

**Towards An Architecture For Peacebuilding:
Restructuring Power In Political Conflict**

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ABSTRACT

This thesis asserts that peacebuilding entails the restructuring of power. The concept of positive peace - the absence of overt hostility and the absence of structural violence - is adopted as the goal of peacebuilding. Political violence is positioned as an expression of conflict which itself is based upon actual or perceived violence. Violence is defined as one form of power, “power over”. Two other forms of power are considered: “power through” - associated with rights and rule of law; and “power with” - associated with the interests of the parties in conflict and with positive peace. Peacebuilding must assist in transforming violence into peace; power must be restructured.

The thesis is based on a test of the Conflict Transformation Framework (CTF) of peacebuilding through action research in three cases leading to the development of an “architecture for peacebuilding” which is applied in a fourth, central case, Peacebuilding in Crimea. Of three potential frameworks to guide peacebuilding, the CTF was deemed the most applicable to contemporary forms of political violence. The CTF, attributed primarily to the work of Jean Paul Lederach, emphasizes the importance of a long-term perspective, attention to the systemic root causes of conflict, and the importance of middle-range actors in achieving a sustainable peace. The philosophical basis (including the centrality of reconciliation) and the key elements of the CTF are validated here. The CTF is critiqued, however, as providing insufficient theory and practical guidance on the relationship of Peacemaking, Peacekeeping and Peacebuilding. The role of power in political conflict is also underdeveloped in the CTF. The research findings here suggest a departure from the CTF and direct that it is not conflict which must be transformed in political violence but the form of power, from power-as-violence to power-as-peace.

The conceptual basis, key definitions and principles of an “architecture for peacebuilding” are developed here and operationalized in a Peacebuilding Assistance Model which is tested in Crimea. The Model emphasizes the interactivity of four components: the Peacebuilder, the Local Actors, the Peacebuilding Activity, and the Context with which and within which all interact. Crucial questions requiring further research are identified.

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1.0 CHAPTER ONE

CONFLICT TRANSFORMATION: A PATHWAY THROUGH THE UNCHARTED TERRAIN OF PEACEBUILDING

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LIST OF ABBREVIATIONS

AFN	Assembly of First Nations
CIIAN	Canadian International Institute of Applied Negotiation
CSCE	Council for Security and Cooperation in Europe
CTF	Conflict Transformation Framework
DIAND	Department of Indian and Northern Affairs
DM + DF	Disaster Management plus Development Framework
DNSF	Democratic National Salvation Front
DRF	Developmental Reconstructionist Framework
EU	European Union
EUAM	European Union Administration in Mostar
FDC	Foundation for Democratic Change
HDUR	Hungarian Democratic Union of Romania
ICC	Indian Claims Commission
IFOR	Implementation Force
IRF	International Renaissance Foundation
NATO	North American Treaty Organization
NGO	Nongovernmental Organizations
NSF	National Salvation Front
OSCE	Organization for Security and Cooperation in Europe
PCIA	Peace and Conflict Assessment
PRDU	Post War Reconstruction and Development Unit
PRIO	International Peace Research Institute
RNUP	Romanian National Unity Party
TRACK I	Track I Diplomacy
UNCHS	United Nations Centre for Human Settlements
UNESCO	United Nations Education, Scientific and Cultural Organization
UNHCR	United Nation High Commission for Refugees
UNPROFOR	United Nations Protection Force
UNRISD	United Nations Research Institute for Social Development

DECLARATION AND ACKNOWLEDGEMENTS

Except where otherwise stated, this dissertation is entirely my own work. During the course of the study a number of papers, based on different parts of this dissertation were presented at workshops and conferences. All of the papers/publications are referred to in the Bibliography.

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Finally, thanks to Alba Cruz and Laura Doehring for assistance in producing this.

THE PREAMBLE

P.1 Exploring the Problem

This study is concerned with peacebuilding. The study began with a query into the role and place of reconciliation in rebuilding war-torn societies. It would focus on the importance of hope, healing and reconciliation - the fact that before, during and after war, people must live in relationship, even if that means learning to live with fundamental differences.¹ While the topic was potentially broad in its philosophical and practical application, the focus was narrow. The methods and techniques for achieving reconciliation between belligerents would be researched.

An early foray into the literature on reconciliation, and an opportunity to conduct a reconciliation workshop (the first case reported in this study) in war-torn Yugoslavia, however, shifted the focus of the intended research, broadening and deepening the challenge.

It became apparent that both theory and practice in building peace, or “peacebuilding,” was undeveloped. The literature and practice in peacebuilding that could be identified lacked coherence; rather, there were threads of thought, more questions than answers, and a host of issues that needed to be addressed.²

¹Joseph Monteville, who coined the term “Track Two Diplomacy” brings the religious and psychological dimensions of peacebuilding to the fore in his practical work on reconciliation and in his article, “The healing function in political conflict resolution”. (Sandole & van der Merwe, 1993: 112-129)

² In Conflict Transformation, Rupesinghe (1995: xiv) notes “Because of the *dearth* (italics added) of research into peace-building, Ryan concludes (his chapter) with a series of questions on the relationship between peacebuilding, peacekeeping and peacemaking, on how effective are different peacebuilding strategies, how effectiveness can be measured, how resistance to peace-building can be overcome, and a number of other issues.

Broader questions about peacebuilding included: How do we define it? How do we envisage peacebuilding? How do we plan, design and implement it? How do we monitor and support it, and measure whether we have accomplished it?

These are large questions. They are philosophical yet practical questions. They called for a general framework to guide peacebuilding; they also point in the direction of the microcosm, to the technical and the instrumental. Thus, with so much to explore, the peacebuilding research agenda was, and is, enormous.

The first task of this study, based on a review of the literature, was to define peacebuilding and to situate it in the over-all context of the three inter-related peace-nurturing functions: peacemaking, peacekeeping and peacebuilding. In doing so, a number of key issues were identified and the focus of the study - testing the Conflict Transformation Framework - emerged.

The term peacebuilding was situated as one of the triad of peace-nurturing activities, - along with peacemaking and peacekeeping. Taken together, they constitute the key elements of a “peace process” applicable to war torn societies; a roughly sketched response to problems of contemporary warfare.

THE PREAMBLE

Contemporary warfare has been described as virtually anarchical violence most often between ethnic factions within formerly peaceful nation states^{3, 4, 5}.

These wars produce mostly civilian casualties in great numbers, human rights atrocities, in some cases forms of 'ethnic cleansing'. Described as internal wars, they result in unforeseen levels of refugees and internally displaced persons, protracted conflict at the community level between former neighbours and relatives, and often near total destruction of the physical and social environments, and the economic and political infrastructure. (Barakat, 1993 and Enzenberger, 1990) (See Figures 1 and 2.)

³ A recent account lists 37 "current" conflicts and 13 states at high risk of conflict with as many as 9.3 million casualties reported. (See Report of the Aspen Institute, 1997 "Conflict Prevention: Strategies to sustain Peace in the Post Cold War World".)

⁴ For a detailed discussion of internal war and its effect, see G. Strom, "The role of NGOs in Preventing War and Making Peace," Pearson Peacekeeping Centre, Canada. Of particular note is that there were 82 armed conflicts between 1989 - 92 and Storm's assertion that while "the warring parties have presented themselves in ethno-political terms, the issues could not be classified as ethnic, but were of economic and political characteristic. . . . Causes of violent conflict were found in sudden changes in the socio-economic structures, perceived by affected groups to be unfair. Such changes in social or economic structure can explain many cases of mobilization of distrust in governances among and between each of them".

⁵ The term peace-nurturing was defined by Kenneth Bush as the fostering and support of sustainable structures and processes which strengthen the prospects for peaceful co-existence and decrease the likelihood of the outbreak, reoccurrence, or continuation of violent conflict. (see Bush, 1995)

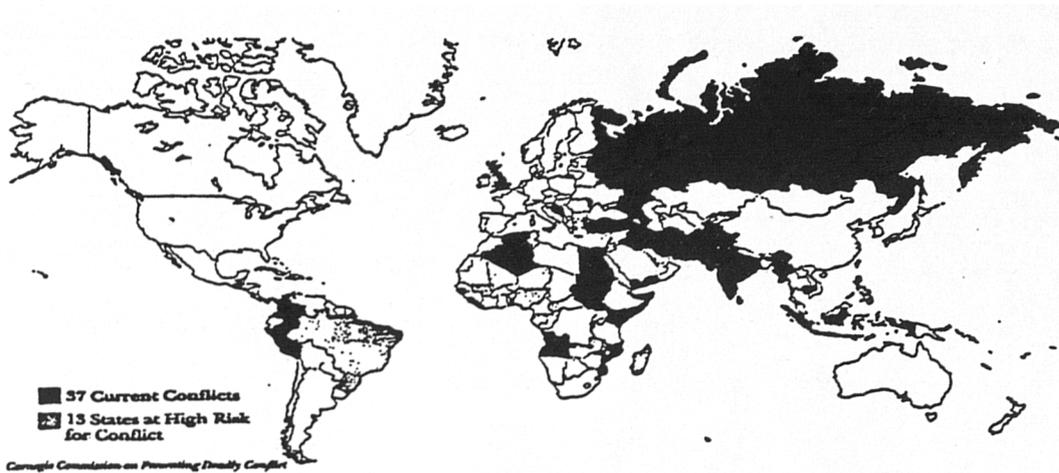


Figure 2: Aspen’s Report of Current and Potential Conflict

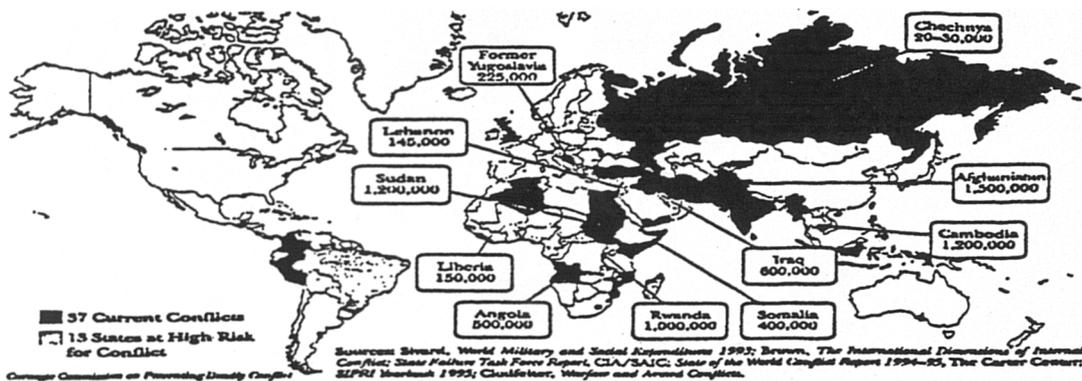


Figure 1: Aspen’s Report of Casualties

Confronted with a world of increasing disorder rather than the heralded “new world order” after the fall of the Berlin Wall, concerned parties everywhere have been pressed to develop a response. Such a response is informed very little by the past, by the traditional roles of the United Nations, the international nongovernmental organizations and related agencies who share in peacekeeping, peacemaking, and peacebuilding activities.⁶

⁶ A great many articles on peacekeeping, peacemaking and peacebuilding all begin with comments that a new world ‘order’ has not ushered in, on the contrary, as Wirik writes: “Suddenly, the world has entered a new era. The Cold War is over. The modern age is passé.

THE PREAMBLE

Furthermore, what exactly the terms Peacebuilding, Peacekeeping and Peacebuilding mean and how they inter-relate is open to debate. The terms were not developed at the same time nor were they developed by and for use within the same community. Their roots, traditions, the practice associated with each come from different academic and practical disciplines, including peace and conflict studies, political science and international relations, conflict resolution, the disaster management, development, and security fields.

The term *Peacekeeping* has long been in use and found its original meaning and mandate in Chapter VI of the UN Charter and military doctrine developed in the past forty years by member states of the United Nations who contributed peacekeeping forces to missions.⁷

Peacemaking was found in the discourse of international relations and political science, although it was practically situated in the domain of diplomacy and statesmanship.

The shape of this new era remains opaque. It is far easier to define contemporary events by what they are not than by what they are.” (Wirik, G. “United Nations Peacekeeping in a New Era: Implications for Canada,” in R. Miller (ed.) *Aid As Peacemaker*, Carleton University Press, Carleton, 1992: 107 -121.) And Enzenberger notes: “The terrors this precarious situation (the Cold War) evoked are already half forgotten. Others have appeared to take their place. The most obvious signs of the end of the bipolar world order are the thirty or forty civil wars being waged openly around the globe. We cannot be sure of the exact number, since chaos is unaccountable. But the signs are that things will get worse before they get better”. (*Civil War*, 1990: 14)

⁷ According to Wirik, “Peacekeeping was an innovation; its invention was neither provided for nor foreseen in the UN Charter. In that document the maintenance of peace and security was encouraged by negotiation, mediation, arbitration and judicial procedures under Chapter VI and by military means under chapter VII.” in R Miller (ed.) *Aid in Peacemaker* Last, however, emphasizes that Peacekeeping requires the consent of the warring parties and it is carried out under Chapter VI; Chapter VII enforcement interventions are at odds with the peacekeeping mandate. Last notes, however, that *An Agenda for Peace* revisits the 1945 Charter and asserts that economic sanctions and if necessary military force should be used in support of peace-making activities. (Last, 1993, “Peacekeeping Doctrine and Conflict Resolution Techniques”)

Peacebuilding was practised for a number of years as a form of “Track Two Diplomacy,” the nongovernmental, often community-based variant of peacemaking.⁸

In his 1992 *An Agenda for Peace*, United Nations Secretary General Boutros Boutros-Ghali noted that *Peacekeeping* was “the deployment of a United Nations presence in the field, hitherto with the consent of all the parties concerned, normally involving the United Nations military and/or police personnel and frequently civilians as well”. *Peacemaking* was defined as “action to bring hostile parties to agreement, essentially through peaceful means.” This could also include mediation and negotiation, the World Court, international action to ameliorate circumstances that have contributed to the dispute or conflict, sanctions and peace-enforcement, the use of military force when all peaceful means have failed to “respond to outright aggression, imminent or actual”. (Boutros Boutros-Ghali, 1992)

Peacebuilding had been defined in 1980 by Harbottle in “The Strategy of Third Party Intervention in Conflict Resolution” as “the practical implementation of peaceful social change through socio-economic reconstruction and development”. (Harbottle, 1979) Secretary General Boutros-Ghali referred to a post-conflict building process as “action to identify and support structures which will tend to strengthen and solidify peace in order to avoid relapse into conflict” (Boutros Boutros-Ghali, 1992) and “the construction of a new ‘environment’ to prevent the recurrence of violent conflict”. The special tools identified include: cooperative projects between antagonists, reducing hostile perceptions, building democratic institutions.

⁸ At the risk of complicating matters more, Diamond and Macdonald have developed the term “multi-track diplomacy” to underline the fact that peace-making/peacebuilding can be undertaken by many actors at many levels in a society and conflict situation. (See Diamond and Macdonald, 1997)

THE PREAMBLE

An elaborated view of peacebuilding is:

Peacebuilding is the strategy which most directly tries to reverse the destructive processes that accompany violence. This involves a shift of focus away from the warriors, with whom peacekeepers are mainly concerned, to the attitudes and socio-economic circumstances of ordinary people. Therefore it tends to concentrate on the context of the conflict rather than on the issues which divide the parties. (See Ryan, 1990.)

Peacebuilding is the most recent term associated with the peace process. Its relationship to peacekeeping and peacemaking has not been explicated or tested systematically. It most often refers to those efforts which will sustain peace in a formerly war-torn society.

P.2 Focussing the Problem

The definition of peacebuilding was thus an issue and a number of other key issues with respect to peacebuilding were identified in the literature. These key issues included: the relationships of peacebuilding to peacemaking and peacekeeping; strategic issues, such as actor coordination; the issue of measuring success; and the need for a peacebuilding framework. The need for a peacebuilding framework was isolated as a *pressing concern*. The focus of this study began to take shape.

The first task of this study, therefore, was to define peacebuilding and to situate it in the over-all context of the three inter-related peace-nurturing functions: peacekeeping, peacemaking and peacebuilding. The second task was to address the issues of a need for a peacebuilding framework.

Three potential frameworks to guide peacebuilding were identified: the “Disaster Management plus Development” Framework; the “Developmental Reconstructionist” Framework; and the “Conflict Transformation” Framework.

These three frameworks, the first two of which were posited by the author as emerging and not formally recognized as such, were considered for their appropriateness as a focus of study.

The Conflict Transformation Framework is the most developed of the three and may be attributed to the work of John Paul Lederach (Lederach, 1991, 1994, 1995, 1997). Like the other two frameworks, it begins with attention to contemporary conflict, it stresses the enormity of the challenge of peacebuilding, it emphasises a long-term perspective. Unlike the other two, however, the Conflict Transformation Framework has a philosophical basis, operational directives, it places reconciliation at the centre, and it postulates the significance of middle-range actors to building a sustainable peace. The Conflict Transformation Framework had face validity: it appeared to provide a pathway through the uncharted terrain of peacebuilding. The Conflict Transformation Framework was deemed to be most applicable to contemporary forms of political violence. It offered a comprehensive strategy for peacebuilding. It became the focus of this research.

P.3 Aim of the Research

The aim of this study, through action research in peacebuilding, is to test the Conflict Transformation Framework with the overall goal of contributing to an “architecture for peacebuilding.”

Why an architecture for peacebuilding? What distinguishes an architecture from a framework? Would a plan not suffice? What is meant by architecture?

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When beginning this study, the notion of building peace suggested, at the very least, that metaphors taken from the discipline of architecture would inform peacebuilding as one of the three peace-nurturing functions. It was conceivable that the essentials of architecture, the notion of principles and the clinical, craftsman approach taken by the architect to an assignment, upon receiving the brief, would be instructive to peace building.

In his forward to the United States Institute of Peace's 1996 volume Managing Global Chaos, Richard Solomon (Crocker and Hampson, 1996: ix) places the challenges of peacebuilding in a conceptual and chronological context and gives meaning to the metaphor of "architecture" chosen as the central thesis of this study:

Constructing a road to peace has been an 'engineering' challenge for centuries of policy-makers and scholars alike, and the literature is alive with appropriate images: charting paths, using stepping-stones, laying foundations, paving the way, building bridges. Even negotiations have been characterized by the transportation metaphor, with "track one" referring to the official public process and "track two" to the nonofficial, private one. These images capture the dynamic nature of the exercise as well as the understanding that each stage in the process is connected to the stages that both precede and follow. Constructing a road to peace is therefore not simply a matter of agreeing to a cease-fire and separating military forces, although such steps may be necessary elements of the processes. It is also a matter of identifying the sources of conflict, developing a system of early warning about deteriorating conditions that might lead to conflict, and motivating the right people to act on the warnings. It is the challenge of encouraging antagonists to desist from laying land mines and begin creating ground rules for negotiation. It is also a matter of establishing and nurturing, once peace is achieved, those elements of reconciliation and reconstruction political, social, cultural, legal, and economic that allow peace to take root and flourish.

O'Connell (Woodhouse, 1991:11) observed that:

One of the difficulties about peace - it besets both those advocating the study of peace and those opposing it - is that the concept refers to structural situations and operates on a second level of abstraction (in this

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sense the concept of peace is like the concept of love). But it is concrete relations between individuals and groups - between states not least - that embody peace. It is, in consequence, less peace that has to be sought after than satisfactory relations between groups. Understood in this way peace again is an architectonic idea. (underline added.) Its advantages are that, on the one hand, it faces up to the hard, and sometimes harsh realities of concrete relations, and so avoids turning peace into a mystique and, on the other hand, it takes into account the need to deal with concrete relations in holding to the value of a dynamic and tranquil order that nonetheless has to cope with the presence of tolerable and/or tolerated injustice and less than full freedom.

In his opening remarks to the UN's First International Colloquium on Post-Conflict Reconstruction held in 1995, Special Political Advisor to the Secretary General, Alvaro de Soto, remarked that peacebuilding was a political task requiring a highly skilled architect (underline added). He contended that peacebuilding was not the provision of relief, rehabilitation and reconstruction - services the international actors present were quite comfortable with - but that it called upon these. He noted as well that peacebuilding was not development - another area that representatives were well acquainted with - but that it called upon it. He stressed the need for a framework that would give meaning to the term and guide those required to implement peacebuilding.

Lederach, credited here with articulating the Conflict Transformation Framework, likewise refers to the notion of architecture when outlining his comprehensive strategic framework for conflict transformation. He notes:

I am suggesting that 'peacebuilding' be understood as a comprehensive term that encompasses the full array of stages and approaches needed to transform conflict toward sustainable, peaceful relationships and outcomes. Peacebuilding thus involves a wide range of activities and functions that both precede and follow formal peace accords. Metaphorically, peace is seen not merely as a stage in time or a condition. It is a dynamic social construct. Such a conceptualization requires a process of building, involving investment and materials, architectural design, coordination of labour, laying of a foundation, and detailed finish work, as well as continued maintenance. (Lederach, 1997: 14)

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This study adopts and tests the overarching metaphor of an “architecture” for peacebuilding. The field work was guided by the metaphor and the research findings point us away from the notion of an “Architect” of peace, an outside intervenor who effects a peace, and towards an “architecture for peacebuilding” - a flexible, concurrent process of interaction between four key components: the Local Actors to whom peacebuilding assistance is provided; the Peacebuilder, an external actor who provides peacebuilding assistance; the Peacebuilding Activity, which may be social-psychological/interactive activities and/or developmental/institutional capacity building assistance; and the overall Context within which peace is to be built.

P.4 Research Methodology

To test the Conflict Transformation Framework and address related key questions identified in the literature, a dialectical course was taken in this research. Theory informed practice and practice has, hopefully, contributed to theory.

A comprehensive methodology based on action research in peacebuilding was developed. It had four main components, some of which required detailed articulation of hypotheses and tests that were suited to case study action research.

The four broad components of this study’s research Methodology included the epistemological context of the research, the line of inquiry to be followed throughout, factors relating to case study action research, and the selection of cases.⁹

⁹ The reader is referred to page 87 to find a diagram outlining the overall research design and to page 121 where the challenge of peacebuilding over the range of contributing cases used in this study is depicted.

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The epistemological context situated this research in an historical context and acknowledged the influence of three pioneers in peace and conflict studies, Johan Galtung, Adam Curle and John Burton. The fact that action research in peacebuilding was not value neutral was made explicit. Peacebuilders seek the goal of peace; therefore what would be done and the research findings are thus influenced.

The line of inquiry required that the cases be viewed from three levels: from the perspective of the Conflict Transformation Framework; from the perspective of the key issues identified in the literature; and with respect to three imperatives of peacebuilding stipulated by Lederach (the importance of time, attending to the systemic roots of conflict and the critical role of middle-range actors).

Three of the cases, a process-promoting workshop in Mostar, conflict resolution capacity-building in Romania, and designing an Indian land claim dispute resolution mechanism in Canada were treated as “contributing” cases. Their analysis resulted in a critique of the Conflict Transformation Framework and the synthesis of that analysis formed the basis for work on a fourth, central case, Peacebuilding in Crimea.

Whereas the Conflict Transformation Framework has considerable strengths as a philosophical model, it does not address the key issues in the literature which have been identified here. That is, it speaks to the definition of peacebuilding (including the structural dimensions of conflict) and provides a broad strategic framework for approaching peacebuilding, but it gives little specific guidance on building institutions or mechanisms that provide a capacity for the non-violent expression and resolution of conflict. It emphasizes coordination as a key element and stresses the importance of time and a long-term perspective in peacebuilding, but it leaves much unsaid about the national and international context and related strategic considerations.

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Furthermore, our cases of action research highlighted the role of power in political conflict and the practical limits of peacebuilding. The Conflict Transformation Framework says very little about power and places a large expectation upon middle-range actors as a key to sustainable peace. Too much emphasis on middle-range actors may not be appropriate, however, as Track I diplomatic peacebuilding initiatives are important and form part of the context of peacebuilding at the middle range.

The limits to peacebuilding are also not as clearly specified in the Conflict Transformation Framework as they are here. These limits may arise from the context itself, from the type of peacebuilding assistance which is offered, from the population to which it is offered, from the third party offering it, and from the manner in which it is provided.

Our synthesis, an “architecture for peacebuilding” was the product of casework that tested the Conflict Transformation Framework, built upon its strengths and responded to its deficiencies. The fourth case, Peacebuilding in Crimea, was conducted using the Peacebuilding Assistance Model which operationalized the “architecture”.

P.5 Limitations of the Research

The following specific limitations of the research must be noted.

The “architecture for peacebuilding” presented here is based on action research conducted in Mostar; Bosnia-Herzegovina; in Romania; in Canada; and in the Crimea. As action research in building peace, it is non value neutral. The action taken, the data collected, their analysis and interpretation are all influenced by the

researcher's inherent bias to peace, the objective of peacebuilding and the object of study. That factor alone, made explicit in the Methodology, gives shape and colour to the work presented here and the findings. It could, from some social science research perspectives, be seen as a limitation.

Action research also has an inherent limitation inasmuch as the selection of the cases, especially in peacebuilding, is highly subject to opportunities that arise for the researcher. The cases are real, the people involved are real, the laboratory is the real world: but access to cases and the range of cases that may be drawn upon at any given time will limit our perspective and our contribution. This becomes especially crucial here in that our cases did not include any that focus on Track I, diplomatic peacemaking and related peacebuilding activity. Our "architecture" suffers for lack of insight into that domain.

Another obvious limitation is time. This study makes it abundantly clear that peacebuilding is a long-term initiative. We also articulate three phases of peacebuilding and develop a Peacebuilding Assistance Model to plan, execute and follow-up a peacebuilding initiative. In three of the four cases examined here, the peacebuilding initiatives, somewhat modified as they have matured, are still ongoing. We see here only the early stages and only part of a multi-faceted activity. The results reported are therefore limited by time constraints.

Finally, and perhaps most importantly, are the limitations of the researcher himself. This is especially so in action research in peacebuilding which is non value neutral. The extent to which the philosophical or ideological, the clinical and knowledge limitations of the researcher shape the work, and limit the contributions of the findings is an important consideration.

What we have determined is that four key elements must be taken into account in peacebuilding: the Peacebuilder; the Local Actors; the Peacebuilding Activity; and

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the overall Context within which and with which these interact. To that extent, the limitations of the researcher are addressed explicitly in the Peacebuilding Assistance Model.

P.6 Structure of the Study

The study is organized to reflect the actual progression of thought, clinical experience obtained in the field work, and theory development in peacebuilding as they took place over the three year term of research.

The study begins with an identification of the key issues in peacebuilding as found in the literature in 1995 and culminates with the application of a Peacebuilding Assistance Model in the Autonomous Republic of Crimea, Ukraine. The Peacebuilding Assistance Model is the product of analysis and critique of the Conflict Transformation Framework and is based on the philosophical principles of an “architecture for peacebuilding” developed in the course of conducting the research in action research.

In **Chapter One, Conflict Transformation: A Pathway Through The Uncharted Terrain of Peacebuilding**, five primary key issues identified in a review of the literature are discussed and John Paul Lederach’s Conflict Transformation Framework is reviewed at length (Lederach, 1994, 1995, 1997). The definition of peacebuilding adopted in this research is set forth as: **the transformation of violence in a society through destruction of the structures of violence and construction of the structures of peace including building the capacity for the non-violent expression and resolution of conflict.**

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After discussing issues such as the relationship of Peacebuilding, Peacemaking and Peacekeeping; the need for improved coordination and cooperation among actors involved in Peacebuilding; and the need for means of measuring success in Peacebuilding; the Conflict Transformation Framework is identified as the most explicit and comprehensive response to the challenges. A number of concepts and hypotheses of conflict transformation, especially as reviewed by Ryan (1995) are considered, and it is concluded that while the hypotheses may be of some value for the peacebuilder, the need for an operational framework for conflict transformation remains.

The Conflict Transformation Framework is examined in detail, drawing heavily on Lederach's Building Peace: Sustainable Reconciliation in Divided Societies. (See Lederach, 1997.) We find here an "operational" framework suggesting a comprehensive approach to the transformation of conflict by addressing structural issues, social dynamics, the role of relationships, resources and infrastructure for coordination. Reconciliation remains at the centre of the Framework. Furthermore, three imperatives with respect to peacebuilding are identified and associated with the Conflict Transformation Framework:

- ▶ We must develop the capacity to think about the design and implementation of social change in time units of decades, in order to derive and translate the lessons of crisis into a constructive process of sustainable peace.
- ▶ We must understand crisis issues as connected to systemic roots and develop approaches that explicitly see those issues as embedded within a set of relationships and subsystems.
- ▶ We must recognize the integrative potential of middle-range actors, who by their locus within the affected population may have a special capacity to

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cultivate relationships and pursue the design of social change at the subsystem level.

Chapter Two, Theory on the Anvil of Action Research in Peacebuilding: A Dialectic Methodology, outlines in detail the multi-level methodology used in the study to test the Conflict Transformation Framework and culminate in an architecture for peacebuilding. The research is based on four cases of action research in peacebuilding. Three of the cases are treated as “contributing cases”: learning from them is applied to a fourth and central case. Theory informs practice, and practice contributed to theory development. An over-arching “line of inquiry” is perused throughout the research in addition to the general and specific methodological considerations in the three “contributing” cases, each of which required unique approaches based on the features of the case and the type of peacebuilding activity being provided. The contributing cases are depicted in terms of the comparability of the peacebuilding challenge associated with societies in difficult stages of social development and conflict escalation. Furthermore, field research methods applicable when working in conflict and violent environments and having a direct impact on the action researcher/peacebuilder are discussed.

Chapters Three, Four, and Five describe the three contributing cases. There, a typography of each case is presented in a standardized form, briefly describing five features of the case, including: the peacebuilding activity; social structure - the targeted population; stage of the conflict escalation; duration of the intervention; and ethical considerations. The peacebuilding intervention is then described in each case by discussing general and specific methodological considerations, preparation, and action. Finally, the contributions - a series of observations and reflections on the experience of each case are presented. (As these cases are “contributing” cases, intended to test the Conflict Transformation Framework and contribute to the development of theory to be applied in the fourth case,

Peacebuilding in Crimea, their treatment is relatively brief and supporting materials are appended for further reference.)

