important role to play in Track 1 mediation processes, by providing resources, expertise, networks, and by lobbying for peace. While this research focused on track 1 and 1.5 mediation, an important finding is the relevance of mediation on lower tracks, where (local) business actors played a more active role as mediators and facilitators.

First and foremost, mediators must recognize the diversity of the private sector. The most important distinction is between the types of actor (individual business person, company or business associations); the scope of business activities (local, regional, national, international); and the sectors (primary commodity, services, industry). All of them bring varied advantages and disadvantages to peace mediation processes, which determine their potential role.

Activities of business actors may include both direct involvement in mediation as well as a supportive role. Direct involvement in the mediation process may entail being part of the mediation team itself, or playing a facilitating role during discussions. Indirect involvement in peace mediation could include: providing good offices, mobilizing the wider business community, acting as a knowledge resource, or monitoring and ensuring effective implementation of the peace agreement.

Generally, the roles business actors may assume as well as the timing of their involvement depend on the necessities of the mediation process. The research found that the pre-negotiation, negotiation and post-

agreement stages each pose challenges and opportunities, with the first two stages being the most important for business actors' involvement. Mediators play an important role in *identifying specific gaps* in a mediation process that business actors might fill in different stages and phases. Although some business actors may be interested in supporting a peace mediation process, they are unaware of how to do so. In order to get business actors involved in mediation, *information policy*, *coercive strategies* and the *inclusion of economic issues in peace talks* are key. For any engagement with business actors, *confidentiality* is a prerequisite.

The paper also concludes that there are several context factors determining the likelihood and effectiveness of business actor involvement, such as: the level of violence; the structure of the (national and regional) economy; and, the composition of the business class.

This working paper is structured in the following way: Chapter 2 will provide an overview of overarching definitions and understandings that are pertinent. Chapter 3 will provide a review on relevant literature that have discussed issues related to the roles of business actors in mediation processes. In Chapter 4, the methodology of the study will be outlined. Chapter 5 will present an overview of existing case studies and the results of the research. In Chapter 6, a summary of the findings and some final conclusions are presented.

2 Definitions and Approach

Before entering the topic, it is important to clarify some of the key notions as well as their use and the general approach in this paper.

We use the term “business actor” as a collective term, capturing different types of corporate institutions and individuals, namely companies,¹ business associations and interest groups as well as individual entrepreneurs and business executives who represent or work for a company. The term captures domestic as well as international business actors, the latter being more thoroughly investigated by current research. All sectors and branches are included. Furthermore, there is a difference between public and private actors. In this study, the role of the informal sector in mediation processes has not been researched and has to be left to further research to be assessed.

The “mediation² process” is a part of the broader peace process or conflict transformation effort (see for instance Boutros-Ghali 1994). Mediation is understood as a process during which negotiations (joint decision-making) of two or more parties are assisted and supported by a third party. This third party has an official mandate or is accepted by the conflict parties (Moore, 2003; see also Zartman and Touval, 2007).³ A variety of different mediation styles and approaches are included in this understanding of mediation (Fisher, 2001; Bush and Folger, 1994; Mason, 2006). Furthermore, mediation can take place on different tracks, which describe the different levels of interaction between the parties to a conflict. Track 1 includes mainly the formal negotiations between the top leadership of the conflict parties (e.g. government and leadership of non state armed groups). Track 1.5 process is the interaction between the top leadership of the parties to a conflict, but in an informal setting and in their personal capacity. Track 2 refers to a process involving influential actors from civil society of the parties to a conflict (adapted from Montville 1995) and Track 3 includes mainly grassroots actors. For this working paper, a focus on track 1 and 1.5 mediation processes has been chosen: thus, a third-party involvement with political leaders and leaders of armed groups in their official or personal capacity. While Track 1 and 1.5 mediation processes focus primarily on the engagement of political and military actors, this study argues that business actors have the potential to play a role within this arena.

This paper takes a positive approach to the involvement of business actors in mediation processes, by focusing on activities that promote and support these activities. This approach is taken in order to move away from literature that focuses exclusively on the negative impact of businesses in conflict zones, to place an emphasis on how business actors can contribute positively and sustainably to peace processes (this approach also helped in elaborating the Peace Mediation Essentials on the topic).

The authors of the study do not see the engagement of business actors as given, as there are also many challenges and negative effects of engaging business actors in mediation processes. For example, a mediator might identify particular business actors as potentially acting as spoilers or not being able to contribute positively to the peace negotiations. Also, business actors from the informal sector (eg. arms dealers) may reduce the legitimacy of the process if they are included in formal processes. Business actors can also be problematic partners as they may use their influence over the conflict parties to steer the peace process for their own benefit. Actors engaged in the mediation process may thus refuse the inclusion of business actors if they feel that they do not possess adequate knowledge of the conflict or promote interests that are relevant to the needs of the mediation process.⁴ This study, however, does not include an analysis

¹ A company is understood as an entity formed with the purpose of doing business.

² For simplicity reasons the term “mediation” and “peace mediation” are used synonymously in this working paper.

³ As such, the peace mediation process is distinct from the negotiation process, although of course there is no mediation without negotiations and both processes are closely interlinked (Bercovitch, J. and Gartner, S. S. (2006) 'Is There Method in the Madness of Mediation? Some Lessons for Mediators', *International Interactions*, 32(4), 329-54.).

⁴ Alpher and Borris (2004) put forth a hypothesis that suggests an incompatibility of business actors in mediation processes; namely that the different ‘language’ of political or conflict negotiation make a support impossible: “More than once, the use of business persons as political negotiators has run into snags because of a lack of understanding that the two sets of terminology might not be compatible” (2004: 22). This hypothesis was not tested in this project and further research would be necessary to analyze how

of business actors as spoilers, nor does it include the role of the informal business sector. Rather, it departs from the assumption that business actors are influential players that can play both positive and negative roles in a mediation process. In order to mitigate the likelihood that business actors become peace spoilers, both the opportunities and challenges of their involvement need to be better explored.

Business actors are one of many non-state actors that have the potential to support mediation processes. The aim of this study is not to advocate for an overcrowded process, but rather to explore the relevance of business as one actor that has not, until now, received much attention. As normative actors, mediators need to apply due diligence processes to assess whether engaging business actors will be an added value or not. Thus, this paper precisely aims to provide knowledge on how business actors have engaged in mediation, what challenges arose during the process and what opportunities mediators have to engage them in the future.

accurate this is. Further, it would be relevant to consider how the capacities of the mediation team to find a common language plays a role in providing adequate feedback loops and thus a common understanding.

3 Economic Factors and Business Actors in Mediation Processes

Conflict resolution theories have been subject to many-sided changes over the last decades. The end of the Cold War witnessed a surge of discussion into the “ending” or “transformation” of organized violence. Previously ignored or irrelevant issues in the origin and resolution of conflicts have contributed to a re-conceptualization of established theories. The emergence of new types of actors and the growing emphasis on the role of economic dimensions were two elements, which shaped these new discussions. This evolution formed the backdrop of a developing debate on the role of private business actors in conflict and conflict resolution. This chapter provides an overview of available literature that addresses issues related to the role of business actors in conflict zones and peace processes. Further, it reiterates the lack of literature on this topic, thus providing a platform to explore the area further.

Current literature on the engagement of business actors and peace processes tends to take a macro-economic approach by looking at different structural economic issues, rather than an actor-oriented focus. Moreover, much literature has focused predominantly on the negative impacts of companies in conflict zones, rather than the positive contribution that business actors can make to peace processes. Early works on business in conflict contexts, mainly driven by NGO criticism, focused largely on how companies fuelled violent conflicts (Global Witness, 1999; Human Rights Watch, 1999; Amnesty International, 2000). Economic actors that were doing business with conflict parties were criticized for facilitating the exploitation of natural resources as a cause as well as means to fight a war (Le Billon, 2001; Renner, 2002). Most of these investigations evolved around the role of transnational firms in the extractive industries as well as the financial sector. Some more recent studies are concerned with domestic companies, alluding to the entanglement of the local private sector in structural root-causes of armed hostility (Banfield et al, 2006).

Additional to recent developments in peace and conflict studies, the idea to engage private companies in peace promotion is seemingly also related to broader changes in the social and political role of the business community, which are illustrated by concepts such as corporate social responsibility (CSR) and (global) governance. As a consequence, some companies and sectors began to implement voluntary and mandatory principles that regulated their activities and ensured that they were compliant to human rights laws.⁵ This influenced a growing but limited discussion which placed an emphasis on the more positive role that companies can play in supporting conflict settlement, resolution and peace building.

While some scholars of traditional liberal theory argue that economic cooperation can foster peace between enemies, Moravcsik (1997: 528) disputes that it would be wrong to expect that “economic incentives automatically generate universal free trade and peace”. Rather, economy must be seen as a variable creating incentives for both openness and closure. Few academics have critically analyzed the relevance of the economic dimension within peace mediation processes. Wennmann (2007) identifies four dimensions of economy in mediation, which have been dealt with by several scholars: incentive structures of belligerents (Weinstein, 2007; Humphreys and Weinstein, 2008; Wennmann, 2009b; Collier and Hoeffler, 2004); economic or wealth-sharing provisions in peace agreements (Haysom and Kane, 2009; Wennmann, 2009a; Mason/Sguaitamatti/Gröbli forthcoming); and economic tools in mediation processes (Dorussen, 2001; Martin, 2007). He further discusses briefly the role of economic actors in mediation of peace agreements (Wennmann, 2007) as one dimension. However, little attention has thus far been directed towards this dimension by other scholars. Thus there remains a paucity of knowledge on how business actors can or have shaped this specific policy field.

