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Centre for
Humanitarian
Dialogue

Mediation for peace



NORWEGIAN MINISTRY
OF FOREIGN AFFAIRS

Meeting report

Oslo forum 2011
Annual Mediators' Retreat

21-23 June 2011
Oslo, Norway

What is the Oslo forum network?

A global series of mediation retreats

The Oslo forum is widely acknowledged as the leading international network of conflict mediation practitioners.

Co-hosted by the Royal Norwegian Ministry of Foreign Affairs and the Centre for Humanitarian Dialogue, the Oslo forum regularly convenes conflict mediators, peacemakers, high-level decision makers and key peace process actors in a series of informal and discreet retreats.

The Oslo forum features an annual global event in Oslo and is complemented by regional retreats in Africa and Asia. The aim is to improve conflict mediation practice through open exchange and reflection across institutional and conceptual divides, as well as providing informal networking opportunities that encourage co-ordination and co-operation when needed.

Sharing experiences and insights

Mediation is increasingly seen as a successful means of resolving armed conflicts and the growing number of actors involved testifies to its emergence as a distinct field of international diplomacy.

The pressured working environment during mediation processes rarely allows much opportunity for reflection. Given the complexity of today's world and the immense challenges in bringing about sustainable negotiated solutions to violent conflict, mediators benefit from looking beyond their own particular experiences for inspiration, lessons and support.

The uniquely informal and discreet retreats of the Oslo forum series enable a frank and open exchange of insights by those working at the highest level to bring warring parties together to find negotiated solutions. By convening key actors from the United Nations, regional organisations and governments, as well as private organisations and noteworthy individuals, the retreats also provide a unique networking opportunity.

Where politics meets practice

Participation is by invitation only. All discussions are confidential and take place under the Chatham House rule. Sessions are designed to permit informed exchanges with provocative inputs from a range of different speakers including conflict party representatives, war correspondents, outstanding analysts, and experts on specific issues.

Participants have included Kofi Annan, former Secretary-General of the United Nations; President Martti Ahtisaari, President and Chairman of the Board of the Crisis Management Initiative and former President of Finland; President Mohammad Khatami, former President of the Islamic Republic of Iran; Dr Salim Ahmed Salim, former Secretary-General of the Organisation of African Unity and former Special Envoy of the African Union; Ambassador Thomas Pickering, former US Under-Secretary of State for Political Affairs; Gerry Adams, President of Sinn Féin; Dr Surin Pitsuwan, Secretary-General of the Association of Southeast Asian Nations and former Foreign Minister of Thailand; and many others.

The retreats refrain from making specific recommendations or conclusions, aiming instead to define and advance conflict mediation practice.

The Centre for Humanitarian Dialogue (HD Centre) is an independent mediation organisation dedicated to helping improve the global response to armed conflict. It attempts to achieve this by mediating between warring parties and providing support to the broader mediation community

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Executive summary

The Oslo forum 2011 was held just outside Oslo, Norway from the 21st to 23rd June. Some 90 participants gathered to exchange experiences and to reflect critically on the practice of mediation.

The variety of participants reflected the growing number of actors mediating armed conflict, ranging from government and private actors to international and regional organisations. Eminent personalities who attended included: Norwegian Minister of Foreign Affairs, **Jonas Gahr Støre**; Qatari Assistant Foreign Minister For Follow-up Affairs, **Mohammed Bin Abdullah Bin Mutib Al Rumaihi**; South Africa Deputy Minister of International Relations and Co-operation, **Marius Llewellyn Fransman**; and Special Representative of the President of the Russian Federation for Afghanistan, **Zamir Kabulov**.

This year participants also came from Afghanistan, China, Germany, Israel, Jordan, Kyrgyzstan, Liberia, Pakistan and the United States.

Thanks to the exceptional variety of perspectives, discussions at the Oslo forum 2011 were particularly rich and animated. After welcome introductions from **David Harland**, HD Centre Executive Director, the retreat opened with a moderated plenary discussion on the situation in Afghanistan. During the course of the following two days, participants delved into many of today's seemingly intractable problems – from identifying contents of talks with the Taliban, to the situations in Sudan and Côte d'Ivoire, and the new opportunities for peacemaking in the Middle East and North Africa. Reports on the current situations in Libya, Southern Thailand and the Sahel region were also presented at the forum. Conflict-specific sessions were complemented by analyses of what Track I mediation actors can learn from Track II processes; and by exchanges on ways for mediators to mitigate the impact of transnational organised crime when negotiating agreements. Several other debates questioned commonly held assumptions about the advantages and constraints associated with the inclusion of civil society in mediation processes; the desirability of evaluating mediation; and the inclusion of gender-related issues in mediation.