These contributions form the basis of more critical reflection and analysis in **Chapter Six, Analysis: Critique of the Conflict Transformation Framework**. The Conflict Transformation Framework is assessed as providing a comprehensive approach to peacebuilding based on philosophical principles which are operationalized to some extent. It illustrates the importance of theory, the value of a framework, and the central importance to peacebuilding of a long-term rather than crisis perspective. While the Conflict Transformation Framework also highlights the need for attention to root causes of conflict, and systemic and structural dimensions, it provides little guidance on building institutions or mechanisms that provide a capacity for the non-violent expression and resolution of conflict. It does not speak to the role of power in direct and practically helpful ways. The analysis thus concludes that there is a need for an architecture for peacebuilding that is theory-based, which addresses power in political conflict and which is capable of being operationalized.

In **Chapter 7, Synthesis: An Architecture for Peacebuilding**, the emerging architecture is presented in terms of a conceptual basis, definitions, philosophical principles, and a Peacebuilding Assistance Model. The Peacebuilding Assistance Model operationalizes the “architecture” for peacebuilding.

In **Chapter 8, Conflict in Crimea: Applying the Architecture for Peacebuilding**, the Peacebuilding Assistance Model is applied in the fourth and final case. The Model, introduced to operationalize the “architecture for peacebuilding” developed in Chapter 7, is discussed from the perspective of the Peacebuilder, the third party user of the Model. The discussion reflects on the structure of the Model, the specific questions presented in the Model, and the Model’s value to the field of Peacebuilding. Specifically, we ask whether the model operationalizes

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the “architecture for peacebuilding” in a practical way; and whether, as a concrete product of this research, it is a contribution to the field of peacebuilding.

A summary with respect to the overall aim of this study is presented in **Chapter 9, Towards An Architecture for Peacebuilding**. It is concluded that the study provides us with a more coherent examination of peacebuilding than existed. It identifies the key issues reported in the literature and discussed among practitioners. It addresses certain applications of conflict resolution as they are applied in peacebuilding. It seeks to be a rigorous examination of the field through action research in peacebuilding, moving beyond the Conflict Transformation Framework as it is presently expressed to a deeper notion of restructuring power in political conflict. We begin to glimpse an “architecture for peacebuilding”.

It is only a glimpse, however, as many questions remain. Some of these questions arose as a product of the casework and theory development contained here. Some are questions that could not be explored in this study because of the inherent limitations of the research or because they were recognized as valid while conducting the research, and requiring response, but simply fell outside the scope of the study.

The study concludes by outlining limitations of the research, identifying crucial questions, and making suggestions for further research.

“Towards an Architecture for Peacebuilding” seeks to chart and provide a means of charting relatively unknown territory, building on the work of pioneers and contemporary scholars committed to peace and justice.

CHAPTER 1

Conflict Transformation: A Pathway Through The Uncharted Terrain Of Peacebuilding

1.1 INTRODUCTION

This chapter highlights five key issues that emerge in a review of the literature on peacebuilding; it discusses various views of the relationship between peacebuilding, peacekeeping and peacemaking; concludes that there is a pressing need for a framework to guide peacebuilding; and identifies three possible frameworks. The Conflict Transformation Framework, which is attributed to the work of Jean Paul Lederach (Lederach, 1991; 1994; 1995; 1997) is selected from the three for research purposes and is discussed at length.

The literature at the time of beginning this study was scant; in fact, Rupesinghe (1995: xiv), the editor of Conflict Transformation remarked “. . . the dearth of research into peace-building . . .”. Peacebuilding appeared to be wholly uncharted terrain. The definition of Peacebuilding is itself a critical issue. To determine what peacebuilding is, we look first to the notion of peace. Johan Galtung’s (1973)

expansion of the definition of peace to mean more than the absence of war - or other forms of overt violence - to include the absence of structural violence, as well, is introduced. This philosophical consideration takes into account the relationship of conflict and peace, and the role of justice in peacebuilding. An operational definition of peacebuilding is developed on the basis of philosophical considerations of peace, and in light of the work of major writers in the field (Harbottle, 1980; Boutros Boutros-Ghali, 1992; Weiss-Fagan, 1994; Lederach, 1994; Galtung, in Rupesinghe, 1995: p. 83; Fisher, 1995; Bush, 1995; 1996; Ball, 1996). The definition of peacebuilding used in this study is: the transformation of violence in a society through destruction of the structures of violence and construction of the structures of peace including building the capacity for the non-violent expression and resolution of conflict.

The other primary issues identified in the literature and discussed in this chapter are:

- ▶ the relationship of peacebuilding to peacekeeping and peacemaking;
- ▶ strategic issues;
- ▶ measuring success; and
- ▶ the need for a peacebuilding framework.

The definitions of peacemaking, peacekeeping and peacebuilding are considered in relation to one another with a view to understanding how they relate in operational terms. They are treated as discrete but intricately related peace-nurturing functions - a peace-nurturing triad. Their operational relationship is explored by considering, in particular, models advanced by Ball (1991) and by Last (1997). In addition to looking to Ball and Last to diagrammatically depict the relationship of the three peace-nurturing functions, their view of the sequence, or timing, of the three is considered. The author then posits a view of the peace-nurturing triad in contemporary intra-state war situations, asserting the potential presence of peacebuilding activity prior to, during, and after violent conflict.

The strategic issues in peacebuilding identified here are the need for improved communication and coordination among actors, and the challenge of measuring success in peacebuilding. Both of these issues are discussed against the backdrop of the challenge of re-building war-torn societies; what is referred to here as the “brief.” This discussion leads to a determination that there is both the “what” that peacebuilding is, and the “how” of peacebuilding. These relate to one another and, it is argued, they point to the need for a peacebuilding framework to bring all of the key issues together and to provide practical guidance in peacebuilding.

Three frameworks are identified; two are posited by the author as “emerging”, and not formally recognized as such. The first is identified as the “Disaster Management plus Development Framework.” It is attributed to the pioneering work of the Re-building War-Torn Societies Project at the United Nations Research Institute for Social Development (UNRISD). The second framework is the “Developmental Reconstructionist Framework,” attributed to the work at the Post War Reconstruction and Development Unit, University of York, UK. The third, the Conflict Transformation Framework, is identified as being an explicit model that offers a comprehensive strategy for peacebuilding.

The chapter concludes with a full discussion of the Conflict Transformation Framework, adopted here as the most explicit, most applicable framework that provides a philosophically-based and operationally practical pathway through the uncharted terrain of peacebuilding. It is selected as the framework to be tested in this study.

1.2 ISSUES IN PEACEBUILDING

1.2.1 Peacebuilding Defined

1.2.1.1 Philosophical Considerations

In June, 1995 Dame Margaret Anstee prepared a synopsis of the first United Nations International Colloquium on Post-Conflict Reconstruction, which she had chaired. Her Synopsis was to be delivered to the UN General Assembly Informal Open-ended Working Group on an Agenda for Peace. In her Synopsis she notes:

Once peace has been restored to a war-torn society, or order re-established following a period of major upheaval, the overriding goal of the international community should be to assist in national efforts to ensure that conflict and chaos will not recur. This goal must be met over and above needs for relief, rehabilitation and resumption of development. It involves providing channels for reintegration into productive activities in civil society of former combatants and other estranged social groups, and fostering good governance, including institutions and channels for civil discourse designed to discourage resort to violence, such as developing a legitimate judiciary, and building democratic institutions. . . . the root causes of the conflict must be identified and addressed in order to avoid the pitfall of applying mere palliatives. . . Special efforts should be made to give the process a "human face" by emphasizing local empowerment, equity and reconciliation aspects of reconstruction programmes. . . . A post-conflict situation is inherently one of general disarray. Ordinary people are simply trying to cope or survive - black marketing is normal. There may be hundreds of thousands of homeless, dislocated persons, separated families, widows, orphans and war injured. The government may be unstable or unrepresentative, or simply unable to cope, with institutions and infrastructure destroyed and technically qualified people fled. Moreover, there may be pockets of war, or the international community asked to assist people or regions which are not under the control of government. In such circumstances, the United Nations system must find ways of contributing to the re-establishment of a civil society that go beyond the normal practice of working only through the government in the

capital city. Confidence-building, the re-establishment of law and order, and respect for human rights are as important as the reconstruction of the infrastructure. (Anstee, 1995)

Peacebuilding itself is not mentioned in Dame Anstee's passage quoted here although it is the central message of her text. But what is peacebuilding ? How is it used in this study?

First, in accordance with a central theme in Dame Anstee's synopsis, peacebuilding has to do with conflict, and more significantly, with violence. The "goal, above all else is to ensure that conflict and chaos do not recur." The root causes of conflict must be identified and addressed.

These are important directives. First, it is conflict and chaos that must be overcome. Second, to do this the root causes of conflict must be identified. Third, they must also be addressed. This is an action agenda. It calls for analysis and action.

What is questionable, and questioned here is the use of the term conflict. It appears that conflict is the culprit. War-torn societies are presented as conflict-ridden societies. Manifest on so many fronts and in such degree, conflict is the *mother of chaos*. To build peace, we are enjoined to attack conflict. Peacebuilding is conflict reduction, moreover, it is conflict elimination.

This study takes issue with that definition of peacebuilding, although the general thrust of Dame Anstee's text is incorporated in our definition and the concern with conflict is central to the approach taken here.

If the task is peacebuilding then we must consider the nature of peace, the goal toward which peacebuilding activity is directed; we must consider that which must be rebuilt.

Peace, itself the subject of great study and debate, has been defined in a number of ways including what is called “negative peace” and “positive peace”. The term negative peace refers to peace as the absence of war; whereas positive peace involves more. As Curle, (Woodhouse, 1991: 40) a major figure in the field and the first Chair of Peace Studies at Bradford University puts it:

I prefer to define peace positively. By contrast with the absence of overt strife, a peaceful relationship would, on a personal scale, mean friendship and an understanding sufficiently strong to overcome any differences that might occur. . . . On a larger scale, peaceful relationships would imply active association, planned co-operation, an intelligent effort to forestall or resolve potential conflicts.

From this definition, Curle (Woodhouse, 1991: 40) concludes that “the process of peacemaking consists in making changes to relationships so that they may be brought to a point where development can occur.”

This conceptualization of peace is consistent with the view held by others that peace is not simply the presence of “order”. Peace is more than the absence of war and the presence of order. Those holding this view of peace emphasize the dynamic nature of peace, thus its relationship to development.

In fact, Chermis, having asserted that the process of defining peace is a political process in which different sets of values compete with each other, argues that “. . . a definition of peace as predictable order is likely to lead, in any historical circumstances, to peacelessness, injustice, and disorder”. (Chermis, 1993: 105)

Rather, he makes a case for positive peace based on chaos theory. He advocates, in essence, that we overcome our preoccupation with the duality of order and disorder and focus instead on the criterion which must exist for peace to be present.

Sociologists who define peace in terms of predictable order remind us of two fundamental realities: first, whether we like it or not, peace and order

have been virtually equated in modern American discourse; second, some degree of order is essential in every peaceful situation. To question the definition of peace as order is not to deny the need for order. It is, however, to deny that peace means winning a battle against disorder. The problem lies in our own penchant for framing the issue in terms of such a battle. New visions of peace are constantly being born. The one criterion we ask of them all is that they express a freely flowing, endlessly unpredictable interplay of form and formlessness, stability and instability, order and disorder. Chaos theory is now discovering that this is the most accurate way to speak about nature. (Chermis, 1993: 119-120)

Striking a more cautious note, Besier stresses that:

. . . too often today the terms 'Peace', 'International Understanding', and 'Human Rights' have become little more than popular slogans, which are even held to have a kind of magical aura about them. They have long been emptied of any real concrete content, and instead are given as almost unlimited positive connotation, being used as symbols for a world filled with harmony, liberty, and justice, as qualities of a condition of general human happiness. . . . This is particularly true for the term 'Peace'. (Besier, 1990: 182)

Besier (1990: 182) then asserts that any fruitful discussion of these terms must first establish definite and clear content for evaluation of such evocative concepts. He begins: "The concept of peace, which always presupposes a form of human social organization, originally included two particular meanings: a continuing condition of love and respect arising out of a situation of mutual obligation, or a more limited condition of the absence of force and violence."

His discussion of peace takes into account the nature of order; the relationship of peace and justice; the origin and nature of basic human rights; and the notion of reconciliation.

Besier's major contribution is to tease out the tension between the practical, perhaps pedestrian, notion of peace and the philosophical, perhaps unattainable, notion. If too transcendent a notion of peace is pursued, we run the risk of our secular efforts being seen as limited and insignificant. If too pragmatic an

approach is taken, it may mean losing the meaning of peace in real-world applications and the term becomes a mere slogan.

In a chapter entitled “Approaches to the Study of Peace in Higher Education: The Tensions of Scholarship,” James O’Connell (Woodhouse, 1991: 110-111) pulls together all of these threads - negative and positive peace; peace and order; peace, justice and freedom; the ideal and the practical. O’Connell is quoted at length:

The desire for peace is the correlate of the search for security and survival which is a powerful, perhaps the most powerful, human urge. Yet human survival is not physical only, crucial though the latter is. There is a saying of Socrates: ‘My friend, fear evil rather than death because evil runs faster than death.’ For such reasons peace is linked to freedom, the absence of which is a great evil and the presence of which enables persons to survive humanly, much as they see and want themselves to be. Finally, peace and freedom remain hollow and fragile without justice. Justice gives everybody their due and if they are not given it, the danger is that they will seek it through violence.

If peace, freedom and justice are intimately linked, peace has a certain practical primacy among them. Peace provides the conditions in which freedom can best flourish and justice best be achieved. It is also the general condition towards which human effort moves. As St. Augustine puts it: ‘for the good of peace is generally the greatest wish of the world, and the most welcome when it comes . . . the sweetness of peace which all men do love.’ All the goods of human endeavour are best held when they can be held in the security of peace. The idea of peace contains two basic elements: willing co-operation among persons for social and personal goals and the absence of violence (in the shape of direct physical, psychological or moral violence). In City of God, St Augustine sums up the positive element of peace in saying: ‘Peace of all things is well disposed order’ (XIX, 13). Such order in the changing circumstances of human life has to be a dynamic order in which co-operation seeks not only to maintain concord between divergent human efforts but also to perfect it and to adapt it to new situations. This co-operation aims at goals that are ultimately as wide as life, truth, freedom, justice, and love. The negative element of peace is the avoidance of discord or inflicted disorder in the shape of violence. It is often the most psychologically salient of the elements of peace. Moreover, it stimulates persons to remove what harms them much as illness stimulates the science of medicine to remove mental or bodily harm and, in practice, conditions the organization of medicine

more than does the preservation of health. While it is easy to point out how inadequate negative peace is, it is worth insisting that such peace is a necessary, though not sufficient condition of positive peace. Also, the psychological saliency of negative peace reflects the pervasive normality of positive peace in human relations. The danger of concentrating on negative peace, however, is that practitioners and theorists alike may neglect to work on constructing the foundations of peace. . . . peace can be understood as a state at which people arrive or hope to arrive. At best human peace must stay relative and in measure remain flawed. Yet the state of perfect peace in which the lion will lie down with the lamb is a pervasive human ideal. It is, however, the relative nature of human peace that leads us to see peace as a process. Involved in any living concept of peace is a set of attitudes among persons that are dynamic and purposeful, that are ready to carry the costs of the search for peace and elimination of violence and that seek to uphold the values of justice and freedom inherent in stabilizing peace. In short, peace is, in St Augustine's words, 'the tranquillity of order' but it is the tranquillity of a dynamic order that seeks to underpin human co-operation and remove not only violence but its cause.

Bush helps us relate this discussion of peace to peacebuilding - to the work of constructing the foundations of peace. He declares that:

. . . although peace may be conceived in general terms as a process characterized by (1) the gradual elimination of pervasive and systematic violence, and 2) the gradual construction of a 'just' and accommodating society, economy and polity, this should not imply the process is necessarily linear or monolithic. More accurately 'the' peace process is a conjunction of events and factors that collectively and cumulatively effect change. It is both 'process' and 'outcome'. (Bush, 1995: 9))

Bush (1995: 3) also insists that in considering what peacebuilding is, we should not be bound by the conventional pairing of "peace" with "development".

In the past, peace and development have been viewed by some as synonymous or co-dependent. If it is possible to temporarily side-step the problem of defining 'development,' one may identify at least two crucial reasons why development and peace should be analytically and practically distinguished. First, if 'development equals peace,' then one would expect that conflict would diminish as countries 'developed' -- but this is not necessarily the case. Second, it would appear that the very process of development often aggravates conflict by: exacerbating existing socii-

economic inequalities; privileging certain groups over others; increasing the stakes in the competition for political control; introducing new structures and institutions which challenge the old ones; and so on (Miller, 1992; Newman, 1991). Therefore, it should not be expected that 'development-as-usual' will automatically lead to peace.

Bush emphasizes that "we need to bear in mind the caveat that while there are many different kinds of peace-nurturing activities, not all development activities contribute directly to the peace process. Indeed, as noted above, some development activities - - and the development process more generally -- may generate conflict." (Bush, 1995: 7) He holds the same view about economic development programmes.

In Bush's account, however, a central consideration once again is conflict - we are cautioned that development may generate conflict. The question arises: what is it about conflict that is so central to peace, to war, and then to peacebuilding? Why the "anxiety" over conflict? Is this merely a question of choice of terms, of semantics?

Apparently not. In its 1994 document Rebuilding War-torn Societies, The United Nations Research Institute for Social Development (UNRISD) points out early on that "The challenge of rebuilding war-torn societies by far exceeds the better-known, and in itself enormous, challenge of development. Indeed, the normal problems and challenges of development are, so to speak, amplified, dramatized and compounded by the equally formidable challenge of peace and security." (see UNRISD, 1994)

The document goes on to posit a "relief to development continuum", noting that in the context of contemporary wars development has lost out to relief. A second continuum of "conflict to peace" is also introduced, although the emphasis is on conflict, as follows:

The War-Torn Societies Project aims to assist the international donor community, international organizations, NGOs and local authorities and organizations to understand and respond better to the complex challenges of *post-conflict* periods. (italics added) The task which begins once fighting has stopped is, in most cases, more complex and costly than was ending the fighting. A fragile cease-fire must be transformed into a lasting political settlement, emergency relief provided to those groups and regions which cannot meet their own livelihood needs, and a process of political, economic, social and psychological rebuilding initiated to lay the basis for future sustainable development. These are gigantic tasks; they are interrelated, with progress in one depending on progress in the others and, therefore, they must be tackled simultaneously. (UNRISD, 1999: i(i))

Elaborating on this point, the UNRISD document notes:

Peace and development as twin objectives: The nature of present conflicts makes it increasingly difficult to determine when wars end and when peace starts. On the historical time span from *conflict to peace* (italics added) there is a long period where both seem to co-exist, where peace has come to some areas and not to others, where conflict lingers, and remains an omnipresent threat and occasionally flares up again. Reconstruction and rebuilding take place throughout this period, although the nature, the context and the magnitude of problems and tasks depend to a large extent on the 'type' of peace which momentarily prevails. Throughout this period, peace and development are overriding objectives which must be pursued simultaneously, while the relative weight of one or the other changes according to the prevailing peace/conflict 'environment'. Moreover, peace and development as twin objectives are intrinsically linked, as one cannot be achieved if the other fails. In most situations however, peace takes precedence, as no rebuilding is possible without a minimal degree of security and stability. (See UNRISD, 1994; 3)

If we assume that peace is the opposite of war, then the relationship of conflict and war is a relevant consideration. War is conflict expressed violently. War and violence are virtually synonymous; or more accurately, there cannot be war without violence. It is possible, however, to have widespread structural violence in a society without any overt, let alone violent expression of conflict by those who are victims of the structural violence.^{10 11}

¹⁰ In 1973 Johan Galtung expanded the definition of 'peace' to mean more than the absence of war - or other forms of overt violence; it also required the absence of 'structural violence'. "In the latter case the deaths arose not from intended acts of direct violence as in war, but the

On the other hand, peace and violence are incongruent. Peace and conflict, however, are not incompatible.

This is the point of departure taken in this study. Conflict is sustainable in a situation of peace. Conflict itself is not the problem. Violence is. War is conflict expressed violently. To build peace, as Dame Anstee has recorded, is to understand the root causes of conflict - but not to stamp out conflict. Building peace has to do with building a capacity to return to a condition of non-violence, which includes a condition of justice and the capacity for expressing and resolving conflict non-violently.

This is the distinguishing feature, the overarching challenge of peacebuilding. Peacebuilding is other than development and reconstruction, other than socio-economic change, more than these component parts and affiliated processes. The question may become, in response to UNRISD's prevailing concern with the "type" of peace which momentarily prevails, more one of how to give opposing factions the ability to fight - to be in conflict - without violence, rather than peace being a state of non-conflict, enforced or otherwise.

Peacebuilding is building peace and justice and the capacity for the non-violent expression of conflict. This is the mark of a peaceful society. The presence of justice, the opportunity for development and the expression, management and settlement of conflict non-violently. A civil society. Not necessarily any particular type of society. There is no implication that it will be a western democratic society, a tribal society, a market economy society or any other preconceived type.

unintended consequences of structural inequalities in social systems. It was in this sense that one could talk about a social system itself being 'violent'." (Andrew, "Objectives and Methods of Peace Research", p. 83, in Woodhouse, 1991)

¹¹ Ted Gurr explains, on the other hand, why and when groups who are the victims of 'structural' violence will rebel. (See Gurr, 1974 and Gurr, 1993)

Rather, it is a society that does not violate and can function without resort to violence, internally or externally.¹²

In order to have peace and the non-violent expression of conflict, specific conditions and mechanisms must exist. Establishing these is what peacebuilders must do. But what are these conditions?

Laue has argued that there is a normal range of cooperative and competitive behaviour in all societies, based on the status of two principal conditions in that society: one, that resources are in adequate supply or that their distribution is perceived as just; and two, that the exercise of authority in the society is perceived as legitimate. Changes in either of these dimensions may generate conflict; but when both are deficient a condition of crisis exists. That is, resources may be inadequate or their distribution may be perceived as unjust but so long as the exercise of authority is perceived as legitimate there will be conflict but the system will not go into crisis. Or, the exercise of authority may be perceived as illegitimate but if the resources are adequate or perceived to be distributed fairly, there will be conflict but no crisis.¹³

When both the resources are inadequate or seen to be unfairly distributed and the exercise of authority is perceived as illegitimate social turmoil, unrest, and violence will follow. (Gurr, 1974 and 1993)

¹² In her introduction as editor of Conflict Resolution in the Multicultural Society, 1993, Gabriele Winai Strom develops this view on the basis of comparative studies of political mechanisms for resolving conflict nonviolently in the Nordic countries. She introduces the anthology as follows: the focus is on ideas about the ways in which different kinds of antagonism over sensitive questions of culture, identity and political power are resolved in practice. We sometimes imagine that ethnic conflict does not occur in the Nordic countries. An alternative way of looking at this is that conflict and an ethnic dimension are present in all the world's societies, but that our society over the course of history has gained experience of resolving such conflicts peacefully.

¹³ James Laue, one of the pioneers of conflict resolution, presented this view in a lecture at the Centre for Conflict Analysis, George Mason University, Fairfax, Virginia, in 1989.

Peacebuilding is therefore concerned with the transformation of violence in a society, whether structural or overt; and transformation of the manner in which conflict is expressed, from violent to non-violent. This is done through building appropriate capacities in a society.

The new order in a post-war society is not an order absent conflict. Conflict will continue to be present, between people, groups, social, economic and political systems. However, both structural and overt violence will be removed and methods for expression of naturally-occurring conflict will be in place.

Thus, even the notion of a “post-conflict” situation is flawed. The idea that rebuilding war-torn societies is a “post-conflict” task is inaccurate. Furthermore, in a very practical sense, the thought of “post-war” or “post-violence” is problematic for the peacebuilder in the types of situations we are considering. As pointed out by UNRISD, it is not as though war stops and peace begins. It is true that peace may be an outcome: we are able to say that now, at this moment, a condition of peace exists. But peace is also a process. A state or phase in which the violence is being transformed into non-violence; in effect a state when choices are continually being made to remove structural violence (inequalities, injustices) and to express conflict non-violently through mechanisms that are valued and endorsed by those in conflict; in some cases for those who experience structural violence and for those at war. Grievances, disputes, and more fundamental conflicts may be addressed through institutions such as legislative and regulatory bodies, administrative and executive agencies, the judiciary, and the very methods of governance adopted by a particular society.

1.2.1.2 Peacebuilding - An Operational Definition

A number of definitions of peacebuilding have been presented in our philosophical consideration. We have discussed the central importance of the role of conflict and

an understanding of its root causes. Thus, the philosophical, analytical and organizational context in which the term peacebuilding is used, however, gives shape and specificity to the definition. What it connotes and denotes varies significantly.

An operational definition must be identified for the purpose of this research. Examples of the range of definitions and use of the term “peacebuilding” include the following:

- In her chapter, “The Challenge of Rebuilding War-Torn Societies”, Ball (Crocker and Hampson, 1996: 611) identifies peace-building as one of four phases in the peace process. She notes:

Civil wars end either with the victory of one party or through negotiated settlement. . . .The first stage - conflict resolution - aims at reaching agreement on key issues so that fighting can be halted and social and economic reconstruction can begin. This stage has two components: negotiation and the formal succession of hostilities.

The peace-building stage consists of two phases: transition and consolidation. Priorities during these two phases centre on strengthening political institutions, consolidating internal and external security, and revitalizing the economy and the society. The major objectives of the transition phase are to establish a government with sufficient degree of legitimacy to operate effectively and to implement key reforms mandated by the peace accords.

The first major objective of the consolidation phase is to continue the reform process. Many peace accords - such as those in Cambodia, El Salvador, and Mozambique - establish transition periods that last between one and two years and conclude with general elections. It is becoming increasingly evident, however, that this time frame is too short for significant progress to be recorded for implementing even the reforms prescribed by the peace accords, let alone those that are necessary to consolidate the peace but are not mandated by the accords. Furthermore, the balance of forces within society can influence outcomes that may be contrary to the terms or intended peace agreements. Thus, implementing peace accords is often not completed when the transition phase formally ends and the peacekeeping mission is withdrawn.

In addition, while one might expect peace agreements to address the root causes of conflict, the compromises necessary to produce a document acceptable to all the parties generally leave many of the key issues wholly or partly unresolved. . . . In consequence, the reform process must also be deepened during the consolidation phase to enable fundamental economic and social grievances to be addressed . . . As the catalogue of characteristics of war-torn societies suggests, peace building requires action on a wide variety of fronts.

- Likewise, in the post-war, war-torn society context Weiss-Fagan (1994: 16) notes that:

Post-war political instabilities, the virtually inevitable outcome of protracted conflict, impedes reconstruction at all levels. Rebuilding - or for the first time creating - democratic institutions, enhancing the mechanisms for local participation, and establishing effective accountability between government and governed are fundamental to successful reconstruction. While it is possible to deliver short-term relief through non-governmental channels, serious development projects and planning cannot be effectively implemented in the absence of legitimate political structures, honest officials and reasonably well-coordinated efforts at the national and local levels. . . In short, a peace process implies a political transformation in which power is shared more widely and popular participation is encouraged. . . .

In the name of building peace, United Nations and bilateral missions pledge their commitment to promoting democracy in war-torn countries. External assistance can help to open the doors to democratic evolution by facilitating elections, training officials, - including police forces - strengthening local human rights groups materially and politically, and generally supporting democratic institutions that are effective and accountable.

- Again, peace-building was defined at the first UN International Colloquium on Post-Conflict Reconstruction held in Austria in 1995 in a post-conflict context, as those measures which are taken after a conflict has stopped to ensure that violent conflict does not recur. These may include redefining the role of the military, developing or re-establishing a legitimate judiciary, and building

democratic institutions. Peace-building was situated in the context of conflict resolution, as distinguished from conflict settlement.¹⁴

- In UNESCO's Medium-Term Strategy, 1996-2001 the term peacebuilding is not used but implied in the context of building a culture of peace:

In the culture of war, conflicts are resolved by physical or symbolic violence. The culture of peace, on the contrary, is inseparable from recourse to dialogue, mediation and recognition of others as being equal before the law and in dignity, whether in relations among states, social communities and groups, between governments and the people they govern, or between men and women. The culture of peace may thus be defined as all the values, attitudes and forms of behaviour, ways of life and acting that reflect and are inspired by respect for life and for human beings and their dignity and rights, the rejection of violence including terrorism in all its forms, and commitment to the principles of freedom, justice, tolerance and understanding among and between groups and individuals. (UNESCO, 1997: 8)

However, the culture of peace cannot be identified with abstract pacifism or with a passive tolerance that would call for the cessation of hostilities and violence without proposing measures to redress situations of injustice, inequality or oppression. As it is a moral code 'in action', the culture of peace implies a determined commitment to work for the construction of 'a world acceptable to all', to quote poet Archibald Macleish, who was one of the main authors of UNESCO's Constitution. It implies the creation of an environment for living that is consistent with human dignity, in which all those who are excluded, isolated and marginalized would find an opportunity for genuinely becoming part of society. It implies consolidation of democratic processes, because only democracy can ensure the right to the rule of law and the respect of all rights. (excerpt from UNESCO's Medium-Term Strategy, 1996-2001; see UNESCO, 1997: 8)

¹⁴ Taken from a "Summary of Proceedings: Session 1: Strategic Issues". Unpublished notes. For a published discussion, see: International Colloquium on Post-Conflict Reconstruction Strategies, June, 1995. United Nations Department for Development Support and Management Services, Vienna.

- In An Agenda for Peace, Boutros Boutros-Ghali refers to peacebuilding as “the construction of a new ‘environment’ to prevent the recurrence of violent conflict”. (Boutros Boutros-Ghali, 1992: 13)

- Ryan defines peacebuilding as strategy which most directly tries to reverse those destructive processes that accompany violence. (Rupesinghe, 1995: 224-225)

- Galtung defines peacebuilding as “social change and economic development which reduces inequity and injustice”. (Woodhouse, 1991:83)

- Fisher defines peacebuilding as “developmental and interactive activities, often facilitated by a third party, which are directed toward meeting the basic needs, de-escalating the hostility, and improving the relationship of the parties engaged in protracted social conflict”. (Fisher, 1995: 15)

- Bush (1995) refers to peacebuilding as building peace and justice and capacity for the non-violent expression and resolution of conflict; the transformation of violence and the manner in which conflict is expressed and destruction of the structures of violence and construction of the structures of peace.