In addressing the four main research aims, the absence of literature on the topic posed challenges. Only two publications draw their attention to the possible roles and activities of business actors in mediation: Tripathi and Gündüz (2008) and Rettberg (2006). Both publications agree that there is potential for a stronger involvement of business actors in conflict mediation. While there is no literature that looks at business

⁵ See, for example www.voluntaryprinciples.org, www.kimberleyprocess.com and <http://eiti.org> for some initiatives that emerged as a result.

actors in process design, the motivations and impediments of business actor engagement in peacebuilding has recently been explored (Joras, 2009). While Joras (2009) also discusses the role of different context factors that influence business engagement, her analysis focuses on peacebuilding, and not on mediation processes. Thus, more general aspects of context factors are referred to as a starting point. The existing literature in the fields concerning the research questions will be outlined in the following paragraphs; in cases where there is no specific business actor's literature, more general literature in the field of mediation is drawn upon. The working paper aims to add to this literature based on the empirical data collected.

3.1 Types of Business Actors

While there is no literature that makes a specific distinction of which types of business actors should be included in a mediation process, Sweetman (2009) has analyzed different business actors that have the potential to be involved in business-based peacebuilding (p. 116f). While taking an overarching approach, he distinguishes between:

1. *Supporting and influencing actors*: those that provide some assistance to business-based peace building (e.g. NGOs or IGOs like the UN or the World Bank);
2. *Managing and practicing actors*: including actors that work as conflict specialists in a business and coach their activities if necessary;
3. *Business actors*: including businesses in the narrow sense.

This study focuses on an analysis of the third type, 'business actors', and does not analyze the role of NGOs or IGOs, nor that of conflict specialists or coaches. This study distinguishes between the activities of three types of business actors:

1. *Individual business persons*: these include individuals that own their own business, as well as persons who work for a company;
2. *Companies*: these include small to medium sized companies, large companies, multinationals, domestic as well as international;
3. *Business associations*: these include local, regional and international associations, multi-sectoral groups and initiatives as well as representation through boards or chambers of commerce.

In the paper both local and international business actors are taken into consideration. There is an emphasis on private business actors, although references to a few quasi-statal companies are also made in selected cases. We have chosen not to further distinguish between different categories of business such as shareholder-driven companies, state-owned companies, CEO-driven companies etc. While such a distinction is relevant in order to understand a company's: (in)dependence, goals, corporate culture, internal benchmarks or human rights assessment, the limited number and diversity of the cases did not warrant such a demarcation.

3.2 Activities of Business Actors

Mediation processes require the involvement and engagement of a wider variety of actors which can provide different forms of support and expertise. This section summarizes some of the activities that actors generally, and business actors specifically, can carry out within a mediation process.

Firstly, an initial distinction needs to be made. Actors, in general, can engage in a mediation process through:

1. Direct activities in mediation *per se*, i.e. as part of the mediation team; or
2. Indirect contributions that support the work of the mediation team.⁶

This distinction can also be assumed for *business actors* that engage in mediation processes specifically:

1. Direct role within a mediation team: The roles for business actors are expected to be similar to the ones of NGO mediators (Lanz, Sguaitamatti, and Siegfried, 2009), as locally rooted companies and business persons share the insider mediation characteristics with local NGOs.⁷ Insider mediators are characterized by their cultural closeness to, and close relationship with, the parties (often respected locals). Their ability to influence the parties rests, to a large extent, on personal trust and moral leverage (Wehr and Lederach, 1996). Closeness to the parties makes insiders also vulnerable; they can easily lose the parties' trust and become a target themselves. Therefore, if local actors are directly involved in mediation, their activities are more likely to be less assertive than those of a state or a regional/international organization.
2. Contributions in terms of mediation support include the enhancement of trust-building (Crocker, 2001) through 'indirect business participation' (Rettberg, 2006). These comprise:
 - *Helping to build trust to pave the way for negotiations* is based on the general assumption that outsiders or third parties can play an important role in building credibility and trust, and in overcoming prejudice and fear. As a new player, business actors can participate in such efforts by opening up new avenues for dialogue with and between the conflicting parties (Crocker et al, 2001: 509).
 - *Providing good offices* comprises logistical support, such as communication, accommodation, and transport of conflict parties, but also acting as an intermediary. Yet, the financial capabilities of business actors may also be used for providing incentive packages or "side-payments" in order to influence the outcome of the peace agreement.⁸
 - *Mobilizing the wider business community* can contribute to awareness raising on the costs of war and potential peace dividends that can help to encourage more business actors to engage in supporting the peace process and providing suggestions of how to carry out activities. This can help to prevent possible spoilers that may oppose the peace talks at a later stage.
 - *Mobilizing public support for the peace process*. Business actors can appeal to the broader public through widespread media campaigns as non-political actors that may be able to gain public legitimacy.
 - *Providing knowledge and research* on issues related to the economic dimensions of the conflict or economic dividends of the peace agreement can help provide a more comprehensive understanding of the situation and future opportunities of engagement. This contribution may be of particular relevance to make the outcome of a mediation process more stable.

⁶ See: Rettberg, 2006; Tripathi and Gündüz, 2008. Even though both call it „direct“ and „indirect“ participation, the idea is basically the same as set out in this paper: namely the distinction between mediation as such and support of mediation. (See also Moon, 2009).

⁷ Wehr and Lederach (1996) distinguish between local actors engaging as partial insiders and international - or external - mediators (see also Mason, 2009; Elgström, 2003).

⁸ The financial capacity of business actors which may outweigh the resources of NGOs and state institutions could be harnessed to finance, monitor and implement mediation processes. Business actors' inherent economic leverage and power may substantially influence the outcome of political mediation processes.

- *Monitoring the implementation* can help ensure that promises are kept, expectations of combatants and non-combatants are fulfilled, and criminal structures are dismantled. Furthermore, business actors might be important in raising the required social and economic resources to implement a negotiated settlement.

These potential roles and activities of business actors in mediation processes will be further explored in Chapters 5.1 and 5.3 when analyzing actual examples of business involvement.

3.3 Process Design

Mediation processes require an in-depth understanding of the factors that can influence the involvement of different actors. Greig and Regan (2008) have analyzed how specific actors can be involved in the procedural provisions of a mediation process. In addition to contextual factors, they explore how the motivations and interests of different actors influence the role they play and in which stage of the process they intervene.

A mediator has the opportunity to include additional actors in each phase of the process:

1. The *pre-negotiations*, where the parties agree on the modalities of the talks;
2. The *actual negotiations*, where the parties discuss the substantive issues; and,
3. The *implementation phase*, where mediation is required to support the ongoing negotiations regarding the interpretation of the agreement and its correct implementation.

Business actors' motivations and interests (Carnevale and Sharon, 1996; Kydd, 2003; Salem, 2003; Maoz and Terris, 2006; Joras, 2009) and their engagement in peace processes have been discussed in two ways:

1. On the one hand, there are more *externally driven factors*, such as the costs and benefits. For example, actors mainly perceive a mediation involvement as an additional option in their strategy to maximize their gains (based on rational choice theory). Gains here might include not only material gains and fear of losses but also reputation, access to market, and security. Joras (2009) applies this argumentation to the specific motivation of business actors to engage in peace building.
2. On the other hand, there are more *personally or internally driven factors*, such as Kydd (2003) and Salem (2003) have highlighted. They include for example the personal relationship between the mediator and the parties, personal interest in peace as well as own background.

These questions relate to *when* and *how* to include business actors as well as *what* are their motivations and impediments of engagement. On what mediation track it is most relevant to include them in, will be discussed in Chapter 5.4, in reference to the desk research as well as the interview responses.

3.4 Context Factors

In mediation literature, several contextual factors figure amongst the key determinants for the success of a mediation processes (Zartman, 2000; Bercovich, 2007). For example, these factors include the military situation on the ground, the security situation, and the type and intensity of a conflict. However, there has been no attempt to identify the relevance of contextual factors for the involvement of business actors. This will be explored in Chapter 5.5.

4 Methodology

To tackle the threefold question of 1) the role of business actors, 2) the ways of involving them and 3) the context factors of mediation processes, an inductive approach has been chosen. This approach was selected especially because the literature on the topic is relatively scarce, as has been shown in the previous chapter. Furthermore, an actor-oriented approach has been applied, focusing on the role of the mediator. Thus, the goal is to bring together different examples of business actors' involvement in peace processes and draw conclusions from these.

1. In a first step, different examples of business actors' involvement were brought together through desk research and a workshop with mediators in November 2009.
2. In a second step, based on the insights of this desk research, 20 semi-structured interviews with mediators, experts, and one business person have been conducted.⁹
3. In a third step, the answers from the interviews as well as the information from the desk research studies have been quantified based on a specific checklist with different categories for every issue.
4. In a fourth step, the drafts of this working paper and the Peace Mediation Essential were presented to experts representing the mediation, business and academic community at a full day workshop in June 2010. The experts provided very important, specific feedback and recommendations for the finalization of the study.

The aim of this multi-methods approach was to provide a comparative analysis of available literature and information provided by mediators, academics and business actors. However, as some cases have not yet been adequately documented, cross-referencing of data found in interviews with literature was not always possible. Nevertheless, the study attempts to provide an overview of cases where business actors have engaged in mediation.