The Mediators' Studio, with Governor **William Richardson**, was a particular highlight of this year's retreat. Lyse Doucet of the BBC invited the Governor to reflect on his practice of negotiations in North Korea, Afghanistan, Cuba, Sudan and Iraq. This frank interview revealed captivating insights into his strategies and techniques (including personal interactions, preparations and steps) as well as his frustrations. Governor Richardson highlighted, among other reflections, the differences between his short, targeted missions and the usually year-long involvement of mediators in peacemaking efforts.

The Oslo forum 2011 ended with a lively discussion summarising the overall impressions, underlying issues and unsolved dilemmas from the debates.

All of the discussions took place in an informal and discreet setting, and were subject to the Chatham House rule. This brief report summarises the discussions and highlights a number of cross-cutting issues which emerged during the retreat. Background material for the Oslo forum 2011 is also available on the Oslo forum website (www.osloforum.org).

Oslo forum 2011 Agenda

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Tuesday
June 2011

16.00–17.30

Welcome and high level opening plenary

Welcome words by Dr David Harland followed by a high level discussion on Afghanistan including Minister Jonas Gahr Støre, Ambassador Zamir Kabulov, Ambassador Staffan de Mistura, and H.E. Mohammad Masoon Stanekzai, moderated by Mr James Traub.

19.30

Reception

20.00

Formal opening dinner

22

Wednesday
June 2011

9.00–10.00

A choice of up-to-date situation reports

Sahel region

Libya

Southern Thailand

10.30–12.30

Two parallel discussions for participants to choose from

Côte d'Ivoire: old threats, renewed conflict

As spring turns to summer - Opportunities for peacemaking in the Middle East and North Africa

13.00–14.30

Informal lunch

15.00–17.00

Two parallel discussions for participants to choose from

Mediators: Getting organised against organised crime

Track II Mediation: Unpacking the process, exploring the potential

18.00–19.00

The Mediators' Studio
with Governor William Richardson

19.30

Informal dinner

23

Thursday
June 2011

9.00–10.00

A choice of reality
check sessions

Can mediation
be evaluated?

Why bother including
civil society?

Gender in mediation:
Why all the fuss?

10.30–12.30

Two parallel discussions for
participants to choose from

Comprehensive support for peace
processes: The case of Sudan

Talking to the Taliban:
topics for peace

13.00–14.30

Informal Lunch

15.00 – 16.30

Closing plenary

Key challenges and opportunities for mediation
in the coming months

19.00

Boat excursion with dinner

Opening plenary

During this session, panellists and participants discussed fundamental dilemmas and topical issues pertaining to Afghanistan's transitional period.

As the country moves towards reconciliation and a negotiated settlement with the Taliban, most participants felt that the political process must make headway on substantive issues at all levels: national, regional and international. Some participants stressed that the initiatives carried out at these various levels need to ultimately converge into a process that is Afghan-led and that draws on crucial support from external actors such as Russia, Pakistan, the United States, India, China and Iran. The goal should be to build Afghan capacity for political dialogue rather than set up parallel power structures and disconnected processes. Other participants contended that inter-ethnic tensions as well as socio-economic factors continue to strain Afghan reconciliation efforts. In this context, it was deemed essential that relevant external actors with a significant stake in the process help drive it forward and contribute to a regionally sustainable solution.

The session further examined the multiple challenges Afghanistan is facing in relation to regional politics. One contributor argued that geo-strategic interests like those governing the Pakistan-Afghanistan relationship can only be determined by the two stakeholders themselves and not the outside world. Others insisted that the security dilemma confronting the region inherently draws in other nations as well and all regional powers seek an Afghan solution that poses no threat to their security.

The participants also noted that Afghanistan is definitely entering a transitional period but that so far the process seems to lack direction. Against this background, participants debated the priorities to be pursued including whether there should be a focus on security and stabilisation; on good governance, development and socio-economic issues; or on justice and human rights.