- Lederach suggests that peacebuilding be understood:
 - ... as a comprehensive term that encompasses the full array of stages and approaches needed to transform conflict toward sustainable, peaceful relationships and outcomes. Peacebuilding thus involves a wide range of activities and functions that both precede and follow formal peace accords. Metaphorically, peace is seen not merely as a stage in time or a condition. It is a dynamic social construct. Such a conceptualization requires a process of building, involving investment and materials, architectural design, coordination of labour, laying of a foundation, and detailed finish work, as well as continued maintenance. (Lederach, 1994: 14)

There is a consistent theme throughout the definitions of peacebuilding. We are directed toward the structural elements in a society, to root causes of conflict, and to activities that will reinforce a negative peace (absence of overt strife and violence) while striving for positive peace. Positive peace, in turn, has been defined by O'Connell as "peace, freedom, justice - willing cooperation between persons for social and personal goals" (Woodhouse, 1991:11); and by Curle as active association, planned cooperation, intelligent effort to forestall and resolve potential conflicts; and by Galtung as a much more comprehensive concept including the absence of direct physical violence and the absence of structural violence. International Alert adds a third factor, "the presence of social values and institutions which positively maintain a state of peace". (International Alert, 1996: 19).

The contentious point, from an analytical perspective, is the view held by some that peacebuilding is a post-war set of activities. Peacebuilding follows peacekeeping and the attainment of peace accords; presumably, any activities that precede a violent conflict or full scale war are more in the order of development or conflict prevention activities.

This study takes as a starting point the view advanced by International Alert that conflict is a "multi-dimensional social phenomenon which is an integral feature of human existence, essential to the ongoing processes of history, to social change and to transformation. Seen in this way, conflict is something which is a common, everyday occurrence. A working definition is: "conflict arises when parties disagree about the distribution of material or symbolic resources and act on the basis of these perceived incompatibilities. It is natural and unavoidable - a social fact of which we have all had direct experience. And, providing it can be expressed constructively, it is desirable." (International Alert, 1996: 3)

From this perspective peacebuilding is not a “post-conflict” activity, as it is often referred to in UN discourse.

The definition of peacebuilding used here is an adaptation of Bush’s definition, informed by Lederach, and attending to the concept of positive peace as developed by Galtung: **the transformation of violence in a society through destruction of the structures of violence and construction of the structures of peace including building the capacity for the non-violent expression and resolution of conflict.**

1.2.2 The Relationship Of Peacebuilding, Peacekeeping And Peacemaking

What is the relationship of peacebuilding to its allied peace-nurturing functions, peacemaking, and peacekeeping?

The view taken here is that, in theory, building peace - beginning the process of peacebuilding -is possible while conflict exists, while conflict is being expressed violently - that is, during wartime. This is the view advanced by Rupesinghe in his essay Conflict Transformation, in a volume he edited by the same title, when he asserts: “I have tried to go beyond the generally accepted definition of the term as the building of new institutions and projects once violence has ceased to encompass the possibilities of peacebuilding during violent conflicts.” (Rupesinghe, 1995: xi)

This view, however, is not widely held in the literature. Before presenting a number of schemata that depict the relationship of peacebuilding, peacekeeping, and peacemaking a closer examination of peacekeeping and peacemaking is in order.

1.2.2.1 Peacekeeping

One sometimes hears amongst military men expressions of frustration over involvement in today's complex missions. It's a soldier's job to feed starving babies in Rwanda, or rebuild the dilapidated sewers of Haiti, to hand out bags of flour in Somalia, or run refugee camps in Turkey? The short answer is no. Soldiers are remarkably versatile, but they do none of these things as well as their civilian counterparts. They become involved because as the twentieth century draws to a close, these tasks are often fraught with danger. With discipline, organization, logistics resources, and above all the capacity for self defence, soldiers can sometimes achieve what civilians cannot.

This should not blind soldiers or civilians to the appropriate contributions of each: Soldiers build security; civilians can accomplish the rest. Getting the balance right at different stages in the life of a complex mission is the challenge of interagency cooperation. (Last and Vought, 1994: 1)

Peacekeeping is not what it used to be. Again, the nature of contemporary conflicts and war situations is such that the tools and policies that applied prior to the end of the Cold War no longer suit. As Andrew's (1992: 5) notes in "Peacekeeping and Peacemaking: What are we doing in the Balkans?," United Nations Peacekeeping efforts have been of three kinds:

Observation, in which UN representatives watch what is going on and report, placing responsibility for each incident as best they can. This has been the role in Kashmir and along the demarcation lines of Israel.

Interposition, where the UN places a force between the contending parties so they can only physically reach one another by walking over the UN presence. This was the role of the United Nations Emergency Force in the Sinai between 1956 and 1967, and it has been the role of the United Nations Peacekeeping Force in Cyprus for almost 30 years.

Intervention, in which the UN actually uses force itself to implement a decision of the Security Council. This is how the Korean War was fought

...

In a conflict situation where the antagonists are two nations the roles of observation and interposition fall comfortably upon the United Nations peacekeeping forces. Operations are carried out under Chapter VI of the UN

Charter, with the consent of the warring countries. At the same time, peacemaking efforts are underway, as diplomatic representatives from the countries seek to negotiate a peace or are brought together by mediators dispatched from the UN to see if a settlement is possible. The task may be particularly challenging, as peace may be as elusive as it has been in Cyprus; but it is in many respects an orderly task. The countries at war have agreed to the UN Peacekeeping operation, the role of the peacekeeping force is relatively circumscribed, and the context and the “lines” of the conflict have been clearly drawn.¹⁵

This is not the case in contemporary warfare waged within a nation state’s borders, between two or many factions, none of whom may have standing at the United Nations. In these cases, of which today there are approximately 47,¹⁶ the United Nations peacekeeping operations are carried out under Chapter VI in some cases, or Chapter VII, or without a clear mandate altogether.^{17 18} As has been pointed out, the UN’s basic rule of non-intervention in the internal affairs of a member state “was one of the first casualties of the emerging New World Order”. (Andrew, 1992: 5)

¹⁵ Last notes: The end of the cold war brought about a fundamental change in the nature and objectives of peacekeeping . . . First, local conflicts are no longer eclipsed by the pervasive threat of escalation to conflict between the superpowers - Second, there is a corresponding opportunity to make real progress towards the resolution of protracted social conflict . . . Simply put, since 1989 third parties like the UN, the CSCE, and the OAU are using peacekeeping forces to intervene in conflict with the hope of moving that conflict towards a solution. (Last, 1993: 3)

¹⁶ Ted Gurr’s Minorities at Risk Project identifies 47 violent conflicts ongoing in 1995, with as many a 50 million refugees.

¹⁷ Last, 1993

¹⁸ It is argued that even when the mandate of a Peacekeeping force is clear, problems of coordination and communication stemming from the nature of the UN structure render the force limited, ineffective, and even at risk. The November 9, 1995 Financial Times carried an article entitled, “US and Russia Agree on Bosnian Troops”: Russian troops join peacekeeping in Bosnia but only under US command rather than NATO command. NATO’s insistence on having complete control of any Bosnian peacekeeping forces follows the difficulties within the cumbersome UN command structure which has often made the existing force slow to react and ineffective.

So it is now the case that soldiers, carrying out their peacekeeping tasks at the tactical level, “on-the-ground”, may well be doing so with little higher level political (“strategic”) support, and with little or no appreciation by the people at the community level who are very much involved in the intracommunal conflict.¹⁹

²⁰

The volatility, unpredictability, and generalized nature of contemporary wars makes peacekeeping ever more difficult and places it on uncertain ground in relation to peacemaking and peacebuilding, which are themselves being confronted with unprecedented challenges.

In many ways, the roles are blurred, the “lines” are not clear, as Last and Vought have pointed out in their report on “Interagency Cooperation in Peace Operations” cited below. Yet there exists in the literature and recent conferences and colloquia on the subject, a strong expression of the need for analytical clarity and models which will guide the various actors who must carry out these peace-nurturing functions.²¹

¹⁹ In “Rwanda: From Peace Agreement to Genocide” Major-General Romeo Delaire, the first Force Commander for the United Nations Assistance Mission in Rwanda, and B. Poulin, Directorate of International Policy at Canadian National Defence Headquarters, review what have commonly become known as the tragic sequence of events leading up to and failing to arrest the war in Rwanda - “a conflict with over three million displaced persons and refugees, and how human rights abuses degenerated into ethnic genocide - a modern-day holocaust -- with nearly a million victims”. They make it clear that both strategic support and coordination and support from the local population were lacking. In fact, Belgian peacekeepers were slaughtered by locals, the UN was held in suspicion by the warring factions, and in concluding their account, Delaire and Poulin remark: “There remains the nagging doubt . . . that there are elements within the international community that may not want the UN to be effective in preventing or managing crises.” (See Canadian Defence Quarterly, Vol. 24, No.3 Spring 1995)

²⁰ On the eve of signing the peace agreement for Bosnia two newspaper articles appeared together in December 9, 1995 of the “Independent”: (1) Major says Bosnia peace must not fail; and (2) Srebrenica widows dream of Revenge”. “Instead of protecting us they just sold us. I wish we were in a position to kill the UNPROFOR, because we sacrificed 100 Muslims for each UN soldier (allowed by General Mladic to leave Srebrenica after the fall)”.

²¹ See the speech “Role of the CSCE and other organizations in managing crisis and maintaining peace” presented by the Secretary General of the CSCE to the Royal Institute for International Relations, June, 1994. In it, Dr. Hoyneck speaks of mediation (peacemaking) efforts

It is arguable that peacekeeping and peacemaking have been closely related, especially in the days before the end of the Cold War. Problems would arise in efforts to coordinate strategic, operational and tactical objectives. The overall framework, however, and the goals and mandates of the peacekeepers and the peacemakers were relatively clear. In this enterprise, the roles and objectives for the provision of relief, humanitarian aid, and socio-economic measures to re-build the countries at war were evident. Peacebuilding, per se, had no profile.

Today, peacekeeping and peacemaking remain related, although the linkages that facilitate the execution of both are not clear. Peacebuilding, on the other hand, has come into focus and is related to both peacekeeping and peacemaking at several points and levels.

As defined by Boutros Boutros-Ghali peacebuilding is the “construction of a new ‘environment’ to prevent a recurrence of violent conflict”. (Boutros-Ghali, 1992) As such, peacebuilding clearly interfaces with peacekeeping and peacemaking, notwithstanding the inherent complexities in the relationship of those two functions alone.

How and where peacebuilding interfaces with peacekeeping and peacemaking, the construction of a framework for these three peace-nurturing functions is part of the challenge of this research.

in Nagorna-Karabakh: This crisis management effort was marked, for an extended period of time, by a lack of readiness on the part of the Parties to accept peace scenarios elaborated by the Minsk Group. A specific challenge was the harmonization of mediating efforts by individual States with the work of the CSCE. Lack of coordination did not add to the effectiveness of the activities.

1.2.2.2 Peacemaking

Peacemaking has generally been associated with the world of diplomacy, the work of statesmen, the domain of international mediators or representatives of regional organizations. They are the practitioners of the possible, crafting settlements between representatives of warring states. Bargaining, negotiation theory, international relations and international regimes, Realpolitik - these are all part of the lexicon of peacemaking. Together, they formed a repertoire that is brought to bear on inter-state conflict. Peacemaking continues to be practised today in both the context of inter and intra-state warfare.

At another level, now called the “Track Two Diplomatic” level, a different repertoire of peacemaking skills has been developed in efforts to resolve festering conflicts before they erupt into violence and bring peace in situations of war. This is the world of nongovernmental actors, religious organizations, international conflict resolution organizations, academics active in applied peace research and problem-solving. Their efforts are typically at the community level, among unofficial representatives, leaders, and opinion makers from the warring sides. They concentrate on conflict resolution, rather than dispute settlement; they place a high premium on the relationship of the parties in conflict, on clarifying and restoring that relationship. They understand that a cease fire, negotiated at the Track One level, supported by Peacekeepers, will not be sustainable unless peace permeates the warring factions and is reflected in the social, political and economic institutions of the new society.

Thus peacemaking of this sort, at this level in society, has come to be called peacebuilding: and it is here that the ubiquitous nature of peacebuilding begins to become apparent in three ways. First, peacemaking activities may have begun prior to the violent outbreak of the conflict; they may continue during the war and they often continue post-war, as part of the collective efforts to re-build.

Second, Track Two Diplomats, or community-based peacebuilders, are a complement to the Track One Peacemakers. They may focus upon peace education and grass roots conflict resolution, on humanitarian assistance that serves a peace-building function, on economic, social and political programmes that will lead to a sustainable peace. Third, in doing so they interface with Peacekeepers.

As a discrete peace-nurturing function, peacebuilding is a newcomer. Frameworks or models to describe and guide it exist, but in undeveloped form.²²

1.2.2.3 Depicting the Peace-Nurturing Triad

The definitions of peacebuilding that we have considered do not present a conceptual problem in that all tend to take into account the structural dimensions of conflict and its root causes, and they suggest efforts that go beyond establishing a negative peace to those that establish structures, institutions and relationships that will sustain negative peace and support the pursuit of positive peace.

One issue of consequence, however, is that of timing - and the relationship of peacebuilding to peacekeeping and peacemaking.

A number of models have been developed, most of which place peacebuilding at the post-war stage or phase in the life cycle of a conflict. This view, however, is not uniformly held. In a paper commissioned for The Aspen Institute's 1996 conference on conflict prevention, Alvaro de Soto (1996) delineates the issue:

In his report to member states in response to the Security council's request, "An Agenda for Peace" (1992), the Secretary-General . . . identified a fourth issue. The latter, which he labelled post-conflict

²² For the leading work in this area see Azar, 1983; Burton, 1987; Fisher and Keashley, 1990; Fisher and Keashley, 1991; Mitchell, 1993; Fisher, 1995; Bush, 1995; and Ball, 1996.

peacebuilding, though related to the other three (preventive diplomacy, peacekeeping and peacemaking), has a separate and distinct specificity and requires a new and different mind set. As he conceptualized it, post-conflict peacebuilding would encompass action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict. He considered this concept sufficiently important to devote a full chapter to it in the Agenda. Two and one-half years later he elaborated further on this concept and on the experience of putting it into practice in the "Supplement to An Agenda for Peace" . . . In the Supplement, the Secretary-General indicated that many of the tools used in the post-conflict phase could be employed to addresses pre-conflict situations - a characterization that should be used without accepting the inevitability of conflict except as a challenge. Indeed, the need for peacebuilding may be said to arise at two points in time, roughly 'before' and 'after,' depending on whether the goal is averting the outbreak of conflict in a situation where such a risk is perceived, or deterring its recurrence where fighting has been brought to a halt but the embers have not yet been doused, and avenues for the solution of disputes which can lead to recurrence are not yet firmly in place.

This passage places peacebuilding at two points, before and after "conflict". Obviously, we must be enjoined to understand conflict as violence in some overt form. Thus, peace must be a negative peace; and it becomes logically consistent and analytically practical that peace-building might take place prior to the outbreak of overt violence or after, to reinforce peace.

Is this the full role and therefore the logical place of peacebuilding? How does it relate to peacekeeping and peacemaking?

Ball presents a model that applies to the "peace process in countries with negotiated peace settlements", Last builds on Fisher and Fetherston to develop a "spectrum of conflict de-escalation"; the literature suggests how the three peace-nurturing functions might be sketched; and Lederach addresses the issue from a process point of view, focusing on the "dynamics and progression of conflict".

1.2.2.4 Ball's Model

Ball identifies two stages of the peace process: conflict resolution and peace building. In each of these stages there are two phases: negotiations and cessation of hostilities in the conflict resolution stage; and transition and consolidation in peace building. (Figure 3)

Ball (Woodhouse, 1992: 611) notes that the length of each phase varies according to the situation in each country and that movement from phase to phase is not automatic. Conflict resolution “aims at reaching agreement on key issues so that the fighting can be halted and social and economic reconstruction can begin”. This is peacemaking. The two phases of peacebuilding follow, and Ball has noted that peacekeeping missions tend to end coterminous with the end of the transition phase which she identifies as typically lasting one or two years, a “time frame (that) is too short for significant progress to be recorded on implementing even the reforms prescribed by the peace accords, let alone those that are necessary to consolidate the peace. . .”

Ball (Woodhouse, 1993: 612-613) notes that because of:

. . . profound mistrust and animosity generated by civil wars, the extreme institutional weakness characteristic of post conflict countries, and the destruction visited upon society and the economy by armed conflict, repairing the ravages of war is an arduous, complex, and lengthy process. It is therefore crucial that the international community provide sustained assistance throughout the peace process. There has been a tendency to assume that diplomatic and military efforts should be concentrated in the negotiation, cessation of hostilities, and transition phases, while financial and technical assistance should be concentrated in the transitional phase. In fact, the entire international community has a role to play throughout the peace process.

We see here in Ball a direction to extend the peace-nurturing functions over the stages and phases of the peace process, although peacemaking tends to precede

peacekeeping and peacebuilding follows. Peacekeepers should be on the ground longer than they presently tend to be; donors should be engaged early in the negotiation phase to provide realism to the accords and to be prepared to support the peace process; and the international community must stay the course much longer through the process and to the end of the consolidation phase.

Peacebuilding activities are specified as falling into three broad categories: strengthening the institutional base; consolidating internal and external security; and promoting economic and social revitalization.

Stages	Conflict Resolution		Peace Building	
Phases	Negotiations	Cessation of hostilities	Transition	Consolidation
Main Objectives	Agreeing on key issues to enable fighting to stop	Signing peace accords Establishing cease-fire Separating forces	Establishing a government with adequate legitimacy to enable it to rule effectively Implementing reforms to build political institutions and establish security Inaugurating economic and social revitalization efforts	Continuing and deepening reform process Continuing economic and social recovery programs

Figure 3: Ball's Model

1.2.2.5 Last's Model

Last is primarily concerned with peacekeeping and the de-escalation of conflict (see Figure 4). He draws upon Ron Fisher's contingency model of third party

intervention, which essentially asserts that “there are different third party activities appropriate to different stages of a conflict” (Last, 1997: 23) and Fetherston’s application of conflict resolution theory to the problem of peacekeeping in that she suggest three roles for peacekeepers:

First is the role of conflict control which provides the base level of activity of peacekeeping preceding the application of either of the other two roles. Second is the facilitation of an atmosphere conducive to negotiations and settlement, and in the long term movement toward resolution. Third is the facilitation of an actual settlement and resolution process.

Not unlike Ball who directs an earlier insertion into the peace process of the role of donors and a protracted role for peacekeepers, Last (1997) embraces Fetherston’s notion of utilizing peacekeepers in the “conflict cycle” to provide roles that foster negotiation and facilitate resolution. Last (1997: 24) declares:

This means that peacekeeping can properly be seen as part of the spectrum that runs from high-density conflict to just and stable peace, with the legitimate aim of all security forces being to move away from the former, towards the latter, while safeguarding the interests of their constituencies (local interests in the case of the opposing forces, and international stability in the case of third parties intervening in the conflict). In other words, peacekeepers prior to 1989 were concerned primarily with keeping the lid on a conflict, or preserving the *status quo*. Since 1989, the expectation has been that conflict will move towards settlement, and peacekeepers are therefore part of a process that helps to *de-escalate* the conflict.

Last’s spectrum of conflict de-escalation appears in Figure 4 where in addition to depicting the various roles of peacekeepers protracted over the spectrum we observe the presence of peace-building at two points: prior to and after peace-making. We also note the insertion of a new concept, peace-pushing.²³

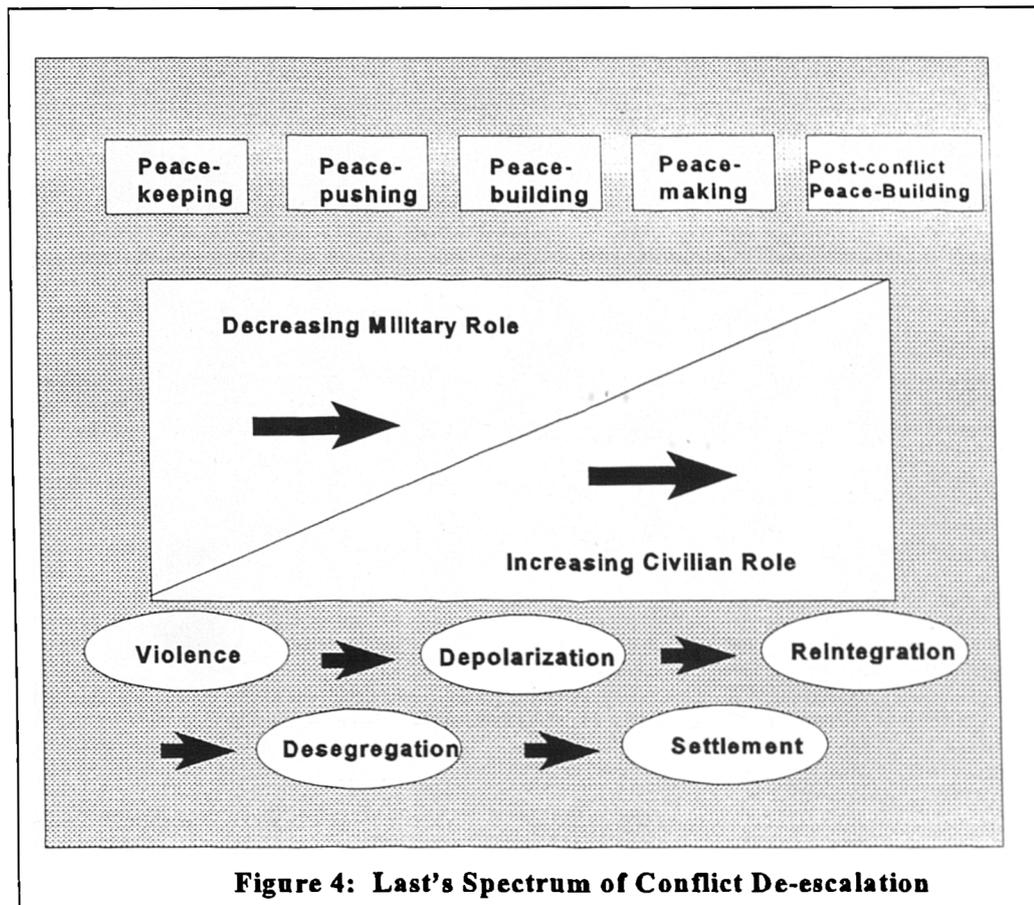
²³ Last notes that “when the fighting has stopped, and sometimes even before, third parties need to assist in bringing the parties to the conflict to the table. “Peace-pushing” is a term used by Ron Fisher - when third parties have sufficiently high stakes in a conflict, and sufficient influence, they may offer incentives or impose sanctions on parties to drag them to the negotiating table.

Last describes the spectrum as follows:

First, the fighting must be stopped, usually entailing separating of combatants. Second, the combatants must be pushed towards settling their disputes non-violently. Third, trust and confidence must be established to permit resolution. Fourth, the conflict is resolved (hopefully). Finally, the conditions which gave rise to the conflict are altered to prevent reversion to violence.

Peace-building is specifically described by Last as encompassing three types of activity: Boutros-Ghali's notion of peacebuilding as activities which occur after a settlement to prevent the recurrence of conflict; Fisher's "necessary step between peacekeeping and peace-making - building trust and confidence to negotiate in good faith and arrive at lasting solutions; and the Conference on Security and Cooperation in Europe's notion of peacebuilding as reflected in its documents, including declarations of military holdings, doctrine seminars, and other confidence building measures. (Last, 1997:27)

Supporting the notion being developed here that peacebuilding may be understood as activities that go beyond measures to attain a negative peace, and thus becomes a more ubiquitous peace-nurturing concept, is the treatment it is given by Lund (1997) in the context of early warning and preventive diplomacy. Lund describes post-conflict peacebuilding as: an inclusive term that involves efforts not only to maintain order but also, after a settlement is implemented, to increase cooperation among the parties to a conflict and to deepen their relationship by addressing the conditions that led to the dispute, fostering positive attitudes and allaying distrust, and building or strengthening common institutions and processes through which the parties interact. Post conflict peacebuilding is also called conflict resolution. When peace building is used long after the old conflict ceases but when new violence is feared (in an attempt to prevent it), it falls under the term preventive diplomacy. (Lund, 1997; Crocker Hampson, 1996)



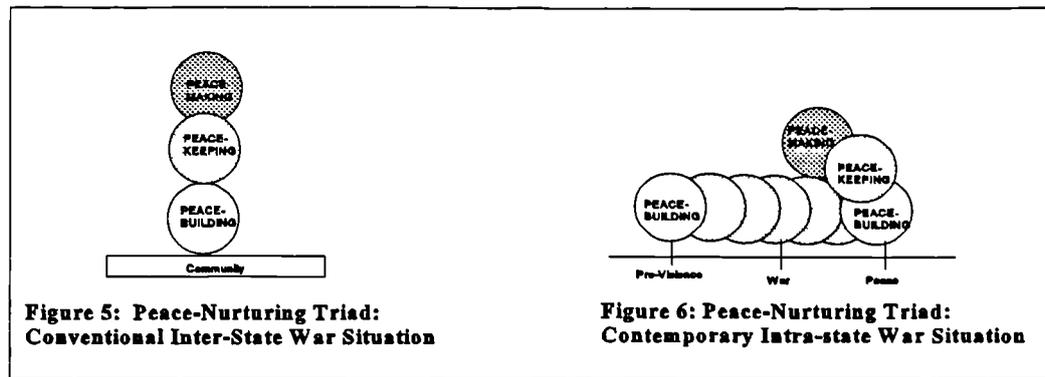
1.2.2.6 The Search for Conceptual Integrity - A Preliminary Sketch

A preliminary sketch of the three domains of peacekeeping, peacemaking and peacebuilding appears in Figure 5 and Figure 6.

Figure 5 illustrates, in static terms, the relationship of the three functions. Peacemaking is placed in a superordinate position; it takes place at the strategic level among statesmen and Track One diplomats. It intersects the next lower function, Peacekeeping, as Peacekeepers must execute peacekeeping operations in accordance with the directives from the Track One, political level. The intersection, however, is not particularly large, suggesting less coordination

between the two functions than might be expected or desirable. At the bottom, closest to the community, and only touching the Peacekeeping function is Peacebuilding. This Figure is presented as a simple representation of the interrelationship of the three peace-nurturing functions in an inter-state, formerly conventional war situation.

Figure 6 however, depicts the inter-relationship of the three functions in the context of a contemporary internal war situation. The functions are presented along a continuum of pre-violence, war, and then peace. Pre-violence is a condition of negative peace and conflict; war is conflict expressed violently; and peace is once again a condition when no overt strife or violence is expressed although conflict, an ever-present social phenomenon, exists. The Peacebuilding function is shown to be present prior to the Peacemaking and Peacekeeping function. Its agents have begun a process of peacebuilding before the conflict in the society has turned violent and war has broken out. They continue on-the-ground after the Peacemakers have entered the situation, followed by the Peacekeepers who have been deployed, with or without the consent of the warring factions. The inter-relationship of the three is more explicit in this depiction, especially at the operational and tactical levels; that is, between the Peacekeepers and the Peacemakers. Experience has shown that in these war situations the humanitarian aid and relief providers require a working relationship with the peacekeeping force to discharge their function, to provide assistance to the people involved in, caught up, or effected by the war. Finally, after fighting has ended and peace is in place, the Peacebuilders are shown as remaining in the situation to continue their tasks. Their task is to strive for conditions conducive to sustaining a negative peace and the pursuit of positive peace.



1.2.3 Strategic Issues In Peacebuilding

Efforts to define the peace-nurturing functions and to conceptualize their relationship are driven in large part by the practical challenges of execution. The UN and regional organizations, international organizations and agencies, nongovernmental organizations, nation states must react to crises, attempt to prevent war, and end wars once they have broken out. When and how they react, what they set out to achieve and actually accomplish on the ground are immense strategic, operational and tactical matters.

The literature reflects this search for conceptual clarity and the organizational and operational correlates. Major issues include the need for clear mandates and objectives; coordination and communication among actors; adequate resources and ensuring accountability in the management of those resources.

Consider the challenge, or what might be called the “brief”:

- ▶ the nature of the conflict, including the likelihood of a protracted, deeply rooted, violent, at times anarchical warfare;
- ▶ the scale and scope of physical, social, economic and political destruction;
- ▶ the massive migrations of internally displaced persons, and refugees;

- ▶ the lack of models or an experiential base to guide peacebuilding;
- ▶ the international community's constraints which are a function of the war being "internal", "intra-state";
- ▶ the levels at which intervention can and must take place, from the strategic, international level, to the operational, regional and national level, to the tactical, grass roots level;
- ▶ the multiplicity of actors, with different jurisdictions, mandates, experience, strengths and weaknesses;
- ▶ the financial costs, to deploy and maintain a peacekeeping force; to finance and deliver humanitarian relief in the form of food, emergency shelter, medical and psychological services; to finance and provide reconstruction of the destroyed physical environment, including water and electrical services, communication and transportation infrastructure, housing, public buildings and services, cultural monuments and heritage sites;
- ▶ the challenge to build the foundations of peace, to work with the political representatives and members of the warring factions and the affected communities, to demilitarize troops and rogue warriors, to establish the rule of law, and to create a new political, social and economic reality, a new society that is sustainable.

Two "urgent", even "dire" problems are identified in the literature with respect to peacebuilding. One is the need to develop measures to evaluate whether particular peacebuilding initiatives are in fact effective, whether they work. The other is the need to develop processes or mechanisms to improve inter-actor communication and collaboration. (Bush, 1995; UNRISD, 1994; UNCHS, 1994; Last and Vought, 1993; Barakat, 1993; Kurent, 1995; de Soto and del Castillo, 1995)

1.2.3.1 Improved Communication and Coordination Among Actors

Last (1997) gives us a neat schema of the levels at which peacemaking, peacekeeping and peacebuilding are carried out: the strategic, operational, and tactical. Within any one function, for example peacekeeping, communication and coordination up and down the levels is an issue.

Add to that difficulty the presence of two other peace-nurturing functions. Within each of these, communication and coordination are a challenge as many actors carry out their respective assignments often without a lead agency or a clearly developed or adequately communicated plan.

The literature cited below stresses the need for greater understanding, communication and collaboration between actors engaged in re-building war-torn societies. Thus, the call for strategies or frameworks.

National governments and indigenous NGOs who receive the benefit of international assistance and peacebuilding support are now also beginning to express serious concerns about this issue.

International NGOs and the academic community have also raised concerns about this problem. Evaluations of the tragedy in Rwanda and the failure in Somalia have pointed out that lives could have been saved; in fact, it has been asserted that in the case of Rwanda, the entire atrocity could have been avoided if action had been taken sooner. But communication was poor, or ignored by those who had responsibility; and inter-actor collaboration has been assessed to be seriously impaired as well. (Dallaire and Poulin, 1995; Larose-Edwards, 1995)

Models, operational or organizational frameworks, technological and information systems support, and communication and collaboration skills are often part of the

answer to the challenge of improving communication and collaboration. That is in “normal” environments. The challenge in the context of a civil war must certainly be enormous.

