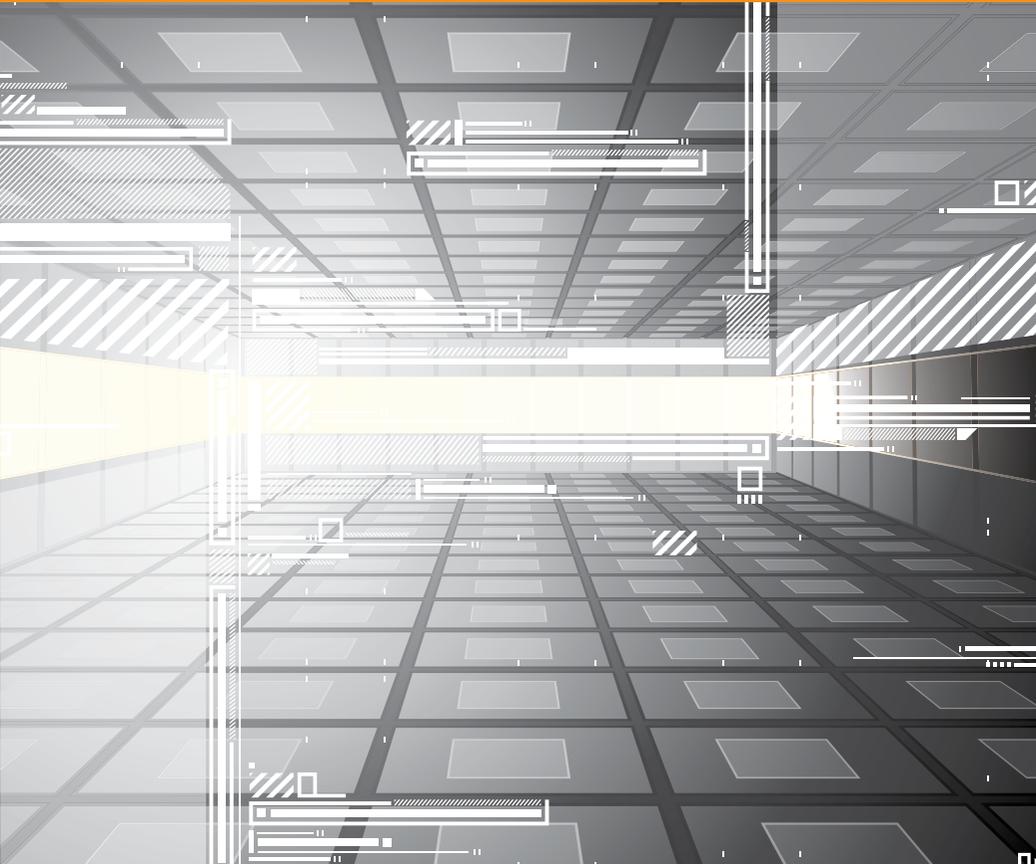




Conducting **TRACK II** Peacemaking

Heidi Burgess and Guy Burgess



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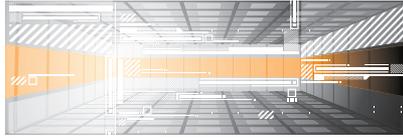
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Introduction

Although international conflicts have never been simple, the international and internal conflicts of the post–Cold War world tend to be especially complex. They typically involve ethnic disputes; many actors; numerous apparently incompatible interests and needs; long, violent histories; and complex international entanglements. Confronted by intractable conflicts whose roots extend deep into the fabric of society, lone mediators (or even teams of mediators) have seldom been able to make and keep the peace. Nor have military forces, by themselves, been particularly successful in such situations. In recognition of the nature and scale of the challenge, national and multinational actors have begun to launch “complex operations”—loosely coordinated peace efforts that involve not only diplomats and soldiers but also development specialists, human rights activists, trauma-healing practitioners, humanitarian relief workers, and conflict resolution experts.

In the conflict resolution realm, “track II” peacemaking or diplomacy has become increasingly common, complementing “track I” peacemaking efforts in myriad ways and at various points throughout a peace process. Track II practitioners bring parties together across conflict lines to talk, build relationships, engage in joint civic projects, or even develop new ideas about potential political solutions to the conflict. Track II efforts can be particularly valuable in preparing the ground for track I initiatives and building broad support for agreements reached by the parties, but track II can also be valuable if conducted simultaneously with track I efforts.