⁹ The one objective the project team was not able to fulfill was interviewing a sufficient number of business actors, as only one business person from the UK could be interviewed. Therefore, the working paper lacks a 'business perspective'. However, mediators not only from Switzerland but from all over the world as well as experts/academics in Switzerland, Germany, USA and the UK have been interviewed. Thus, the added value of the study is to provide mediators with case study analysis of success stories of business engagement in mediation. It also has the impetus for a future project which would specifically target business actors.

5 Results

The study findings provide a more detailed analysis of case study examples where business actors played a significant role in the mediation process. First, an overview of case studies as explored in literature is presented and introduced in Chapter 5.1. Secondly, Chapters 5.2 to 5.5 further elaborate on the types of business actors, their roles, process design questions and contextual factors that influenced their involvement. These findings are based on both desk research as well as through the qualitative interviews.

5.1 Desk Research Cases

There are 14 cases that have been identified in the desk research and interviews in which business actors have played an important role in the mediation process. In the following, a short description of the involvement of business actors in these cases shall be given. Other findings and specific information related to the case studies will be included in the Chapters 5.2 to 5.5 in text boxes.¹⁰

Colombia

In Colombia, business actors were involved at the track 1 level in the negotiation process and they have played an important informal role throughout negotiations. Some business individuals were members of the negotiation team. Their engagement was welcomed by the government, the FARC as well as the business sector. "Business leaders held off the record meetings of multi-sectoral groups in order to generate space for developing personal relationships" (Banfield et al, 2006: 51). Members of the business sector sponsored and were involved in public demonstrations and activities to protest against the conflict and were in favour of a peaceful settlement of the conflict. They lobbied on numerous public occasions for a peaceful settlement. Business representatives also established contact with an imprisoned leader of the ELN, "leading to the signing of a good-will accord pledging the parties to seek a solution to the Colombian crisis" (Rettberg, 2007: 486). There were also some business actors who were against the involvement of business leaders in the negotiations.

Cyprus

In Cyprus, the chamber of commerce was involved in the establishment of legal documents on how to facilitate trade over the borders and they also established a business network amongst like-minded business persons that supported the mediation process on the political side. The Brussels Business Group (BBG) held bi-communal and mono-communal meetings and also met with the political leaders of both Greek Cypriot and Turkish Cypriot communities. Their slogan, "In Economic Cooperation Lies Mutual Benefit", encompassed their emphasis on projects that could be done without involving political leaders. E.g. restoration of religious monuments on both sides, creation of a common business center in the UN buffer zone (most projects were not finished as funding had to be found externally). Participants were chosen carefully, with closeness to political leadership being a crucial factor. BBG-participants were personalities with high political, economic and public status: they established confidence-building measures between the two business communities, effectively communicated a message on the economic benefits of a political solution, and served as a model for other bi-communal groups. The impact in Cyprus was clearly discernable, business actors negotiated deals, mainly on non-political issues, helped to unblock situations when the double administrations did not get along, and were part of a broader dialogue in society. However, around 2001-2, it quietly dissolved as official talks were revitalized and the progress on joint projects became difficult (see: Banfield et al, 2006).

D.R. Congo

In the DRC, the business actors were involved by invitation and were called upon whenever the implementation of the Sun City agreement (e.g. DDR of Rwandan rebels) in Kivu got stuck or derailed due to

¹⁰ This methodology led to a case selection bias as the study presents 'success stories' where business actors have engaged in mediation processes. The study does not present 'failed cases' where attempts did not work out or where either business actors or mediators spoiled the process. This is due to a lack of corroborative information on this topic.

accidents or public discontent through riots. Business actors played a key role in putting pressure on the authorities to comply with the provisions of the Sun City agreement, as well as through their discussions with people at the grassroots' level (track 3).¹¹ In the Ituri Province, business activities provided a basis for cross-community trust building and direct contact between conflict parties (Interviews with mediators, 2010).

El Salvador

El Salvador represents a particular case wherein business actors were members of the negotiation team, which became part of the winning coalition after the peace agreement. The leadership and subsequent electoral victory of Alfredo Cristiani and his pro-business party, Alianza Republicana Nacional (ARENA) led to a peace accord between the government and the Frente Farabundo Martí para la Liberación Nacional (FMLN) in 1992. Business actors were part of Cristiani's advisory team during the negotiations and were involved in other political decision-making processes. Further, through the think tank, Fundación Salvadoreña para el Desarrollo (FUSADES), business supported research on the conflict as well as financing employment and capacity building programmes for former FMLN combatants. As a result, FMLN became more open to negotiations on economic dimensions of the peace agreement (see: Tripathi and Gündüz, 2008).

Guatemala

In Guatemala, there were occasional direct official as well as unofficial talks between the guerrilla forces and representatives of the private sector. Yet, there was a split over the peace talks with parts of the private sector lobbying against the peace talks between the government and the leftist guerrilla force while others supported them. Respectively, private sector actors began to lobby for certain positions particularly at a time when the socio-economic accord was negotiated. Individual business actors as well as smaller mostly informal groups were set up with the specific purpose of addressing the peace talks. Those parts of the business sector that lobbied in favor of the peace process are likely to have had a positive impact on the public perception regarding the peace process, garnering support for a negotiated settlement. Those parts of the business sector lobbying against the peace process may have had a negative impact on the public perception regarding the peace process, causing resistance against a negotiated settlement. Presumably due to the influence that private sector forces had on the negotiations, socio-economic provisions were watered down significantly from what was widely expected to be required for a sustainable peace process (e.g. on tax-issues). Both, the groups that were in favour of the peace talks as well as those opposing were mostly driven by economic considerations. Yet, ideological convictions were also of important relevance, particularly within those groups that opposed the peace process (see: Joras, 2007; Rettberg, 2007).

Aceh/Indonesia

In Aceh/Indonesia, official negotiations were brokered by a foreign businessman. The Finn Juha Christensen, with economic activities in Indonesia used his networks and contacts to set up meetings between the Free Aceh Movement (GAM) and representatives from the government, and with the Crisis Management Initiative. He later acted as a shuttle mediator between the conflicting parties. He was also involved as a peace broker together with the Indonesian Minister of Social Affairs Jusuf Kalla and supported the engagement of UN Special Envoy Martti Ahtisaari in the peace process. Christensen's motivation and interest in supporting the process seemingly emerged from his personal interest in issues of peace and was not directly associated with his business activities (see: Kivimäki/Gorman, 2008; Braithwaite, forthcoming).

¹¹ Many local and international business actors were also heavily criticized for fuelling violence with their business activities in the very Kivu province.

Kenya

In Kenya, a country-wide mediation initiative started after the post-election violence in 2007 which included religious and political authorities as well as business actors. These actors managed, with varying degrees of success, to contain violence by both providing financial incentives (e.g. reconstruction once violence would abate) and threats in case of destructive actions. The role was mainly supportive. However, along the Kenyan border to Somalia, some business people also worked directly as mediators. Media representatives and the banks approached the mediation team, while other sectors such as manufacturing and private sector associations supported the process. The tourism sector played a key role as it was particularly hard hit by the eruption of violence. The livestock traders also established their own mediation network for livestock theft and conflicts in trading. The efficient cooperation and personal relationships between business, religion, and politics were key to their success (based on a presentation of Dekha Ibrahim Abdi, 2009; Interview mediator, 2010).

Mozambique

In Mozambique, the extractive industry company Lonrho under the leadership of the chairman Roland "Tiny" Rowland, was strongly engaged in the facilitation of the mediation process. Rowland provided transport facilities for the conflict parties to participate in meetings; he actively offered himself as a mediator, facilitator and advisor. Lonrho's financial resources and private transport facilities allowed the parties to meet, thus helping to build confidence and accelerate the peace processes. Although the initial involvement of Rowland seems to have emerged from commercial interests, it seems that his continuous engagement and investment of time and resources was later linked to his own personal interest in finding a solution to the conflict (see: Vines, 1998; ACCORD, 1998).

Nepal

In Nepal, the Nepal Business Initiative (NBI) was founded and engaged from 2003 to 2005, mainly in organizing talks between the Maoists, the business community and civil society. The aim of these talks was to mitigate the most negative consequences of war for business people (e.g. assaults, abductions). When talks became focused on the Constitution and the Assembly, they reduced their presence, as they feared to be seen as a party to the conflict and become a target of violence. During the negotiation phase their engagement simmered down, and partly as a consequence, economic issues were not dealt with enough in depth. In Nepal, ideology, a suffering economy and personal ties of the business community were characteristic (Interview mediator, 2010; Interview academic researcher, 2010).

Northern Ireland

In Northern Ireland, the business community acted as a policy think-tank and lobbying group in support of peace. The work was done primarily through the Northern Ireland branch of the Confederation of Business and Industry (CBI) and the "Group of 7". They were a union of different chambers and associations that organized meetings with all the political parties involved in the peace talks, alongside media campaigns, to promote the philosophy that peace is a prerequisite for economic growth. Their publication, "Peace – a challenging new era", also known as the "Peace Dividend paper", was in part a technical paper but also provided arguments for the negotiations and fostered a peace constituency. There was, however, some resistance against the private sector engagement as some political actors did not want the private sector to get involved in the peace processes and argued that they should stick to doing business (see Banfield et al, 2006; Nelson, 2000).