Moving on to the visions which Afghans themselves have for their future, the session noted that ordinary citizens aspire towards security, development and justice. Participants stressed that Afghanistan is now at a crossroads, with the opportunity to accelerate reconciliation efforts and to test the lessons they have presumably learned. Concerns over shortcuts that will sacrifice hard-won rights were also voiced during the session.

Finally, participants agreed that the main lessons for all stakeholders are associated with commitment and inclusion. Commitment entails proper preparations for the 2014 hand-over and continued international assistance thereafter, while inclusion calls for more reaching out to all Afghans who feel their homeland is threatened.

Talking to the Taliban: topics for peace

During this roundtable discussion there was general agreement that there should be talks with the Taliban. Some participants saw them as being at the stage of confidence-building measures, while others were already discussing the substance of talks. The discussion also drew on the exchanges during the opening session, where participants had stressed the need for co-operation at the local, national, regional and international level, as well as stressing the challenges and opportunities in the current transitional period.

Many participants agreed that a basic understanding between all parties should entail: 1) the respect of basic humanitarian principles, 2) abidance with the Constitution, and 3) the fact that the Taliban movement should cut ties with Al Qaeda. Notably, these were the outcomes which were sought rather than pre-conditions for talks. Some participants stressed that the country was tired of war and that it was a good moment in time to pave the way for peace.

One of the central questions of the discussions was what role the Afghans, and in particular the Afghan Government, should play in the peace talks. Some criticised the fact that the Afghan High Peace Council only included members appointed by President Karzai. Many argued that the peace talks should be “Afghan led”, while some argued that the process needs to be driven forward by those in a position to do so but with the ‘blessing’ of the Afghans.

The question of who can represent the Taliban also emerged during the discussion. Some participants argued that Mullah Omar still had the power to command, whereas others doubted that he would be able to speak for all Taliban and noted that the Haqqani network and Hekmatyar would surely not follow his lead. It was noted that neither Afghans nor the international community was united in their message on talks.

The session also touched on the issues of the reform of the Constitution, the decentralisation of power and the sharing of power between different ethnic and religious groups in the country. Participants also examined the ongoing transition and the handover to Afghan security forces. Concerns were voiced about the US presence in the region beyond 2014 and the fact that the Guantanamo Bay detention camp had not yet been closed. Some stressed that, in order to win the Taliban’s trust, the US needs to send positive signals and grant some of them a guarantee that they would not be killed. Another participant pointed out that the US had already taken some Taliban off their terrorism list, and that this was to be seen as a first positive signal. It was also noted that the international community wanted to make sure that Afghanistan was safe for Afghans, but also that no threat to other states came from Afghanistan.

Towards the end, a participant stressed that the idea of a political solution rather than a military solution was not new and had been supported by European countries for a long time before the US took it up. Overall, participants agreed that the international community and the countries in the region should not lose any more time and needed to support the Afghan effort to create peace.

Comprehensive support for peace processes: the case of Sudan

Given the critical juncture that Sudan was at, with only weeks to Southern independence as well as new crises emerging in Abyei and Southern Kordofan, the discussion focused as much on reviewing the present situation as reflecting on the achievements and challenges of the implementation of the Comprehensive Peace Agreement (CPA). It was noted that important progress on implementation had been made – including on security arrangements – through the CPA Interim Period. The Assessment and Evaluation Commission had achieved some positive results in its evaluation of the implementation of the CPA but it was felt that some considerable limitations had been imposed on its autonomy and the possibilities for follow-up activities.

When discussing the constraints involved in this particular peace process, some participants stressed that untangling the web of sanctions imposed on Sudan by the international community, and dealing with the impact of the International Criminal Court indictment, were not easy from an administrative and political perspective. Participants noted that it is a huge difficulty for the United States and others to be unable to speak directly to Sudan President Omar al-Bashir. This crucial aspect of diplomacy has been missing for some years even though most of the decisions regarding the future of the country rest with him. There was a general feeling that this should be a lesson to be learnt for other peace processes: decisions on sanctions should be thought through carefully before being imposed as it is terribly difficult to get out of these structures.

The discussion then turned to the remaining issues that need to be resolved as quickly as possible in Sudan. Some participants wondered whether the pending issues could be negotiated as a package with tradeoffs and debated the merits of separating out the issues rather than taking a comprehensive approach. Participants stressed multiple current concerns in Sudan including fighting in the Southern Kordofan and Abyei areas, and increased tensions in The Blue Nile State. Participants discussed the situation in Southern Kordofan State in more depth as it was felt that the military operations there could be a major detonator for broader conflict beyond the ongoing violence in that State. Concerns of a spill-over effect into Blue Nile State were also raised.