“Track I” is used here to describe any activities that bring the parties to a conflict into direct negotiation to achieve an agreement or a resolution. “Track II” refers to any activities that support, directly or indirectly, track I efforts. Track II practitioners are sometimes referred to as “intervenor” when they come in from the outside; elsewhere in this handbook we refer

to them as “practitioners” or “actors.” “Peacemaking” refers to the process of negotiating a peace agreement rather than to efforts to avert conflict, to implement an agreement, or to rebuild societies emerging from conflict. Conflict prevention and post-conflict activities are discussed in the following chapters only insofar as they relate to the peacemaking process.

Some practitioners and scholars within the fields of diplomacy and conflict resolution use alternative definitions. Track I, for instance, is often defined in terms of the participation of official actors such as UN envoys or representatives of individual states, while track II is often equated with the participation of unofficial actors such as nongovernmental organizations or private individuals. Still others break down track II peacemaking into multiple tracks.¹ This handbook, however, does not subdivide track II in that fashion, and it makes no distinction between track II activities performed by officials and those performed by unofficial actors.

Written for both track I and track II actors, this handbook illuminates the role and importance of track II activities; charts a wide range of track II activities, from assessment, conception, and planning to implementation and evaluation; and discusses the need for ensuring that different peacemaking efforts complement and reinforce one another. Creating such synergy involves not only aligning track I and track II efforts, but also coordinating various track II efforts to maximize their positive impacts.

For the sake of analytical clarity, this handbook presents the process of track II intervention as a series of steps: assess the track II environment, develop a strategic plan, design the process, conduct track II activities, and undertake follow-up activities and evaluation. For the sake of analytical precision, however, it should be explained that the process is not as linear as the notion of steps might suggest. While each track II actor will undertake a similar series of steps with each activity, different track II practitioners are likely to be conducting many different track II efforts simultaneously in any one conflict setting. In addition, each track II intervenor is likely to repeat the same steps within the context of a single intervention, conducting the same process with different audiences or modifying the process as the situation on the ground changes. Further, some steps actually take place throughout the process. Evaluation, for instance, is presented in the handbook as the last step, but in fact it should occur throughout the planning and implementation process. Similarly, the intervention plan that a track II actor initially designs may well need to be

revised several times throughout the peacemaking period as circumstances change or if the plan fails to work as expected.

The Peacemaker's Toolkit

This handbook is part of the series *The Peacemaker's Toolkit*, which is being published by the United States Institute of Peace.

For twenty-five years, the United States Institute of Peace has supported the work of mediators through research, training programs, workshops, and publications designed to discover and disseminate the keys to effective mediation. The Institute—mandated by the U.S. Congress to help prevent, manage, and resolve international conflict through nonviolent means—has conceived of *The Peacemaker's Toolkit* as a way of combining its own accumulated expertise with that of other organizations active in the field of mediation. Most publications in the series are produced jointly by the Institute and a partner organization. All publications are carefully reviewed before publication by highly experienced mediators to ensure that the final product will be a useful and reliable resource for practitioners.

The Online Version

There is an online version of *The Peacemaker's Toolkit* that presents not only the text of this handbook but also connects readers to a vast web of information. Links in the online version give readers immediate access to a considerable variety of publications, news reports, directories, and other sources of data regarding ongoing mediation initiatives, case studies, theoretical frameworks, and education and training. These links enable the online *Toolkit* to serve as a “you are here” map to the larger literature on mediation. www.usip.org/resources/peacemaker-s-toolkit



STEP 1

Assess the Track II Environment

The first step in any conflict intervention is usually conflict assessment. Even if one is a local, living in and with the conflict on a daily basis, it is important to step back and metaphorically go “up onto the balcony”² to get a broader perspective of the situation and a keener sense of the opportunities and challenges that the intervention is likely to encounter.

One needs to understand who all the parties are, what the issues are, what the conflict dynamics are, and what has been done (and by whom) to address the issues over time. Intractable conflicts generally have long and complicated histories, which compound the complexities of present realities. Multiple parties are usually contesting the conflict, and multiple track II actors (some from within the country, others from outside) are on the scene, all working on related but different parts of the problem. The first step in any track II effort, therefore, is to figure out as much as possible who is doing what, what the needs are, and what is not being done that might be useful. (Such an inquiry is generally referred to as a “needs assessment.”) Knowledge of these gaps can then become the basis for conceptualizing and planning track II activities that will have the greatest impact. (For more detailed guidance on how to conduct a conflict assessment, see another handbook in the Peacekeeper’s Toolkit series, *Managing a Mediation Process*, by Amy L. Scott and David R. Smock.)