Somalia

In Somalia, business actors were important in establishing infrastructure that enabled businesses to carry out their activities. They also took action against activities in the grey economy and participated in dialogue processes. Business representatives participated in a dialogue in 2004 in which they committed themselves

to contribute to peace and reconstruction. The dialogue was meant to demonstrate to business leaders that their involvement and active contribution is essential to the rebuilding of Somalia. The business actors also mediated a ceasefire agreement in Mogadishu between all factions that met all best practice requirements of UN ceasefires, i.e. with a balanced representation of all actors in the negotiations, an integrated force, and a representative governance body (that would replace the Transitional Federal Government) that supervises the force (see: Cassanelli, 2010; Interview mediator, 2010).

South Africa

In South Africa, a corporate organization of mostly national companies developed into a trusted and influential partner of the whole peace process. In the pre-negotiation phase (1985) between the South African government and the African National Congress (ANC), individual business actors met with ANC representatives. From the business side, the goal of the meetings was to “establish a relationship between the wealth-producing sector and a new African economic policy.” The meeting was deliberately made public in the South-African press. A separate corporate organization (CBM) was established at a later stage which dealt with various aspects related to the transformation process (not only exclusively mediation). CBM was later turned into the National Business Initiative (NBI), which supported mostly socio-economic development in South Africa as part of the peace process. CBM developed into a trusted partner with substantial input primarily with regard to the provision of good offices, in the role of an honest broker as well as shuttle mediator. CBM was also instrumental on the local level when the peace accord of 1991 had to be implemented. The activities of the private sector had a substantive financial component, as staff (secretaries as well as executives) was seconded to work in the National Peace Committee. Other companies also pledged money for peace committees or provided secretarial and administrative support, gave donations in kind such as creative work and media space by an advertisement company, foods and drinks by a brewery, legal support by law firms etc. both on the local as well as the national level (see: Charney 1999; Lieberfeld, 2002; Wood, 2000).

Sri Lanka

In Sri Lanka, business actors were part of the negotiation team, and the ministry that organized the peace talks called for representation of business people in the discussion on constitutional reforms. There were several business initiatives in Sri Lanka seeking to support the peace process in different ways. One of the first initiatives was “Sri Lanka First” which mostly engaged in lobbying and awareness raising activities in support of peace. Individual business actors and business associations such as the Ceylon Chamber of Commerce and the Business for Peace Alliance also participated in dialogue forums, which responded to a public call by the Ministry of Constitutional Affairs and National Integration, to have representation on constitutional reforms (Joras, 2009). There is also some indication that some individual high-ranking businesspeople were involved in behind-the-scene bridge-building between the conflicting parties.

Sudan

In Sudan, Lundin Petroleum, an independent Swedish oil and gas exploration and production company led dialogues with representatives of the Sudanese government, the opposition forces, UN organizations, and local and international NGOs. These efforts were welcomed as the company was accepted by local communities it was present in. Lundin’s experience in Sudan furthered its CSR policies and led it to consider the socio-economic dimension of its activities. Despite its efforts, there were recurring phases of conflict escalation and oil operations and staff were declared as legitimate military targets. Allegations of a possible connection between the war and Lundin’s operations surfaced in the press as a result, leading Lundin to

invite journalists to visit their concession area (see: Batruch 2004). While Lundin eventually pulled out of Sudan, it is unknown as to whether this was linked to the lack of success in the mediation process or other factors.¹²

5.2 Types of Business Actors in Mediation Processes

In the following, the different types of business actors that have the potential to be active in a mediation process are presented and the possibilities and limitations based on their characteristics are discussed. They are divided into the above introduced categories of individual business persons (Chapter 5.2.1), companies (Chapter 5.2.2) and sectoral associations and business initiatives (Chapter 5.2.3). As mentioned above, the study does not further distinguish between different characteristics of companies in terms of ownership, strategy, etc. in order to be able to present a broad group of cases.

The answers from the interviewees and also from the desk research¹³ clearly indicate that companies are less likely to get involved in mediation processes than associations and single business individuals. Individual business persons from a certain status or economic background may, for example, be more likely to get involved if they have a close relationship to the conflict parties or if they are personally affected. This is also relevant as business associations that are able to establish networks and relationships between companies from different sectors are likely to gain a positive reputation and be in a better position to support peace initiatives.

5.2.1 Individual Business Person

There are some examples where an individual business person got involved in a mediation process. Almost half of all the desk research cases show an inclusion of individual business persons. This contrasts with the results from the interviews: individual business persons have seldom been mentioned there. It is assumed that this difference between interviews and desk research cases stems from: (a) a selection bias in so far as successful individual involvement is often well researched and documented; and, (b) a reluctance of the interviewees to specify the names of individual persons that they have been directly involved with in the context of such a study. As we will see, especially for business actors, confidentiality is crucial. Box 1 shows the involvement of individual business persons in mediation processes. As many individuals also represented company interests, it is sometimes challenging to differentiate between "individual" and "company". However, it remains relevant to make the distinctions since, while the individuals may have initially engaged because of company interests, long term engagement was usually influenced by the person's individual interest and capacity.

Box 1: Involvement of individual business persons in mediation processes

South Africa: In the pre-negotiation phase (1985) between the South African government and the ANC, individual businessmen met with ANC representatives. For example, Colin Coleman was the Executive Director of the Consultative Business Movement that provided crucial support for the South African Peace Process. He was an investment banker and also the chairman of the Anglo American Corporation and of other smaller as well as bigger companies that got involved in the process at a later stage.

¹² However, in June 2010, a preliminary criminal investigation was opened into alleged violations of international humanitarian law by Lundin Petroleum from 1997-2003 in Sudan.

The report 'Unpaid Debt' by the European Coalition on Oil in Sudan provided the impetus for the investigation. This demonstrates not only changing perspectives, but also the difficulty to access reliable information on issues of business actors in mediation processes.

¹³ For the sake of clarity and readability of the text, it is implied that all statements are based on the interviews and the case studies, unless otherwise mentioned. We therefore forgo any explicit reference to either and also do not include any names of the provider of information as agreed under the Chatham House Rule. Rather, we indicate the background of the interviewee when relevant (mediator, scientist, business person).

Mozambique: The chairman of Lonrho, Roland “Tiny” Rowland, provided transport facilities for the conflict parties to participate in meetings; he actively offered himself as a mediator, facilitator and advisor, but was not accepted. Lonrho’s financial resources and private transport facilities allowed the parties to meet, thus helping to build confidence and accelerate the peace processes. Rowland became personally engaged in the process and by the end was investing more time and resources than he could ever recuperate through profit.

Aceh/Indonesia: Juha Christensen, a Finnish business person with activities in Indonesia, used his networks and contacts to set up meetings between the Free Aceh Movement (GAM) and representatives from the government, through the Crisis Management Initiative. He acted later as a shuttle mediator between the conflicting parties and played a key role in supporting the involvement of UN Special Envoy Martti Ahtisaari in the process.

Colombia: Some business individuals were members of the negotiation team during the time of President Andres Pastrana. Their engagement was welcomed by the government, the FARC as well as the business sector. The business sector expected sound discussions of the insurgents’ economic and social demands through their participation. Individual businessmen also held informal discussions with different stakeholders of the peace agreement to help promote trust-building.

Central African Republic: Gilles Gilbert Gresenguet, the president of the National Employer’s Association (NEA) was part of the negotiations as a representative of civil society during the pre-talks of the Inclusive Political Dialogue. He was later part of the team organizing the Inclusive Political Dialogue.

Apart from these specific examples, it is important to stress that in many conflict situations, business activities are concentrated on a few people or companies only. Furthermore, there are several limitations when involving individual actors. Often, individual business persons are closer to one of the warring parties, presumably the government. Due to issues of trust-building and personal preferences, contacts can wither once a specific individual is no longer present and active in a country (Box 2). This could go so far as placing the overall process at risk.

Box 2: Dependency on individual business actors

Nigeria: In Ogbordo, Chevron had a positive relationship with the community because of one American manager who used to play football with the locals. But when the American left the country, the community protested that Chevron was not hiring Ijors and the relationship soured, even though they had quite equal hiring practices.

5.2.2 Companies

This study analyzes the role of both local and international companies. Based on the cases and interviews, there have been several companies that have been relevant in different mediation processes (Shell, Unocal, Lundin, Chevron, Lonrho and Barlow Rand). Sometimes, it is not clear if the involvement was more supported by a company as a whole or by one individual person. The engagement of Shell, Lundin, Unocal and Chevron, all part of the extractive oil industry, is likely due to the presence and activities of extractive industries in conflict zones and the NGO criticisms that they faced in the 1990s. These campaigns pressured extractive industries to be more aware of their role in a conflict zone and to apply conflict sensitive business practices. In a mediation process, their large size, societal influence, relationship with the conflict parties and financial capacities enable such companies to be an important player. However, when they are geographically distant from the conflict, it is often the case that they are less affected by the violence and thus less interested in engaging in peace processes.

The other two examples, Lonrho and Barlow Rand, offered services in logistics that supported the mediation process. These can be very helpful in a mediation process, as much also depends on the question of transportation, accommodation and a neutral location to discuss sensitive issues.