Challenges were also highlighted for both Sudan and South Sudan in the coming period. Participants agreed that a major challenge for South Sudan post-independence is to deliver on the very high expectations people have for the new State. Given the overwhelming proportion of the state budget spent on the military (70%), this will be a particularly difficult challenge. Participants argued that, as a priority, South Sudan needs civilian oversight of the army. It was suggested that South Sudan effectively needs a political ministry of defence, with real capacity to relegate the Sudan People's Liberation Army (SPLA) to becoming a professional national army, not a political force as it is now. Economic viability in the North was also highlighted as equally critical and of serious concern at the present time.

Finally, on the subject of the mediation efforts being undertaken, it was felt that the process has been hampered by the proliferation of actors around the mediation in Sudan. Participants shared the feeling that former South African President Thabo Mbeki should be supported in taking a lead role when co-ordinating the myriad of Special envoys, Foreign Ministers and Prime Ministers who play a role in the process.

Note: The session did not include representatives from Sudan although it was widely acknowledged that the discussion would have greatly benefited from exchanging with the parties involved. However, it was also widely agreed that it was right that key stakeholders were not distracted from talks during the last crucial weeks before South Sudan's independence.

As spring turns to summer: Opportunities for peacemaking in the Middle East and North Africa

The 2011 Arab spring was assessed as a very positive development for the region in which young people played a prominent role. While everyone seemed to agree that this opened new opportunities that needed to be shaped, views diverged on how best to go about this. Some favoured a slow approach to transition which included a thorough creation of institutions and a period of “normal political activity” followed by elections; others warned that a prolonged period of instability was detrimental to the economy, which in itself would further instability. Either approach to transition would have an impact on countries such as Egypt or Tunisia where elections are coming up.

Comparing different countries in the region, participants noted that it was hard to explain why some countries turned violent so quickly while others, like Yemen, remained remarkably peaceful – particularly given the high number of armed groups and the availability of small arms and light weapons.

A good share of the debate dealt with the situation in Syria. The three pillars of President Bashar al-Assad’s power were identified as the Alawite movement, some parts of the security forces and some parts of the business elites. While at the moment they were still seen as supporting the government, defections and divisions could still happen. It was felt that the Syrian regime may not have the means to become more repressive in order to maintain its power. Unlike Libya, it may soon lack the military and the economic means, particularly since some of the business elite have started to support the opposition.

In the eyes of many participants in the room, it was just a question of time before President al-Assad would have to leave. In the meantime there would be more bloodshed and discussants weighed different options on how to best support the change of government. In order to achieve this, some participants raised the possibility of dialogue and a mediation track, which would probably not work unless it led to an “exit deal” for al-Assad. Others favoured political pressure, sanctions, and the involvement of the International Criminal Court. A military intervention was also considered, although most participants ruled out this option mainly due to Syria’s powerful position in the region, a lack of willingness of allies to intervene, as well as NATO allies’ stretched resources. In contrast, it was also stressed that the international community had an obligation to protect civilians, including in Syria, and that the question of resources and operational lead should be secondary to the question of the protection of civilians.

Overall it was emphasised that Syria, long seen as a stronghold of stability, had now become a source of instability in the region mostly – but not only – to its neighbours, in particular Turkey. This internal instability also makes Syria more prone to external interference particularly from Turkey, Iran and Saudi Arabia.

With regard to the region in general, there was agreement that many governments have mismanaged the issue of minorities for too long and that the granting of their rights and their inclusion was central to peace in the region. Confidence-building measures by the new governments will be necessary. At the same time, it was argued that sectarian violence in the region should not be over-emphasised, as this might be detrimental to peace.

The discussion underlined the point that it was crucial to ensure that the international community talks to the right interlocutors, including extremists, in order to have a comprehensive understanding of the situation.

Côte d'Ivoire: old threats, renewed conflict

This session prompted participants to look back at the enduring signs of Ivorian unrest, the efforts and principles guiding external involvement in the different phases of the Ivorian crisis, as well as the fairly reversible and feeble nature of the 'happy ending' that was recently reached.