The task then, is to address the problem of improving communication and collaboration in peacebuilding. Factors such as authorization, integration, accountability, anticipating consequences and monitoring outcomes all come under consideration. They relate in turn to issues of mandate, the measurement of success.

1.2.3.2 Measuring Success

Bush (1995) makes the strongest case for the need to develop means by which peacebuilding can be assessed. Having noted that the simultaneous pursuit of peace and development does not necessarily lead to peace but may exacerbate conflict, Bush pushes further. He asserts that in the context of an internal war, it is imperative that impact assessment indicators be developed to determine, for example, whether a particular initiative is likely to impact constructively or destructively on the conflict. He calls this a “conflict impact assessment”, and contends that it should be designed specifically for the transitional phase that a war-torn society is in, taking into account the root causes of conflict. Thus, a “conflict impact assessment” instrument would be based on, first, an analysis of the root causes of the conflict, then be designed to test whether a particular peacebuilding activity is in fact having the intended consequences²⁴.

Barakat et al, 1994, and others have noted the often unintended consequences of providing any kind of peacebuilding activity to a war-torn society, especially during the war stage, while fighting is still ongoing, or when there is only a

²⁴ Kenneth Bush, “A Measure of Peace: Peace and Conflict Assessment (PCIA) of Development Projects in Conflict Zones”, Working Paper No.1 IRDC, 1998.

temporary lull in the conflict. While there is a concern expressed in the literature that building a dependency of local recipients on international aid and development, the point being made here is more germane to peacebuilding in internal conflicts. Anecdotal examples include accounts about the reconstruction of a bridge, to discover that the faction that supported the reconstruction did so to further its military objectives by being able to use the new bridge to attack the enemy across the river. Other examples at the economic and political level include accounts about resources of virtually any kind being coopted for partisan, belligerent reasons; in fact, some military doctrine for peacekeepers now recognizes that certain supplies will be appropriated by factions, including rogue “warriors,” and the press has covered many stories of UN and international humanitarian agencies either inadvertently playing into the hand of a particular faction or being manipulated in an outright fashion to further its conflict goals.²⁵

Perhaps one of the most critical commentaries in this regard has been critique of the EU and United States for recognizing Bosnia-Herzegovina as a new country in 1992. It is argued that the conflict in former Yugoslavia was skewed henceforth - and that the impartiality of the UN was impaired.²⁶

In a related way, de Soto and del Castillo address the issue of unintended consequences. In their article, “Implementation of Comprehensive Peace Agreements: Staying the Course in El Salvador”, they underline the critical importance of taking the long-term view and ensuring that commitments made in a peace agreement that address the underlying cause of the conflict are honoured.

²⁵ See NGOs and Peacebuilding in Afghanistan by Barakat et al, 1994 for a frank account of the unintended negative consequences of actor behaviour in a complex internal war situation.

²⁶ Doder Dusko, “Yugoslavia: New War, Old Hatreds” in Foreign Policy, Summer, 1993.

Peacebuilding, because it deals with root causes of conflict, because it goes beyond the instrumental to a fundamental re-structuring of the war-torn society, has a critical influence on the conflict. Consequences of peacebuilding activities must be anticipated. Programme success must be measured.

The task, then, is to address the problem of developing appropriate instruments to measure peacebuilding initiatives. These include the possibility of deriving an instrument to conduct a “conflict impact assessment” *ante* an intervention; and “peacebuilding evaluation measures” for use after an intervention.

If the goal is a negative peace then the cessation of overt strife and violence is arguably the measure of success: no more casualties, no more killing, no more destruction of the environment.

We have seen, however, that a sustainable peace requires peacebuilding efforts that go well beyond the termination of open hostilities. Ball identified three broad categories of peace-building activities: strengthening the institutional base; consolidating internal and external security; promoting economic and social revitalization (Ball in Crocker and Hampson, 1996: 615).

The enormity of the task of peacebuilding and the increasing awareness that the time frame for consolidating and ensuring a sustainable peace must be expanded from a few years to decades complicates the issue of measuring success by any singular measures such as the conduct of free elections, reduction of human rights violations and degree of freedom of the press. (Ball, 1996; UNRISD, 1994)

Yet the requirement to specify what success means, and how it might be measured, fosters conceptual and analytical clarity. At a practical level, the UN working document entitled, *The Basic Political Agreement* serves to sharpen our

focus about measuring the success of peace-building, and in turn, it directs our attention to the fundamental goal, peace.²⁷

Outlining sixteen precise and labour intensive activities required to develop a peace accord the document describes the nature of the issue as follows:

Peace-making and peace-keeping need to be reinforced by a series of measures and actions to consolidate peace. Such activities should be reflected, as far as possible, in the agreement that ends the conflict. The way the peace-building issues and activities are incorporated in the agreement will be critical to its successful implementation. Peace building activities are a critical step toward the reconstruction of society and they should be carefully planned and designed from the outset. This implies, of course, that at an early stage in the peace process consultations should be undertaken between all relevant UN bodies, bilateral and multilateral donors and NGOs to develop a common strategy and integrated approach.

Thus, apart from “outcome” measures of success, such as whether a negative peace has been achieved, are the possibility of “process measures”: in a particular situation. Was there a common strategy? Was there an integrated approach?

This raises the issue, however, of what the paramount goal of peacebuilding is. Goals inform objectives. Objectives are attained through strategies which are executed through tactics. There is the “what” that peacebuilding is; and there is the “how” of peacebuilding. These two crucial matters relate to another overarching issue: that of peacebuilding frameworks.

²⁷ Presented at the first UN Colloquium on Post-Conflict Reconstruction Strategies, 1995.

1.3 PEACEBUILDING FRAMEWORKS

Overview:

- (i) In his opening remarks to the UN's First International Colloquium on Post-Conflict Reconstruction held in 1995, Special Political Advisor to the Secretary General, Alvaro de Soto, remarked that peacebuilding was a political task requiring a highly skilled architect. He contended that peacebuilding was not the provision of relief, rehabilitation and reconstruction - services the international actors present were quite comfortable with - but that it called upon these. He noted as well that peacebuilding was not development - another area that representatives were well acquainted with - but that it called upon it. He stressed the need for a framework that would give meaning to the term and guide those required to implement peacebuilding.

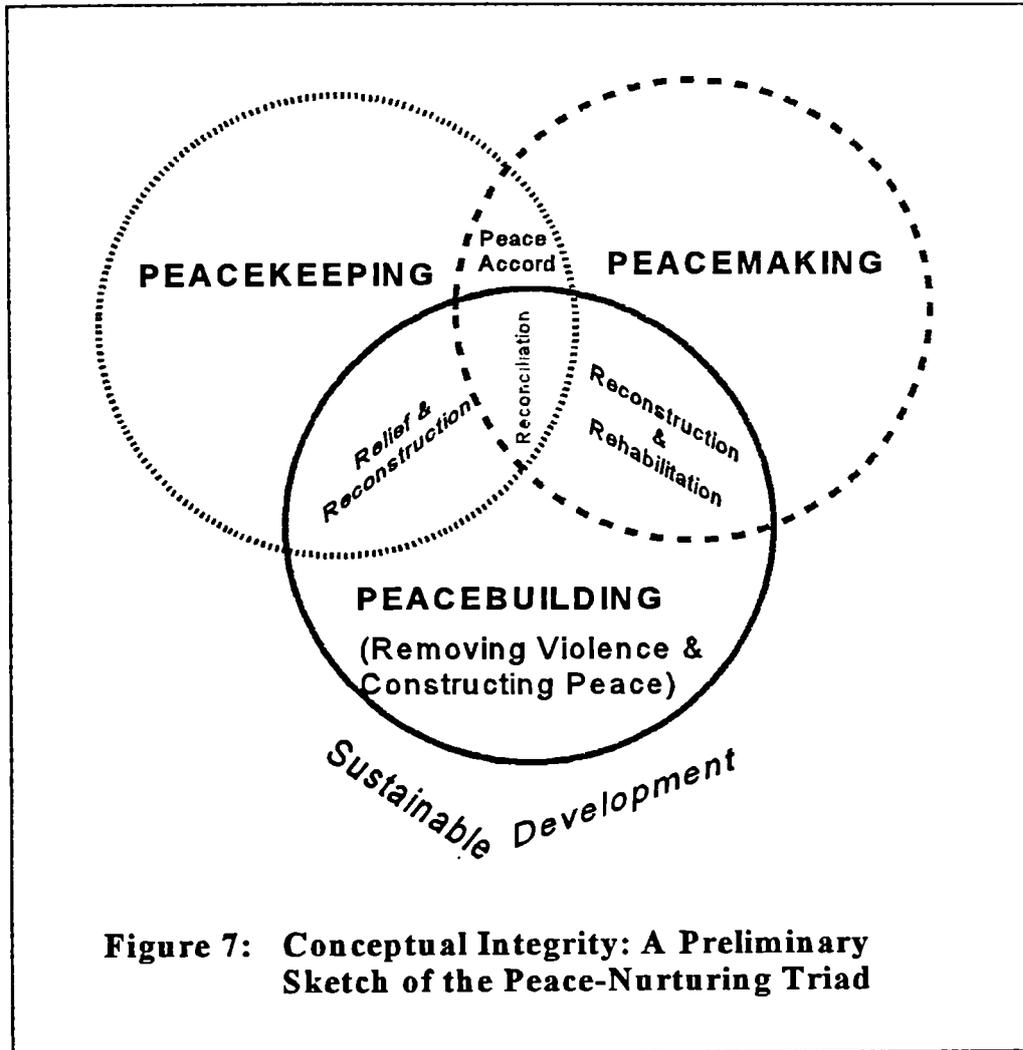
- (ii) Our argument thus far has been that *Peacemaking*, *Peacekeeping*, and *Peacebuilding* form a triad which has been called the "peace process" by Bush. Furthermore, *Peacemaking* is a well-established term referring to Track I diplomatic efforts, transformed somewhat by the intra-state nature of many of today's wars. *Peacekeeping*, also an established practice, has been for thirty years a relatively clear function, although it is now more activist.²⁸ *Peacebuilding*, on the other hand, is a term which has only recently come into popular use.

²⁸ See Fetherston, 1993; Last, 1993, 1993; Wirik, 1992; and for a critical analysis, Raman, Doreen Hartley 1995.

Each of these concepts has been undergoing transformation and an effort to map their conceptual and strategic relationship has been made, most notably by Fisher and Last. (See Figure 4) These images are linear in nature, intended to give some indication as to which function is played by which actors at different stages of a conflict. (Last, 1993; Fisher, 1995)

Little research is available which tests the applicability and robustness of these models. While they are helpful in organizing our thinking about the three functions they tend revert to a treatment of each of the three peace-nurturing functions as quite discrete, although perhaps overlapping. What, if anything, informs all three has been relatively unexplored. An exception is Last's contention that today all three strive to resolve the conflict, not merely to protect the status quo or seek a settlement, which falls short of resolution. (Last, 1993)

We have also argued that of the three functions, Peacebuilding is the more ubiquitous in that it permeates, both at the conceptual and operational levels, the more contemporary notions of peacemaking and peacekeeping; that is, they are undertaken with a view to resolving conflicts, not merely containing them. Since resolution requires an understanding of the root causes of the conflict and an integrated response from all three domains, at different levels of activity, peacebuilding tends to interface with each and shape the longer-term objective. This is depicted by the author in Figure 7, which shows an integration of the three peace-nurturing functions. At the heart of the diagram is Reconciliation, the driving force, the ultimate goal.



- (iii) A framework for Peacebuilding itself, however, has not been explicitly articulated and tested. Certainly not in the sense that Under Secretary General de Soto meant when he declared that peacebuilding was a political activity and he called for a framework to guide it. The larger philosophical questions about peace, justice and development - the objects of peacebuilding - are not given much direct attention in existing models, which might be characterized as operational-utilitarian.

This study takes the view that three emerging peacebuilding frameworks do exist, however it is unclear which of the three might be said to be most developed.²⁹

Pioneering work on the three frameworks is being done by the United Nations Research Institute for Social Development (UNRISD) in its Rebuilding War-Torn Societies Project, at the Postwar Reconstruction and Development Unit at University of York, UK, (PRDU) and by Professor John Paul Lederach, Eastern Mennonite College, Virginia, USA.

The three frameworks may be identified in: The “Disaster Management Plus Development” Framework (UNRISD); The “Developmental Reconstructionist” Framework (PRDU); and The “Conflict Transformation” Framework (Lederach). Of the three, only Lederach’s is explicitly expressed as a framework. The other two have been identified in the background research for this study.

1.3.1 The Disaster Management plus Development Framework (DM+DF)

To the extent that the Disaster Management plus Development Framework does exist, it may be unreasonable and short-sighted to attribute it to the Re-building War-Torn Societies Project at UNRISD. The final results of UNRISD’s comprehensive project are not reported and our analysis is taken largely from two sources: UNRISD’s published reports on the design and direction of the project, and on what might be called the UN’s implicit framework as expressed in various international workshops and publications on peacebuilding.³⁰

²⁹ The Conflict Transformation Framework is the most explicitly articulated, although no research, as such, is reported on any of the three.

³⁰ An exception, which may prove the rule, is UNESCO’s Culture of Peace Programme. In 1995 the Programme’s Forum, held in Philippines, clearly reflected a conflict transformation

The central feature of the Disaster Management plus Development Framework is that it combines the classical elements of Disaster Management (relief, rehabilitation and reconstruction) with Development. The long-term view inherent in development is superimposed upon the short-term disaster management response; and this is set in the context of a war-torn society. Contemporary civil wars, internal inter-ethnic conflicts are characterized as “man-made disasters”.

Some indications that the DM+D Framework exists, that it is the subject of research, and that it is being operationalized include the following:

1. UNRISD Rebuilding War-Torn Societies Project’s objective is described as follows:

The War-torn Society Project aims to assist the international donor community, international organizations, NGOs and local authorities to understand and respond better to the complex challenges of post-conflict periods. . . The Project has been initiated in response to a widely recognized need for systematic analysis of present experience and practice and intends to clarify policy options for both international and local actors and to redefine relevant strategies. It also aims to contribute to a better integration of different forms of international assistance - humanitarian, economic, political and military - within *a coherent policy framework*, (italics added) to encourage a better alignment of external assistance with local efforts, and thus to bring about a more efficient effective use of limited and hopelessly overstretched local and international resources.”

A policy framework is thus one of the objectives of the Project. And having asserted that a “humanitarian deficit” is growing rapidly given that the United Nations is on the brink of bankruptcy because of the combined costs of peacekeeping operations, humanitarian assistance and development cooperation, the Project notes that the fundamental “challenge is political and conceptual; it lies

perspective, including topics such as managing conflict, reconciliation and enculturating for peace.

in the field of policies, of relations between different 'actors' and of mechanisms of response and assistance." (See UNRISD, 1994)

In view of this, at least three fundamental policy areas are identified as lacking clarity:

(a) *Confusion* as to the relative policy mix with which the international community should intervene in conflict and post-conflict situations: how to integrate into one coherent approach different 'tools' and forms of action - humanitarian, developmental, political, military - in such a way that they reinforce each other rather than operate independently or against each other? How to pursue simultaneously relief, development and political and security objectives within one coherent and efficient policy approach?

(b) *Uncertainty* at the policy level leads naturally to, and is compounded by, confusion on the institutional and operational level regarding relative responsibilities of different actors of international assistance and co-operation, different departments and agencies of the United Nations, other multilateral bodies, bilateral actors, the NGO community. Who is responsible for and in charge of what? How can there be effective coordination? And how can operational inefficiency be reduced to acceptable levels?

(c) There is *confusion* and much political ambiguity over the relations between "external" and "local" actors, that is, between the international community and what remains of civil society. What should and can be the relative role, responsibility and authority of external and local actors in defining appropriate policies and measures to sustain peace and rebuild war-torn countries?

The document also emphasizes that there is “clearly an urgent need to redefine strategies and policies” but cautions that “going back too far - to Cold War years and before - can teach us little, since the nature, the geo-political context, the actors and the environment of conflicts have rapidly and in some respects radically changed over the past few years”. There is as yet little analytical understanding of these new realities. In some fields, such as the interaction of humanitarian and emergency aid with military peace-making operations or with longer-term development co-operation, there is a clear “theoretical deficit”.

Yet, the initial response to these challenges is identified in the context of a growing debate within the General Assembly of the United Nations, ECOSOC and other fora on the “need to co-ordinate humanitarian aid with peace-keeping operations, on the one hand, and development cooperation on the other.” Coordination is the problem.

This debate led to a general agreement in 1994 on the need to move towards the “relief-rehabilitation-development continuum” and to define new strategies in these areas.

My assertion is that this initial reaction in 1994 has set the context for a framework which has been described here as the Disaster Management plus Development framework. It takes the view expressed in UNRISD’s documents as follows:

The relief-rehabilitation-development continuum: A fundamental tension which overshadows all aspects of conflict and post-conflict reconstruction, lies between short-term emergency measures, on the one hand, and policies aimed at long-term and sustainable development, on the other. This is true in all fields. The obvious sense of urgency usually leads to an excessive emphasis on short-term measures - emergency relief and humanitarian aid rather than long-term rebuilding of local capacities; and rapid military intervention to enforce peace rather than longer-term rebuilding of conditions of political reconciliation. While short-term

responses to immediate emergencies, they rarely contribute to long-term solutions. Worse, they may contribute to undermining the chances for such solutions to be found. Moreover, short-term emergency measures tend to rely almost exclusively on external assistance; they are thus unsustainable per se and risk establishing the foundations for lasting relations of dependency. The international donor community has now become acutely aware of this dilemma and is calling for the integration of short-term relief measures into a longer-term development perspective - the so-called 'relief-rehabilitation-development continuum'. So far this remains little more than a wishful policy statement. Little is as yet known of what this would imply concretely in terms of changing present approaches, institutions and practices of humanitarian aid and development co-operation. (UNRISD, 1994: 9)

2. Nevertheless, the "relief-to-development continuum" thinking is beginning to find its way into the discourse on rebuilding war-torn societies. Examples include the First United Nations International Colloquium on Post-Conflict Reconstruction, cited below, the 1995 Workshop on Provision of Emergency Shelter to Refugees and Displaced Persons in Post-Yugoslav Countries, held in Luton, UK and attended by representatives from 14 countries, and a number of articles now appearing in the literature (Ellis, 1995). Throughout, the pre-occupation appears to be an effort to *integrate* Disaster Management models and practice with Development models and practice.

For example, some the principal themes in the Luton Workshop were:

- ▶ the need to make provision of emergency shelter more participatory;
- ▶ the need (and the viability) of making relief more developmental;
- ▶ the adoption of the relief-rehabilitation-reconstruction-development model as an explanatory framework;
- ▶ the need for improved communication and coordination among actors at appropriate levels.

Yet the relief to development continuum or "Disaster Management plus Development" Framework appears to be a marriage, perhaps of necessity or convenience, of the two international response capabilities and the respective

bureaucratic structures and academic centres that have supported them. It may be re-creation in their own image.

There are stronger views that DM+D simply will not do. The context is so new and the challenge so enormous that we need new thinking, new processes, and new skills to respond appropriately. Stubbs, for one, notes that developmentalizing relief is not enough when he asserts: “how limited much of the existing research is and how vacuous as an explanatory framework, an emphasis on ‘relief’ with ‘development’ or ‘reconstruction’ can be”. (Stubbs, 1995: 11)

If we hold that the overall goal of peacebuilding is “the destruction of the structures of violence and the construction of the structures of peace,” then we are directed back to de Soto and Anstee, to a realization that peacebuilding is very much a political undertaking. It is not relief, rehabilitation, and reconstruction but includes these; it is not development but includes it. So it is not the two added together, thinking that their integration is possible and it will be effective: that the new whole will be greater than the sum of the parts. The long-term view that Development brings to the Relief, Rehabilitation and Reconstruction activities is consistent with peacebuilding; it does not, however, have the history or models that deal with rebuilding a civil society after, let alone during a protracted civil war that has activated identities, manufactured and exploited hate, and may be taking place in a newly emerging social, political and economic environment.³¹ In the Disaster Management plus Development Framework there is little talk of peacebuilding as we have defined the term.

³¹ Clearly this applies to conflicts in the former states of the USSR, undergoing massive change on all dimensions: political, economic, and social.

1.3.2 The Developmental Reconstructionist Framework (DRF)

Being pioneered at the Postwar Reconstruction and Development Unit (PRDU) at the University of York, UK, the “Developmental Reconstructionist” Framework takes a view that heightens the appreciation for the war context by attending more closely to conflict and its effects, thereby modifying the disaster context while incorporating the long-range view of development. Whereas the emphasis in the DM+D Framework is to *integrate* relief and development, and *integrate* the military dimension, the Developmental Reconstructionist Framework seeks to *infuse* relief, rehabilitation and reconstruction with the development perspective. In a sympathetic vein, Luff argues that the approach to acute emergencies should and will become more developmental in new conflict, “war-as-disaster” situations. (Luff, 1995; and Zetters, 1995)

More specifically, Barakat has led the work at the PRDU and in a paper co-presented with Hoffman at the International Colloquium on Post-conflict Reconstruction Strategies in 1995, he notes that conceptualization of a reconstruction programme should include four principal components: (1) the nature of the conflict; (2) the conflict’s effects; (3) the actors involved in the reconstruction; and (4) the action or reconstruction programmes. Furthermore, principles to guide implementation of a reconstruction programme are offered as well as some ideas for inter-agency collaboration.

The Developmental Reconstructionist Framework therefore attends much more explicitly to the fact of conflict as it is manifest in war-torn societies and it anticipates and responds to the problematics of integration and collaboration, which are the preoccupations of the DM+D framework.

With respect to the effects of conflict, Barakat and Hoffman (1995) note:

War has often been classified as being third after epidemics and famines in terms of numbers of deaths caused. Some estimates put the number of war casualties since the end of WWII as high as 18-24 million. However, in terms of medical needs war is the worst disaster for inflicting injuries. While all types of disasters except perhaps for earthquakes, require low to moderate surgical needs and often only between the first 24-72 hours of the disaster, war requires the highest surgical need over a continuous period of time, in which the medical teams have to operate under the most dangerous circumstances. . . .

War as an experience, with what it contains of confrontation with death, separation of family members, war time stress, general fear of invasion, bombardment, capture and occupation, often lead the victims to develop the syndrome known as Post Traumatic Stress. . . .

The direct effect of war on the environment can be summarize by: (1) destruction to the built environment, including residential and commercial property, housing, industry, infrastructure, etc.; (2) devastation of agricultural land and crops; (3) damage caused to various eco-systems. (Barakat and Hoffman, 1995: 5)

In addition to taking into account the comprehensive effects of war, the PRDU's Developmental Reconstructionist Framework reaches beyond the DM+D Framework in other ways. In particular, a number of common issues and dilemmas of post-war reconstruction are enumerated based on a wide review of cross-cultural case studies. A set of principles to guide implementation of post-war reconstruction have also been developed and refined over time.

Four common issues or dilemmas are:

1. The Continuation of War.
2. National Political Economic and Ideological Aspects.
3. Social and Psychological Aspects.
4. The International Scene (political and economic).

While retaining the essential elements found on the relief to development continuum, and while offering little direct critique of development as it applies to

re-building war-torn societies, in identifying these three issues, Barakat has moved the DM+D Framework toward a notion of peacebuilding as it is treated in this study. First, Barakat's work is more finely tuned to the political dimension of reconstruction. The role of politicians in reconstruction is recognized: for example, it is noted that in the case of natural disaster, international assistance is "normally available or at least offered, even in the absence of diplomatic relations, whereas in the case of war damage international assistance will strictly follow political alliances". However, in recognizing and addressing the small and large "P" political dimension of reconstruction, peacebuilding as a political undertaking itself is overlooked.

Second, it is recognized that reconstruction may get started before "the peace" has been established.

Finally, by attending to the social and psychological aspects people are established as the essential resource for recovery and reconstruction, such that "the whole reconstruction process should be seen as a means by which exalted human values should be enhanced, as such the government's responsibility does not end with reconstruction of the city's physical structures and /or infrastructural system".

Each of these sensibilities may establish the work of the Post War Reconstruction and Development Unit at York as offering a "framework" for peacebuilding. They do not, however, go directly to the heart of peacebuilding as used in this research. For while the war fact is considered, the need to analyze the root causes of conflict as an essential step in rebuilding is not included; whereas the political dimension identified is done as a factor which has an impact on reconstructing rather than explicitly stating that reconstruction is a political act; and whereas the human being is brought into the equation as an essential resource, the whole notion of human needs and the fact that war has torn and perhaps destroyed the fabric of human relations is not established as central to building peace. Rather we

are left with the practical, albeit enormous challenges these issues or dilemmas have for the reconstructionist.

When we turn to the principles offered to guide the reconstructionist we encounter the influence of development thinking on the Developmental Reconstructionist Framework.

These principles, a version of which appear in Barakat's doctoral dissertation have been updated based on more recent field work in Afghanistan. (See Barakat, 1993; Barakat et al, 1994; Barakat, 1995.)

Principle 1: Reconstruction programmes need to be planned and implemented in a manner that encourages peace and reduces the levels of conflict.

Principle 2: The local community is the primary resource for reconstruction. It is crucial to work WITH the community and not FOR it. People need to be helped to help themselves. Programmes have to be geared up to the REAL NEEDS and PRIORITIES of the community. The community must have the sense of ownership and responsibility towards the projects, as the only way of ensuring true sustainability and initial self-reliance. One way of fostering this is by the community contributing to the project (eg. material resources, labour, cast, etc.).

The involvement of the community in the planning, design and implementation of reconstruction is crucial. However, the community should never be exploited, ignored, bypassed, or helped to develop false expectations.

Principle 3: Reconstruction and peace building organizations coming from outside should be sensitive and respect existing cultural values in the reconstruction process.

Principle 4: Detailed information about the community and its needs is an important input in reconstruction planning. Usually this is best achieved by direct survey carried out in close consultation and interaction with the war affected community. Qualitative as well as quantitative techniques (skills) of needs assessment are required to establish NEEDS rather than WISHES.

Principle 5: It is essential to develop reconstruction policies that maximize the use of locally available resources (i.e. human skills, building materials (including debris) institutions, social structures, etc.) in order to regenerate the economy and reduce the cost of imported goods and services. Resources should be: (a) identified; (b) utilized; and (c) developed.

Principle 6: Effective reconstruction will only occur when it is comprehensive in its scope. The reconstruction process will need to be wide-ranging, covering such issues as immediate post-war activities; comprehensive assessment of needs and damage on local and regional levels; long-term planning considerations of ensuring sustainability.

Principle 7: There are critical considerations in reconstruction that relate to the priority or sequence of required actions. In areas of conflict, emergency work can be undertaken to reduce the suffering of the civilian population whilst in areas of relative security reconstruction and longer term development should be initiated. In cases of communities which have

been inaccessible due to the conflict, peacebuilders have the minimum responsibility of advocating people's needs.

Principle 8: There are obvious, unique opportunities for reform in recovery and reconstruction actions but these must not, in view of exceedingly tight economic constraints, become "utopian dreams". The new economic and social realities created by the war must be faced realistically in order not to create false expectations.

Principle 9: The needs of vulnerable groups of the society must be cared for. Special attention is needed in rebuilding to satisfy the specific needs of those who have been wounded in mind or body during the war. Besides accessibility to buildings and public places, there is a need for physical, mental, and vocational rehabilitation programmes. It is important to avoid charitable approaches in providing assistance and unnecessary institutionalization.

Disabled people should be given equal opportunities in consultation, employment and human resource development.

Principle 10: Community based initiatives should be taken to help orphans and widows, keeping in mind the existence of a social coping mechanism. Special attention is needed in reuniting families.

Principle 11: Reconstruction should be regarded as therapy. The affected population needs to become active participants in the process of reconstruction, rather than onlookers. This is essential to assist those who need work as a process of therapeutic readjustment, in order to restore their self-esteem and their place in society.

Principle 12: All reconstruction initiatives should include a mechanism of monitoring progress of implementation, as well as medium and long-term evaluation of reconstruction projects. Eventually projects should be evaluated in terms of their contribution to the development of the area.

Principle 13: Active co-ordination between national NGOs, international NGOs, UN bodies, and Donor Governments is needed. NGOs should contribute positively to strengthen the role of the coordinating bodies as regional/national forums.

Principle 14: There is a need for collaboration with local and regional governments. Contacting local governments at an early stage of the project and keeping them informed about progress helps secure their support and co-operation. Local governments could be involved in assessing needs and establishing priorities, and information should be shared with them.

Principle 15: The planning and implementation of reconstruction require an effective institutional framework. There is a need to develop such institutions through communication with governors of provinces; building on and by re-establishing committees at village and sectoral level that can take responsibility and sustain projects. It is also important to consult pre-war institutional structures and “expertise”.

Principle 16: Solidarity between NGOs is crucial for the effectiveness of their contribution to the reconstruction. Exchange of information on accidents and losses helps other NGOs to avoid falling into similar traps. NGOs can make available to others the use of their facilities, information networks, etc., if needed. Solidarity will reduce levels of competition and duplication.

Principle 17: In order to ensure ACCOUNTABILITY for both communities and donors there is a need for a joint monitoring and evaluation mechanism. Such a mechanism can be administered by the existing coordinating bodies, while NGOs will contribute personnel and needed resources. Reports should be made publicly available giving a true picture of NGOs activities.

Principle 18: Educational programmes should be based on the needs and interests of the local people, facilitating and organizing activities within a broad perspective of education and training.

In these principles to guide reconstruction we see other evidence of what differentiates the “Developmental Reconstructionist Framework” from “Disaster Management plus Development Framework”. Peace and conflict are placed in the foreground. Well established development principles such as local empowerment, participation, and the value of taking a long-term perspective are all included. But taken altogether, this framework does not speak to peacebuilding as used in this research, notwithstanding Principle 1. Or more accurately, Principle 1 suggests a whole range of potentialities with respect to peacebuilding, but they are undeveloped. Barakat gives us a base from which to move the philosophy and practice of rebuilding war-torn societies forward, and our attention turns to a third framework for peacebuilding, the Conflict Transformation Framework.