The issue of captive and non-captive businesses is an important differentiation between local and international companies. Local companies are considered to be ‘captive’ as they are more likely to have a vested interest in supporting mediation, however they do not necessarily have the resources to do so. On

the other hand, international or multinational companies are 'less captive' as they are more able to close down and move operations elsewhere. Thus, business actors at the June 2010 workshop suggested that, in this case, international companies are in a good position to support local companies that have fewer resources, to participate in mediation processes.

Generally, companies try to avoid the mentioning of their names within mediation processes, as this can harm their reputation and corporate identity efforts, or bring them unwanted media attention. Thus, it is more common that individual business persons from big companies get involved or that a company joins a business initiative or an association. This does not mean, however, that they are not involved directly; rather, their involvement often remains confidential. This issue was raised in the June 4 2010 workshop as one business actor stressed the need to provide business actors with a 'safe place' or threshold of engagement in mediation processes. Thus, questions remain on the particular circumstances, situations and players that enable business actors to feel safe to engage in mediation processes. Such an analysis would help mediators understand how to move business actors out of the comfort zone of 'doing nothing, moving out, sitting out'.

Amongst local companies (and individual businessmen), one may distinguish between those existing prior to conflict from those who became part of a new politico-commercial elite during the conflict. As an important contextual factor, this issue is further explored in Chapter 5.5.3.

5.2.3 Sectoral Associations and Business Initiatives

As can be seen in the interviews and based on the desk research cases, business-led initiatives for peace, either by a specific sectoral association or by an overarching initiative (e.g. through a chamber of commerce or other multi-sectoral organizations), have been crucial to support mediation processes. The examples of South Africa, Sri Lanka and Nepal illustrate this (Box 3).

Box 3: Involvement of business initiatives in mediation processes

South Africa: Business representatives formed an organization (Consultative Business Movement) to interact with different political parties in the hope to assist a peaceful and negotiated settlement. CBM also consulted with banned and restricted parties, thereby establishing relationships to persons with diverse perspectives, and awarding them with credibility. CBS developed a position that allowed them to constructively intervene in official negotiations when they were on the verge of failing. In addition, they were requested to provide good offices (administrative, organizational, secretarial work) and provided / organized technical inputs on certain aspects of the negotiations (e.g. regional competencies and finances). CBM developed into a trusted partner with substantial input primarily with regard to the provision of good offices, in the role of an honest broker as well as shuttle mediator. CBM was also instrumental on the local level when the peace accord of 1991 had to be implemented.

Sri Lanka: There are / were several business initiatives in Sri Lanka seeking to support the peace process in different ways. One of the first initiatives was "Sri Lanka First" which mostly engaged in lobbying and awareness raising activities in support of peace. Individual business persons as well as some established business associations also participated in dialogue forums such as the Ceylon Chamber of Commerce and the Business for Peace Alliance who responded to a public notice by the Ministry of Constitutional Affairs and National Integration, calling for representations on constitutional reforms. Both corporate institutions, among other civil society organizations were actively trying to bring conflict parties to the negotiation table.

Nepal: The Nepal Business Initiative (NBI) originally established informal contact with Maoists, civil society, and political parties, and was later – from 2003 to 2005 – engaged in organizing talks between the Maoists, the business community and civil society. The aim of these talks was to mitigate the most negative consequences of war for business people (assaults, abductions). When talks got focused on the constitution and the assembly, they reduced their presence, as they feared to be seen as a party to the conflict and to become a target. During this time their role was more in the background, they had to equilibrate their own hardliners and keep truce with the Maoists. During the negotiation phase their engagement simmered down, and partly as a consequence, economic issues were not dealt with enough in depth.

Associations were identified by several interviewees as being the most effective and sustainable partner in a mediation process. The involvement of associations has advantages over the involvement of individual business persons and companies. While companies may be likely to compete with one another and thus be reluctant to engage with other companies in a mediation process (and thus face a 'prisoners dilemma'), interviewees argued that business associations allow for collective decision-making through business peer pressure. Associations also allow for the creation of a 'safe place' for business actors to get involved in mediation as companies are then less likely to be blamed or singled out if the outcome of their engagement receives unwanted media attention. Associations are also more effective than multi-sectoral business initiatives as the companies are likely to come from the same sector and thus share similar interests in the mediation process. However, while multi-sectoral initiatives could enable diverse voices, this could also lead to a lack of coherence during the process. This is particularly the case when different sectors are representative of societal divisions, thus tying businesses to different parties of the conflict (Box 4).

Box 4: Divisions within business initiatives

South Africa: The first meetings between the business sector and the ANC did not result in concrete outcomes, which was partly a result of the business sector's continued suspicion of the ANC. The business sector was fractioned over whether or not to engage with the ANC and only a few business individuals were determined enough to contradict the apartheid government's position. Thus, the level of business participation was very uneven and varied by firm and locality as many in the business elite still saw conflict in townships as something separate from their interests.

Several interviewees also pointed out the involvement of business associations in wider civil society movements or networks. A collective effort of several companies, combined with civil society groups was seen as creating a medium- to long-term perspective of peace (Box 5).

Box 5: Business actors working within the broader civil society

Kenya: As a response to the post-election violence in 2007, the business sector worked together with religious and political actors in carrying out a country-wide mediation initiative which tried to contain the violence by providing financial incentives for peace and supporting the overall process. This included the involvement of numerous private sector actors such as: Media Owner Association; Kenya Private Sector Alliance (KEPS), Kenya Manufacturing Association, Somali business Community in Kenya, Business Woman in Nairobi, Hotel owner Association, Tourism Association of the coast and the financial sector.

The desk research and the interviews illustrated that the type of business actor is intrinsically linked to the specific activities that the actor takes up. The following section will thus explore business actor activities in greater depth and try to explain these inter-linkages.

5.3 Activities of Business Actors in Mediation Processes

Generally, the activities that business actors can have are dependent on the necessities of a given process. Thus, mediators play an important role in the identification of specific functions that business actors can play during the process: financial support, communication channels, or a person that can function as an intermediary. As introduced in the literature review, activities of business actors can be distinguished between actively being involved in mediation (as mediator or as part of the team) (Chapter 5.3.1) and contributions in terms of mediation support (Chapter 5.3.2).

5.3.1 Active Involvement in Mediation

Taking the distinction between mediation team member and supporting mediation team, the cases and interviews show a first interesting finding: involvements in activities within a mediation team are less common than playing a supportive role (exceptions like Christensen have been indicated in Box 1).

What can be observed however is that in *negotiation* teams, business people often play an important role. Not surprisingly, it is often the government negotiation team that supports the inclusion of well-known business people. The most famous example here is El Salvador (Box 6).

Box 6: Business person appointed by government as mediation team member

El Salvador: In El Salvador, business actors actually led the process as representatives of the negotiation team and as part of the winning coalition after the peace agreement. Private sector leaders participated formally and informally in peace negotiations and government advisory teams. Private actors supported, promoted and contributed to conflict-related research. Mostly individual businessmen, predominantly from the more modern factions of an overall conservative business sector were involved. The business sector maintained a firm grip over negotiations and the peace agenda, which in part explains the absence of ambitious socio-economic provisions in the peace agenda. Instead, El Salvador established a business-friendly investment climate. This appears to have been mostly driven by economic considerations of modernizing factions within the national business community.

Colombia: The president of the National Association of Industries was asked by the Patranas government to be a full member of the mediation team. However, as the President and the Presidential Commissioners maintained central responsibility over the peace talks, they could also ensure that business people in the negotiation team were kept out of direct negotiations. This eventually led to dissatisfaction among business actors involved in the peace process as they had less influence than they had expected.

Relevance of Business Actor Involvement in Different Tracks

When engaging business actors in direct involvement, it is necessary to be aware of the different tracks of mediation and how each track offers diverse opportunities. As stated in Chapter 2, this working paper restricts itself to the question of business actors' involvement in track 1 mediation processes. However, as one interviewee emphasized, track 1 and 2 processes cannot be separated when looking at business actors. In particular in fragile states, it is impossible to frame track 1 processes adequately without thorough understanding of what is happening on lower tracks in terms of networks and political as well as commercial elites.

Several interviewees pointed at the increasing importance of business actors as mediators and facilitators in fragile states, where there is little or no central governance. While such engagement may be intertwined with track 1 processes, such engagements are mostly situated on lower tracks (2 and 3). Moreover, such lower track involvement is rarely orchestrated as part of an international mediation framework; rather, it often emerges out of frustrations over the ineffectiveness of the official track 1 mediation. Thus, initiatives of mediation by local business people with conflict parties seem to be of particular relevance since small, local business actors may have more leverage within track 2 processes than as part of a large internationally assisted peace mediation process. However, there is the possibility that track 2 processes can spread and end up having an impact on the overall process (Box 7).

Box 7: Business-led track 2 mediation processes

Somalia / Sudan: Business actors are acting as mediators between the warring factions. Because of the good links along a border or among different ethnic groups, traders are especially predestined to work directly as mediators.

Democratic Republic of Congo: Interethnic commercial activities were initiated by the mediation of women's groups across ethnic lines. They established a food supply chain (procurement, processing, cooking, food distribution, etc.) for several communities. These economic activities led to "talks in the kitchen" which proved to be more effective than the official talks at the table.

Kenya: Kenyan women's groups giving loans to micro-enterprises and livestock traders have their own mediation networks for dispute resolution at a local level. These networks were used in the national post-election crisis in 2007.