Against this background, one of the main aspects participants considered was the critical role played by the United Nations Operation in Côte d'Ivoire, as well as the numerous emissaries dispatched by the African Union and the Economic Community of West African States (ECOWAS). These organisations displayed an unprecedented degree of agreement regarding the result of the 2010 elections in Côte d'Ivoire. However, internal disagreements over the use of force vocalised in the public sphere bore witness to the challenge Côte D'Ivoire poses to the region, the continent and beyond. It was pointed out that countries like Gambia questioned the legitimacy of forceful intervention while South Africa called for more restraint in the ensuing process, and for enhanced reflection rather than a clear-cut winner-loser delineation.

Participants admitted that the international community had provided support throughout the Ivorian peace process including during the recent electoral crisis, but they criticised the inconsistencies clearly visible over time. For instance, not too long ago international support was amassed around Gbagbo's leadership. Similarly, elections were deemed a centrepiece of the peace process but there was very little emphasis placed on the actual preparations.

With elections coming up in Liberia, Sierra Leone and elsewhere in Africa, participants further stressed that both internal and external stakeholders need to more actively prevent a relapse into conflict. Some suggested that governments of unity need to be factored in as an option at a much earlier stage. Others disagreed, asserting that governments of unity are no replacement for long-term reconciliation and that they simply postpone the crisis.

On a related point, participants also emphasised that gearing up for elections requires more effective command over security forces and their allegiances; improved monitoring of mercenary contingents and weapons trade; as well as better management of the electoral candidates' expectations. In addition, contributors to the discussion wondered what other mechanisms can be set up in order to create a space for contestation when the basic conditions for holding elections are simply not met.

On the positive side, participants pointed out that, unlike experiences in other African countries, Côte d'Ivoire did not suffer massive losses of civilian lives nor did it undergo substantial destruction of infrastructure as a result of electoral violence. One contributor further suggested that we need to come to terms with the fact that elections will remain a 'traumatic' undertaking in many African countries – therefore, what we need to focus our efforts on is building modern states, reconciling populations, and ensuring that opportunities for peacemaking are maximised when they arise.

For Côte d'Ivoire in particular, it was felt that moving forward entails swift action on short-term goals such as the return of displaced people, the reunification of the army and the reconciliation of civil society. In the long-run, peace dividends should be consolidated through the rule of law, through strategies for economic recovery and job creation, as well as through continued reliance on the stabilisation force currently present in the country.

Track II Mediation: Unpacking the process, exploring the potential

The discussants had a wide range of views on the definition of track II mediation: some included any civil society activity which furthered peace as a potential track II activity, while others defined it along the lines of whether government officials were involved and if talks were held in secret or not. While they had different views on what track II entailed, participants argued that there were many different levels of mediation in between track I and track II.

One participant described his role in Georgia and Abkhazia in the early 1990s, where he furthered the dialogue between government officials and civil society representatives by doing shuttle diplomacy and keeping each other informed of activities and perceptions. In his view, this form of mediation, which does not put parties under pressure or expose their vulnerabilities, is a good preparation for direct talks as it can strengthen the parties' confidence.

Cultural sensitivity and a sense of how parties are perceived was another crucial topic in this session. A participant appealed to mediators and peacemakers to learn more about the parties' language and culture, and to adapt their own approaches to the respective environments. The debate touched on the talks between the United States and North Korea and the need for both sides to approach each other in a culturally aware way.

Several discussants also underlined the importance of putting the parties at the centre of the process. Mediators should know when to push them and when to withdraw from a conversation. It was stressed that mediators should avoid putting their own craving for recognition before a viable solution to conflict. Participants mentioned that the perception of the mediator, in particular his or her integrity and impartiality, as well as the way a solution is presented to the parties, are crucial elements for them to accept the process and its outcome. This might sometimes require a creative approach using neutral third intermediaries, such as the Vatican, to present parties with a suggestion for a peace process, while at the same time having prepared them through backchannels and having paved the way for them to agree.

While the debate drew a lot on the definition of the mediation process, it also illustrated the wide range of types of mediation beside the traditional two state parties and a mediator approach, which are opening opportunities for peacemaking.

Mediators: Getting organised against organised crime

The message which emerged from this session was that transnational organised crime is of growing concern but that the international community – its global, regional and national leaders, as well as its civil societies – are simply not meeting this challenge.

