

Effective Participation in Political and Peace Negotiations

Fragile and conflict-affected societies face multiple, interconnected challenges at once. These may include uncontrolled crime and violence, widespread poverty and inequality, deep democratic deficits, sharp social and political divisions, and weak institutions.

The advent of negotiations aimed at reaching formal political settlements or peace deals (eg, between government and opposition, or between armed belligerents) can create an opportunity to overcome such challenges, potentially involving a wide range of stakeholders in the process. But in such situations a strong dose of realism and pragmatism is required.

While negotiations open up the possibility of incorporating diverse voices – a highly desirable goal – any party's demands for expanding participation must be balanced with the many intrinsic limitations of formal political dialogues and peace talks.

With this in mind, this discussion paper offers analysis on participation options inside as well as outside the negotiation room, and proposes criteria for ensuring that participation inside any negotiation is simultaneously effective and inclusive. Ultimately, the paper underscores that participation is best understood as a means rather than an end, requiring strategic management aimed above all at making political settlements and peace accords more likely to materialise, not less.

Impactful participation outside negotiations

Many internal armed conflicts are associated with deficits in the quality of democracy in a country. Correcting them is, therefore, a common motivation for negotiated transitions.

The goals of a transition are often multidimensional and may encompass the development of more impersonal state institutions, better electoral processes, greater decentralisation, and increased political pluralism. A republican vision may also emphasise

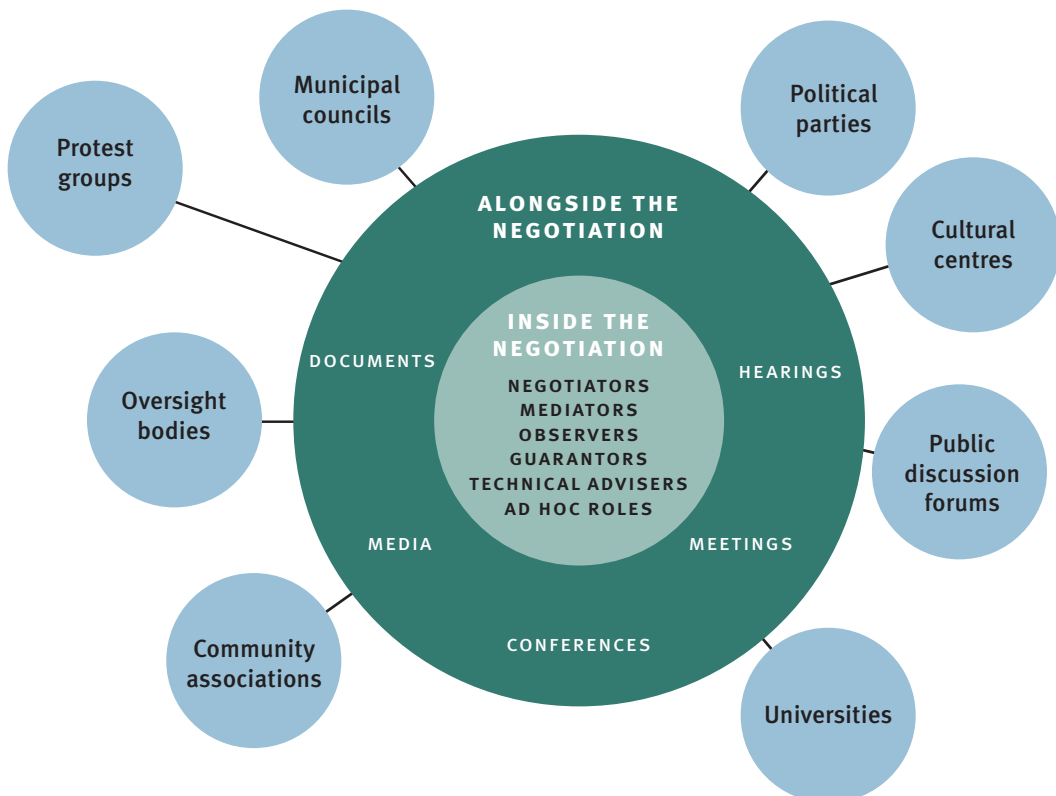
the importance of deliberative democracy mechanisms that can allow important social groups and ordinary citizens to feed directly into the policymaking process.

Yet, negotiations aimed at ending an armed conflict or authoritarian regime arise, ipso facto, before the conditions for peace or democratic transformation are in place. Expecting pre-transition negotiations to directly absorb diverse and large numbers of participants thus risks putting the cart before the horse – especially considering the multiplicity of actors, issues, positions, interests, and spoilers that must be carefully handled even in a negotiation with a more limited agenda. In a worst-case scenario, reaching an agreement becomes infeasible, thus putting further out of reach the goal of greater democracy and inclusion.

