

Bridging the practice-to-policy gap in transforming conflict in Asia, the Pacific and Beyond: An international NGO perspective

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The Challenge: A call for solidarity

Now more than ever – because we have the capacities – and because the violence of organized conflicts and poverty affects the most vulnerable in the Asia Pacific region and elsewhere – there is a clear need to respond to the calls for solidarity with the survivors of violence – and solidarity with those dedicated to the struggles (local and global) for a more just and peaceful international order.

I would like to see that our discussions are rooted in our practical experiences and challenge us to set relevant and achievable goals and strategies. I will try to reflect the views of a non-governmental perspective working as I am with an INGO engaged in programme efforts of what the more spiritually inclined like to call conflict transformation.

The task of engaging with such a complex agenda is enormously daunting – and the organizers have asked me to try and articulate a framework – I would like instead to offer I hope a consistent vocabulary – and something of an agenda of issues and challenges – based on our own and international experiences. I would also like to duck the responsibility of addressing myself to the conflict and post-agreement phases – as the more I thought about these issues – the more I realized that many of these challenges are generic and the dichotomy not always useful. That said I will make comments on implementation and consolidation issues.

What defines our work as an INGO – and I am sure that of all those here – is that we are forever trying to capture the complexity of conflicts – motivated by an intolerance of acts of injustice and an imperative to "do something to help others" and effect some positive change. Never knowing enough – and armed with our ignorance and uncertainties – we nevertheless choose to engage. I would like to introduce the work of my organization, situate us in the field, raise some questions about the current global context of this work and then highlight three core challenges: that of entry points for intervention; the centrality of human rights and the importance of people's participation in peacemaking. I would like to close with a few reflections on policy challenges for development assistance in conflicts.

One of the dimensions of this complexity is the need for us to think beyond our institutional frameworks, for those of you working for or to influence governments there is the need to think beyond state-centred analysis. For those of us working within the loose context of heterogeneous 'civil-society' organizations - there is always the need to be pragmatic about recognising the gaps between our rhetoric and our realities - our capacities and our aspirations - particularly when it comes to the humble limits of our strategic influence.

At the core of this presentation - I would like to put the question of what could it mean to put people and their communities, rights and justice unambiguously at the centre of our peace, conflict and development policies. Based on my own experiences in this field, particularly working in the South Pacific and those of my organization that I would like to offer the following reflections.

Firstly, about CR

We are a small London-based INGO. We describe our principle objective as supporting the activities of those working at community or national levels to prevent or transform armed conflict into opportunities for social, political and economic development - based on more just relationships.

Our core capacities rest in a very talented team of people with a great deal of experience doing this type of work and the relationships and reputations they bring with them - as well as our own seven years of organizational development and programme partnerships and ongoing financial co-operation with (we think enlightened) governments and charitable foundations.

We are working in support of initiatives in and on: Angola, the Caucasus (Georgia and Abkhazia), Fiji, northern Uganda, West Africa (Sierra Leone, Liberia, Guinea, and Nigeria). We have also worked in the Balkans, Somalia, Sri Lanka. We have two more roving programmes: one a capacity-building project, working with journalists and media institutions in Africa on conflict reporting and the other is a programme and publication series we call Accord - the purpose of which is to promote opportunities for learning from peacemaking practice. It is in the context of the Accord programme that we have also been engaged to varying degrees in the peace processes in the Philippines/Mindanao, Sri Lanka, Cambodia and most recently in PNG/Bougainville.