Participants noted that coming to terms with the degree and breadth of the threat posed by organised crime to peace and security needs to accelerate and to pave the way towards serious, decisive action. There are some initiatives that are shaping up at the international level including the UN System Task Force on Transnational Organized Crime and Drug Trafficking co-chaired by the United Nations Office on Drugs and Crime (UNODC) and the United Nations Department of Political Affairs (DPA); the DPA-backed Special Political Missions in Guinea-Bissau and Sierra Leone that provide assistance for tackling the security threat posed by drug trafficking and organised crime; as well as the two Presidential Statements issued by the UN Security Council calling on the UN Secretariat to step up its activities in the area of transnational threats such as organised crime.

Still, these initiatives were viewed with scepticism by most participants and the general feeling was that we are not getting organised against organised crime. The international system has not been adjusted to keep up with the rising transnational challenge – understanding of the phenomenon and its implications for peace has been weak, mediators' interest very low, and political will to tackle the problem in short supply. Political leaders worldwide also tend to avoid responsibility and insist on labelling (e.g. criminal, terrorist, corrupt) and proscribing groups, thereby reducing the policy options available for dealing with organised crime, including through mediation. There are only a few organisations that have begun to effectively reassess their mediation or humanitarian mandates in a way that keeps up with this evolving transnational problem.

Participants further noted the complexity and dangers associated with transnational organised crime. When transnational organised crime makes it to the forefront of the agenda, the focus is on the transit countries and the need to enhance their capacity and to strengthen their judicial, police and customs systems. This approach, however, is a losing proposition. When attempting to address drug production or trafficking separately we are bound to falter and only move the problem but not disrupt its source.

Mobilisation and co-operation, therefore, emerged as key issues during the discussion. Setting up an international or regional mechanism would help enable concerted action to counter organised crime and, in the meantime, bilateral efforts – such as those carried out by the United States and Haiti, the United Kingdom and Nigeria – would certainly be constructive.

Participants noted with optimism that there are actually people mediating between, and with, criminal gangs, for example in Los Angeles and Chicago. There is also increasing engagement with piracy groups. This is all evidence that criminal groups are prepared to negotiate, just not on the terms mediators might usually be more comfortable with.

The main lesson, therefore, is that protecting victims from devastation and countries from destabilisation involves much more than just 'prestigious' mediation and 'noble' political goals that exclude from their sphere specific criminal activities.

Reality Check Session - Gender in mediation: Why all the fuss?

This session stimulated debate on the challenge of striking a balance between pushing for gender inclusion and leaving the mediation process free of proscription. One of the participants was asked to argue for the inclusion of gender issues in mediation and another was asked to argue against. Others in the room shared their practical experience of how to include gender issues in a mediation process.

The sceptic stressed that a mediation process often has other priorities, such as achieving peace and ending hostilities. The point was raised that gender should only be included if the cultural setting allowed for it and the men at the table were there to represent all the people, men and women. It was also argued that mediators should not be the ones bringing the topic into the debate, but that the parties should do so. In addition, a case was presented that sometimes women were not qualified to be at the negotiation table and that in many cases they had not been parties to the conflict and therefore did not have anything to contribute to the substance of the negotiations.

The proponent of the argument for the inclusion of gender-related issues into peace processes argued that having the female part of the population represented in peace negotiations was a matter of inclusiveness and compared it to inclusion of matters of justice and the importance of this in the sustainability of the agreements reached. It was mentioned that women were central when it comes to implementing peace deals as, particularly in post-conflict settings, societies had changed and were not necessarily as male-centred as they were before the conflict. While the inclusion of gender issues into the peace process might make the process longer, the expected outcome was both more sustainable and more representative of the society as a whole.

During the debate it was argued that an adequate representation of gender issues in every peace process was needed and that it was important to have a senior adviser specifically tasked with raising these issues within each mediation team. The discussion also pointed out that not every woman was an expert on gender issues and they should not automatically be expected to take up that role – gender expertise was a specific skill and individuals (men or women) with this skill were needed. Some women – mediators and peacemakers alike – even try to make the point that it does not make a difference that they, as women, are at the table, which misses the point that inclusion of women and gender expertise are both required in the mediation process.