These examples from the desk research and interviews show the relevance and potential to engage local business networks directly in track 2 mediation processes. However, one mediator specifically pointed to the risks of international mediators interfering in track 2 initiatives of local business people. There is the danger of rushing things, 'expropriating' the processes and pouring in too much money. Another danger is that of local actors getting stuck between the conflict lines; however, in the cases that have been told by the

interviewees, this did not occur. Rather, it was exactly their local knowledge of the situation on the ground that also prohibited them from becoming easily influenced by the warring parties.

5.3.2 Supporting Activities in Mediation Processes

The following paragraphs concentrate on how Rettberg's (2006) categorization of 'indirect business participation' as outlined in Chapter 3.2, relates to the findings of the study. Her categorization was changed in three ways, based on the study's theoretical considerations and empirical results:

- The category of 'helping to build trust' is not taken up as an activity itself in this working paper, because it is assumed that all roles and activities have a trust-building effect either on the warring parties (which would be considered as an active mediation role) or on the overall society.
- The category of 'providing good offices' was split in two new categories: financial support and informal contacts. The main reason for this was that Rettberg (2006) subsumes the intermediary role under the provision of good offices. However, especially in a mediation process, this activity involves different challenges than merely financial and logistical support and is therefore treated separately. Additionally, this intermediary role as well as the monetary support has been mentioned as a key factor by most of the interviewees.
- The categories of 'mobilizing wider business support' and 'mobilizing public support for the peace process' have been taken together into one category, because they include similar activities within the overall mediation process.

The categories on knowledge and research and monitoring and implementation remain the same. Thus, the support activities will be broken down into the categories of: 1) financial support and pressure; 2) informal contacts; 3) mobilizing wider business community and popular support; 4) knowledge and research; and 5) monitoring and implementation. In the following, the relevance of these activities within the mediation process is introduced and discussed.

Financial Support and Pressure

Three different activities are subsumed under this category: logistical support, financial support to the mediation process but also – seldom mentioned in the literature – financial pressure on the conflict parties.

- The business actors' important logistical support comprises staff secondment, transportation facilities, accommodation and security services (Box 8). It is important to point to some contextual factors that might limit the role of business actors. In some conflict-affected countries, for example, especially local business actors might be too small to provide in-kind support or make big donations to the mediation process. In this case, international actors might be a good alternative for this kind of activity.

Box 8: Financial and logistical support of a mediation process

South Africa: The activities of the private sector in South Africa had a substantive logistical and financial component. Staff from several companies (secretaries as well as executives) were seconded to work in the National Peace Committee. "Company facilities were put at their disposal: peace structures were given free offices in company buildings and the company also let them use its conference centers and facilities for meetings. It was estimated that [the company] Barlow Rand had spent close to two million Rand on the peace process by the end of 1993 (...)" (Charney 1999: 193). Another example was Shell, which was formerly strongly criticized by anti-apartheid activists and the ANC. After the negotiations, the company rented several floors of the South African Shell office building to allow the ANC to move in and make it their new office headquarters.

- Another activity is the direct financial support of mediation processes. Here the distinction between the support of one party and of the overall process has to be made. There is only one desk research case that proposes the direct financial support of one party and it showed that it carries substantial risks.

This might also be the reason why none of the interviewees mentioned this activity. With regards to direct financial support of mediation, one interviewee proposed the establishment of guidelines for financial cooperation with big international corporations; the interviewee saw their contributions as pivotal for sustained mediation efforts and esteemed that they would be motivated to invest in such processes that would eventually provide new markets. In this case, the mediator would need to be accountable for the money given and be able to offer the necessary transparency.

- An element that was mentioned more often than direct financial support was the possibility of businesses to place direct financial pressure on the conflict parties. Especially in the pre-negotiation phase, private actors might have some leverage to bring the different parties to a table. Here, one anonymous example was given of an important employer in a region which threatened to move the production site to another region if the warring parties would not be ready to join the talks. Another anonymous example that has been mentioned by one interviewee was the involvement of those actors that help to finance the conflict parties' activities, as they can axe a party's funds and thus pressure them to sit at the table. These activities develop the necessary leverage if they are included in the overall mediation process and strategy.

Informal Contacts

The networks and personal contacts of business actors were mentioned as crucial by all interviewees to access both parties in all phases of the negotiating process (Box 9). In particular, establishing a first contact for behind-the-scene bridge-building between the conflicting parties were mentioned. Another possibility was to use business actors to bring hardliners with more pragmatic representatives within the same party together. The main advantage to use business actors as intermediaries is that often, the conflicting parties are more likely to speak to them than to a direct representative of one of the opposing group. Business people can be pragmatic actors with an interest in peace per se, without any conditions attached to it.

Box 9: Use of informal contacts of business actors in mediation processes

Aceh/Indonesia: Juha Christensen, a Finnish business person with activities in Indonesia, used his personal and professional networks and contacts to set up meetings between the GAM and representatives from the government through the Crisis Management Initiative. He acted later as a shuttle mediator between the conflicting parties.

Furthermore, contacts and networks have also been mentioned during the negotiation phase or in the implementation phase. For example, informal contacts can be an important instrument to keep parties at the table or convince them of a specific solution.

Mobilizing Wider Business Community and Popular Support

For most of the interviewees, business actors are considered to be the most credible actors to mobilize the wider business community by creating awareness on the negative economic effects of a conflict or the positive effects of a ceasefire during a negotiation phase. For example, they can use media campaigns to build momentum and lobby for alternatives to war (Box 10).

Box 10: Mobilization of the wider business community

Sri Lanka: The business community pushed for the re-opening of the highway A9 that connects the Tamil inhabited regions in the North with the mostly Sinhalese inhabited regions in the South. The road construction of 100 kilometres with the support of international organizations but also local business people was completed within 10 months between February and December 2003. The effect was immediate, with the driving time from Vavuniya to Kilinochchi reduced from 5 hours to 1 hour and 45 minutes. The full impact of the work, however, went far beyond reduced travel times and included contributing to confidence-building between the two sides in the conflict and fostering popular support for the peace process.

Business actors can play a role in targeting specific sectors that may be particularly vulnerable to the conflict or have a special interest in engaging in mediation. For example, it has been stated by several interviewees that the local export industry (and perhaps also the import industry) might be best placed to promote bridge building in an early phase of the mediation process. They could be an important target due to how they may be affected by the conflict as well as the terms of the mediation process. Further, their relationship with and dependence on a variety of internal and external actors also places them in a unique position.

Knowledge and Research

The role as an expert and key information source on specific economic aspects related to the conflict and mediation process is highly valuable and probably the most important contribution during the negotiation phase. Both the desk research and the interviews illustrated different cases where business actors acted as expert advisors. For example, one case showed how international companies provided experts to discuss different possibilities to economic or business-related problems with the warring parties. The aim was, on the one hand, that all parties had the same level of knowledge and, on the other hand, that the requirements of international markets are made clear (Box 11).

Box 11: Expert's support to a mediation process

Sudan: The mediation team brought in different experts to support the conflict parties in understanding different ways forward with regard to wealth sharing and oil extraction. International companies were asked to provide advice to the Government of Sudan and the Sudan People's Liberation Movement (SPLM), not only at the negotiation venue, but also by inviting representatives abroad for trainings.

Another element that was mentioned in an interview for Cyprus and that can also be shown based on the case study of South Africa is, that local business people supported the process itself by contributing knowledge. In Cyprus, the business community contributed to the mediation process by providing a specific solution to trade issues between the conflict parties. Thus, it is important to acknowledge the value of the knowledge that local business actors have on the functioning of the economy, the role of the core business and their relationship to the conflict.

Besides the substantive aspect of providing more understanding on an issue (e.g. oil drilling, trade processes), this form of communication and dialogue serves the overall purpose of trust-building between the parties and of de-politicizing the object of dispute. Haysom and Kane (2009) show in the cases of the DRC, Liberia and Sudan, that the highly emotional issue of exploitation has been successfully introduced through a "dispassionate expert assessment". Many interviewees identified 'apolitical' expertise as an important characteristic that business actors can provide in a mediation process. There is also growing emphasis on the need to include awareness on the economic dimensions of a mediation process and a peace agreement in order to ensure sustainable peace. This is a field where business actors have a key role to play.

Monitoring and Implementation

The category of monitoring and implementation has not been strongly prevalent in the desk research cases and was only mentioned by one interviewee. This links to the importance of when to engage business actors in the mediation process. Both the desk research and the interviews emphasized that it would be best for business actors to get involved in the pre-negotiation and the negotiation phase. Thus, even though it seems that business actors could have an important role to play in monitoring and implementation in the implementation phase of the mediation process, it has not been mentioned by most of the interviewees. This is likely due to the narrow focus of the study on mediation processes specifically, and not broader

peacebuilding processes.¹⁴ Moreover, it is likely that businesses are reluctant to get involved during the implementation phase as this may require a more binding and long term commitment.

Overall, the activities of business actors in mediation process are often linked to either their personal contacts or their financial strength and position within a particular context. The empirical evidence of this study suggests that the main leverage effect of business actors lies in informal contacts, mediation support and financial/logistical support or pressure. At the same time, as every mediation process has its own needs, mediators would need to decide in what form of engagement business actors could play most effectively.

5.4 Process Design when Involving Business Actors

In this Chapter, the questions of when and how to involve business actors are tackled (5.4.1 and 5.4.2). Then the motivations of business actor participation in mediation processes are explored. Most of the criticism concerning the involvement of business actors is related to their assumed motivations. However, as will be shown, for most interview partners, financial motivations were not perceived as negative, as long as they were linked to the overall process (Chapter 5.4.3).