Just as significantly, insistence on direct participation at the negotiating table can result in overlooking or underusing other arenas where participation can be equally politically impactful – and sometimes more so. This includes *de facto* or *de jure* arenas that exist even in limited democracies, including civic associations, municipal councils, oversight bodies, political parties, protest groups, neighbourhood councils, and more. Among other things, participation in these spaces can help amplify diverse and marginalised voices, bring key expectations and useful ideas to the attention of the negotiating parties, and lay the groundwork for the public support that any negotiation – sooner or later – depends upon.

Ultimately, the opportunity that a negotiation represents must be put in context. Absence from the negotiation table isn't necessarily a sign of irrelevance; to the contrary, it may reflect a more systemic approach to the multiple avenues of participation and influence that may exist alongside the process and in broader society – avenues which at times may coalesce in Track II mechanisms through which key peacebuilding ideas and relationships can be safely tested and formed (see Figure 1).

FIGURE 1: PARTICIPATION SPACES



Impactful participation inside negotiations

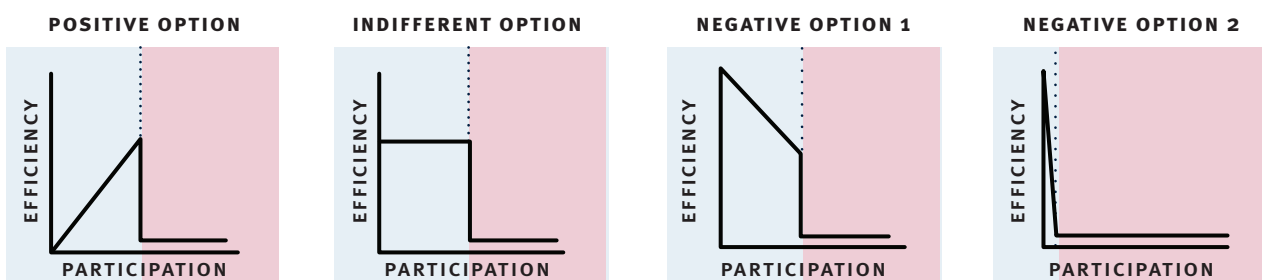
There are many potential benefits associated with greater participation directly inside political and peace talks. These include inserting different voices and perspectives, increasing the legitimacy and sustainability of the process, and deepening the sense of ownership and accountability for future implementation. These potential benefits can be helpful to a wide variety of processes, but especially to any high-profile negotiations with a transformative agenda.

Diversified participation inside the talks can, however, engender the risk of reducing the intimacy and frankness of interaction between the principal belligerents. It can also generate complications in terms of speaking rights, sabotage risks, interests to accommodate, and the preservation of confidentiality. The latter is especially important, because confidentiality (and sometimes even total secrecy) is the lifeblood of any political or peace negotiation. Parties to political and armed conflicts need to be able to present proposals and exchange opinions away from the microphones; otherwise the chance of building trust, testing ideas, and reaching accords grows remote.

In this regard, an “inclusive enough” logic is apt. While it is desirable to push for negotiations to accommodate broader and more direct participation, this should only extend as far as the specific process allows – expanding and shrinking flexibly and gradually over time, in synch with the core goal of reaching a durable settlement as efficiently as possible.

The following diagram illustrates some possible relationships between participation and efficiency in political and peace negotiations, while recognising that other variables inform the relationship (eg, the more trusted the negotiation team, the less pressure to expand participation; and vice versa for teams that are distrusted).

FIGURE 2: PARTICIPATION AND EFFICIENCY IN NEGOTIATIONS



The graphs illustrate the relationship between participation and efficiency that can exist across various negotiation formats, all else being equal. Each of the graphs shows how, when set against the dotted line representing the juncture at which a negotiation is considered “inclusive enough”, greater participation may make reaching an agreement inviable.

As indicated by the black line in the four diagrams, the relationship between participation and efficiency can take different forms. In the first case (“positive option”), greater participation increases the efficiency of the negotiation. In the second case (“indifferent option”), greater participation neither helps nor hurts the efficiency of the negotiation. In the last two cases (“negative options”), greater participation decreases the efficiency of the negotiation – in the last example, nearly or actually destroying the process.

An “inclusive enough” logic helps to 1) underscore that inclusion is a relative aspiration, not an absolute one; and 2) counter any assumption that restricted participation is necessarily driven by undemocratic or exclusionary motives – a belief that produces a false narrative of friends and enemies of inclusive participation which, paradoxically, risks jeopardising the cause of participation itself. Negotiations (including any prior “talks about talks”) tend to start with low levels of participation that gradually broaden over time. As such, to distrust a peace negotiation too categorically and too early risks causing the talks to fail prematurely – thus precluding the window that might have opened up for additional participants at a future and riper juncture.