While UN Security Council Resolution 1325 was considered a good push for the cause of gender inclusion, overall there needs to be a real improvement in the recognition of gender issues in peace processes leading to the normalisation of their inclusion. Another question considered in the session was whether there is such a thing as a gender-neutral starting position for peace negotiations and whether this was potentially positive or would in fact discriminate against women (because, rather than being gender “neutral” it could be gender-blind which would, in practice, discriminate against women).

It was stressed that, in many societies, women still needed to be better than men in order to obtain power. In some cases, that led to women holding positions of power being more qualified than men, which resulted in resentment among men. In other cases, women achieve their position because of their family ties to a certain powerful man. It was emphasised that the situation needed to change and that women had to achieve their positions in their own right.

The Gaza Strip was mentioned as an example of a context where women are marginalised and patronised as well as confronted with a situation in which men did not want to give up power to women. It was noted that, while there was still room for improvement, the fact that a high level of equality and acceptance had been achieved in Norway made it a better society, and that other countries should be encouraged to do the same.

Reality Check Session - Can mediation be evaluated?

Premised on the importance of improving the practice of mediation, this session enabled participants to openly discuss evaluation tools and the lessons that are being learned by practitioners.

Essentially, participants agreed with the need for systematic evaluation of mediation. Building the profession and ensuring its accountability means that both the successes and failures of mediation need to be publicly discussed. An open discussion of the challenges mediators face and the shortcomings of adopted strategies can contribute to learning. However, the challenges of evaluating mediation range from the difficult task of drafting adequate terms of reference to guide the evaluator, to ensuring the evaluator's access to the parties, and to disentangling the impact of one actor on the outcome of a mediation process amid a multitude of intervening factors. In addition, the concepts underlying mediation work are not clear and stable, and neither is the timeframe within which the outcome of a mediation effort should be evaluated.

Some indicators do exist but they are not nuanced enough. For example, the number of meetings held among the parties can serve as an indicator of the pace and progress achieved, and the hierarchical level of the attendees can help gauge the breadth of engagement. However, numbers and titles provide no substantive insight into the extent to which the mediator has succeeded in changing attitudes toward conflict and ultimately changing conflict patterns.

Participants agreed that evaluation efforts should look at mediation as a series of events and examine the options the mediator faced at the time and what he or she could have done differently. In order for an evaluation to assist mediators to learn, it needs to consider the specific decisions taken by mediators, and their understanding and analysis of the conflict. Participants also agreed that, in addition to a standard evaluation process, mediators would benefit from peer-to-peer reviews where they can frankly discuss the difficulties and dilemmas they faced. They agreed that mediators should focus more on documenting their experiences in order for them to be shared and lessons to be learned.

In addition, participants noted that the community of mediators should pay closer attention to the preparation of mediation work. In other words, has the mediator done his or her homework? Did he or she approach the parties with a fairly intimate understanding of their political system, their grievances and their interests? The process leading up to the selection of the lead mediator could also be looked at more closely. The right selection is not necessarily a key to success but analysing the procedure can help equip future mediation projects with more chances for success. Similarly, systematic assessment closer to the mediator rather than the parties is possible and could lend efficiency to future mediation.

The end of the session conveyed a general feeling of ambivalence among practitioners. On the one hand, participants acknowledged that it is difficult to properly evaluate years of engagement meant to build trust and credibility between the mediator and the conflict parties. On the other hand, it was agreed that creative methodologies can be developed to help build lessons into mediation practice.

Reality Check Session - Why bother including civil society in peace processes?

This session examined the pros and cons of including civil society groups in peace processes as mediators often face demands and expectations from civil society organisations which claim they ought to be part of the process.

While reflecting on the advantages and constraints entailed by the inclusion of civil society in mediation processes, participants quickly agreed that it very much depends on the specificities of the conflicts at hand. There was wide consensus that civil society should be included but the timing, the circumstances and the ways to do it had to be adapted to each of the situations mediators were facing.

Some participants felt that, sometimes, some civil society groups do not really represent anyone and are just trying to be involved with a view to getting revenue. It was stressed that civil society actors are not necessarily willing to work well together; they reflect the society after all and can have the same unhelpful divisions. Some participants also stressed that the more people you have around the table, the more difficult it is to negotiate. Indeed, civil society can also include people who are against talks. For example, in Somalia, some sub-sub clans wanted to be involved and consulted, and threatened to spoil the process if they were denied a seat at the table.