5.4.1 When to Involve Business Actors

Timing is everything, and the involvement of particular actors in mediation processes is no exception. For most interviewees it was clear that it is important to include business actors as early in the process as possible.

In terms of chronological development of a mediation process, most involvement of business actors took place during the pre-negotiation and the negotiation stage, as mentioned above. Overall business actors were involved:

- In pre-negotiation, business actors were mainly included as intermediaries;¹⁵
- During the negotiation phase, business actor involvement was more related to substantial issues during the talks, e.g. their expertise on economic clauses;
- In the implementation phase, involvement was more difficult, because in this stage, the parties ask concrete services from businesses which sometimes proves to be a deterrent.¹⁶

While this study attempts to provide some different examples of how businesses can contribute to mediation in different phases of conflict, a future study with more cases could make a further comparison of different responses between businesses that existed prior to the conflict, businesses that emerged during the conflict, and businesses that only surfaced after the conflict was over.

¹⁴ For an overview of business activities in the overall peace agreement see for example Nelson et al. 2000; Hauflier 2001; Champain 2002; Wenger/Möckli 2002; Switzer/Ward 2004, Banfield et al. 2006, or Sweetman 2009.

¹⁵ However, one interviewee pointed out that if the stakeholder analysis has already been conducted prior to the involvement of the mediator, then the mediator is unlikely to be able to contribute to the selection of participants involved in the negotiation process, or have a say in the decision. This is relevant not only for business actors, but the selection of stakeholders as a whole.

¹⁶ Literature on the role of business actors in post-conflict reconstruction can be linked to the implementation phase (see: Bray 2009). For example, the potential role of engaging in DDR programmes or ensuring affirmative action employment policies to address group divisions. This could be linked to the implementation of a peace agreement, and it is not specific to the mediation process.

5.4.2 How to Involve Business Actors

Mediation is a voluntary process, based on the acceptance of the mediator by the conflict parties. Thus for track 1 or 1.5 processes, a mediator needs the consent of the conflict parties to involve business actors in mediation activities. This is especially the case when there is a reliance on external support of an international or regional organization and on support from a regional or global power. If business actors are involved in rather discreet ways within the mediation team or as supporters of the mediation behind the scenes, parties are less likely to oppose. Yet, giving business actors a seat at the table as negotiators or involving them as advisors, requires consultation and sometimes approval from the conflict parties.

Nevertheless, the mediator remains a key actor in the mediation process who conducts an assessment of who to include in the mediation process, how to involve them and what added value will their inclusion bring. The lead mediator must ensure that a normative framework is respected throughout the process and that due diligence is applied. Thus, the leadership and personality of a mediator is a major factor that can make or break a mediation process. Thus, mediators need to be aware of the potentials and limitations of engaging business as well as their own fears or scepticism of doing so.

At the same time, there have been cases where business actors took the initiative to involve themselves even before an international mediation started, depending on how much they suffered from violence. Two interviewees (mediators) even went so far as to say that if the mediation process does not suit the business community they are likely to start their own process. However, in most cases, business actors were invited by prominent actors involved in the mediation process.

The desk research cases and the interviews have helped to identify five major issues that influence how business actors are involved in mediation processes. These are: information policy, coercive strategies (mainly for international businesses), an enlargement of peace talks by including economic issues, confidentiality and credibility.

- As has been confirmed by the interviewees, information policy is the most important tool of mediators to involve business actors. Mediators may publicly declare an 'open door' policy, e.g. invite civil society actors to contact the mediation team, including business actors. Often, the involvement of business actors was also supported through a so called 'peace dividend' publication. In these reports, the economic costs of the war alongside the benefits of peace were communicated to the business community and the society overall (Box 12).

Box 12: Information policy to involve business actors

Cyprus: The collaboration between the Brussels Business Group (an initiative made up of Greek Cypriot and Turkish Cypriot business leaders), the Norwegian Ministry of Foreign Affairs and the International Peace Research Institute (PRIO) in Oslo, led PRIO to launch a major information project in Greek, Turkish and English on potential solutions to the Cyprus problem. PRIO made documents accessible to the public, while disseminating tens of thousands of copies free of charge. This helped to provide an entry point for other peace initiatives.

- In contrary to the voluntary involvement of business actors through information policy, businesses can also be put under pressure through coercive strategies to support a mediation process. For example, international businesses may engage in a mediation process to protect or enhance their public image. One anonymous case has shown how members of the mediation team collaborated with the media and placed pressure on business actors to engage. However, it remains questionable as to how appropriate and sustainable such pressure would be in the long term of the mediation process.
- Several examples show that the involvement of business actors can be supported by including an economic perspective in the mediation process. This is linked to the use of business actors as knowledge experts as they can provide information and engage in discussions on economic issues that are more likely to affect them than other political or structural elements of the mediation process. This is also related to how it is important to include relevant economic dimensions into a mediation process

and peace agreement in order to support effective implementation processes at a later stage. Some examples have shown that especially in conflicts where economic elements play a major role, their exclusion from an accord can lead to problems later and even a renewed outbreak of violence after a few years (Box 13).

Box 13: Inclusion of the economic perspective in mediation and peace agreements

Cyprus: The mediation leading to the vote on the Annan plan had failed to get the support of the Greek Cypriot business community (which eventually campaigned against the Annan plan). In the new process, the topics included in the negotiations were widened: from four (security, property of people who fled the north, territory, governance) to six (EU and economy). Besides the six working groups on these issues, the mediation established seven technical committees that would agree on practical issues improving the Cypriots' everyday life. Both measures increased the possibilities for involving business actors and indeed their readiness to support it.

Sri Lanka: The business community could have been invited to the negotiations, thereby increasing a peace constituency which was actually affected by the conflict. This would have added another level of accountability on the conflict parties, making them more likely to commit to the peace agreement.

Confidentiality of the process is crucial for both mediators and business actors. From the business actors side there is a fear of becoming involved in issues that are highly politicized and thus gaining negative exposure that can affect their legitimacy. Indeed, it was agreed by most of the interviewees that visibility strongly diminishes the likelihood of business actor involvement. Thus, if they are to engage, business actors often choose to remain anonymous, particularly when the outcome of the process is unclear. Later, if the process was successful, they might publicize their involvement to gain positive exposure and use it to support their corporate communication strategy.

Credibility is one of the main assessment factors when involving business actors in mediation processes. Often, mediation processes benefit from the involvement of business actors when they are considered to be credible actors in the society. The apolitical status of business actors places them in the position to contribute to an otherwise highly political mediation process. This credibility is also linked to the overt motivations of business actors; an issue that will be tackled in the next chapter.

Box 14: Credibility and independence of business actors

Sri Lanka: Some businesses were linked to US interests while others were seen as having stronger internal links. In meetings there were regular arguments and the different camps became apparent. Furthermore, because the American's support for the Chambers of Commerce were seen as negative, the Americans began to reflect whether they should slow down in their pro-peace engagement as it was seen too much as a foreign-driven concept and would be better if the different conflict parties saw that it was local businesses which were in fact pushing for peace.

5.4.3 Motivation and Impetus of Business Actors

The question of motivation is discussed controversially in literature. It is mainly the presumed dilemma of peace vs. profit that is regarded as a problem, as has been shown in Chapter 2. However, this skepticism is not shared by most of the interviewees. It seems to be of little relevance whether an actor is getting engaged for personal short-term business interests or more altruistic interest in peace. As one interviewee put it, if there is a win-win situation by supporting peace while making money, why not? Even on the long run, the mere fact of having business interests is not detrimental to business actors' involvement. Indeed, it is precisely the vital commercial interests that may keep business actors locked into an involvement. One interviewee also pointed to the delicate (self-) perception of business actors as people only interested in making money. He stressed that very often, local business actors are not just business actors, rather – as he framed it – they are pronounced patriots as well. From a process design perspective, whether or not there are monetary motivations are not most important, but rather, that these have been clearly expressed so that the credibility of the actor is ensured.

However, some interviewees found it problematic when economic aspirations were intermingled with political aspirations as this made business actors less neutral and more politicized. The interrelation between business and politics is also an overarching factor that influences the involvement of business actors in a mediation process, as will be seen in Chapter 5.5.

5.5 Context Factors Influencing the Involvement of Business Actors

Based on the desk research and the interviews, there are three contextual factors that are specifically relevant to business actors engagement in mediation processes: the level of violence (Chapter 5.5.1), the structure of the economy (Chapter 5.5.2), and the structure of the business class (Chapter 5.5.3). They can be seen as the main determinants for business involvement and it might be worth to assess these factors before thinking of an involvement of business actors in a mediation process. Further, these contextual factors are all connected to the overarching relation between business and politics.

5.5.1 Level of Violence

Violence has been mentioned by the interviewees as being both a motivating as well as impeding factor of business actor involvement.

Violence can be a *motivating factor* if the business is vulnerable to the conflict and if the benefits of peace outweigh the costs of war.

- Violence can be an impeding factor as businesses may fear that involvement in political and peace processes could make them a target of violence. In relation to this, one interviewee described the options for business actors as either “keeping their head down or getting out”.