What the work actually involves obviously varies according to the needs and designs of our local partners themselves responding to the particular needs and opportunities of their own conflict, but we can make a generic list:

- Engaging in sustained and dynamic collaborations for conflict transformation (e.g. our work in Fiji with the CCF, "conciliation without resources")
- Providing inputs and support for training and education (BICWF critical literacy project)
- Resources to improve peacemaking practice; (e.g. the Accord series)

- OD and capacity-building support (peacebuilding is more about filing than it is about mediating between warring factions)
- Advocacy support (Fiji and the international institutions, CERD, ComSec, EC/ACP)
- Supporting "Track II" political conciliation (Georgia-Abkhazia dialogue)
- Providing flexible and appropriate advice (Religious leaders in northern Uganda)

What particularly distinguishes our work – and we are not by any means unique in this – is not so much what we do, but how we do it. Despite our working across international borders and boundaries – we do seek to respect the principles of popular sovereignty and the paramountcy of local ownership of conflict and peace processes. We are challenged every day with trying to play an appropriate external role – mindful of who we are and where we are coming from – to support not complement and certainly not displace or supplant local and community-led capacities and initiatives. To a lesser degree and usually in support of our partners, we engage with our own governments and communities seeking to influence their engagement in conflicts.

About the NGOs/CSOs working in the field of Conflict Resolution and Peacebuilding

Particularly in the last decade we have witnessed a proliferation and professionalization– of organized, local, national and international civil society initiatives engaged in responding to conflict. These range from nonviolent civilian accompaniment initiatives (IPB) to multi-million dollar communication and policy organizations (like Search for Common Ground or ICG) to organizations specialising in mediation (San'Egidio, Centre for Humanitarian Dialogue). It is difficult to give a sketch that accurately captures the diversity. I suppose like any 'imagined communities' we are as different as we are alike. Because we are grow out of the misery of others (Joseph Garang famously referred to the peace and CR organizations engaging in Southern Sudan as 'vultures of peace')¹ there is now something of a mini-industry dedicated to studying us and trying to evaluate our impact. One of the challenges of trying to become more discerning about this field of non-state conflict resolution – is that there are no boundaries – and there is a great deal of shape-shifting. Development, and humanitarian agencies mainstreaming peacebuilding agendas, human rights and environmental organizations adopting new tactics of engagement, even commercial and corporate entities adapting explicit conflict-management roles.

The multiplicity of actors and interventions do not collectively bring peace. A look at the Bougainville timeline of interventions [see diagram] does not suggest that the influence of the various groups over the conflict cycle has a cumulative peace building effect. If anything the lack of communication and learning between the various interventions and the lack of coherence points to tragic lost opportunities. The consequences of the lack of coherence at the intergovernmental level are more profound than for NGO actors – especially when there is a lack of consensus on

sanctioning behaviour. The value of some harmonisation of government peace policy can be clearly seen in Sri Lanka today.

For the non-governmental sector, the challenge remains of how to become more discerning of the relative value of different approaches at different phases of the conflict cycle. There is an important collaboration of NGOs under the leadership of the Collaborative for Development Action in the US, called the Reflecting on Peace Practice project working on exactly this task.

One factor is what Jonathan Goodhand in the UK (SOAS)² points out is the simple dichotomy of those working "in" conflict situations and those working "on" conflict. Put differently, many intervening agencies are working to different goals or horizons in relation to conflict. (See diagram). We need to be assessed against the goals we set for ourselves, and by the integrity of the methods we employ.

Global and regional context

I remember when I was a student in Dublin, standing on a bridge over the Liffey – watching the river flow towards the Irish Sea – and seeing the branch of a tree being borne upstream on an invisible tidal bore wondering just how that worked. And I offer that as a metaphor for my own confusion over the seemingly contradictory crosscurrents in government policies on peace and conflict. I would like to congratulate AusAID and the Australian government on their published peace, conflict and development policy which is clearly a progressive document which reflects a lot of learning in Bougainville and East Timor and Fiji and no doubt elsewhere. Similar enlightened documents have come out of a number of other governments – I would single out the British, Norwegian and Swedish and particularly the Swiss governments for similar forward thinking. I would go so far as to say that the state sector is moving ahead of much of the thinking in the NGO/academic sector – although we all lag behind the work being pursued by local people seeking justice and peace in their own conflicts. But how are we to make sense of these policies in the context of this second year of the "War against Terrorism" Where is the coherence in policy between support for promoting human security, community-led peacemaking, and the participation of women, between conflict prevention and preventative war with Iraq? And what of the coherence of policy for the dealing with the victims of violence and war whether they are internally displaced or seeking asylum in our own countries. Is conflict resolution a "for export only" industry? Do these policy discussions have relevance for our "own conflicts."