Determine if Track II Efforts Are Feasible

Track II activities depend on the presence of a reasonably developed and active civil society for success. Societies that have a lively civil society are more likely to have a cadre of people who have the conviction and stamina needed to participate in a track II process—and to do so in good faith, hopeful that a more constructive way of approaching the conflict can be

Determine One's Role in the Big Picture

An individual (or organization) contemplating launching a new track II effort should figure out if and how he or she fits into the overall peacemaking picture. Questions to answer include:

- How will you add to the overall goal of achieving peace?
- Will your efforts contribute to a coordinated effort to build a larger peace constituency?
- Will your process be able to feed ideas into, or create ripeness for, a track I effort?
- Will you be able to coordinate your activities with others' activities to enhance the overall peacemaking effect—or will you detract from the overall effort by simply adding to confusion?

More specifically, you should discover which track I and track II actors:

- are doing similar work,
- are doing complementary work,
- are doing valuable work that might be helped by your efforts,
- are doing valuable work that might be harmed by your efforts (and how you can avoid causing this harm), and
- might oppose your efforts (and what you might do to overcome this opposition).

In answering these questions, the individual (or organization) must clearly and honestly assess the capacity and resources he or she brings to the situation. In crowded track II arenas, it may not be enough to determine that a practitioner has the skills and ability to address the track II needs that have been determined. To avoid counterproductive redundancy, the intervenor may want to consider the comparative advantage he or she brings to the situation. In other words, what strengths can one track II actor bring (financial resources, experience, staying power, relationships, prestige, etc.) that another track II actor cannot. When need, capacity, and comparative advantage are in alignment, the chances for creating a positive impact are strongly increased.

found. If people are content with the status quo or profoundly pessimistic about the chances of changing the situation, they will not be interested in participating, and if they are cajoled into participating, they are likely to undermine the process more than help it. If little civil society activity exists, this is where peacebuilding efforts need to start. Dialogues, problem-solving workshops, and other bilateral or multilateral processes will have to wait until later.

Even where an active civil society does exist, track II efforts may still be infeasible because of severe restrictions on civil liberties. For instance, if

participants in track II activities are required to travel, those activities will lead nowhere if participants cannot obtain passports or visas. Similarly, participants may have difficulty gaining access to protected or neutral zones or moving freely within rebel-controlled territories. Track I players must be willing to give track II activities “space.” This is meant figuratively, rather than literally (though finding suitable space is an issue, too). In repressive environments, where certain forms of assembly, speech, and action may be prohibited or punished, the safety of participants must be considered very carefully. People who engage in peacemaking are often regarded as traitors by members of their own communities. For this reason, many track II processes try to stay very low key, even secret, to protect participants when they reenter their home environments.

Knowing the local history of track II activities can be useful in determining what new activities will be both possible and likely to bear fruit. The more that the government and/or potential participants are familiar with track II processes, the more comfortable with them they are likely to be. However, if one or more track II processes have gone badly in the past (for example, increasing rather than diminishing hostility between groups, or taking a lot of time without making significant progress or bringing about any change), the local community and/or the parties to the conflict may distrust proposals for new track II activities. Such a wary environment is not an insurmountable hurdle, but a lot of effort will have to be devoted to explaining how a new activity will avoid the kinds of problems previously encountered.

A related problem occurs when too much track II activity has happened in the past or is currently under way. Often, many track II actors converge on a single high-profile problem location, and many of those actors try to recruit the same local people to participate in their programs. Such a surfeit of attention can have several negative consequences. In the first place, coordination of track II activities becomes extremely difficult. Second, people “burn out.” They have been involved in numerous track II activities, and have said the same things over and over again to the same people but nothing ever seems to change. A third problem is that some parties to the conflict or members of the local community will “forum shop,” looking for the process that they think will best lead to the achievement of their goals.

When such shopping expeditions lead important parties away from the official negotiating table, track I efforts may be undermined.

Evaluate the Need for Track II before Track I

Track II is often needed before track I because track I mediation will not work if

- the parties are not ready to negotiate or the conflict is not “ripe” for negotiation;
- negotiation is impossible because one or more of the parties—or issues—is viewed by the other(s) as illegitimate;
- one of the parties is too fragmented, ill-defined, low-powered, or inexperienced to allow for effective de-escalation or negotiation;
- the conflict is needs-based or values-based; or
- the general population is unsupportive of the peacemaking effort.