1.3.3 The Conflict Transformation Framework (CTF)

1.3.3.1 Conflict Transformation Concepts and Hypotheses

Concepts Associated with Conflict Transformation:

A range of concepts of conflict transformation appear in the literature, but it is only in Lederach that an operational framework and the genesis of theory exist in an integrated manner. A number of scholars and their concepts of Conflict Transformation are identified by Ryan (Rupesinghe, 1995:229).

- ▶ Curle identifies three tools for conflict transformation: peacebuilding, plus development (described as purposeful growth and change) plus education.
- ▶ Boulding focuses on “learning sites”. The emphasis is upon opportunities for contact between different groups in conflict.
- ▶ Garcia, based on work in Philippines, refers to peace zones, the promotion of cultural pluralism and codes of conduct for armed groups and others.
- ▶ Walker recommends that social movements focus on economic development, gender, the environment, militarization, human rights, and culture.
- ▶ Groom argues that conflict transformation is best served by focusing on behaviour, local ties of a practical nature rather than constitutional principles.
- ▶ Esman suggests peacebuilders address the “atmospherics” surrounding violent conflict.

Spencer and Spencer (Rupesinghe, 1995:162) state that conflict transformation is essentially a process in which the actors in a conflict redefine the dispute itself and open a space for cooperation and peace.

Rupesinghe (1995: viii) introduces his volume, Conflict Transformation as follows:

The contents of this volume represent part of the growing body of evidence that a sea of change has occurred in the way in which conflict is perceived, at least among peace researchers and conflictologists. Given the complexities and the durability of current violent conflicts, the notion of being able to resolve them once and for all has been superseded by an understanding that such dynamic and rooted processes call for dynamic and sustained responses. Conflict in its peaceful forms has engendered much positive change within human society. What we are concerned about here is the destruction wrought by violent conflict - the lost lives, the maimed and traumatized survivors, the economic devastation and the crippled hopes - and with the fostering of attitudes, standards and mechanisms which can transform violent or potentially violent conflicts to lasting peace. Conflict transformation, I believe, must be a flexible, yet comprehensive process, by which ultimately a culture of negotiation and accommodation displaces a culture of violence and provides ordinary people with the means to prevent any return to barbarity. . . .Gurr makes a strong case for the transformation of conflict through autonomy or power-sharing arrangements, but stresses that whether autonomy agreements lead to transformation ‘depends on the political will of leaders of both sides, the resources of the state, and specifics of the autonomy agreements themselves.’ . . . I have tried to go beyond the generally accepted definition of the term as the building of new institutions and projects once violence has ceased to encompass the possibilities of peacebuilding during violent conflicts.

As Stephen Ryan notes elsewhere in this volume, peacebuilding advances are usually small and lack the drama of the announcement of a successful high-level peace negotiation. On the other hand, the peacebuilding process aims at establishing the social, political and economic foundations for a sustainable “culture of negotiations”, in which recourse to violence to resolve conflicts is consistently and effectively rejected by societies and their leaders. Clearly, priority must be given to swiftly bringing violence to an end in conflict situations, but concentrating on that end should not exclude the longer-term work that must be carried out to ensure that peace, once attained, can be sustained and deepened. As well, more resources must be devoted to building the long-term foundations of peace, even while violent conflict continues.

Hypotheses Associated with Conflict Transformation:

In Rupesinghe (1995) Ryan reviews a number of peacebuilding hypothesis, including the contact hypothesis: reconciliation; superordinate goals; confidence building; generational change; prejudice reduction; and exploring of culture. In his own 1995 text, Ethnic Conflict and International Relations, Ryan discusses these at length as summarized here:

- ▶ **Contact hypothesis** - contact will reduce ethnic tension and prejudice. Not so; the quality of the contact is important. Five conditions necessary for success include: (1) the contact is between persons of equal status; (2) the social climate should favour such interaction; (3) it should be intimate, not casual contact; (4) it should be pleasant and rewarding contact; and (5) it is important that common goals exist.
- ▶ **Contact plus forgiveness hypothesis** - this is the strategy of the *religious peace tradition*, emphasizing the need for reconciliation. Protracted conflict is explained in terms of misunderstanding, prejudice and stereotypes rather than structural factors. Individual changes are the best way forward. Ryan asks whether this is adequate.
- ▶ **Contact plus pursuit of superordinate goals hypothesis** - a super ordinate goal is an urgent goal which can only be achieved by cooperation between conflicting groups (not a common goal which could be achieved unilaterally). Examples are given that do not support the hypothesis.
- ▶ **Contact plus economic development hypothesis** - economic development is postulated as potentially the most significant of all superordinate goals. Even if violent conflict caused underdevelopment it is not necessarily the case that economic development may depend on

effective management or resolution of the conflict; development becomes the dependent variable. Identity, culture, distribution of wealth are all important considerations but development does not necessarily bring peace. With development can come rising expectations, dislocation, fear and anxiety and unequal distribution of resources. Ryan suggests that conflict resolution plus development remains helpful.

- ▶ **Contact plus confidence building hypothesis** - asserts that the restoration of trust is a prerequisite for constructive intercommunal dialogue. Ryan notes that there is little research on this, that interpreting others' moves is a salient consideration and that nothing conclusive can be drawn about the hypothesis.

- ▶ **Contact plus education for mutual understanding hypothesis** - this hypothesis asserts the prospect of peace through generational change. The focus is on education of children more than transmission of knowledge. Ryan claims a problem with the hypothesis is that the idea of the 'enemy' may be laid down before formal schooling of the child.

- ▶ **Prejudice reduction hypothesis** - this is captured by the notion of "disarmament of the mind". Attitudes and beliefs are targeted for change by formalized methods including contact and acquaintance programs, group retraining, exhortation by leaders, and individual therapy.

- ▶ **Exploring cultures hypothesis** - cultural differences are presumed to be at the heart of ethnic conflict. The remedial focus is on exploring culture to transcend differences and on the deconstruction of inherited myths.

Ryan's summation of this review of these peacebuilding (conflict transformation) hypotheses is that all of the peacebuilding strategies are not mutually exclusive. He remains unsure of their effectiveness but endorses grassroots, undramatic steps that may take generations to show an effect. The need for an operational framework for Conflict Transformation *remains a pressing concern*.

1.3.3.2 An Overview of Lederach's Framework

This study has posited the existence of two frameworks which may be used to guide peacebuilding, the "Disaster Management plus Reconstruction Framework" and the "Developmental Reconstructionist Framework". A third framework, the Conflict Transformation Framework, has been explicitly articulated and may be directly attributed to the work of John Paul Lederach (see Lederach, 1993,1994,1995,1997). Lederach's thinking has developed over years of work in conciliation and mediation in Third World countries, his "elicitive" as opposed to "prescriptive" approach to training in conflict resolution³² and his direct experience in peacebuilding activities in El Salvador and the Horn of Africa.

Lederach's most recent description of a Conflict Transformation approach to peacebuilding appears in Building Peace: Sustainable Reconciliation in Divided Societies (Lederach, 1997). We draw extensively on Lederach's text to provide an overview of the Conflict Transformation Framework.

As do the other two frameworks, Lederach begins with an overview of contemporary conflict, outlining the characteristics of these conflicts and then offers his conceptual framework for peacebuilding.

³² The "elicitive" approach draws upon the knowledge of the indigenous population to understand conflict and develop non-violent methods of resolving it, rather than "prescribing" conflict management practices (see Lederach, 1995).

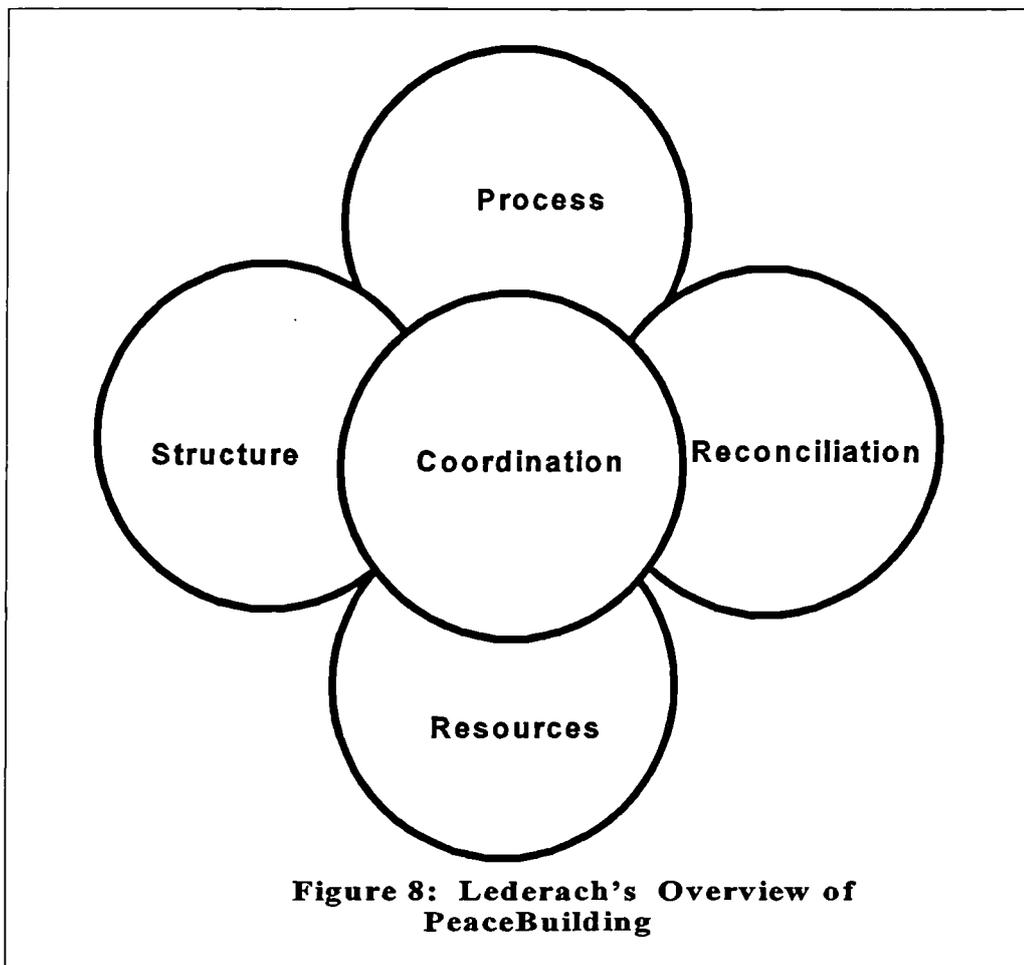
The characteristics of contemporary conflict are identified as:

- (1) ideology is no longer the key explanation of conflict - a factor of the post Cold War reality;
- (2) the vast majority of armed conflicts take place in developing countries - creating an enormous demand for aid and blocking development, leading to the realization that aid and development cannot be separated from conflict resolution;
- (3) the vast majority of conflicts are internal but they internationalize - manifest in the flow of weapons into conflict areas, the flow of displaced persons out of conflict areas, and the flow of armed groups across borders;
- (4) increasingly conflicts are not defined along national lines - so that conflicts tend to be defined in terms of a narrow sense of identity such as ethnicity, clan or geographic region, resulting in the breakdown of the state infrastructure and the social fabric thereby creating a spiral so that people continue to seek even narrower identity lines;
- (5) conflicts are marked by a process of fractionalization and diffusion of power - so that power can no longer be understood in state terms but in relation to a multiplicity of groups and alliances, making the issue of representation enormously challenging in peacebuilding and changing the nature of mobilizing power through the formation of larger blocs beyond the nation state;
- (6) most conflicts are rooted in long standing relationships - so that the psycho-social elements are often far more important than the political elements, requiring that peacebuilding deal with issues such as psycho-social trauma, stereotyping, forgiveness and restoration of relationships; and
- (7) international mechanisms don't exist to deal with internal conflicts - inasmuch as UN and other international organizations have embraced the

principle of non-interference in the internal affairs of individual countries,
raising the problem of how to deal with internal conflicts.

From these characteristics, Lederach articulates two principal challenges: how do we transform long standing, deeply rooted conflicts from situations of war and hatred to situations of coexistence; and how do we work creatively to prevent situations that have the potential to explode from doing so.

Lederach's Conflict Transformation Framework provides a conceptual response, and entails consideration of the following elements: structure, processes, reconciliation, resources and coordination (see Figure 8).



With respect to *structure*, three areas are to be considered:

- (1) the levels of the population with which peacebuilding is envisioned- taking note that there are three levels: the highest level which we associate with peacemaking, the diplomatic or strategic level - and from which cease fire agreements and peace accords may be produced but which do not translate to the community; the mid-level, or “middle range leader”, such as individuals who are respected and known by sector or ethnic groups and who are in a position to influence the levels above and below (the middle out approach); and the grassroots, local level, involving local leaders, indigenous NGOs, community development activists, whose main concern may be survival issues and who may be unable to put their reality into a broader context;
- (2) the context in which issues are placed - taking note of the tendency to focus on issues rather than the relationships or systemic causes of the conflict and the importance of viewing local issues in relation to a larger systemic perspective;
- (3) the time frame developed for peacebuilding activities - taking note of the tendency to respond to conflict on a crisis basis and the importance of linking immediate and long-term planning, of thinking in decades rather than events.

With respect to *process*:

- (1) the importance of acknowledging that there are a multiplicity of roles relating to peacebuilding; and that
- (2) mechanisms are needed to address the interdependence of these roles.

With respect to *reconciliation*:

- (1) the importance of acknowledging that the primary elements that drive and reinforce conflict are often psycho-social and are linked to relationships rather than political substance, requiring that:
 - ▶ the human being must be put back into the process of peacebuilding; and
 - ▶ a reorientation towards relationship building and not exclusively resolution of the issues is necessary.

With respect to *resources*:

- (1) the need to expand our view of how and who is able to undertake peacebuilding so that it is not just the activity of those who represent the state or the business of specialists; and
- (2) place greater emphasis on longer-ranged views than short-term projects, on actor responsibility and accountability at all levels.

With respect to *coordination*:

- (1) address the need for coordination of peacebuilding activities through:
 - ▶ clearer channels in conflict situations, so that high-level activity is linked to middle and grassroots peacebuilding initiatives, and that actors are linked;
 - ▶ conferences of donors, recipients and other related agencies and organizations are informed so that communication and collaboration are improved;
 - ▶ research, at the applied level in the form of establishing peace inventories, identifying initiatives within a particular area.

Lederach's framework thus attends to the practical in ways similar to the Disaster Management plus Development and the Developmental Reconstructionist Frameworks. Similarities exist in the following ways:

1. All begin with attention to contemporary conflict, distinguishing it from pre-Cold War conflict, although Lederach's characterization of conflict is more analytical than descriptive and his ideas about the root causes of conflict appear more well developed.
2. All stress the enormity of the challenge of peacebuilding.
3. All reinforce the need for a long-term perspective in peacebuilding.
4. All address the issue of the multiplicity of actors and the need for better inter-actor communication and collaboration.
5. All recognize the political dimension of peacebuilding.
6. All underline the need for adequate resources, commitment, and accountability to peacebuilding by those who wish to undertake it.

1.3.3.3 *An Operational Framework for Conflict Transformation*

If we consider the definition of peace, the concepts of conflict transformation, and the hypotheses of peacebuilding we are able to identify a number of characteristics required of a peacebuilding framework. Such a framework would need to take into account the root causes of conflict; it would be a framework that had to relate to the other two peace-nurturing functions (peacemaking and peacekeeping); it would be a framework that recognized, explicitly, that peacebuilding is a political process; it would have to be informed by a working definition of peace; it would have to recognize the needs for measuring success; and it would have to facilitate improved communication and collaboration among all relevant actors.

Lederach's Conflict Transformation Framework appears to meet these requirements. The root causes of contemporary wars are associated with the structures of violence in a society, the disintegration of the state infrastructure and the society's social fabric, the narrowing of identity lines, the diffusion of power and the need to restore relationships. Lederach gives us a comprehensive framework for approaching the peacebuilding endeavour.

By situating reconciliation at the centre of his conceptual framework, however, in the context of transforming conflict from violence to non-violence, Lederach significantly distinguishes the Conflict Transformation Framework from the others and brings it most into alignment with the definition of peacebuilding used in this study. Human beings in relationship are at the centre.

For research purposes an operational view of the framework is necessary. We require specific key assertions, elements and a strategic conceptualization of Lederach's Conflict Transformation Framework in order to test it. Drawing heavily upon Lederach, we therefore note from his work, Building Peace: Sustainable Reconciliation in Divided Societies:

(i) First is the enormity of the peacebuilding task: Most wars are located in settings struggling with poverty, inequities, and underdevelopment, both within the particular societies and by virtue of the countries' marginal positions in the world community. The lines of conflict in these settings are drawn along group identity lines, with fighting aimed at achieving collective rights in opposition to other groups of often differing ethnicity, religion, or race. These are long-standing conflicts. The constancy and continuance of intermediate and war levels of armed conflicts defy quick solutions or facile processes for peace.

(ii) Conflicts in the post-Cold War world are primarily internal disputes that are communal or intercommunal in nature. They are characterized by deep-rooted, long-standing animosities that are reinforced by high levels of violence and direct experiences of atrocities. By virtue of this, the psychological and even cultural features often drive and sustain conflict more than substantive issues.

(iii) The peacebuilding task must take into account the long-term horizon of protracted intermediate conflicts and wars, and develop a comprehensive, multifaceted strategy for ending the violence and for achieving sustainable reconciliation. This will call for concepts and approaches that deal with the specific nature of contemporary armed conflict. Finally, the agenda must take up the challenge of how to prevent newly emerging minor armed conflicts from becoming full-scale wars.

(iv) The framework suggests a comprehensive approach to the transformation of conflict that addresses structural issues, social dynamics, the role of relationships, resources, and infrastructure for coordination.

(v) A pyramid can be used to describe the types of actors in a population in conflict and the approaches to conflict transformation. (See Figure 9 Lederach's Actions and Peacebuilding Foci Across Affected Population).

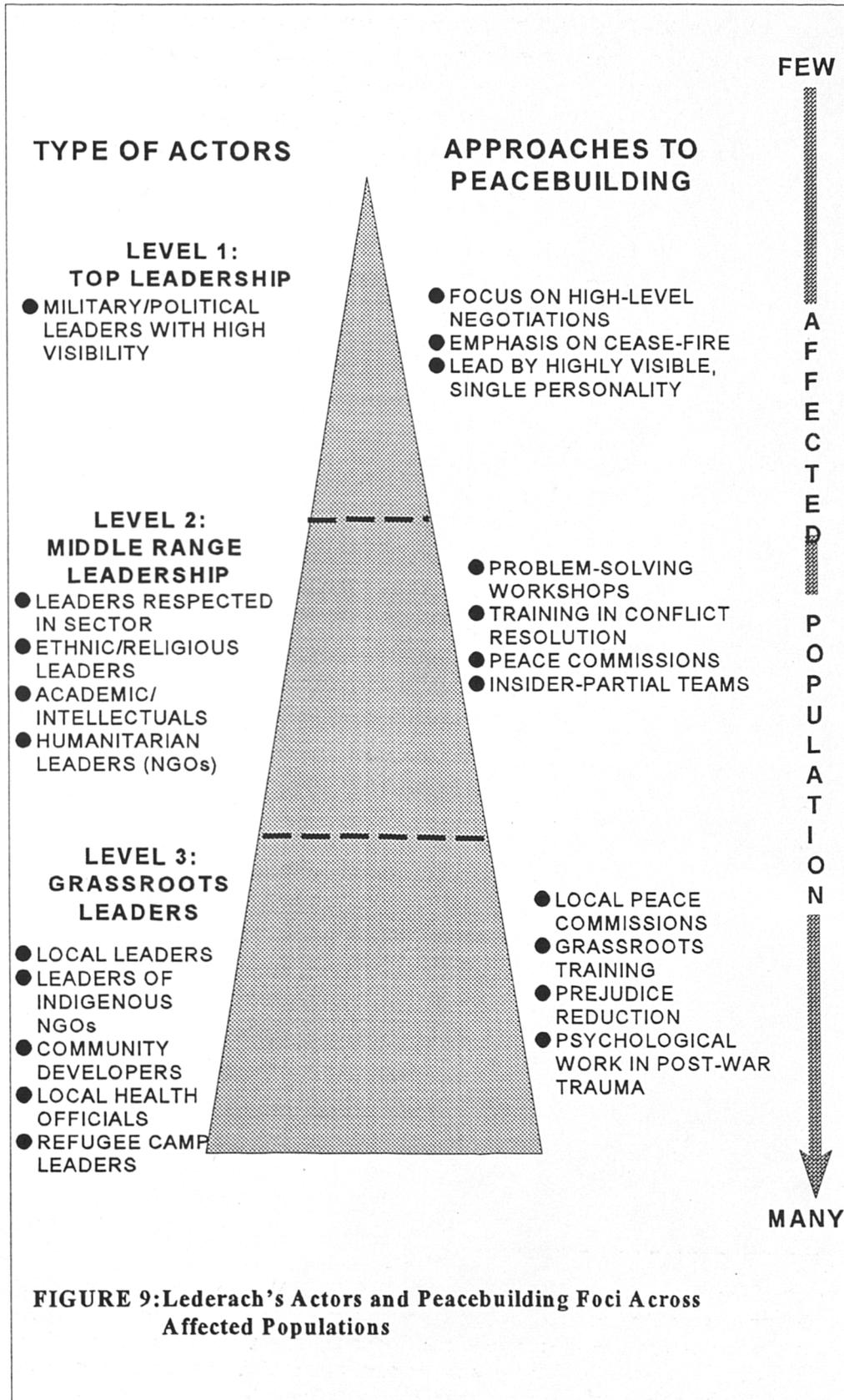
The top-level leadership, at the pinnacle, represents the smallest number of people, in some instances perhaps only a handful of key actors. Grassroots-level actors, on the other hand, represent the largest number of people, the population at large. On the left hand side of the triangle are the types of actors and the sectors from which they come at each level. On the right side are the features and approaches of a peacebuilding process associated with each level. Top-down and bottom-up views of peacebuilding exist. The middle range offers what might be called a "middle-out" approach to peace. It is based on the idea that the middle range³³ holds a set of leaders with a determinant location in the conflict who, if integrated properly in the peace process, might provide the key to creating an infrastructure for achieving and sustaining peace. *(To my knowledge, a theory of middle-range peacebuilding as such has not yet been developed. We do, however, have a number of parallel examples to draw upon of middle-range approaches to peace. These fit into three categories: problem-solving workshops, conflict resolution training, and the development of peace commissions.)* (Italics added)

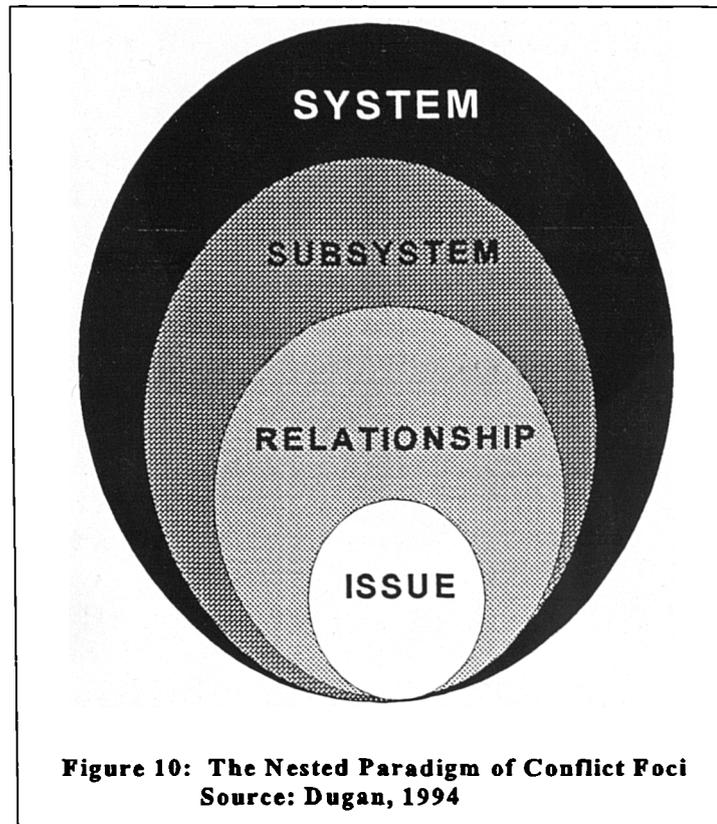
(vi) Two (2) sets of lenses are required for establishing an overall framework of peacebuilding: one looks at the overall situation with regard

³³ Lederach describes actors from each level, noting that middle-range leaders are positioned such that they are likely to know and be known by the top-level leadership, yet they are significantly connected to the broader context and the constituency that the top leaders claim to represent. . . . they are connected to both the top and grassroots . . . but they are not bound by political implications that govern every move and decision at the top level and they vicariously know the context and experience of people living at the grassroots level, yet are not encumbered by the survival demands facing many at this level.

to the levels of actors concerned with peacebuilding in the affected population and the kinds of resources and activities available at each level; (Figure 9) the second provides a means for looking at both the immediate issues in the conflict and the broader systemic concerns - the Nested Paradigm of Conflict Foci³⁴ (see Figure 10).

³⁴ Lederach credits peace researcher and theorist Maire Dugan with development of the nested paradigm as a mechanism for considering the narrower issues and the broader systemic aspects of conflict resolution and peacebuilding. There is the presenting issue; the relationship of the parties; the system which is the immediate system within which the parties in relationship struggling over the issue are located; and the system - the broad or macro level structural and systemic context shaping the subsystem, the relationship and the issue.





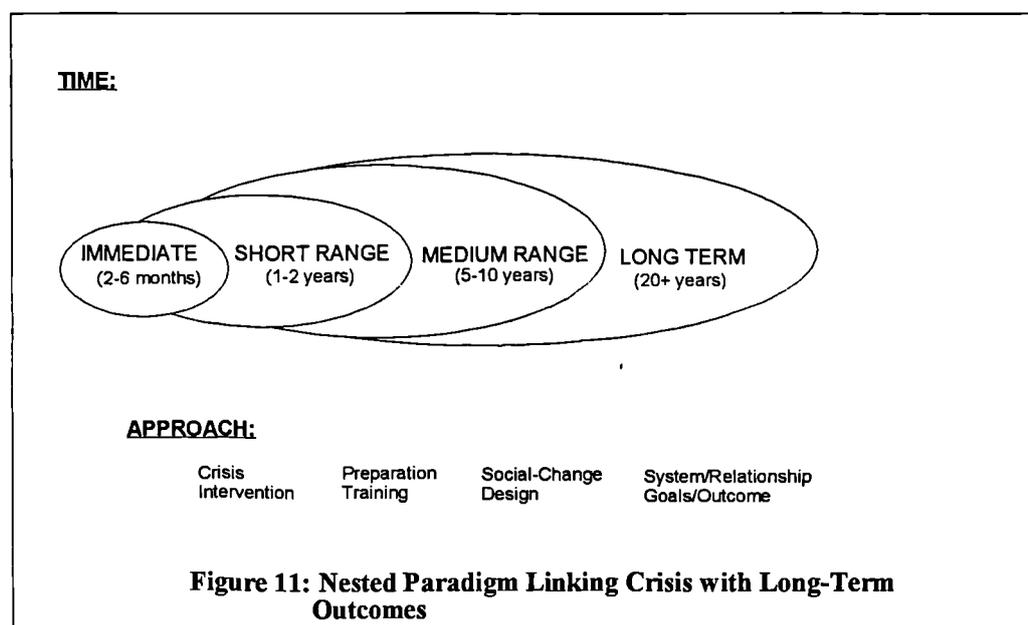
Lederach notes:

- (vii) Peacebuilding is a process made up of various functions that emerge in a frame of reference that understands conflict as progression. . . . Conflict is never a static phenomenon. It is expressive, dynamic, and dialectical inasmuch as it is relationally based, given birth in the world of human meaning and perception, constantly changed by ongoing human interaction, and itself constantly changes the very people who give it life and the social environment in which it is born, evolves, and perhaps ends. . . . transformation represents movement, the change from one status to another. In more specific terms of conflict progression, transformation is the movement from the latent conflict to negotiation to dynamic, peaceful relationships. . . . sustainability suggests a concern not only for how to initiate such movement but also for how to create a proactive process that is capable of regenerating itself over time -- a spiral of peace and development instead of a spiral of violence and destruction.

Combined, the two suggest a critical point of departure: Building peace must rely on and operate within a time frame defined by sustainable transformation. In practical terms, this necessitates distinguishing between the more immediate needs of crisis-oriented disaster management and the longer term needs of constructively transforming the conflict.

Disaster-management perspectives tend to operate in a context of specific projects with short-term, measurable outcomes. In the interest of transforming the conflict, however, short-term efforts must also be judged by their long-term implications. For example, while achieving a cease-fire and feeding and sheltering fleeing refugees are immediate necessities, these goals must not be mistaken for nor replace the broader framework of peacebuilding activity. Rather, a sustainable transformative approach suggests that the key lies in transforming the relationship of the conflicting parties, with all that term encompasses at the spiritual, psychological, social, economic, political, and military levels.

The transformation approach suggests yet another nested paradigm, in this case relating time frame and types of peacebuilding activities (see Figure 11). In this model, the short-term crisis intervention -- whether provision of humanitarian aid or pursuit of a cease-fire -- represents a response to urgent and immediate concerns. These are often the 'attention-grabbers' seized on by the media and portrayed across our television screens. Crisis intervenors think in terms of weeks or several months in answer to such questions as: *How can we alleviate the excruciating suffering?* or: *How can we get a cease-fire agreement to open up space for negotiations?* This immediate agenda, however, must not be viewed in isolation from the longer-term goals of sustainable outcomes.



Moving next to the far right of the paradigm, we find a long term perspective tends to be driven, not by a crisis orientation, but by a vision of socially desirable outcomes, such as significant structural and systemic change. The questions being asked here are: (a) What type of future will we leave our children? Or: (b) What type of change is necessary to prevent a similar crisis from happening again? (c) This is the time horizon for conflict prevention. The types of goals that are found here are sustainable development, self-sufficiency, equitable social structures that meet basic human needs, and the establishment of respectful, interdependent relationships among diverse groups in the society. (d) The time frame for such thinking is projected across generations, perhaps in blocks of 20-40 years, or even a lifetime.