In contrast, some participants agreed that a sensible mediator should always be ready to listen to the claims of civil society. In Liberia, for instance, civil society groups played a decisive role both in the initial consultations about ending the violence (the inter-faith mediation committee helped get the parties to the table) and later during the Accra peace negotiations (when it was the women of Liberia that played a very active role).

There was consensus that the inclusion of civil society in mediation processes is paradoxical. Indeed some participants voiced concerns that there is a paradox in which if the mediator does not bring in civil society groups, he or she is not bringing the public along, and if the mediator does bring them in, there is a risk that such an initiative might stop the negotiations.

In general, participants cautioned against making a general assessment of whether civil society groups are helpful or not in a peace process. Involvement of the civil society cannot simply be imposed by an international community resolution. In some cases there is a need and in others there is no legitimate and representative civil society yet. Legitimacy should be the key criteria for representation at the negotiation table. Mediators need to make a judgement on who has a real constituency and then they can try to compromise with civil society groups and discuss the contours of their involvement.

The Guatemalan experience was discussed during the session. In Guatemala, civil society groups were running a process in parallel to the Track I negotiations, with the same agenda. It was felt that it was very useful to have a clear mandate for the civil society groups – to work on sending consensus recommendations to the formal track. For instance, the recommendations on women’s rights gave strength and leverage to participants seated at the Track I level as they felt supported. However, participants noted this process was only set up for the peace negotiations and it was felt that it would have also been useful for the monitoring phase after the agreement.

Ideally, the mediator should be able to “use” the strengths of civil society groups as a way to achieve his or her goal. Civil society is a strong factor in transformation and can be used to put pressure on protagonists at the negotiation table. Overall, participants agreed that the level and form of involvement of civil society groups in a mediation process is context-dependent. The civil society needs to be involved (or heard) one way or the other and this can be done through direct engagement with Track I negotiations or while remaining on the periphery of such negotiations.

Conclusion and reflections

The concluding session of the Oslo forum 2011 alternated between optimistic expectations and disheartened overtones. It enabled participants to share their thoughts on the underlying issues and unsolved questions identified throughout the retreat. The panellists, and subsequently the audience, were invited to comment on whether the issues and approaches raised in the discussions matched their own experiences, expectations and perceptions.

The pressing need to identify myths and compare realities is precisely the reason the Oslo forum was set-up and, through honest exchange of practical experiences and insights, participants felt they were better-placed to avoid the myths. The discussions at the Oslo forum 2011 were particularly wide-ranging, bringing small and large conflicts alike under the scrutiny of the participants.

A number of themes recurred across sessions and topics. In light of the recent upheavals in the Middle East and North Africa, a major element of the debate was a re-assessment of how mediators can brace themselves better for current and future conflicts. The absolute necessity to adapt mediation approaches in order to respond to today's realities on the ground was widely discussed.

Another notable feature of several discussions was the importance placed on perceptions, and framing processes, and their potential impact on conflict. Misinformation sometimes drives people's actions, and it was felt that the way peacemakers frame situations and label issues is not always conducive to resolution. On a related point, peacemakers were also urged to rely more heavily and more efficiently on available local expertise in order to grasp situations in a more accurate and comprehensive way.

Participants also noted that, to enable sustainable peace, there should be a significant focus on the gender dimension of conflicts. The importance of striking a closer working relationship between mediators and sub-regional organisations was also highlighted.

The Oslo forum discussions also touched on the recurring theme of who mediators should talk to. Overall, participants felt that the decision on whether or not to engage should be based on the extent to which the interlocutor is relevant and does hold the key to the solution. According to some, one other necessary condition for entering a dialogue should be a genuine, manifested commitment to the process.

Participants also agreed that managing expectations – whether during elections, transitions or peacemaking – remains a major challenge. Peace is frequently endangered by the gap between expectations and dividends, the various constraints and demands imposed on the political process, as well as the ill-fitting structures we fail to adapt but systematically rely on.

Looking towards future Oslo fora, some participants expressed their interest in undertaking deeper discussions on, and learning more from, South-South approaches to mediation and peacemaking. With regard to the future of the profession, many agreed that mediation needs to draw nearer to the contemporary sources of armed violence as well as to the other approaches that are successful in building peace worldwide.

The next annual gathering of conflict mediators and key peace-process actors will take place in June 2012. We look forward to your feedback and ideas throughout the year, and to including these in the development process of next year's retreat.

Oslo forum 2011 - List of participants

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