Participation in peace negotiations between the Colombian government and the FARC (2012–2016)

After unsuccessful attempts by three prior Colombian governments to negotiate peace with the FARC (including an effort in El Caguán from 1999-2002 in which inclusive participation was prioritised at the expense of efficiency and results), the government of President Juan Manuel Santos began a new round of talks in Havana, Cuba in 2012, which culminated in a final agreement in 2016.

Participation in the talks (which had a secret exploratory phase and then an organised and longer public phase) followed established guidelines agreed between the parties. The three main forms of participation, implemented gradually as the talks matured (ie, in line with the confidentiality and efficiency needs of the process), are described below.

Visits to Havana: At the beginning of the public phase in September 2012, the delegations periodically summoned people to Havana for visits and consultations. The practice expanded over time, encompassing third-party presentations by summoned individual experts, as well as visits by special delegations, including by women’s groups; members of a historical commission created by the parties midway through the talks; and 60 individual victims of the armed conflict who addressed the parties over the course of five successive visits, each one comprised of 12 victims.

Forums in Colombia: The parties agreed that, in parallel to the talks in Havana, there would be forums hosted in Colombia to examine the themes set out in the negotiation agenda. The National University of Colombia and the United Nations were the primary organisers; other third parties were in charge of recording and cataloguing the information for the negotiation teams.

Written proposals: The negotiating parties created a procedure whereby, physically or electronically, any citizen or group could submit proposals. By the end of the talks, about 67,000 proposals (addressing different agenda items) reached the two delegations. These were in addition to proposals generated by the delegations’ respective experts and special advisors.

Additional spaces for participation were developed by Colombia's democratic institutions. For example, the Congress set up hearings that provided input to the negotiating parties. Media outlets, universities, large companies, and other institutions also organised meetings and events at which different sectors of society could debate ideas that, directly and indirectly, would make their way to either or both of the delegations in Havana – enriching the process without hampering its pace.

All of this took place prior to a public referendum on the final agreement – a critical form of participation in its own right. Following the constitutional validation of the partly renegotiated agreement (following the narrow rejection of the original deal in the referendum), participation continued with the implementation phase, the first part of which saw more than 220,000 Colombians propose or lead approximately 32,000 peace initiatives.

Inclusive means and ends

Fragile and conflict-affected societies face challenges that often derive in part from authentic grievances, including identity-based ones. These naturally and understandably slide into demands for participation inside negotiations.

But while these demands are usually justified, they can also be manipulated by parties seeking short-term political gain. For example, an actor that prefers to see a negotiation fail can mask his intention by appealing for greater inclusion in the process – thus gaining the political benefits of backing groups that feel excluded, while in reality seeking to destroy the process.

Yet, whether participation appeals are bona fide or not, there is no avoiding the difficult task of balancing participation and efficiency. As Figure 2 illustrates, the task is intrinsic to negotiation. However, it is worth asking if participation should be a goal at all, or whether instead the focus should be on generating “effective inclusion” among key stakeholder groups. This can be achieved to some extent through direct participation, but alternatively – or additionally – through a combination of any of the following:

- *Inclusive public narrative:* By using an explicitly inclusive narrative in their public interviews, press releases, and outward-facing statements, the negotiating parties can lift up the voices and priorities of groups not physically present in the negotiation room.
- *Inclusive private meetings:* Individually or jointly, the negotiating parties can arrange private meetings to impart shareable information and seek the views of important groups and actors who lack a seat at the negotiating table.
- *Inclusive formal agenda:* The negotiating parties may be able to build an agenda for the talks that takes account of priority issues of key constituencies that are not first-hand participants.

None of these actions may fully satisfy individuals or groups who expect to have direct representation or participation in the talks. Yet, in combination, they can provide an important and tangible sense of inclusion – especially when supplemented by some of the participation options and mechanisms described in Figure 1.

Viewed this way, there is ample room to ensure varied forms of participation and inclusion, without unduly or prematurely risking the efficiency needs of the negotiation itself. Indeed, important individuals or groups can be engaged in a broad spectrum of ways – and at different junctures of time, as and when it is viable for the process.

Ultimately, the broader understanding of participation and inclusion articulated in this paper underscores that it is not the “if” or the “where” of participation that matters most, but the “how” and the “when”. The paramount priority must be to protect the negotiation – without which there will not be an inclusion-stimulating peace deal or political settlement to even implement.

Founded in 2012, the [Institute for Integrated Transitions](#) (IFIT) is an independent, international, non-governmental organisation offering comprehensive analysis and technical advice to national actors involved in negotiations and transitions in fragile and conflict-affected societies. IFIT has supported negotiations and transitions in countries including Afghanistan, Colombia, El Salvador, Gambia, Libya, Nigeria, Syria, Sri Lanka, Sudan, Tunisia, Ukraine, Venezuela and Zimbabwe.