The very global nature of our work means these apparent contradictions in foreign policy affect and perhaps inhibit or undermine our work. I think this challenge is no more evident than in the rhetoric about conflict prevention. When Prime Minister Tony Blair – speaking of the impending bombardment of Afghanistan – sought to assuage the concerns of the humanitarian community in Britain by announcing that the allied forces would be dropping bread as well as bombs – that every effort would be made to make this a humanitarian war – and when it the job is done – the government will need to draw on all of our expertise to build and new democratic state³. Some of us are not

comfortable with our place in this type of policy coherence. Which way is the tide flowing?

Rather than offering a framework, here a few key intervention challenges that appear particularly relevant to the Asia Pacific region:

Key (NGO) intervention challenges

1. Respecting sovereignty, retaining independence and engaging with non-state actors

We have heard, and we all recognize that the arenas for most of the world's conflicts are national (so called internal conflicts though they never are such). This has posed clear and repeated challenges for the national, regional and multi-lateral bodies and institutions based on state membership: How to relate to the non-state actors – be they the un- or under-represented sectors of a society, or be they political or armed groups engaged in conflict with the national government, or be they the other institutions of 'civil society': religious institutions, unions, NGOs, traditional leaders, or other groups or even individuals. There is a great deal to be learned from reflecting on the limitations of and opportunities for official engagement with these different actors in a conflict.

We know that civil society and NGO actors have the collective capacity to reach across national boundaries, form direct relationships with their counterparts in countries in crisis or conflict. We tend to operate in these grey areas in terms of respecting state sovereignty. The unfolding tragedy of our two colleagues arrested in Indonesia last week for violating visa restrictions reminds us of what is at stake.

NGOs operate with varying degrees of respect for national or popular sovereignty. Some troubled with questions of legitimacy, accountability and the appropriate limits of their role, many not, pursuing their self-declared mandates.

Entry points for intervention

We – I first became engaged in Fiji shortly after the coups of 1987 – with what is now a sister organization (International Alert), we were approached by members of the ousted Labour government in an open-ended call for support and solidarity. We kept in touch with contacts, developed friendships, and looked for an opening, an opportunity to support agents for change. The opportunity came in 1992 in the form of co-convening a seminar at the USP on what was called "The National Agenda" focusing on the economic and social challenges facing Fiji and the obstacles posed to change by the 1990 Constitution⁴. It was a frank and open exchange between government and opposition and other 'influentials' – and what in CR parlance might be considered a 'track two' event – and it was from that seminar that the terms of reference were first articulated for the legislation authorising the review of the Constitution and the establishment of the Reeves Commission. Although of course, there were other factors and other influences which contributed to these steps. Our role as a London-based NGO was a modest and indirect one. The agenda was being set and the process identified by a dynamic group of people who were later to constitute

themselves as the Citizens Constitutiona Forum (CCF). We were able to help them resource their work, and with prominent international guests – we were able to help them seize opportunities for convening influential dialogues. Another aspect which characterised our work in Fiji and elsewhere – and helped us bridge that the insider–outsider roles was that we actively co–operated with a like–minded members of the Fijian diaspora. Over time, our role as international partner scaled down and became increasingly invisible.

Where to start?