Between the immediate and long term approach we find, once again, a middle-range perspective. With regard to time frame, the middle range thinks in decades. It is driven by an interest in linking the immediate experience of crisis with a better future in which crises such as this can be prevented. The middle-range approach is therefore concerned with the design of social change. One manifestation of such activity is what a number of conflict resolution practitioners are referring to as ‘dispute system design’ (Moore 1994). It responds to the question: How can we put into

The purpose of this paradigm is to visually portray an approach that understands the concerns and actions in the immediate crisis as embedded in the need for preparation, the design of social change, and the pursuit of desired outcomes over the long term. It is also important in creating units of thought that permit us to think in more differentiated and longer blocks of time. This is especially important where we are dealing with situations of protracted conflict and generations-old perceptions.

In sum, viewing conflict as a progression over time provides a set of lenses. It understands that humanitarian disaster responses must act quickly to save lives in the short term, but that ‘quick fixes’ in protracted conflict rarely lead to sustainable solutions. It suggests, specifically, that a crisis-driven response to conflict, which measures success in the arresting of diseases and starvation and the achievement of a cease-fire, must be embedded within the painstaking tasks, of relationship and confidence building, of design and preparation for social change, all of which ultimately provide a basis for sustaining conflict transformation.

- (viii) The peacebuilding process entails the unfolding of a design ‘architecture’. . . . Constructing such a process entails the unfolding of a design ‘architecture’ that moves through stages. The design is shaped explicitly to envision short-term crisis responses to protracted internal conflict as embedded in a long-term point of view. Within the time frame of conflict progression, it is necessary to develop the capacity to think in longer units of times, moving us toward thinking in decades instead of weeks and months. Such an architecture recognizes and integrates specific roles and functions and their corresponding activities as the dynamic elements that create and sustain the movement along the continuum of constructive transformation over time.

We see here the natural and crucial overlap between the structural and procedural lenses, the first two elements of a broad peacebuilding paradigm. “Structure” suggests the need to think comprehensively about the affected population and systemically about the issues. “Process” underscores the necessity of thinking comprehensively about the progression of conflict and the sustainability of its transformation by linking roles, functions, and activities in an integrated manner. Together, the two lenses suggest an integrated approach to peacebuilding based on five questions, (as can be depicted in Figure 12).

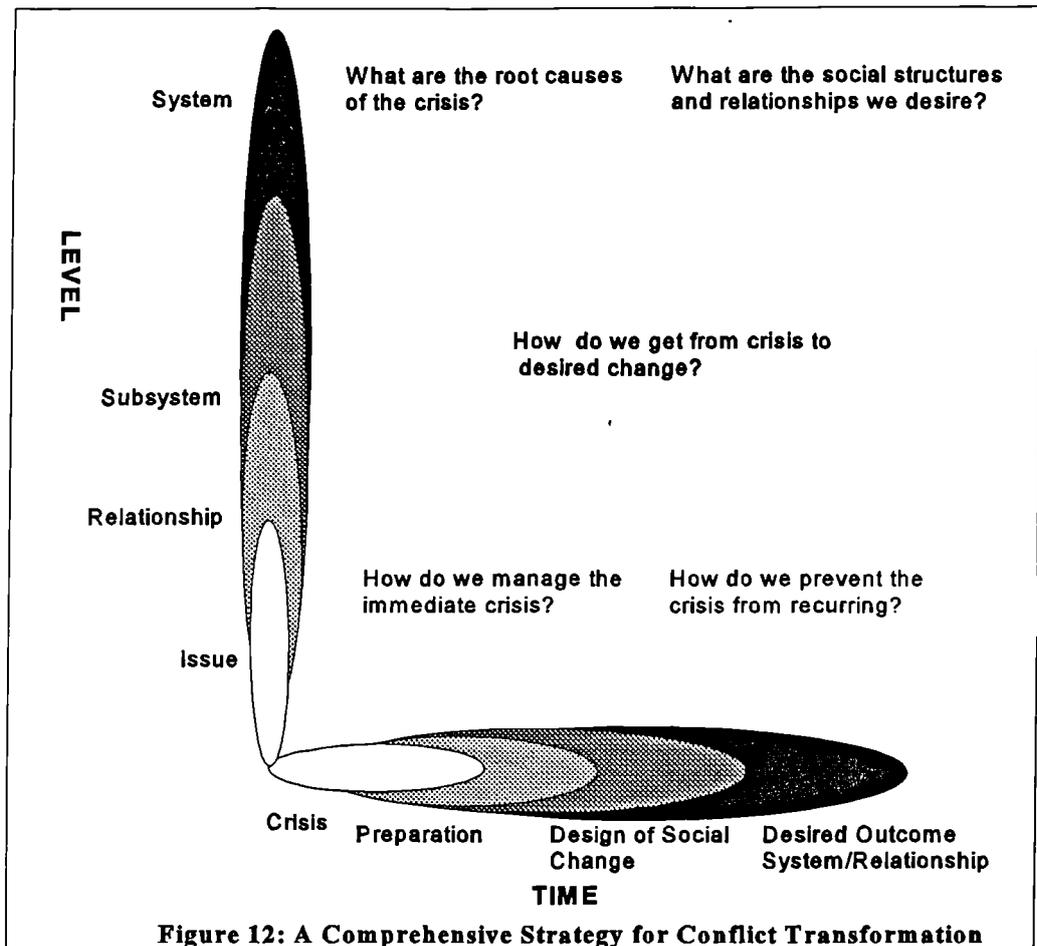


Figure 12: A Comprehensive Strategy for Conflict Transformation

(ix) **Reconciliation:**

To be at all germane and salient in contemporary conflict, peacebuilding must be rooted in and responsive to the experiential and subjective realities shaping peoples' needs. It is at this very point that the conceptual paradigm and praxis of peacebuilding must shift significantly away from the traditional framework and activities that make up statist diplomacy.

I believe this paradigmatic shift is articulated in the movement from a frame of reference concerned primarily with the resolution of issues and toward one focused on the restoration and building of relationships. This calls for a conceptual framework that goes beyond a mechanically structural or issue-focused approach. The framework must accommodate the relational aspects of reconciliation and make suggestions for how it can be practically achieved in the real world.

(x) Resources: Making Peace Possible:

It is abundantly clear across our globe, both historically and at present, that the expenditures and resources consumed on war far outpace those allocated for building peace. Without adequate resources, explicit preparation, and commitment over time, peace will remain a distant ideal rather than a practical goal. At the same time, throwing money at problems, in this instance contemporary internal wars, will not alone resolve them. On the contrary, such action may exacerbate conflicts. We need, therefore, to be clear about what is meant by resources for peacebuilding. . . .

The primary goal with regard to resources is to find ways to support, implement, and help sustain the building of an infrastructure for peace over the long term. To do this I propose that we need an expanded understanding of “resources.” Specifically, I suggest we approach the question of resources for peace under two broad headings: socio-economic and socio-cultural. The former suggests that resources do, indeed, involve a monetary aspect, but that equally critical is the sociological dimension in the disbursement of funds. The latter suggests that people and their various cultural tradition for building peace are also primary resources. . . The key to the argument is that resources need to be applied in a strategic manner for effecting the maximum constructive change in protracted conflicts.

(xi) Coordination: Points of Contact

We are not concerned here with the establishment of a master plan developed by some centralized, controlling “peace authority.” In fact, such an orientation could well be the demise of the necessary creativity, breadth, and flexibility of the multiple activities and actors needed in promoting a comprehensive approach to peacebuilding. What is needed, however, is a recognition of the validity of the various components and a means of finding more explicit points of contact and coordination among them, so that the contribution of each can be maximized and the uniqueness of each perspective integrated into an overall strategy for conflict transformation.

This full summary identifies the key elements of Lederach’s Comprehensive Strategy for Conflict Transformation. He has given us the essentials of an operational framework for peacebuilding with reconciliation at the centre. He

relates structure and process, and provides us with five key questions related to the structural and procedural dimensions:

- (1) How do we manage the immediate crisis?
- (2) What are the social structures and relationships we desire?
- (3) How do we prevent the crisis from recurring?
- (4) What are the root causes of the crisis?
- (5) How do we get from crisis to desired change?

Lederach insists on the importance to sustainable peace of middle-range actors; he notes the absence of a theory of middle-range peacebuilding.

Finally, he asserts three (3) imperatives with respect to peacebuilding:

1. We must develop the capacity to think about the design and implementation of social change in time units of decades, in order to derive and translate the *lessons of crisis into a constructive process of sustainable transformation*.
2. We must understand crisis issues as connected to systemic roots and develop approaches that explicitly see those issues as embedded within a set of relationships and subsystems.
3. We must recognize the integrative potential of middle-range actors, who by their locus within the affected population may have a special capacity to cultivate relationships and pursue the design of social change at the subsystem level.

1.4 SUMMARY AND CONCLUSIONS

In this chapter we discussed the five key issues which are in a review of the scant literature on peacebuilding that existed at the time of commencing this study. The issues started first with a definition of peacebuilding itself. In order to define peacebuilding in operation terms that could be tested in this research, the definition of peace was considered. The notion of positive peace (the absence of overt and structural violence) was adopted, leading to adoption of the definition of peacebuilding as: the transformation of violence in a society through destruction of the structures of violence and construction of the structures of peace including building the capacity for the non-violent expression and resolution of conflict.

The relationship of peacebuilding to peacekeeping and peacemaking in contemporary intra-state war was explored, and it was argued that the three form a triad of peace-nurturing functions. While they are discrete, they are intricately related and it appears that peacebuilding as defined here may be provided prior to, during, and after violent conflict (war).

The need for models, however, which give practical guidance to peacebuilding and which respond to the key issues identified in the literature, was determined to be a pressing concern. These models would need to take into account the nature of the challenge of building peace, or the “brief,” and they would have to address issues such as measuring success, improving coordination and cooperation among actors.

The Conflict Transformation Framework was selected from among three potential frameworks as providing the most theory-informed, explicit strategy to guide

peacebuilding. The Conflict Transformation Framework was discussed at length, drawing heavily on the work of Lederach (1991, 1994, 1995, 1997) who is associated with having articulated the framework.

The Conflict Transformation Framework emphasises a comprehensive approach to the transformation of conflict by addressing structural issues, social dynamics, the role of relationship (and the importance of reconciliation), resources and infrastructure for coordination. The notion of an “architecture” for peacebuilding is alluded to in the Framework. The Framework places much hope on the role of middle-range actors in a war-torn society, and moves peacebuilding beyond a crisis-orientation to a long-term perspective. In fact, three imperatives associated with Lederach’s view are identified at the end of the chapter:

1. it is imperative to think about time when looking toward an architecture of peacebuilding;
2. it is imperative to think about the systemic roots of conflict; and
3. it is imperative to consider the role of middle-range actors.

The Conflict Transformation Framework has been selected to guide the action research in peacebuilding in this study. It will both guide applied work and be tested in that application. A methodology to test it with the overall goal of contributing to an architecture for peacebuilding is presented in the next chapter.

CHAPTER 2

Theory On The Anvil Of Action Research In Peacebuilding: A Dialectical Methodology

2.1 INTRODUCTION

The aim of this study is to test the Conflict Transformation Framework with the overall goal of contributing to an architecture for peacebuilding. To achieve this aim a comprehensive, flexible and iterative Methodology was constructed and is presented in this chapter. As a dialectical methodology, it is intended to achieve a series of iterations between theory and practice, leading to synthesis. The core of the Methodology is action research in peacebuilding, conducted in four cases. Three of the cases are “contributing” cases; the fourth is the central case.

The Methodology presented here is designed to address three levels: the macro, the meso, and the micro. (See Figure 13.)

The three levels of research design and corresponding methodology are as follows:

Macro Level Methodology: At the macro level, the overall methodology seeks to operationalize a “dialectical” approach: theory will inform practice and practice will contribute to theory. This approach began with a literature review to identify key issues in peacebuilding. Of the key issues, the need for a peacebuilding framework was considered paramount. Of three potential frameworks, the Conflict Transformation Framework was selected for testing. The testing will be through action research in peacebuilding at the case level. Lessons immediately learned in each case will be applied in subsequent cases to the extent they are applicable. Taken together, the “contributions” from the three contributing cases, that is, practical lessons learned and theory implications will be used to critique the Conflict Transformation Framework. Any new development or synthesis based upon the critique will be applied to a fourth, central case. That experience will in turn be critiqued so that critical questions and the need for future research may be identified.

Meso Level Methodology: The selection of four specific cases, and the particular action research undertaken in each, represents the meso level of the overall methodology used in this study. The cases selected represent a range of peacebuilding activity, from a social-psychological “process-promoting” workshop developed in the conflict resolution field to institutional capacity building. The issue of comparability of the cases, the specific features of the cases, the general and specific methodological considerations in each case and the stages of preparation and action that were taken in each are meso level issues presented here. (In addition, each case discussed in Chapters Five, Six, and Seven has its own general and specific methodological considerations, which appear in the individual chapters.)

Micro Level Methodology: The action researcher in peacebuilding will be required to use a variety of clinical/technical skills to execute the peacebuilding activity and a variety of techniques of data collection, depending on the nature of

the case, the planned peacebuilding activity, the strength and weaknesses of the local actors involved, as well as the context in which the peacebuilding is being undertaken. Designing and planning the peacebuilding intervention, interviewing techniques, working through interpreters, documenting field experiences, responding to opportunities and dealing with uncertainties, as well as very real issues such as self care in conflict environments are important micro level field research methodological considerations.

The overall Methodology presented in this chapter is based on these research design and methodological considerations. We discuss the Methodology under four headings:

- ▶ the epistemological context;
- ▶ the line of inquiry;
- ▶ case study action research; and
- ▶ the cases.

The **epistemological context** includes a brief history of peace research - to situate this study. The epistemological context also makes explicit the fact that peacebuilding is not value neutral, as peacebuilders seek the goal of peace. Thus is, what is done, and the research findings are influenced accordingly. The work of three pioneers in peace and conflict studies, Galtung, Curle, and Burton is credited as “giving shape to the study”. This work builds on the work of others.

The “**line of inquiry**” in the research is pursued on three levels: viewing the cases from the perspective of the Conflict Transformation Framework - that is, being guided in planning and conducting the fieldwork and in analyzing the experience

from a conflict transformation perspective; from the perspective of the key issues identified in the literature; and with respect to Lederach's "imperatives" for a peacebuilding strategy.

The **case study action research** addresses the general parameters for case selection (ethics, possible peacebuilding activities, social structure - the target population, stage of conflict escalation, duration of the intervention, comparability of the cases) and some micro level field research methodologies.

The **cases** are then described as "contributing" and "central"; their comparability is discussed in greater detail; and they are examined briefly in terms of the peacebuilding challenge they represent by virtue of the society in which they occur and the degree of manifest political violence.

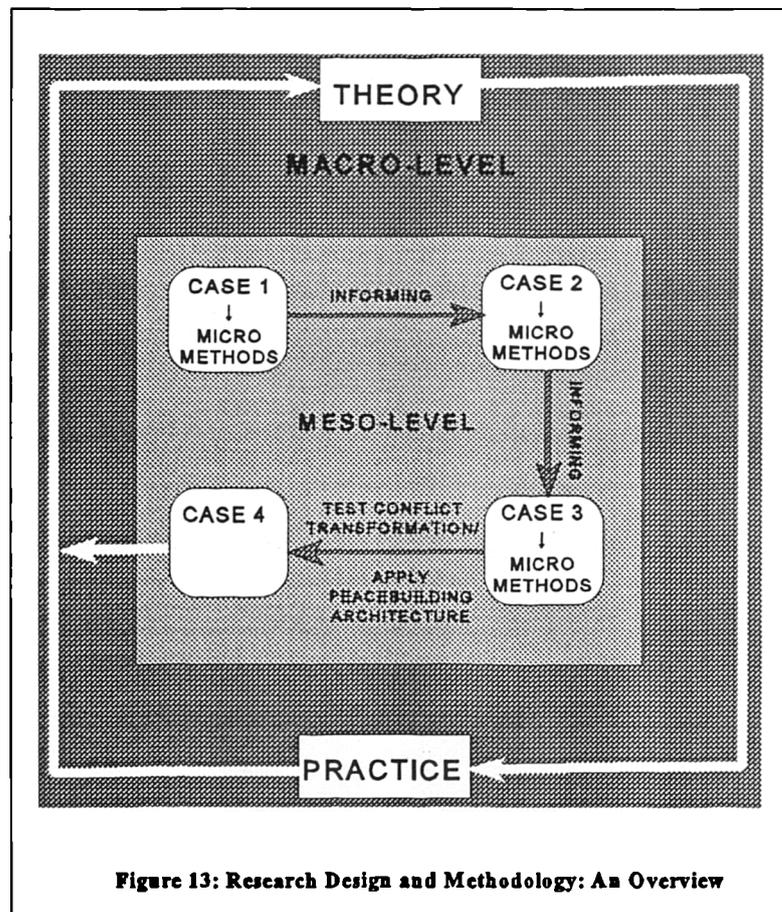


Figure 13: Research Design and Methodology: An Overview

2.2 THE EPISTEMOLOGICAL CONTEXT

2.2.1 Building On The Work Of Pioneers

The proliferation of unofficial third-party interventions in ethnic conflict is not, to date, based on the demonstrated and enduring value of their achievements. The growing interest in unofficial intervention is not based on clear goals and well-formulated underlying philosophies of the various methods, but more on general assumptions sometimes guided by goodwill and activism. It is quite likely that unofficial intervention in international conflict contributes in various ways toward the resolution of conflict, but, thus far, there is no empirical evidence that the field has contributed or can contribute to the resolution of ethnic conflict.

Scholars of unofficial third-party intervention in international conflict should consider a number of basic questions relating to its goals, the appropriateness of the various methodologies, the connection between methods and goals, characteristics and requirements of third parties, and the interplay between official and unofficial interventions. A major effort should be placed on evaluation, notably the development of frameworks that could be used to evaluate the effects of these efforts, whether positive or negative. Special attention could be directed at ethical considerations for intervention by practitioners of unofficial approaches in ongoing conflicts worldwide.

In addition, I suggest that practitioners of unofficial interventions focus and elaborate on the theoretical foundations of their methods and thereby explain how the designated intervention is supposed to contribute to conflict resolution. This is particularly important in light of the increasing use of psychiatric methods that focus on intrapersonal and interpersonal levels of analysis and ignore the underlying structural asymmetries, and inequalities in ethnic and international conflicts. (See Rouhana, Negotiation Journal, 1995)

In 1981 and then again as recently as 1993 Mitchell remarks how little research employing conventional social science methodology has been done in peace and conflict studies. Mitchell (in Sandole and Van der Merwe, 1993) refers to Caspary, noting that all that we might hope for at this stage of development in the

field is a form a “craft knowledge”. Furthermore, when Mitchell discusses the type of study being undertaken here (action research in peacebuilding) he notes that we may be able to do little more in the way of theory development than theory testing. Mitchell’s concern is that a series of identified limitations stand in the way of applying a rigorous methodology in the broad areas of peacebuilding and conflict resolution. Classical experimentation is not possible for clinical and practical reasons; the subject is immensely complex; the field is undeveloped³⁵.

This is not to say that Mitchell doesn’t offer us well argued guidance on how knowledge may be advanced in these fields, and his detailed analysis and directions for action research in applied peacebuilding are critical to the methodology adopted here. But he does leave us with a strong impression that little real science has been done in peace and conflict studies, and there is a hint in his work that maybe such science is not only not impossible to achieve, but impractical or even undesirable.

At the same time, Mack, in Peacemaking in a Troubled World, outlines a rich history of peace research in his chapter “Objectives and Methods of Peace Research.” (See Woodhouse, 1991: 73-106) Mack begins by acknowledging that what constitutes peace research is problematic, but asserts that it “is often distinguished from traditional approaches of understanding national and international conflict by its stress on social scientific, rather than historical modes of analysis”.

Of critical note for our purposes is his assertion that it also “. . . differs from much contemporary social science in its rejection of the idea of ‘value neutrality’. Peace research is not *simply* the disinterested search for truth and understanding as an end in itself; like cancer research it aims to prescribe solutions for the problems it

³⁵ As noted earlier, Rupesinghe, as recently as 1995 refers to the “dearth” of research into peacebuilding.

studies. It seeks to understand the world in a way which will ultimately lead to the avoidance of war and the maintenance of peace.”

And in striking a contrast to Mitchell we are informed that peace research actually can be traced back to the 1930s and clearly became institutionalized in the 1950s. These early efforts were in the cause of understanding and ultimately preventing war. The fear of a totally destructive nuclear war fuelled much of this early work which came at a time when the causal sciences themselves were relatively new. Mack (Woodhouse, 1991: 74-75) notes:

In sharp contrast to the scholarly practice of established (and Establishment) research institutes, such as the Royal Institute for International Affairs in London, peace research methodology was heavily influenced by the new social sciences. Peace researchers believed that the scientific study of conflict which they were espousing would succeed where the more traditional methods of the students of *realpolitik* had failed. Political science, sociology, social psychology, economics and rational choice theory took precedence in peace research over the older disciplines of diplomatic history, international law and classical strategy.

...

From their social science perspective peace researchers argued that propositions about the causes of war and the conditions for maintaining peace should be subjected to rigorous testing. Arguments had to be demonstrated, not simply exemplified. The reliance on history which characterized the work of the ‘realists’ was pre-scientific. To base policy on a pre-scientific analysis of world events made no more sense than basing the practice of medicine on a pre-scientific understanding of human physiology.

As Mack (Woodhouse, 1991: 84) points out, by the mid-1960s:

As popular fears of nuclear war began to recede, the issue of ‘structural violence’ became more salient - in so far as the attainment and maintenance of peace was the *raison d’être* of peace research, then the eradication of ‘structural violence’ was as necessary as the eradication of war and other forms of direct violence. ‘Positive peace’ was the term used to describe a state of affairs in which ‘structural’ as well as ‘direct’ violence had been eliminated.

The assumptions behind this wave of peace research, which was characterized as “liberal” peace research by the Swedish sociologist, Herman Schmid, was attacked by Schmid in 1968 in the *Journal of Peace Research*. “Peace research”, Schmid suggested, had become biased against conflict, it made naive assumptions about common interests where in many cases there were none. “Liberal” peace research sought constantly to minimize conflict relations, never to sharpen them.

“The problem with liberal peace research, according to Schmid, was not simply that its analysis lacked universal applicability, but that the prescriptions that flowed from it could, in some contexts, be positively counterproductive to the cause of promoting peace and justice. It might be wholly appropriate to seek to resolve some types of conflict by mediation, conciliation and compromise and yet wholly inappropriate to apply the same techniques in other contexts.” This would especially hold in cases of extreme asymmetrical power between two parties, or when the cause of one party was obviously just, as in the case of slaves against their masters. (Woodhouse, 1991: 85)

Schmid therefore enhanced the focus of peace research by bringing conflict itself into sharper focus. Whereas his epistemological concern with conflict raised debate within the peace research field and has general implications for our consideration of methodology in peace research, it has specific relevance here to action research in applied peacebuilding.

Mack (Woodhouse, 1991: 88) goes on to note that by the mid-1970s the field of peace research was stabilized and that by the 1980's the pendulum had swung back towards the original agenda of peace research - “an agenda dominated to a large degree by concern about superpower relationships, the arms race and the threat of nuclear war. The issue of ‘negative peace’ - of avoiding war - was once again more salient than those of ‘positive peace’ and ‘structural violence’”. He underlines: “It is primarily because concern about nuclear war is so pervasive and

widespread in the Western world - in a way that Third World poverty never was - that there was a resurgence of interest in peace research in the mid-1980s”.

Where are we now? And how does the general field shape our methodology?

- ▶ First, there is no agreement within the field on the definition of peace.
- ▶ Second, it is generally recognized that peace research does differ from the type of research in departments of international relations or centres for strategic studies - it is not value neutral, it is goal-oriented, peace-oriented.
- ▶ Third, peace research is different in the degree to which it employs a social science methodology - retaining the traditional concepts of scholarship of *explaining* the world rather than *changing* it (italics added).
- ▶ Fourth, Peace research also embraces another, broader, concept of peace - ‘positive peace’. In doing so it embraces the subject of peacebuilding as defined in this study (destruction of the structures of violence and construction of the structure of peace).

2.2.2 On Non Value Neutrality in this Study

This study is based on action research in peacebuilding. Peacebuilding is not value neutral. It is designed to facilitate understanding and reconciliation - a political process that transforms a situation of violence. Action research in peacebuilding features three steps: preparation - intervention - reflection. It operationalizes both definitions of peace - negative peace, guided as it is in working toward the permanent cessation of violence; and positive peace - in reaching to establish new

structures that replace the structures of violence and conditions for the continuation of overt violence and war.

The research, however, pursues a line of inquiry and therefore has an agenda of its own. If any potential negative effects of the action research can be anticipated in advance, ethical considerations must take precedence.

2.2.3 Directions in the Field Giving Shape to this Study

As documented and outlined earlier, this study is taking place on the frontier of relatively new terrain. Peacemaking and Peacekeeping are not uncommon concepts. Peacebuilding is. Furthermore, Peacebuilding, it is argued by definition, is a political enterprise. It sets out to change circumstances, the conditions that give rise to, support and sustain violence. It is an action term.

Peacebuilding as it is used here takes the history and experience with “Track II diplomacy” or “unofficial third party interventions” (as Rouhana (1995) describes it) into account as well as specifically related work in an area generally called “facilitated problem solving”. The research on facilitated problem solving directly informs the Mostar case, as discussed in detail above.

But at a more general level it is appropriate to return to some of the masters in the field and establish the methodological base of our action research in their most recent views of peace and conflict research. In this regard we look to Adam Curle, Johan Galtung and John Burton.

In effect, our aim is to take these pioneer’s most recent works as our point of departure. No attempt is made to review the body of their work, a task well

beyond this study. Suffice it to say that in Curle we find the philosophical and psychological disposition of the peacebuilder, in Galtung the theorist and analyst of conflict, and in Burton the father of facilitated problem solving.

Adam Curle:

I only began to study peace after having been involved in the practical work of peacemaking. It came about by chance. I had lived and worked, mainly on development problems, in Asia and Africa for several years, but having been trained as a psychologist and an anthropologist, I had no experience of politics and diplomacy. However, since I knew the places and some of the main actors, I became sucked in as a mediator in wars in both continents. For several years I was absorbed in the processes of negotiation, bargaining, seeking compromises, face-saving devices, attempts to explain enemies to each other, trade-offs and all the other methods by which a third party attempts to promote a settlement or to reduce the level of hostility. This was how I understood peacemaking - the effort by an outsider to end hostilities between warring parties. This, of course, was public peacemaking, not that most of what we did was not highly confidential, but because the general situation was well-known, as were the procedures of diplomacy and mediation.

Before long, however, I began to see that preoccupation with war could merely distract attention from other situations that were almost as damaging. These were situations in which violence was done to people by injustice, oppression, manipulation, exploitation, by the infliction of terror, by degrading or inhuman practices and all the other countless ways in which we demean and harm each other, physically or psychologically. Indeed these forms of violence are just as important as wars, for they are the seed bed out of which wars grow. If we were to analyze the approximately 110 wars of the last thirty years we would find that a very large proportion originated in such circumstances - in colonialism, in the victimization of a minority (or on occasion a majority) group, or exploitation for economic or strategic purposes. Once the wars begin they develop a terrible momentum and are hard to settle except by military victory, but if the right action is taken early enough the worst violence may be forestalled.

These pre- or non-war situations cannot be tackled by the same methods as wars, at least not those with which I have been involved. When the violence stems essentially from inequality, there is little point in negotiation and bargaining: the strong are not going to give into the weak, to surrender the advantages they derive from their power because of anyone's persuasive tongue. They may, of course, come to feel that it

would be sensible for them to make some concessions, but that is a completely different matter. Essentially the only course open to the weak is to become strong enough to change the structure of inequality. This is what was achieved by Gandhi's struggle for independence of India and subsequently, peacefully or violently, by many colonial countries. . . . Here one role for the peacemaker is to help empower the weak. This may be thought of as a subversive or revolutionary role, for if it is successful there will almost inevitably be a period of turbulence, but this can be justified on the grounds that it is a necessary stage in the establishment of a peaceful society in which justice and harmony eventually prevail. Another important task for the peacemaker is to find ways of making the change as non-violently as possible. (Woodhouse, 1991:17)

Johan Galtung:

In 1985, Johan Galtung, reflecting on progress made during the twenty-five years which had elapsed since the formation of his International Peace Research Institute (PRIO) in Oslo, identified the major dilemmas in peace research in a review of his own intellectual development during the period. His view is that the basic concern of peace research is the reduction of violence of all kinds, and he defines violence as the result of the denial of four basic areas of human need: for survival, welfare, freedom, and identity. The relationships which produce peace or violence are formed in four 'spaces': personal relationships (the human space), the social space of societal constructions broadly (culture, politics, economy), the global space of world systems, and the relationship of people to the planet or to nature (the ecological space). This conceptualization naturally leads to a holistic approach to peace studies; in other words, peace studies has to be, and has operated as an interdisciplinary exercise. It is Galtung's view that the interdisciplinary base needs to be expanded from the existing use of social sciences in order to take in perspectives from the humanities and natural sciences. This approach would have a double benefit (a) enabling peace research to develop a dimension of its work where it is not only critical of existing conditions, but constructive in offering future-oriented visions and options, (b) allowing peace researchers to move on to explore 'the mental and spiritual dimensions of violence, and of human growth and development'. These developments in turn would facilitate the further understanding of a theory of needs in relation to peace and violence, particularly the place of freedom and identity needs.

There is a pressing need to examine the more concrete paths by which the findings of peace research may be applied to the very real and violent conflicts which plague the globe. As we take stock in the year 2000, Galtung suggests, 'at that point we should be able to say: our activity has not only resulted in an enormous amount of lectures and talks, in articles

and books, but also in less violence, more peace'. (Woodhouse, 1991: 344)

John Burton:

Burton suggests that there are nine universal needs which are more basic than cultural values, become operational only within the social context and are, at least partially, based on ontology. Eight of these needs Burton takes directly from the work of sociologist Paul Sites and one he adds himself. These needs are: (1) a need for consistency in response, (2) a need for stimulation, (3) a need for security, (4) a need for recognition, (5) a need for distributive justice, (6) a need to appear rational, (7) a need for meaning in response, (8) a need for sense of control, and finally, Burton's addition, (9) a need for role defence. Burton conceptualizes the first eight needs as forming an individual's role and so defines 'role defence' as an individual's attempt 'to secure a role and to preserve a role by which he acquires and maintains his recognition, security and stimulation'.

Burton's generic theory of conflict is an attempt to universalize a specific approach to human behaviour, thus making it the basis for the deduction of other theory and methodology. In one sense Burton's generic theory represents an important advance since it suggests a systematic, a disciplinary approach to conflict. In addition, if it can be determined that conflict is indeed the manifestation of the frustration of certain human needs, claims of Burton's generic theory would be significantly strengthened.