If any one or more of these situations is present, track II processes can nurture the conditions for subsequent track I efforts.

Creating Ripeness

Disputing parties are usually not ready to negotiate if they think they can win outright. Not until all sides agree that they are in a damaging situation that they cannot, by their own efforts, improve (often called a “mutually hurting stalemate”) will they be willing to engage in track I peacemaking. Even then, if any party sees no “way out”—if it lacks trust in the other(s) to negotiate honestly or to uphold any agreement that is made—it may continue the struggle. (The concepts of “mutually hurting stalemate” and “way out” are discussed in another Peacemaker's Toolkit handbook, *Timing Mediation Initiatives* by I. William Zartman.)

When a conflict is not ripe for negotiations, track II activities can be useful in stimulating ripeness. A party that is unwilling to come to the negotiating table may nonetheless be open to a third-party consultation to guide them in developing or expanding their thinking on interests and positions. Many track II actors work directly with parties in this way (the Consensus Building Institute and Independent Diplomat are two examples). An intimate understanding of the conflict landscape—including

knowledge of the decision-making dynamics within the parties—is essential if these actors are to accurately identify entry points for track II efforts that can serve to nudge the situation toward ripeness.

Track II activities can also facilitate communication between parties, build trust and relationships, break down stereotypes, and develop new ways of seeing and solving vexing problems. Such efforts help the parties understand that there is a way out of the predicament they are in, and that mutually satisfactory solutions might indeed be possible.

Decision makers within the parties can also be influenced indirectly. Mid-level leaders—for instance, prominent figures within religious and ethnic groups and within civil society and the wider community—often have access to the official representatives of the parties or are at least able to influence the climate of opinion within a party’s broad constituency. If even just a handful of mid-level leaders on each side of a conflict are sufficiently concerned about the status quo to consider alternative, nonviolent approaches to addressing the conflict, then track II activities may be able to gain a foothold and slowly grow in scope and influence, eventually paving the way to track I efforts.

Track II actors should assess not only this potential, but also what might be needed for mid-level leaders to leverage this power. If the potential exists, knowing what hinders it from being realized is vital to designing an effective strategy of engagement. Are there capacity gaps that can be addressed? Is there a need for a neutral forum? Are like-minded, concerned leaders aware that others share their views? The answers to these and other questions can indicate which track II activities might ripen the situation.

Track II mediators can interface with the many other ancillary service providers—development and human rights workers, civil society organizations, media organizations, relief workers, and the like—to help provide a coordinated response to humanitarian needs, which will in turn create a better atmosphere at the local level to support the track I peacemaking initiative.

Dealing with “Illegitimate” Parties

Track II processes can be particularly useful when the conflict involves at least one party that is seen by another as “illegitimate.” State negotiators

often refuse to talk to such parties—paramilitary or terrorist groups for instance—because of concern that engaging them legitimizes them and condones or encourages their violent actions. However, peace can seldom be achieved without negotiating with such parties, because they will continue their violent struggle until they have at least “been heard” or their needs have been met.

Track II activities can be helpful in ameliorating this kind of situation in two (or more) ways. First, track II actors can work quietly through back channels to ensure that the interests and demands of an illegitimate party are clearly understood and brought to the table. Second, they can work to convince the illegitimate parties that talking is more likely to get their interests met than is violence.

Direct contact with illegitimate parties may be legally prohibited, however. More than a few countries maintain lists of proscribed actors, and some countries limit almost any kind of interaction with the organizations and individuals named on those lists.

In June 2010, for instance, the U.S. Supreme Court upheld a law that makes it illegal for any American to offer a terrorist entity “material support” of any kind, including training and advice. The court ruled that “urging a terrorist group to put down its arms in favor of using lawful, peaceful means to achieve political goals” is “providing material support” to terrorists, and is therefore illegal.³

When faced with such restrictions, track II actors can work with surrogates—people who share the same (or similar) aspirations as the illegitimate groups, but with whom talking is legal.

This was the approach used in the 1991 Madrid Conference on the Israeli-Palestinian conflict hosted by Spain, and co-sponsored by the United States and the Soviet Union. Although the Palestinian representatives were in frequent communication with the Palestine Liberation Organization (PLO), they were not overt members of the PLO, which Israel considered a “terrorist” organization and with which it refused to negotiate.

Where the presence of illegitimate actors is preventing peace talks, track II actors should assess what steps they can take to reconfigure the dynamics of the situation and pave the way for negotiations. Parties to a conflict are rarely monolithic entities. Are there elements within a party

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