Resourcing peace, playing a ‘capacity building’ role does or can involve dilemmas of the paramountcy of local autonomy. What do you do when you see that local capacities are not doing everything that needs to be done, or when they are organising along different lines than those which (in our own analysis) might serve a better purpose? We have this issue in Uganda where our partner agency, Kacoke Madit, have organized along ethnic (Acholi) lines to work to conflict in the north between the LRA and the GoU. We might have preferred a more multi–ethnic and national organising principle – but this was a gap between reality and design. We faced a similar challenge in supporting the CCF in Fiji when they tactically moved from the role of convenors of dialogue on rights and constitution–making to taking positions and undertaking an active advocacy strategy (the point of departure was in their decision to make a submission to the Reeves Commission – a submission by the way , which successfully called for a power–sharing formula for cabinet government⁵). Although all such decisions to support local initiatives are not good ones – I believe that it is good practice to follow the lead of local people – whose conflict it is – and who will live with its consequences long after we are gone. We must be wary of following that advice that goes "If you really want to get there – I wouldn’t begin from here for starters" If you support local initiatives you do have to start from where they are, but it is a dialogue, a critical partnership.

This notion of what forms culturally and politically appropriate international relationships is obviously one which has challenged the peace and development work in Bougainville and will obviously challenge future development policy. The power of inappropriate development approaches in Bougainville has shown the capacity to help to destroy the very fabric of a society – Have the lessons been learnt – and how can private and public development initiatives be assisted in avoiding repeating the mistakes of the past? How can future development policies learn from the past and better relate to the diversity of Bougainvillean society and Bougainvillean aspirations for self–reliance and self–determination? How do the international development and support agencies appropriately sustain the stark challenges of supporting capacity building both in terms of local and provincial governance and amongst civil society organizations? Then there are the particular challenges and unfinished business of dealing with the past legacies of colonialism.

2. Defending and promoting human rights, humanitarian law and international standards: the arena of early warning?

There is a tension between the roles of human rights defender and that of conflict resolver. In the archetypal Burtonian intervention⁶ – in facilitating a process of analysis and problem solving – there is no place for the third party to take a position and uphold international standards and principles.

It does not help that there remains a debate about some of the core human rights issues at the centre of conflicts in the Asia Pacific region – notably on the issues of the right to self-determination and the balance of group and individual, minority and indigenous rights. The institutions which oversee and protect human rights are weak and their mechanisms and literally a long way from the source of the problem.

Since the Fiji coups of 1987 there have been some significant gains in this area – notably the establishment of the High Commission for Human Rights, the Harare Declaration, charging the ComSec with taking action when international standards for democratic governance are violated, and the EU-ACP Cotonou Agreement. The appointment of the Commonwealth SG's Special Envoy, the South African Justice Pius Langa, and the suspension of development assistance under Article 96 of the Cotonou Agreement – sanctions negotiated with Qarase Administration – and some of the few still left in place – have proved effective instruments for preventive diplomacy.

The Fiji case asks most starkly: whose role is it to safeguard/ guarantee a settlement under duress? Who defends human rights when democratic governance is violently overthrown? Who defends the defenders? When the Chaudhry government was taken hostage, the international outcry was clear, but the first line of defence was Fiji's civil society, NGOs and media. The importance of supporting local human rights defenders in divided societies at every stage of the conflict cycle prevention, mitigation, and management is clear, though giving support to such a vulnerable and often outspoken sector does not come without associated risks. Perhaps because of these risks, the support mechanisms are weak, for example: in the case which restored the 1997 Constitution – following the coup (Prasad vrs. Government of Fiji) it was left to NGOs to raise the resources for legal representation.

This line of questioning risks making an assumption that the emphasis for human rights protection is always in periods of crisis. Was their not also failure to aid the efforts of the Chaudhry government to tackle the land tenure crisis, and their efforts to bring into legislation Bills (like the Social Justice Bill) envisaged in the constitutional settlement. An effective human rights policy would involve both supporting and rewarding the advancement of HR as well as setting sanctions and conditionalities on behaviour aimed to set them back.

A case for conflict prevention?