The idea of human needs as theory of human behaviour is in direct contention with the traditional assumption that societal needs are superordinate to human needs. The problem-solving workshop is conceived within a paradigm which assumes the primacy of human needs. It is, therefore, not only contrary to traditional practices, but a threat to the status quo. This is a critical dynamic. If a theory of needs becomes the dominant paradigm, it follows that coercive policies used to maintain social order would be changed in favour of policies aimed at fulfilling the needs of the individual. Such an approach would inevitably involve reducing concentrations of power and wealth. In this sense it may be labelled revolutionary. If needs theory has become basis in reality, and evidence exists that this is so (albeit normative evidence), then problem-solving workshops and other approaches which are founded upon Burton's generic theory of conflict are eminently pragmatic and realistic in view of the long-term goal of conflict avoidance. (Woodhouse, 1991: 91)

2.3 LEVELS OF INQUIRY

Three levels, comprising the line of inquiry, inform the basis of action and reflection in the field work:

Level 1. Lederach's Comprehensive Strategy for Conflict Transformation

Level 2. Key issues identified in the literature:

1. The definition of peacebuilding.
2. The relationship of peacebuilding to peacekeeping and peacemaking.
3. Strategic issues.
4. Measuring success.
5. The need for a peacebuilding framework.

Level 3. Lederach's Three Imperatives:

1. We must develop the capacity to think about the design and implementation of social change in time units of decades, in order to derive and translate the lessons of crisis into a constructive process of sustainable transformation.
2. We must understand crisis issues as connected to systemic roots and develop approaches that explicitly see those issues as embedded within a set of relationships and subsystems.
3. We must recognize the integrative potential of middle-range actors, who by their locus within the affected

population may have a special capacity to cultivate relationships and pursue the design of social change at the subsystem level.

These levels of inquiry form the nexus of the “test” of the Conflict Transformation Framework. They are not the specific methodology employed in the cases; rather they serve to provide a general orientation and a consistent context within which the field work can be organized, clinically reflected upon, and analyzed. That is, the general tenets and elements of the Conflict Transformation Framework as a “comprehensive strategy” for peacebuilding will inform the case work. The key issues identified in the literature will inform the field work. The three imperatives asserted by Lederach will also inform the field work. The researcher will be cognizant of these and will reflect on field experiences from these perspectives.

Furthermore, the field work here is action research in peacebuilding involving four case studies. Three of the cases are treated as “contributing” cases and the fourth is the central case. Learning and the transmission of knowledge, approaches, and techniques from one case to the next is another factor which “shapes” the findings.

Thus, the levels of inquiry serve as the “macro” level agenda, or overall “line of inquiry”, bearing upon the action research and relating directly to the overall Aim of the study. The experiences in each case of action research act at a “meso” level by influencing ongoing and subsequent applied research and thereby refining the line of inquiry.

The overall Aim of the study will thus be achieved through individual cases with their own methodology. Each case will be critiqued from the perspective of the levels of inquiry with a view to contributing toward an architecture for peacebuilding.

2.3.1 Level 1: Lederach's Comprehensive Strategy for Conflict Transformation

The five key questions that relate the two axes of Lederach's strategic model will inform the action research in peacebuilding and be used as the first level of critical reflection. Lederach's strategy appears in Figure 10 where the structural and procedural dimensions are related. As noted by Lederach:

'Structure' suggests the need to think comprehensively about the affected population and systematically about the issues. 'Process' underscores the necessity of thinking comprehensively about the progression of conflict and the sustainability of its transformation by linking roles, functions, and activities in an integrated manner. Together, the two lenses suggest an integrated approach based on five questions.

The five questions are organized here in terms of desired outcomes; transformation; and presenting situation.

Desired Outcome:

Q 1 : How do we manage the immediate crisis?

Transformation:

Q 2: What are the social structures and the relationships we desire?

Q 3: How do we prevent the crisis from recurring?

Presenting Situation:

Q 4: What are the root causes of the crisis?

Q 5: How do we get from crisis to desired change?

Despite the conventional wisdom of starting with the presenting situation and a question of managing the immediate crisis, Lederach views a crisis-orientation as inadequate (while respecting the need for immediate practical responses, such as

relief, as part of a comprehensive strategy). Theoretically, the answer to Q 1 is informed by the answer to Q 2. The answer to Q 3 is informed by the answer to Q 4. Questions, 1,2,3, and 4 indicate the response to Q 5. Nevertheless, the questions must be examined from the perspective of whether they have theoretical and practical integrity. They must speak to the key issues identified in the literature.

2.3.2 Level 2: Key Issues

For each of the five key issues identified in the literature review, a series of questions has been developed. These questions will be systematically applied in the analysis of the cases.

1. Definition of Peacebuilding

The definition of peacebuilding used here is: **the transformation of violence by destruction of the structures of violence and construction of the structures of peace including building the capacity for the non-violent expression and resolution of conflict.**

Our inquiry will attend to the following questions related to the issue of peacebuilding as defined:

- (i) What does it mean, philosophically and practically, to “transform” violence?
- (ii) What are the “structures of violence” and the “structures of peace”?
- (iii) How are these structures destroyed and constructed?
- (iv) What is the “capacity” for non-violent expression and resolution of conflict?

2. The Relationship of Peacebuilding to Peacemaking and Peacekeeping

Our inquiry will attend to the following questions concerning relationship:

- (i) Are the three peace-nurturing functions quite discrete, conceptually and practically?
- (ii) What is their temporal relationship?
- (iii) Does any one predominate, and if so, under what conditions?
- (iv) What might be done to make the relationship more effective?

3. Strategic Issues

Our inquiry will attend to the following strategic issues:

- (i) What are the strategic dimensions of peacebuilding?
- (ii) What does coordination mean in the context of peacebuilding?
- (iii) Is a “middle-out” approach achievable and what are the strategic implications?

4. Measuring success

Our inquiry will attend to the following questions:

- (i) What are the outcome measures applicable to peacebuilding? (the “what” of peacebuilding);
- (ii) What are the process measures applicable to peacebuilding? (the “how” of peacebuilding);
- (iii) How do we account for the variable of time when measuring success?

5. The need for a peacebuilding framework:

- (i) What is the relevance of a framework to peacebuilding?
- (ii) What key elements should be included in a peacebuilding framework?

2.3.3 Level 3: Lederach's Imperatives

Each of the contributing cases will be considered and analyzed from the perspective of the three "imperatives". The three imperatives are:

1. It is imperative to think about time when looking toward an architecture of peacebuilding.
2. It is imperative to think about the systemic roots of conflict.
3. It is imperative to consider the role of middle-range actors.

2.4 CASE STUDY ACTION RESEARCH

2.4.1 Case Selection - General Parameters

The case study approach is used as the principal methodology in this research. The cases are action research in peacebuilding. Four cases constitute the field work. Each case has its own particular methodology developed to achieve the goals of the case. Three of the cases are treated as contributing cases; the fourth is the central case. The three contributing cases inform the fourth. Lessons learned and refinements in the overall research and contributions to the "line of inquiry" are taken into account.

Six general parameters guide the selection of cases(s) in this study, and the specific nature of the action research in each.

2.4.1.1 Ethics

First, the ethical imperative of “do no harm” is paramount. If the well being of the participants in a case, either prior to or during an intervention, is at risk their well-being will determine the actions of the peacebuilder action-researcher³⁶.

This is not to say that psychologically difficult issues relating to the conflict and its resolution will be overlooked, including issues of power, encountering and overcoming negative stereotypes, requirements for commitment and responsible conduct by participants. These are normally occurring variables in conflict resolution exercise. (See Folberg and Tayler, 1984³⁷.) What it is to say is if the security of individuals is at risk, if the timing of an intervention has the potential to exacerbate the conflict and violence, then the intervention will be modified, postponed or terminated.

2.4.1.2 Possible Peacebuilding Activities

Second, the cases should ensure that a range of peacebuilding activities and techniques are applied. Ball (Crocker and Hampson, 1996) identified three broad categories of peace-building activities: strengthening the institutional base; consolidating internal and external security; promoting economic and social revitalization. In discussing middle-range approaches to peace Lederach identified problem-solving workshops, conflict resolution training and the development of peace commissions. Ryan identified and critiqued a number of “contact” hypotheses, all of which focus on bringing disputing or warring groups into contact of some sort. Top-down peacebuilding approaches include “efforts aimed

³⁶See Mary B. Anderson, (1996) Do No Harm, The Collaborative For Development Section Inc., Cambridge, MA

³⁷ See Folberg, J. and Taylor, A. (1984) Mediation, for a comprehensive account of the mediation process.

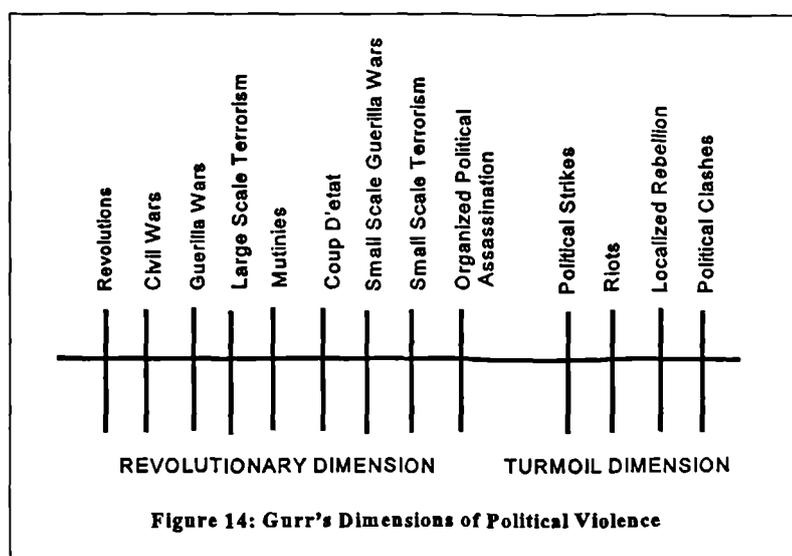
at achieving a cease-fire agreement with military leaders. Next a process of 'national transition' is initiated involving the political leadership in creating a framework that will lead to democratic elections." (Lederach, 1994:21) And grassroots approaches to peacebuilding include local seminars, public information programmes and community-based initiatives such as post -trauma work.

2.4.1.3 Social Structure - Target Population

Third, cases should be identified with attention to whether the participants/actors are at the low, middle range or high level within the social structure or society in which peacebuilding is done. UNRISD's model of "actor mixes" and "policy mixes" and Lederach's emphasis on the role of middle-range actors are considerations.

2.4.1.4 Stage of Conflict Escalation

Fourth, cases should be identified as to type of political violence and at which stage of conflict escalation. To identify type of political violence we draw upon Gurr's work situating different forms of political violence on the "turmoil" and "revolutionary" dimensions as shown in Figure 14. (See Gurr, 1974.)



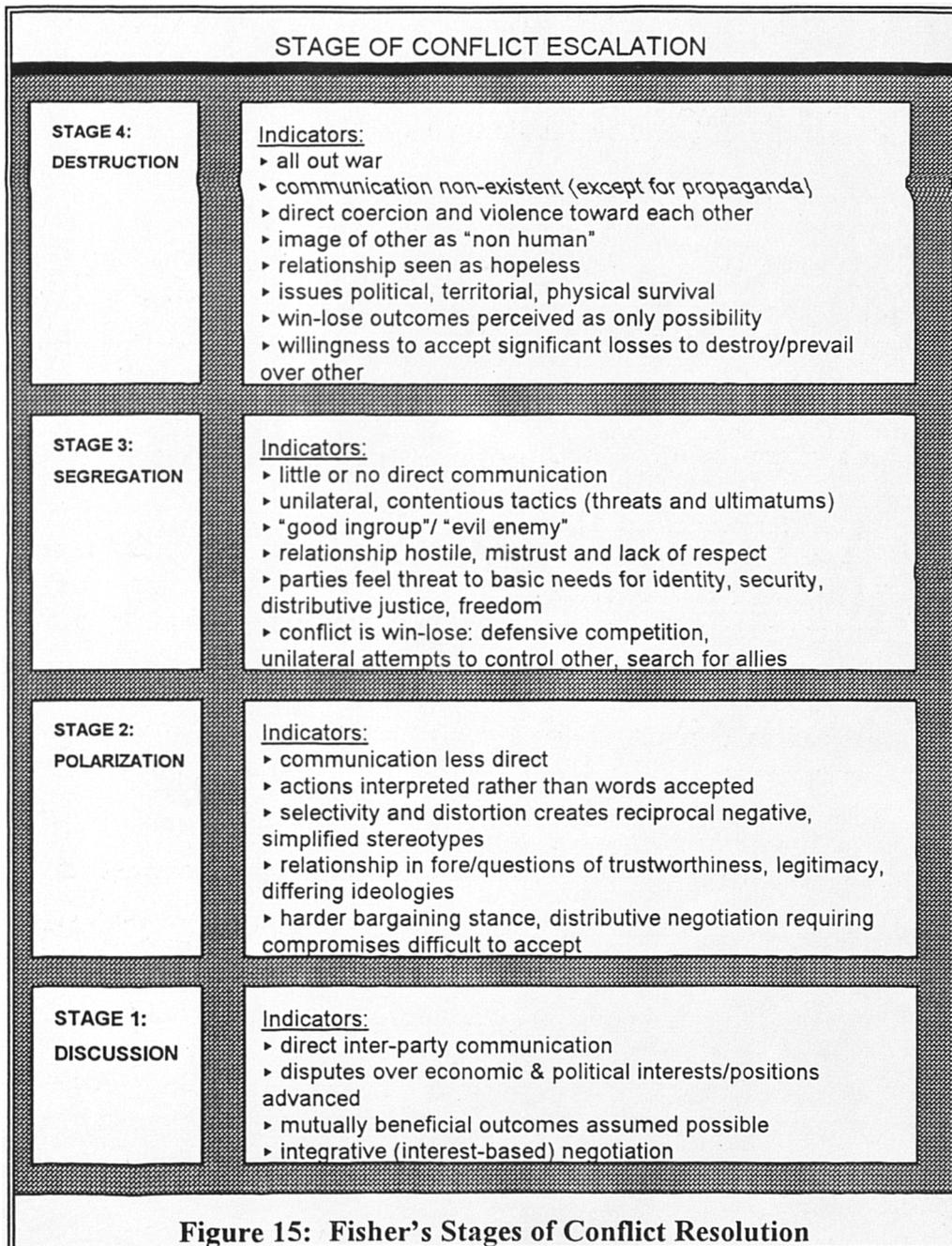
The “Stage of Conflict Escalation” (Figure 15) has been developed by Fisher in the “Domain of International Security and the Potential Complimentarity of Peacekeeping, Peacebuilding and Peacebuilding” and elsewhere³⁸. Fisher’s work attempts to determine the stage of conflict evaluation as identified by indicators and then to match the appropriate intervention to the stage in order to de-escalate the conflict and build peace. Fisher’s definition of peacebuilding includes both ‘interactive’ and ‘developmental’ initiatives. As he writes:

Central to micro level, interactive methods is third party consultation, which involves the intervention of a skilled and knowledgeable intermediary who attempts to facilitate creative problem solving through dialogue and analysis using social-scientific understanding of conflict processes. The objectives include improving intergroup attitudes and the relationship between the parties. Thus, consultation is inherently a peacebuilding enterprise - an interactive method designed to reduce hostility and improve relations. The macro level, social change side of peacebuilding is represented by a host of third party initiated and funded activities for maintaining or improving the quality of life of the people entangled in and displaced by protracted social conflict. It is also represented by third parties who promote human rights, distributive justice and equality. The various agencies of the United Nations and other international organizations (both governmental and non-governmental) are highly involved in macro level, developmental peacebuilding.

The logic is that each stage of escalation is best addressed with one lead approach, or at least by an emphasis on that set of activities. If the outcome necessary for de-escalation at that stage is attained, then the next intervention in the sequence is initiated or emphasized. This will hopefully lead to the attainment of the next outcome, and so on, until complete de-escalation is achieved and the parties are able to settle the present and future disputes in the context of an improved relationship.

³⁸ Fisher’s paper was prepared for the Pearson Peacekeeping Centre, March 1995, and credits earlier work, including: Fisher, R.J. & Keashly, L. (1990), “Third party consultation as a method of intergroup and international conflict resolution”; Fisher R.J. & Keashly, L. (1995), “Complimentarity and coordination of conflict intervention: Taking a contingency perspective”, in J. Bercovitch (ed.), Resolving international conflicts: The structure and process of Mediation In Press. Boulder CO, Lynne Rienner.

The actual functioning of the model of course acknowledges that each approach is composed of multiple activities and that each outcome involves multiple objectives. Thus, within each approach, a coordinated effort over time will be necessary to achieve de-escalation.



2.4.1.5 Duration of Intervention

Fifth, cases should be identified which have the potential for longer than shorter-term involvement or for iterations of a specific intervention so that conclusions drawn from within-series research can be realized.

2.4.1.6 Comparability

Sixth, the cases must be sufficiently similar to make comparisons, develop general observations, themes, principles or conclusions.

2.4.2 Micro Methods For Action Research In Peacebuilding

2.4.2.1 Putting the “Applied” Dimension of the Research Into Perspective

This study began in 1995, and we have noted earlier, despite the pioneering work of some academics and researchers in peace and conflict studies, there is actually very little systematic research in peacebuilding. In fact, Ruspesinghe (1995) has gone so far as to call it a “dearth” of research. Notwithstanding the literature on problem-solving workshops, the theory and techniques of which may be called peacebuilding and which is well documented (Azar, 1983; Burton, 1987; Fisher, 1992; Mitchell, 1988) and a body of literature on international negotiation and mediation (Fisher, 1969; Rubin, 1981; Bercovitch, 1984; Case and Doel, 1985; Touval and Zartman, 1985; Binnendijk, 1987; Janosik, 1987; Gulliver, 1988; Rosenthal, 1988; Larson, 1988; Sunshine, 1990; Salacuse, 1991; Meijer and Hovik, 1993) there remains very little to prepare the peacebuilding action

researcher at the micro level. That is, there is no clear definition and description of exactly what peacebuilding is, and little documented guidance on clinical and technical interventions to be applied in peacebuilding initiatives. Furthermore, whereas some literature is now developing (Fuglesang, 1986; Anderson, 1989; Barakat et al., 1994; Barakat and Ellis, 1996; Slim, 1996; Janz, 1998) which gives practical advice or instruction about conducting research in conflict environments, including war zones, there was little of practical value at the time of commencing this research and well into the study.

Part of the explanation for this lack of guidance at the “micro” level - at the field level - may be a function of the relatively recent emergence of peacebuilding as the term is used in this study, a factor considered at the beginning when the peace-nurturing triad was discussed, and the definition of peacebuilding was established for the purpose of this research. Peacebuilding, as the term is used here, simply was not undertaken as such prior to the end of the Cold War (with the exception of problem solving workshops and other forms of Track II Diplomacy noted earlier). (Monteville, 1981; Diamond and McDonald, 1996)

Whereas conflict resolution methodology and techniques were fairly well established (Fisher and Ury, 1981; Folberg and Tayler, 1984; Susskind and Cruikshank, 1987; Hoffman, 1990; Lederach, 1991; Roche and Hoffman, 1993; Hoffman, 1993; Baruch Bush and Folger, 1994; Moore, 1996) not all could be directly imported into peacebuilding. Similarly for contributions from the development, humanitarian assistance, and program planning and evaluation fields (Paton, 1978; UNHCR, 1982; Chambers, 1983; Samuel, 1987; Max-Neef, 1991; Rahman, 1993; Barakat, 1992, 1993; Derman and Whiteford, 1995).

For the author, therefore, the challenge of conducting peacebuilding in high conflict environments, including violent and war-torn societies presented as a deep challenge at the personal level. The research would require personal skills

and abilities beyond conventional research skills such as study design, constructing a method, collecting data impartially and analyzing them at arms length. This would be research work “up close”; it would involve participant-observer skills and more.

In addition to the other matters addressed in this chapter on Methodology, a number of questions at the personal level arose at the time of beginning the study. These included:

- ▶ How will I conduct my research in situations when English is not the first language?
- ▶ Will I be able to deal with stress and fear that I am likely to feel in violent environments?
- ▶ Will I have the personal strengths and qualities to build trust and credibility with the people I will be working with?
- ▶ How ethical is it to conduct research when peoples’ lives are at stake?
- ▶ Will I be capable of remaining involved in the cases to do justice to the research and the people involved?
- ▶ How much history, geography and politics of the areas in which the field work will be conducted must I know to be able to do peacebuilding there; do I have to be an “area expert”?
- ▶ Should I work as a member of a team or work alone?

2.4.2.2 Field Research Micro Methodologies - Some Observations

Almost all of these questions, some of which reflect very personal concerns and sense of challenge, remained relevant throughout the research. They brought forward in a more directly personal way the challenges of applied research in peacebuilding. They were addressed over the term of the field work at different times in particular ways, depending on the case, and they are taken into account systematically in the Peacebuilding Assistance Model which was developed on the basis of the case work and is discussed in Chapters 3, 4 and 5.

In addition to their incorporation into the Peacebuilding Assistance Model, a number of observations can be made about these “micro” methodological field research issues. These observations are grouped under the following headings:

- ▶ data collection;
- ▶ flexibility;
- ▶ responsiveness;
- ▶ self care;
- ▶ ethics.

Data collection:

Over the course of three years of field work in four different cases of action research in peacebuilding, a variety of data collection techniques were required. Four of particular note are: the use of a field log; camera; interview protocol; and survey technique.

A field log: Maintaining written field notes became an invaluable record of activity and observations. The field notes were maintained in a hand-written log, compiled as immediately after an event (interview, workshop, meeting) as

possible, and away from the subjects. While the author considered using a portable computer, hand written notes were considered more reliable (no need for batteries, electricity), and easy to transport. Dating each entry and making direct quotations of especially significant remarks (i.e, our young Croatian driver: “I hate war. It is the young people who die, not the generals, politicians or mafia.”) is particularly important as time passes; many events in the field take place and impressions and details can be lost.

In addition to recording certain objective material, the author also used the field notes to reflect on the personal issues raised by a field experience, including feelings of fear and ethical dilemmas. An important observation is that the structure and quality of the author’s field notes improved over the three year course of research: early records were undisciplined observations (perhaps in part a response of being overwhelmed by my first exposure to the destruction of war); as the line of inquiry and the specific questions developed with respect to the key issues, observations and record keeping became more disciplined.

A camera: Initially, the author was uncertain of the ethical appropriateness of taking a camera into the field, when the field was a war zone or a former state within the Soviet Union and the people in the society were known to be struggling with human hardships. (“Wouldn’t a camera look intrusive, insensitive?”)

On the contrary, it became apparent in the former Yugoslavia, Romania and the Crimea that cameras were not a problem if they were used with sensitivity to the people and the occasion in question. In fact, the author found that his local partners and local actors involved in the field often had cameras and wished to take pictures. Over the three years of research many pictures were taken, providing a unique record and becoming a social medium between the author and others as pictures were exchanged and enjoyed together.

Interview protocols: Semi-structured interviews were used in the Crimea case to collect data. They were based on an interview protocol designed for the task. The semi-structured format allows flexibility, while creating order and standardization across interviews. In the case of each interview the interviewee was asked whether the interviewer might take notes. Once permission was granted, as it was in all cases, the protocol sheet and note taking material was presented. (In certain cases, especially with government officials, it became apparent that the interviewee was reluctant to make statements that he or she wished to make but could not because the responses were being recorded. Sensing this, the author offered to close the field note book and listen to any remarks that were “unofficial”. In all cases the interviewee then spoke more freely and at length on certain subjects (i.e., whether the militant faction of the Crimean Tatars had been amassing weapons).

Survey: Some data in the Canadian case study were collected using the survey technique. The response rate to a mailed survey was low (16%), pointing to the value of a combination of methods in a given study.

Flexibility:

We have discussed the need for flexibility in the variety of methods of data collection. The author is referring to the need for *personal flexibility* when conducting action research in peacebuilding. There is a need for flexibility in planning and preparing a peacebuilding initiative; and in executing it in the field.

Flexibility in Planning and Preparing: It took five months to prepare the situation in Mostar before the field work could take place. In addition to the flexibility required to adjust the focus or details of the intended peacebuilding activity, at a more technical and personal level, there is a requirement for flexibility in scheduling trips, logistics arrangements, contacts, and practical

matters of accommodation and transportation “on the ground”. Field work in war zones places demands on the researcher that require the personal characteristics of patience, adaptability, flexibility and yet, the drive to overcome the restraints, obstacles and difficulties involved. These can be found in matters as practical as obtaining visas for travel to foreign lands that may or may not have a government and public administration that is functioning well; cancelled or re-scheduled air flights; delay or collapse of funding to conduct the research; increased tensions or violence in the field inhibiting activity as planned. Flexibility is required.

In contrast, the opportunity to conduct a peacebuilding project in Crimea arose quickly and required that the author mobilize to be in the field in days. Flexibility was required to re-schedule personal and professional commitments, to become oriented to the Crimea, Ukraine and that area of the world where the author had not been before, and to plan the technical aspects of the project in short order.

Flexibility in the Field: In addition to the requirement that the action researcher be flexible in the field when conducting peacebuilding activity such that adjustments are made at the technical level of the work to respond to the actualities of the actors and context in which the peacebuilding is taking place, personal flexibility is also required in other ways.

The best laid plans may simply not be relevant when one arrives in the field. This can range from logistics to a planned intervention that becomes inappropriate. Travel plans may need to change; long periods of waiting may be necessary before gaining access to an area in a war zone or to particular people.

The culture of the country, its food, language, currency, and mores all require the researcher to be flexible, capable of adjusting and adapting to show respect and

be able to function in the new environment. If interpreters are necessary, as they were in three of the four cases in this study, the researcher must be flexible in order to work with interpreters who will have different levels of skill as interpreters; and working through an interpreter slows the dialogue and can be mentally and physically exhausting for the interpreter, the researcher and the subject. Flexibility may be required such that the schedule of planned events and pace of working is slowed to accommodate interpreters, subjects and researcher.

Responsivity:

Responsivity is used here to refer to the ability to identify an opportunity or a more subtle cue and react in a way that is appropriate for the people and culture involved, as well while preserving the integrity of the research agenda. This requires attending to the body language, remarks, and group dynamics of the people with whom one is working; consulting from time to time with them or with a reliable local contact to ensure that the researcher's conduct, approach, and the peacebuilding activity is progressing in an acceptable, constructive manner. It may also mean having the awareness or ability to identify an opportunity to visit a site, ask a question, meet an individual; opportunities that were not planned or anticipated but will contribute to the research.

An example of responsivity already noted was becoming aware of the need to stop recording in interviews with government officials in Crimea so they were able to speak unofficially and "off the record". Another example, taken from the field work in Crimea, was during an interview with two senior representatives of the Crimean Tatars. The subject being discussed was the negatively held stereotypes of Crimean Tatars as "Nazi collaborators" and "savages". The Crimean men were explaining that Crimean Tatars had a highly refined and peaceful culture that had nearly been destroyed by Stalin, that they were not a threat to the ethnic Russian majority in Crimea. They proposed that I (and my

interpreter - who was ethnic Russian) visit one of their homes that evening so that I could “see the home of a Crimean Tatar and that we are civilized people”). Here was an unplanned opportunity that required responsiveness. The author recognized it as a unique opportunity to gain valuable insight. Responding required that arrangements be made with the interpreter and that the planned itinerary be altered immediately.

Self Care:

Action research in peacebuilding places the researcher in high conflict environments, including war zones, where tension at the interpersonal and societal level is a stress factor; where the built environment may be destroyed and destruction is omnipresent; where conspicuous wealth and corruption may be evident among poverty and human hardship; where the language spoken is foreign; where many or all of the services and supports associated with a western peaceful society do not exist, including telephone, banking, housing, restaurants, medical services, transportation and free movement; where civilian life is destroyed and the dominant presence is military; and where the consequences of the conflict are extremely serious.

Personal stress, self doubt, physical discomfort, fear, and even a sense of alienation are all reactions the author had at different times during the field work. There is a need for self care to function under these conditions.

A number of helpful techniques or activities include:

- ▶ having a plan and making as many preparations as possible for accommodations and basic needs in advance;

- ▶ having a supervisor, clinical peer, or some base of support in one's own environment;
- ▶ informing your support, prior to entering the field, of your itinerary and the potential of contact from the field (i.e, telephone or internet if possible);
- ▶ taking appropriate clothing and personal items;
- ▶ having a contact in the field, who may meet you on arrival, help you get settled and assist or arrange for interpretation services;
- ▶ keeping field notes, making regular, frequent (at least daily) entries;
- ▶ eating as regularly and normally as possible;
- ▶ taking personal "time outs" to rest, reflect and restore energy;
- ▶ socializing with your local partner(s), leaving the conflict or war "outside the door";
- ▶ taking photographs to share with colleagues and friends back home;
- ▶ de-briefing the field work with a supervisor or peers.

Ethics:

The author's experience based on the four cases of field work in this study is that the greatest ethical dilemma is not whether offering assistance in peacebuilding is presumptuous or whether what is proposed will be of some value; but how to

explain one's limitations to people in great need and to do well what one is able to do, when well means it enjoys the respect of the people one is working with.

Apart from this general reflection on ethics at the personal level, ethical dilemmas may arise over issues such as the amount of money to pay interpreters when professional fees in a western context would be much more than the service demands in a local situation; the amount of time one may be perceived to be spending with a particular person or group, potentially raising questions of partiality; the wisdom of proceeding with a planned activity when the practical outcome may be very modest in the overall scheme of things; using people's lives as the subject of research.

In response, the author found that the amount to pay for services is what the local market requires, and that payment should be fair and prompt; that time with persons, and especially groups in conflict should be balanced and professional conduct should always apply; that small achievements in peacebuilding are valuable as peacebuilding is a multi-faceted, multi-actor, long-term undertaking; and that it is imperative that the people who are your client (perhaps your local partner or a funding agency) know that you are going to use the experience as research material.

2.5 THE CASES

2.5.1 Contributing and Central

Four cases have been selected. Three are "contributing", the fourth is our "central" case. The cases are:

A. Contributing

1. Peacebuilding and Urban Reconstruction in Mostar.

2. Conflict Resolution Capacity Building in Romania.
 3. Designing a Dispute Resolution Mechanism for Indian Land Claims in Canada.
- B. Central**
4. Peacebuilding in Crimea.