Box 15: Violence as an incentive for business actors to get involved

Sri Lanka: The bombing of Sri Lanka’s only international airport in 2001 was a turning point for the involvement of businesses in peacebuilding initiatives, that also led to their engagement in the mediation process. Until then, Colombo big business was able to remain distant and unaffected by the civil war and thus continue ‘business as usual’. However, the attack of the airport caused businesses to begin to question how they could engage in promoting peace and a negotiated settlement to the conflict.

5.5.2 Structure of the Economy

The structure of economy helps to determine what opportunities business has in a conflict or post-conflict country or how much international trade is possible in a given situation. For this assessment, the literature on war economies is crucial for an understanding of different types of economies and the potential role of business (see, for example: Le Billon 2000, 2005; Mack 2000; Bennett 2002; Smillie 2002; Swanson 2002; Böge et al. 2006). Thus, depending on the dominating sector, there are different opportunities for involvement in the mediation process.

- If the economy relies mainly on primary commodity export, then the political leverage of business actors might be confined to international companies. Although the engagement of extractive industries in mediation has been mentioned above, some international companies may refrain from engaging in the process. For example, if companies have the financial means to protect themselves from violent conflict through private security or safer channels of transport, such companies may be able to continue their business and not be motivated to engage in the mediation process.
- A more assertive involvement of business actors has been seen by some interviewees for the big manufacturing business in an economy that relies on the secondary and tertiary sector. It was argued

by one interviewee that sectors that provide public and private services and which are more interwoven with ordinary people and civil society groups, are more likely to have an influence as well as interest in a mediation process. For example, sectors such as tourism¹⁷ and media that depend on a safe environment and stable infrastructure facilities are more likely to be affected by violence and thus are more likely to support a peace agenda. Lehmann (2009) shows that local media business persons are important partners in mediation processes. Yet, if business actors from these sectors are isolated, their voice might be irrelevant. Thus, one needs to look not only at single businesses but at the configuration of the whole national (sometimes even regional) business.

- If the economy is oriented towards international markets (mainly countries where monoculture production is important, i.e. coffee, palm oil), local businesses tend to be more independent from the government which could, in some cases, translate to more leverage on the political elite. As brain drain (or capital drain) is a large threat to these types of industries, companies may be able to use their relevance to the economy as a way to influence politicians.
- Furthermore, it is also relevant which international players are present in an economy. Especially public-private partnerships might play a crucial economic (but also political) role during a mediation process. Particularly in resource dependent countries, even if one big company might support the mediation effort, this can be spoiled by other business actors that have different interests. Here, several interviewees mainly referred to China and Malaysia in the case of Africa.

Therefore, the involvement of business actors in mediation is more likely to take place in economies where local exporting or international business actors are present, rather than in an agrarian-based economy. However, the role and influence of business actors in underdeveloped economies should not be over-estimated. If the structure of the economy is not developed, then business actors are unlikely to possess the capacities and interest to engage in a wider mediation process.

5.5.3 Structure of Business Class

Two elements are important when analyzing the structure of the business class. On the one hand the relationship between politicians and business persons and on the other hand the impact of the conflict on the business class.

- In many countries, there is a blurry line between the business class and the political class. In protracted conflicts, this overlap could have an impact on how business actors can be included in mediation processes, as ties between business and politics can both create divisions as well as help to build bridges and promote dialogue between different groups. While the overlap between a person's political career and their business interests is very common, it is pertinent for this study to highlight this issue as it relates to the interests of the different parties and how they can support the mediation process.
- Several interviewees pointed at the complex mechanisms underlying the genesis of politico-commercial elites in conflicts. Violent conflict does not automatically disrupt economic activity. Rather, it promotes the emergence of new elites and new axis of business. One interviewee spoke about a 'tipping-point', where traders, in particular international ones, realize that they could gain more from re-regulating society than from ongoing fighting. Thus, mediators might need to include in their analysis how the players in the economy, the business class, changed before and after the war to become aware of the different activities and roles that they could take up.

¹⁷ For example, in Sri Lanka, the tourism industry initiated Sri Lanka First, which later became a multi-sectoral business-led initiative for peace that engaged in the mediation process.

Box 16: Change in business class after conflict

Somalia: Companies and business networks became driving forces behind efforts to mediate new governance structures. One example was Dahabshiil (Financial Services Provider), but also several telecommunication companies. Their representatives emerged as part of the new elite during the war and are now confronted with severe barriers to further development.

6 Conclusion: Overall Relevance of Business Actors' Involvement in Mediation Processes

6.1 A Summary of Insights

This study significantly contributes to the development of new insights on mediation and business actors. The study aimed at assessing four different issues of business actors involvement in mediation processes: (1) the types of different business actors in mediation processes; (2) the role business actors can play in peace mediation; (3) how they can best be involved in the mediation process; and, (4) what context factors influence their involvement in these processes. Some of the findings presented in this study are particularly relevant as they have not yet been mentioned in other studies on the topic; therefore they are specifically mentioned in this conclusion.

1. *Business associations may be more effective than individual business persons and companies:* In mediation processes, mediators must recognize that a variety of business actors have the potential to become involved. From individual business persons, to companies, to business associations, all can have leverage depending on the activities that they are carrying out. However, for mediation processes, collaboration with a business association or with an overarching initiative was seen as more sustainable than working with individual business persons or single companies. Still, this does not belittle the possibilities to include the latter kind of business actors in a specific context.

Involvement of local actors: With regards to different sectors, it has been stated that the local export industry might be best placed to promote bridge building in an early phase of the mediation process. This is mainly due to its relationships with and dependence on both internal actors such as government, warring parties, and other industry sectors, as well as on international actors such as consumers, companies, governments and trade organizations.

2. *Active involvement or supporting mediation processes:* It has been shown that support activities seem to be much more common than an active involvement in the mediation team. The main reason for this appears to be the closeness of business actors to one of the parties, but also the possible misuse of information for making profit out of the mediation process.

Informal contacts and financial support or pressure: From the different activities that business actors can have in a mediation process, it seems that informal contacts, behind-the-scenes bridge-building, as well as financial support or pressure seem to be those activities where business people can have most leverage in a process. This does not mean that other activities cannot also play an important role in a specific mediation process, e.g. expert knowledge.

3. *Open door policy:* The involvement of business actors in mediation processes is seldom questioned but rather seen as an important element for mediation processes. Therefore, it is proposed that mediators choose an open door policy to include them. Further, it was found that while business actors have the potential to engage in all stages of the mediation process, the pre-negotiation and negotiation stages could offer more opportunities.

Credibility as an advantage: It became clear that when designing the mediation process, questions of motivations of business actors have to be taken into account. However, it is not so relevant whether they are mainly driven by financial incentives, but whether they are transparent about their motivations. A clear expression of their motivations helps to make them more credible actors in the mediation process. Thus, while the literature presents wide critiques on the element of motivation, well-designed mediation processes that are open and transparent do not place it as an inhibitor of involving business actors.

4. *Context matters:* Before involving business actors in a mediation process, it is worth to assess specific context factors that affect the likelihood and level of business actors' involvement in a mediation process. For example, the level of violence, the economic structure that is prevalent and the structure of the business class were identified as being relevant determinants of engagement.

6.2 Some Overarching Challenges

While the study has presented some opportunities and challenges of engaging business actors in specific activities, during different phases of conflict and within different conflict contexts, some other overarching challenges remain in the engagement of business actors in mediation.

- *Fear:* The fear of violence and negative publicity exists both from the business as well as the mediation side. While businesses may risk becoming a target of violence, mediators must also remain neutral throughout the mediation process and could face difficulties if the engagement of business actors causes a rupture between the conflict parties, political elite and private business elite. The conflict parties may feel that the engagement of the business community, for example, challenges them and puts into question the position of the mediator. Mediators may also face negative publicity if other actors feel that they are working too closely with 'big bad business'. This is also related to whether mediators are seen as being financed by business actors.
- *Skepticism:* Businesses remain skeptical as to whether they should and could engage in political processes as this could have negative repercussions on their economic opportunities and pose a risk to their relationship with the government. At the same time, mediators remain skeptical as to whether businesses need to be included into a mediation process. This is mostly due to the perception that businesses in zones of conflict have played a predominantly negative role. It thus remains challenging to convince mediators that business can also play a positive role.
- *Perspective:* In order to find ways forward, it is important to focus on bridging the interests and strategies of business actors and mediators. While peace mediation processes are often 'macro processes' with a short term time span, corporate interests (e.g. extractive industries) are more at the micro (asset)-level with a long term corporate 'risk horizon' (Nyheim, 2010). Solutions thus need to be found both at the micro and macro level.

6.3 Future Opportunities and Ways Forward

- Corporate 'insider mediators' operate on a very different value-base than peace mediators (Nyheim, 2010). However, norms are similar in terms of overarching issues of non-violence and stability as many companies depend on a peaceful, stable situation in order to continue their operations.
- The interrelationship and blurred line between politics and economics beg for greater cooperation between different actors during a mediation process in order to ensure long term peace.
- The continuing establishment of studies, tools, mechanisms and agreements (e.g. Ruggie-Report, Voluntary Principles on Human Rights and Business) help to provide a threshold of engagement for business in mediation processes.
- More research and practice needs to be conducted on how to reward businesses for 'good business behaviour'. In order to engage businesses in mediation processes, we need to move away from 'naming and shaming', and move towards 'knowing and showing'.
- Skills sharing, through training of company staff and 'insider mediators' is valuable and can serve as a vehicle for greater engagement (Nyheim, 2010).

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