CR always characterized our programme in Fiji as one of conflict prevention. Prevention in the sense that unless the 1990 Constitutional framework was changed, unless the insecurities over land tenure were resolved – there would indeed be violent conflict in Fiji. We were aware of the risks of a human rights centred strategy – that is if our partners were successful in raising popular levels of awareness of HR and there was no accompanying change, then the outcome, at least in the short term could be

heightened conflict. The analysis proved wrong – or at least the source of violence came from an unexpected excluded sector (redundant politicians and social entrepreneurs). Indo-Fijians, particularly young Indo-Fijians did not choose a more militant path.

So what is the importance of human rights in a government's conflict prevention policy? What are risks of a weak or even the absence of a response to governments-sponsored or tolerated human rights abuse? When bi-lateral assistance, trade and full participation in multi-lateral institutions are in no way conditional on upholding international standards? Specifically, what is the place of human rights in a conflict prevention policy for Fiji involve at this time?

3. Public Participation in Peacemaking: The peoples' right?

From the wreckage of conflict in the Pacific and Asia – comes the processes which end them – and these processes are concentrated, transformative and defining moments in a country's history. The nature of the process, who participates and to what degree and at what stage can determine the scope and form of constitutional and governance structures of the country. The cases of both Bougainville and Fiji underline the importance of inclusion both as a right and as good practice. From an external perspective these periods of concentrated change represent opportunities for promoting structural improvements in governance, human rights and security and development policy.

In a seminar organized by my organization earlier this year with participants from several countries going through peace processes⁷ – colleagues raised concerns that those who initiate and engage in armed conflict should not be able to impose the terms of a settlement on the population as a whole. This risks a process that merely recycles and re-legitimise old traditional power structures. You could see similar dilemmas in processes like Fiji's constitutional review – where the mechanisms for challenging the vested and communal interests of Fiji's political parties – reluctant to move away from communal politics – were weak or nonexistent. The ground for greater public participation is rarely offered and reluctantly given. The Fiji constitutional review process was (with hindsight) too focused on designing the new democratic framework and perhaps placed too little emphasis on educating the public, bringing them along with the proposed change and sustaining and owning the process.

Indigenous cultures / cultures with a strong rural community structures even with their strong hierarchies show a need for people to directly participate themselves to support decisions. Thus the large Bougainville meetings – similar to others taking place in Somalia and Mali – where many participants say very little if anything – but act as the eyes and ears for their community. The support given to subsidise the travel costs of this degree of inclusion – represents an enlightened policy on the part of the Australian government– and one which should stand as an example to others.

Even where there has been a relatively high degree of participation – as in Bougainville – the challenge remains of ensuring that the agreement is rooted and enjoys public

support so that (unlike Fiji's constitutional accommodation) it can withstand the first heavy weather – because it seems that one thing you can count on in the Asia Pacific region is heavy weather. Where agreements involve compromise – the understanding of why those compromises were made needs to become part of a living history.

In CR's seminar participants flagged their concern about the limits of superficial participation, in situations where participation in decision-making is already weak, if civil society is not well organized and is unable to promote clear agendas, mechanisms to promote involvement may ultimately be of limited value – thus the accompanying need to promote these capacities.

The challenge of promoting participation is not one which ends with an agreement signed. In a post-agreement peacebuilding phase there are particular challenges for external agencies to promote participation and social cohesion and avoid creating a hierarchy of victims & survivors: As in all post-conflict situations there is a jostling for position to be prioritised between ex-combatants, children, those debilitated by the physical and/or mental legacy of their trauma, and other survivors. How can strategic development policies reflect these tensions – and not exacerbate these social divisions and help promote reconciliation and social cohesion?

Conclusion: policy lessons learned from non-state actors

Conflict prevention and resolution work benefits from non-state actors in a variety of ways. Some of these may include:

(a) Diversifying the terms of engagement of developmental aid

It is important to recognize that state actor's involvement largely through developmental aid programmes and diplomatic means have provided limited windows for engaging with the underlying dynamics that generate conflict and its diverse groups and sectors. Individuals, NGOs and INGOS (even non-Australian ones!) can have a strategic role to play.

(b) Sensitising Developmental Aid

What materialises as development aid is largely a process that involves interaction between local and international policy officials. This often does not take into account the underlying factors, often simmering tensions that are within the reach of developmental aid interventions. But to understand and interpret these requires listening to non-state voices. Non-state actors can express these issues, but this is not necessarily what recipient governments want or encourage, and herein lies dilemmas for developmental co-operation policy-makers. How to effectively and meaningfully engage in policy making with non-state actors in divided societies?

(c) Engage and Engage: It takes more time than we at first thought

We recognize and understand that the dichotomy between conflict and post-conflict situations is merely conceptual. The 1997 constitution agreement in Fiji, the transition

to independence in East Timor and the 2001 Bougainville Peace Agreement were milestones, but their achievements are vulnerable. The underlying dynamics of conflicts such as persistent inequality, regional exclusion, marginalization, under representation in power or simply economic decline and its attendant poverty and unemployment problems constitute breeding grounds for rapid mobilisation against peace processes. Developmental actors appear to disengage or reduce their engagement when milestones are achieved. In the world of conflict prevention and peacebuilding, securing milestones is far subtler and less obvious. The promotion of dialogue at grassroots level through non-state actors, the promotion of capacity at grassroots levels during periods after a settlement has been reached ought to be a core part of development policy. Yet they are precisely what developmental actors move away from when conflict is apparently 'resolved'.

(d) Conflict takes place very locally

When violent conflict breaks out, it does so in very local areas. This often is beyond the reach of public authorities in-country and certainly beyond the view of the international media. Non-state actors often have a better agility and maybe pre-existing presence in such regions – but lack capacity. Local conflicts rapidly flare into broader regional or national conflicts, but they may also indicate that some larger sustained effort to destabilise a government may be underway. The agility of non-state actors, their sustained presence throughout is some thing that development policy actors can learn a lot from. Indeed writers in this field like Yash Ghai and Satendra Prasad at the USP have argued that the failure of democracy in the South Pacific has been the failure to support and help sustain civil society.

(e) Peacebuilding is Hard and Risky Work

As practitioners we have realized that promoting peace and reducing conflict is hard and exhausting work. The lesson we learn from practice generally fits under the "one step forward and two steps back" heading. Conflict prevention creates risks for all those involved. The rewards are unquantifiable and often defy the matrixes used to measure success and failure of interventions. It is also skilled work and multi-faceted. Promoting a culture of peace involves work at so many levels, with young people of course, but with wider society and entrenched groups such as chiefs and elders as well. In divided societies, the promotion of peace and conflict resolution skills is not something that can and ought to be left to governments – in fact that ought to be the very last thing that governments do. The Ministry of National Reconciliation in Fiji, for example, where the Government is almost exclusively comprised of one ethnic group does appear to be somewhat of a cynical gesture. Such interventions are the business of non-state actors. Reconciliation in Solomon Islands and PNG are also cases in points. But for non-state actors such work involves risks as well. How to make such work rewarding and less vulnerable ought to be examined.

(f) Groping in the dark

There is much talk about coherence between developmental actors. But across the South Pacific, we have seen how developmental actors have groped in the dark during

periods of heightened tension. In the first instance, developmental actors have attempted to outplay one another during periods of conflict. A gulf has opened between the way in which China and Japan engage in the region and the way in which New Zealand, Australia and possibly the EU engage for example. Pacific leaders have mastered this game well it would seem. But these highlight two problems. First is the obvious lack of a mechanism for coherence between developmental actors. Second is the lack of understanding in recipient countries of what are the "essential conditions" of development partnerships in the first place. What does respect for rule of the law mean for example for continued engagement by development actors? But more than that, is the question of how do you move development co-operation away from the promotion of national or national corporate interests? We think non-state developmental actors can teach a lot to government aid agencies and learn from them as well. But where does this dialogue take place?

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