2.5.2 The Peacebuilding Challenge Across A Range Of Cases

All four cases are held to be comparable by virtue of a set of broad features they have in common. Those broad, comparative features are:

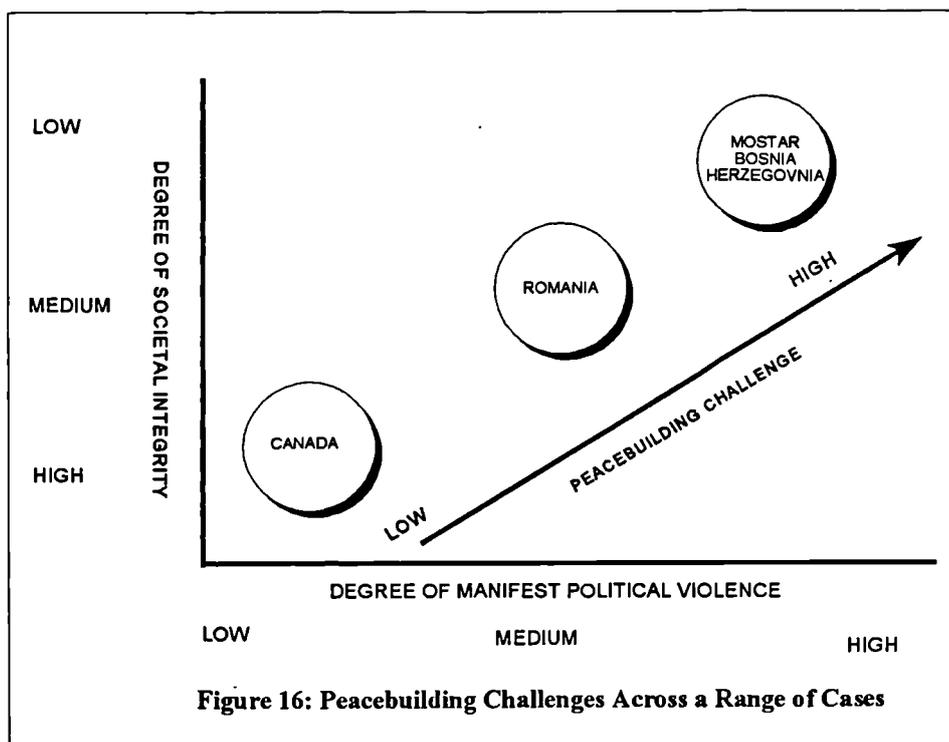
- (i) Each is European at different stages of free market and democratic political development. The Canadian case is the least “European,” although its traditions, cultural complexion, strategic military alliances (NATO), and general orientation place it, for comparative purposes, in the sample of contributing cases.
 - (ii) Each of the cases come from countries that aspire to a civil society.
 - (iii) In each case, structural, systemic factors are evident in addition to the presenting issue(s).
 - (iv) In each case, the intervention entails interactive (social-psychological) and developmental (institutional/structural) elements of peacebuilding.
 - (v) In each case the role of minorities and inter-ethnic relations are key characteristics.
 - (vi) In each case conflict has recently been or is being expressed violently.
- While they are held to have the above-noted comparable features, the Peacebuilding Challenge researched here is across a range of cases as shown in Figure 16.

Figure 16 is a speculative view which depicts the cases in terms of the degree of societal integrity and the degree of manifest violence. The contributing cases range from:

- ▶ High Degree of Societal Integrity and Low Degree of Manifest Political Violence (Canada); to
- ▶ Low Degree of Societal Integrity, and High Degree of Manifest Political Violence (Mostar, Bosnia-Herzegovnia).

Societal Integrity is a descriptive characteristic adopted here on a speculative basis to imply the overall degree of cohesiveness, and well-being of a society. *Manifest Political Violence* is a descriptive characteristic adopted here on the basis of Gurr's work on political violence, cited and used extensively in this study.

The field work in the contributing cases, coincidentally, proceeded from the HIGH to the LOW challenge, the contributions of which collectively applied to the fourth, central case, Peacebuilding in Crimea.



Each of the contributing cases is discussed individually under three headings:

1. Features of the Case;
2. The Intervention; and
3. Contributions.

Features of the Case provides a brief topographical description of the case along five dimensions that flow from the case selection parameters outlined in the Methodology:

1. The Peacebuilding Activity;
2. Social Structure - the targeted population;
3. Stage of the Conflict Escalation;
4. Duration of the Intervention;
5. Ethical Considerations.

The Intervention section includes three elements: Methodological considerations (general and specific); Preparation; and Action.

The Contributions section presents theoretical insights and a summary of lessons that are taken into account in the analysis and critique of the Conflict Transformation Framework and applied central case, Peacebuilding in Crimea.

The three contributing cases are described and analyzed in Chapter 3, 4, 5. Supporting documentation for the cases is appended.

The central case is reported in detail in Chapter 8, "Peacebuilding in Crimea: Applying the Architecture".

2.6 SUMMARY AND CONCLUSIONS

This chapter has outlined a comprehensive multi-level methodology for testing the Conflict Transformation Framework with an overall goal of contributing to an architecture for peacebuilding.

The Methodology, described as a dialectical methodology, is intended to achieve a series of iterations between theory and practice, leading to synthesis. The core of the Methodology is action research in peacebuilding conducted in four cases. Three of the cases are “contributing” cases; the fourth is the central case.

We discussed the Methodology under four headings:

- ▶ the epistemological context;
- ▶ the line of inquiry;
- ▶ case study action research; and
- ▶ the cases.

The **epistemological context** situated this study as building on the work of pioneers in the field of peace and conflict studies. It makes explicit the fact that peacebuilding is not value neutral. The **“line of inquiry”** in the research is pursued on three levels: viewing the cases from the perspective of the Conflict Transformation Framework; from the perspective of the key issues identified in the literature; and with respect to Lederach’s “imperatives” for a peacebuilding strategy. The **case study action research** addresses the general parameters for case selection and field research methodologies. The **cases** are then described as “contributing” and “central”; their comparability is discussed in greater detail; and they are examined briefly in terms of the peacebuilding challenge they represent.

The author also attempted to put the “applied” dimension of the research into perspective. A number of questions at the personal level arose at the time of beginning the study. The author noted that almost all remained relevant throughout the research. They brought forward in a more directly personal way the challenges of applied research in peacebuilding and they were discussed in terms of learnings from the field work, grouped under five headings:

- ▶ data collection;
- ▶ flexibility;
- ▶ responsivity;
- ▶ self care; and
- ▶ ethics.

In the next three chapters the contributing cases are presented. **Chapter Three** discusses a process-promoting workshop planned for Mostar, Bosnia-Herzegovnia; **Chapter Four** describes a conflict resolution capacity building initiative in Romania; and **Chapter Five** presents a dispute resolution system design initiative for Indian land claims in Canada. Consistent with the Methodology outlined in this chapter, the general and specific methodological considerations for each case are presented. The emphasis is on testing the Conflict Transformation Framework on the basis of the contributions from these cases.

CHAPTER 3

Case 1: Peacebuilding And Urban Reconstruction in Mostar: Insight Through Frustrated Efforts

3.1 INTRODUCTION

This chapter describes a peacebuilding initiative planned for Mostar, Bosnia-Herzegovina. The opportunity to conduct a “process-promoting” workshop arose in the autumn of 1995 through the Post War Reconstruction and Development Unit (PRDU) at the University of York, where the author was commencing this study. The PRDU had begun preliminary work in Mostar, focusing on reconstruction of that war-destroyed city. In the course of exploring reconstruction the need for an intervention that would help re-build relationships among former colleagues in the City was identified. An opportunity for peacebuilding with a focus on reconciliation arose.

As outlined in here, the opportunity came on the eve of the signing of the Dayton Agreement (peace accord). The war in former Yugoslavia, which had begun in 1991, had by the end of 1993 produced 4.2 million refugees (one fifth of the pre-war population of pre-war Yugoslavia and one fifth of the total number of refugees in the world (Ellis, 1998). The fighting which had first pitted Serbs

against Croats and Serbs against Muslims had escalated to include Croats against Muslims. Mostar, generally recognized as a city where Croats and Muslims were deeply entrenched in conflict and resistant to peace, was in 1995 still resistant, especially to the idea of ethnic integration as envisaged in the Dayton Agreement.

This case shows the challenges of conducting a social-psychological peacebuilding initiative which draws upon conflict resolution techniques in a highly volatile war-torn environment in the early stages of recovery from war.

Valuable lessons for the author (the contributions) taken from this case, discussed at the end of the chapter, were carried forward to subsequent peacebuilding initiatives in the other cases of this study.

The case is described by following the format identified in the Methodology chapter. (See Appendix A for supporting documentation.)

3.2 FEATURES OF THE CASE

3.2.1 Peacebuilding Activity

The planned intervention was a process-promoting workshop designed in accordance with the theory and practice of the classical problem-solving workshop. The planned intervention was envisaged as a weekend workshop for selected Mostarians to be held in Dubrovnik, Croatia (with the potential of repeat workshops of the same participants). The intervention as initially planned was expanded in the course of preparations to a series of workshops to be held in

Mostar at the European Union's training facility. Neither the originally planned process-promoting workshop nor the expanded series of workshops took place.

3.2.2 Social Structure - Target Population

The targeted population was Croatian and Muslim municipal leaders in the divided city of Mostar, Bosnia-Herzegovina.

3.2.3 Stage of the Conflict Escalation

The war in former Yugoslavia had been ongoing for five years and the intervention was planned on the eve of the signing of the Dayton Accord, in December, 1995. The type of political violence was "civil war" and the stage of conflict resolution was Stage 4, Destruction. (See Figure 17.)

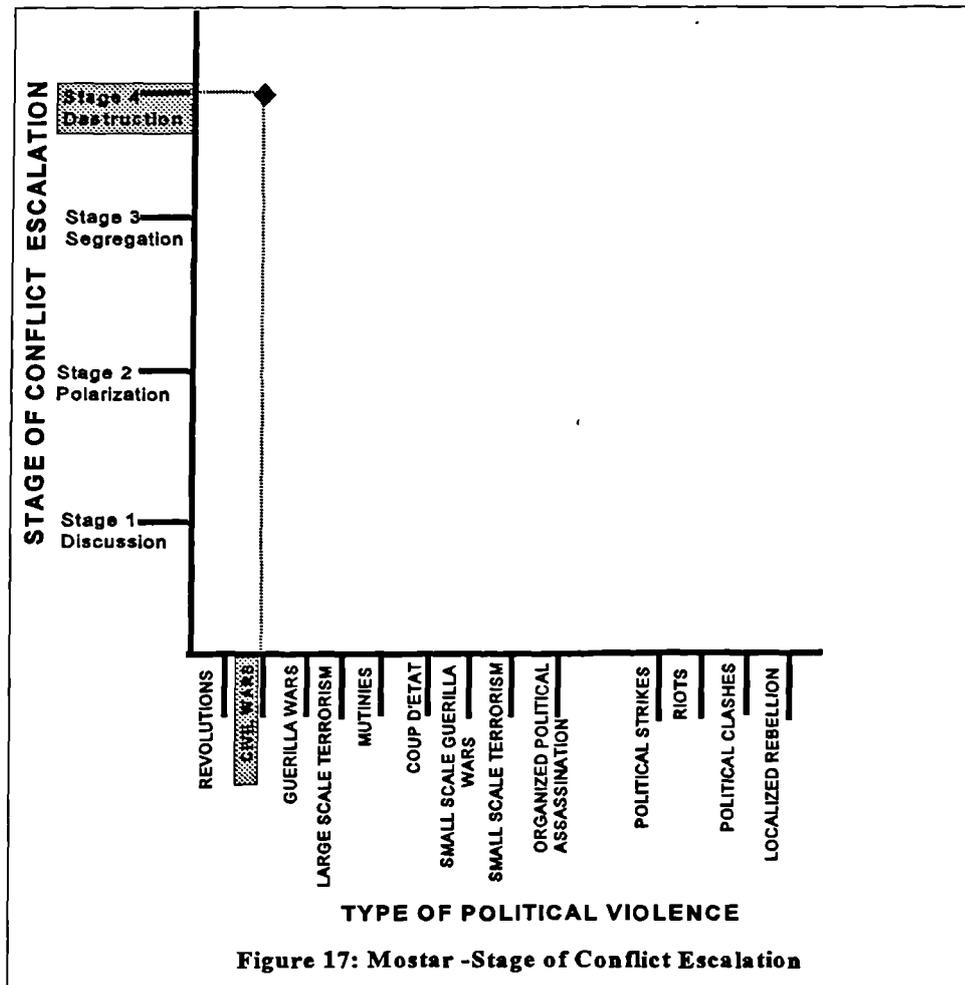


Figure 17: Mostar -Stage of Conflict Escalation

3.2.4 Duration of Intervention

Preparations for the process-promoting workshop began in October 1995 and the intervention was permanently cancelled in June 1996.

3.2.5 Ethical Considerations

These were prominent from the first contact and played a major role. Postponement and eventual cancelation of the project were influenced by ethical considerations. Safety of the participants was a key concern.

3.3 THE INTERVENTION

3.3.1 Methodological Considerations

3.3.1.1 General Methodological Considerations

“Problem-solving workshops” or “facilitated problem-solving” is described by Fetherston (1991) as a relatively new international conflict resolution technique. This technique joins other well established techniques such as conciliation, mediation, and arbitration. The workshop technique, however, is not new in and of itself, having been applied in a range of settings and issue areas, from individual disputes to group therapy.

John Burton, however, is credited by Fetherston as “the first to reformulate and then apply the workshop technique to international conflict”. (See Woodhouse, 1991; Burton, 1987; Mitchell, 1993.)

Fetherston cites the work of Ron Fisher (1983) when she lists twenty-eight reported instances of the use of the problem solving workshop technique noting the duration, method of assessment, and reported outcomes of each. Elsewhere, Mitchell (1993) reports that, altogether, there are probably less than one hundred known instances of the use of the technique.

As to general aims and a description of Burton’s workshop techniques, considered the prototype, Fetherston (Woodhouse, 1991: 247-248) reports as follows: The overall goals. . . can be assigned to three categories: academic goals, short-term applied goals, and long-term goals. At the academic level, problem-solving

workshops provide a means for testing and developing hypothesis about conflict, and discovering the elements necessary for its successful resolution. . .

At the short-term applied level . . . Burton's workshop stresses three goals: creating conditions necessary for the development of effective communication. The establishment of effective communication must coincide with changes in what may be rigid stereotyped attitudes of the participants towards each other as human beings. Secondly, resolution as opposed to settlement becomes the sought-after outcome. The accomplishment of this second goal requires the participants change their views of the conflict as a win-lose phenomenon and re-perceive it as a problem to be solved within a win-win framework. Finally, Burton emphasizes the transfer of new information and insights gained by the participants directly into the political decision-making process within their respective communities or governments.

In the long term, Burton views problem-solving as making two major contributions. First, it will inevitably replace conventional settlement techniques. Burton envisages a future in which Track II diplomacy (a much expanded, researched, and, most importantly, institutionalized version of facilitated problem-solving) is the accepted, agreed-upon means for resolving disputes at any level. A second and related goal is that of conflict avoidance. (Woodhouse, 1991: 248)

The workshop itself is described by Fetherston (Woodhouse, 1991: 249) as a three-phased process that draws upon social psychology for insights on the dynamics of group behaviour and conflict behaviour.

Phase One, the Pre-Workshop Phase consists of the preliminary work to ensure the workshop proceedings run smoothly. The parties to a dispute (the participants) are identified; issues of intra-party division are examined; the issues

are identified; the setting for the workshop is established, ensuring that it is novel, neutral, confidential and conveys an academic atmosphere.

Phase Two, the Workshop itself, is basically a small isolated group of people, who, over a set period of time, try to learn to communicate more effectively and to view their conflict in an analytical framework, as a precursor to engaging in conflict resolution. It is during this period that the role of the third party - the panel of social scientists (or facilitators) - comes to the fore. Panel members must be neutral, but they must also be able to identify with all parties in the sense that they judge neither side as right or wrong. . . the panel does not propose solutions but instead tries “to establish a condition in which all the parties join with it (the panel) in defining, identifying and solving the problem”.

Phase Three, the Post-Workshop Phase, ideally would be the cessation of hostilities and non-facilitated face-to-face negotiations between the parties. This may be a long term outcome of a workshop, and more realistically, the workshop could be followed up by the researchers/academic panel/facilitators to assess effects and to plan for successive workshops. This phase is also a period when data may be collected which might contribute to new theory and methodology.

Burton’s workshops, described here as a prototype, were based on his theoretical work in conflict. Burton’s work continues to challenge theoreticians and practitioners, drawing serious critique from Scimecca and Auruch and Black (Scimecca, 1990; Auruch and Black, 1987).

Burton delineates “problems” from “puzzles”, arguing the limitations of a puzzle-solving approach to international conflicts (the inductive or descriptive method of science). Instead, he asserts that problem solving, with its methodology of deductive thinking and analogous reasoning is more suitable to addressing conflict. Puzzles assume there is a known answer, that known theories and known

techniques are adequate for the purpose, and puzzles deal with closed systems (there is no reaction to an environment that could be changing during the investigation). This situation, Burton asserts, does not obtain in conflict situations such as this study is concerned with.

Problem-solving, which (Woodhouse, 1991: 253) gives general guidance to the approach taken in this research, is described by Burton as follows:

First, the solution is not the final end product. It is in itself another set of relationships that contains its own set of problems. . . . Second, problem-solving frequently requires a new synthesis of knowledge or techniques and a change in theoretical structure. Third, the system of interactions is an open one, i.e., the parts are subject not merely to interaction among themselves, as is the case with a mental puzzle, but to interaction with a wider environment over which there can be no control.

3.3.1.2 Specific Methodological Considerations

Mitchell, who casts some of the most sober judgement on the state of theory development in conflict resolution, provides us with a refreshing analysis and direction for theory development with respect to facilitated problem solving.

Mitchell begins his article “Problem Solving Exercises and Theories of Conflict Resolution” as follows:

The cluster of informal third party intervention techniques known variously as ‘problem solving workshop’ (Burton, 1969, 1987), ‘interactive problem solving’ (Kelwen, 1986), ‘third party consultation’ (Fisher, 1983), or ‘collaborative, analytical problem-solving’ (Banks and Mitchell, 1991) have conventionally been regarded as the epitome of practicality within the field of conflict research.

He goes on to confirm the view expressed by Burton that these processes are a unique opportunity for the direct field-testing of general theories about protracted

conflicts and their resolution. His purpose, in fact, is to take up the “theme of the relationship of theory to practice in problem-solving exercises and consider how such exercises might be used to develop theories about conflict and its resolution. . . . That they do so is in my experience, undeniable.” (See Sandole and van der Merwe, 1993.)

Mitchell (Sandole and van der Merwe, 1993: 78) then describes problem-solving workshops and draws a broad distinction between them and “process-promoting workshops”. Problem-solving workshops are deliberately

. . . designed and intended to have an immediate and direct impact on the causes of the conflict, usually through their involvement as participants individuals close to top decision-makers In contrast, the objectives of process-promoting workshops are to have a more indirect, longer-term, impact on the conflict, through the involvement of opinion leaders, or key members of the attentive public, whose experience at the exercise can be translated into ideas and action that, at some stage in the future, may form an intra-party environment that permits and encourages conflict-reducing strategies on the part of leader.

Starkly put, the contrast between problem-solving and process-promoting exercises is thus between the former’s function of having a direct effect on the conflict and the adversaries’ relationship, and the latter’s of having a direct effect on the participants, who will, at a later stage, have an indirect effect on the conflict through their understanding of it and ability to convince others about the benefits of conflict resolution movers or conflict resolution strategies.

As Mitchell notes, however, this contrast may be considerably overdrawn. Rather, he argues, it may be better to talk of the time span envisaged to have an impact on the conflict.

Our methodology in this case study begins with accepting Mitchell’s central thesis that there is little difference between problem-solving workshops and process-promoting workshops. For we are concerned with the latter and in fact, our view is that both are forms of consensus-building exercises.

Our effort is not with the formal leaders of warring factions, nor is our effort intended to have any direct, short-term impact on such leaders. Our peacebuilding intervention is addressed to social reconstruction, to the relationship of members of warring factions.

In Mitchell, we find a specific matrix upon which to construct our methodology. First, he addresses the issue of success of a problem-solving exercise. A problem-solving exercise is expected to have:

(1) An *impact* on the actual participants in the exercise, in the sense that it alters the perceptions, images, and attitudes of those taking part; changes their expectations; produces new perceived options and opportunities; and, in some cases, wholly alters the manner in which they view the situation facing their party.

(2) An *output* from the workshop, in the sense that some exercise, at least, end with participants taking specific ideas or proposals, agreed principles, or some type of report back with them to their leaders or to other key members of their party for consideration and future action. In my own experience, outputs from problem-solving exercises vary greatly, ranging from a set of notes on possible future moves (on one occasion left ostentatiously on the workshop table by departing participants) through a list of agreed principles for a future settlement (See Azar, 1986) to a detailed plan for a bi-community arts and crafts exhibition proposed as an initial confidence-building measure.

(3) An *outcome* from the exercise, in the sense of a longer-term effect on the actual conflict itself, by diminishing the level of violence and coercion operative prior to the exercise, by bringing about a clear change in the policies of the adversaries (or at a more modest level, a change in the rhetoric of the leaders) or by initiating some more formal continuation of the dialogue started during the exercise (Sandole and van der Merwe, 1993: 82)

Mitchell (Sandole and van der Merwe, 1993: 83) notes that it is often difficult to:

. . . regard much of the writing about problem-solving exercises as 'theoretical', even if this merely implies some clear connection with *prior* conditions, structures and processes and a noticeable *subsequent* change in attitudes, statements, or behaviour on the part of those involved in the protracted conflict. Much existing literature takes the form of handbooks or manuals that list rules or sets of instructions on how to conduct a successful exercise, rather in the manner of a simple cookbook (Fisher with Ury, 1968; Burton, 1987; Ury, 1991). One looks in vain for 'if - then' propositions or clearly delineated sequences of linked hypotheses involving dependent and independent variables. The most usual format for such works is to suggest a set of steps, stages, or procedures that will ensure 'successful' exercise, together with warnings about what to avoid if the exercise is not to break down and have a high impact on the participants and, hence, on the conflict.

He then delineates three levels of theorizing: the micro, macro and meso:

Micro level theorizing concerns the relationship between the structure and dynamics of the exercise and its impact on participants. Then, theories are implied about the effects of group discrepancies, third party roles and functions, size of the workshop team, the motivation and commitment of the participants, the procedures employed during the exercise, their sequence on participants' post-exercise perception and experience.

Macro level theorizing concerns the relationship between broad general theories of social conflict (ie Burton's view, the idealists, the realists) which are related to the problem-solving exercise through their specific use in the exercise "as a way of having an impact on participants and as a prelude to producing an appropriate output from the exercise that will enable it to have a productive outcome by altering the adversarial relationship".

Meso level theorizing (posited by Mitchell) concerns the relationship between the dynamics of the conflict and the outcome of the exercises. As Mitchell

(Sandole and van der Merwe, 1993: 86) specifies, meso-level theories deal with such issues as:

- (1) The most effective level to pitch a problem-solving exercise when third parties confront a complex, multi-party, multi-issue conflict.
- (2) The conditions and relationships in the conflict that make a problem-solving exercise most appropriate.
- (3) The most appropriate objectives for a problem-solving exercise, given the existing conditions and relationships in the ongoing conflict.
- (4) The most appropriate level of representation of the parties at the exercise.
- (5) The appropriate strategy to pursue when confronted with adversaries themselves subject to divisive internal conflicts that might need to be dealt with before the central, and most obvious, conflict is tackled.
- (6) The most appropriate mix of parties to be invited to participate in the exercise, given the situation that more than two clearly defined and coherently structured parties re involved in the conflict.
- (7) The most influential and appropriate *output* to aim for at the end of the conflict, given both the existing relationship between the adversaries and the divisions and factions within each.
- (8) The most appropriate follow-up activities to aim for in order to minimize the *re-entry problem* for participants.

While Mitchell notes (Sandole and van der Merwe, 1993: 88-89) that Meso-level theory development and testing remains the most neglected theoretical aspect of the informed use of problem-solving exercises, he credits Fisher and Keashley as follows: Fisher's work represents one area in which *meso-level* theories of conflict and its resolution are beginning to be formulated and tested in order better to inform the practice of problem-solving exercise. Similarly, testing of the effectiveness of exercise *outputs* simply involves, at least in principle, evaluation of past effects of exercises and a pragmatic noting of the circumstances in which problem-solving inputs had major, peripheral, or no effects. Kelman has already made a start on developing and pragmatically testing meso-level theories of problem-solving: (a) by hypothesising that outputs from problem-solving exercises that demand major change from existing policies will be rejected and have no effects on the course of the conflict (Kelman, 1972); and (b) by investigating the fragile dynamics of cross-adversary coalition building (Kelman, 1993). However, meso-level theory development and testing remains the most neglected theoretical aspect of the informed use of problem-solving exercises.

At the heart of Mitchell's (Sandole and van der Merwe, 1993: 87) discussion about meso-level theorizing is his notion, shared by others, that there are a sequence or stages through which protracted international and intranational conflict pass, starting with a latent stage and passing to a stage of prosecution or 'confrontation'. From that point, should resolution efforts fail, some crisis will lead to the employment of increasing levels of coercion and violence between the adversaries, at which point efforts at conflict reduction or resolution become pointless until, through a variety of processes that protract the conflict, the adversaries come to face an impasse or both approach some imminent mutual catastrophe and become willing to consider resolution opportunities. Hence, the use of problem-solving exercises become possible once again.

But what is meant by theory? And how is it tested?

Mitchell (Sandole and van der Merwe, 1993: 81) claims that a theory is:

. . . any assertion about regular, causal relationships between phenomena in the natural or social world outside the observer. This, like most definitions of 'theory', emphasises the central conception of linkage in any theoretical formulation. Hence, a simple starting point for any examination of problem-solving exercises and theory is this assumption of a linkage between the holding of the exercise itself and its effect on the conflict. This is often expressed by asking questions about the 'success' of the exercise.

This takes us back to attempts to determine impact on the actual participants, outputs from the workshop, and outcomes from the exercise.

How can these be tested? They are tested by noting participant reactions and evaluation, noting the extent and nature of any outputs, observing any changes in the external conflict deemed in part to be an (outcome) of the exercise, debriefing the facilitators to determine insights gained with respect to macro, micro or meso-level theorizing.

In his straightforward manner, Mitchell (Sandole and van der Merwe, 1993: 90) notes that:

. . . it has to be admitted that, while opportunities for using theories in problem-solving exercises have been seized upon by practitioners (either consciously or unconsciously), opportunities for systematically testing theories in such settings have been afforded a relatively low priority. This is understandable. For one thing there is the ethical question of whether practitioners can ever justify using problem-solving exercises, which inevitably involve people locked in an adversarial relationship and a protracted, and usually destructively violent, conflict, for any purpose other than trying to seek a solution to that conflict. If the answer is that using problem-solving workshops for other purposes is not justified - a position taken by most practitioners - then theory testing becomes wholly subordinate (and occasionally utterly irrelevant) to the main purposes of the exercise.

Mitchell (Sandole and van der Merwe, 1993: 90) also sets out a realistic research agenda for theory development.

It is also the case that there exists a third way in which theory building might well be related to practical problem-solving exercises, apart from the *use* of theories in conducting such exercises and the *testing* of theories by using participant reaction and evaluation as a form of “crucial” test. Many practitioners have remarked on how their own involvement in problem-solving exercises has, through the almost unique opportunity for direct involvement with and observation of participants interacting, generated new ideas and insights into (a) the psychology of “being in conflict”, (b) the dynamics of conflictual interaction, and (c) the opportunities for and obstacles to processes such as confidence building, entrapment, or de-commitment, to name only a few. Thus, it seems unarguable that problem-solving exercises offer unique opportunities for *theory generation* on the part of the practitioners who conduct and observe such procedures.

Furthermore, he stresses the potential value of with-in series comparisons of exercise structure, process, impact, output and outcomes. He writes (Sandole and van der Merwe, 1993: 90) that this is the case should occasion no surprise.

Problem-solving exercises are frequently and justifiably described as unique learning experiences, although this argument usually concentrates upon the unique opportunities afforded parties in conflict to learn about their conflict and about one another. While this may be the key practical dynamic for affecting the course of the conflict and - hopefully - its resolution, the insights generated in the members of the third party - the practitioners, facilitators, or panel - are likely to form a major input into the development of theories of social conflict at macro-, meso-, and micro-levels. This is so, provided it is possible to approach the task of theory development at all three levels in some systematic manner, rather than - as has been the case until relatively recently - by treating each exercise as unique and unrepeatable.

3.3.2 Preparation

3.3.2.1 Background

The City of Mostar had attracted world wide attention in 1994 when the Stari Most, a beautiful medieval bridge connecting the east and west of the city was destroyed by the Croats. The Stari Most, from which the City takes its name, was a cultural monument of unique social and heritage value.

With the destruction of the bridge, Mostar became a city divided in fact, and symbolically. Not until the Dayton Accord was signed was the possibility of reintegration contemplated. Formerly, the Bosnian Muslims had in effect declared Mostar a city state of their own and thoughts of reintegration were not popular on either side.

In October, 1995 when the intervention was being planned the City of Mostar was a divided city, patrolled by UNPROFOR (UN Protection Force) peacekeeping forces. In December, 1995, after the Dayton Peace Accord was signed, Mostar continued as a divided city, torn by war between ethnic Croats and Muslims. IFOR (Implementation Force) peacekeeping troops replaced UNPROFOR troops.

3.3.2.2 The Proposed Peacebuilding Intervention

Planned to take place just prior to the signing of the Dayton Accord, a weekend long “process promoting” workshop was to be held in the city of Dubrovnic. The workshop would bring together ten professional Mostarians to discuss reconstruction in Mostar. The workshop was entitled: “The Future of Reconstruction Professionals in Mostar”. The purpose was to provide Mostarian

urban planners and architects with a safe forum to discuss their future role in rebuilding the city.

Their work would be supported by the European Union Administration of Mostar (EUAM) which had responsibility for the reconstruction of Mostar. Keeping in mind the anecdotal comment of a Croatian refugee “at first it (the war) was ethnic, now it’s personal”, the goal of establishing a “constituency of peace” among a group of former professional colleagues constituted a seriously challenging peacebuilding task at the middle-range actor level.

The workshop was envisaged as a process-promoting workshop, as discussed by Mitchell and outlined here. It was envisaged as a form of social reconstruction, related to physical reconstruction, and attending to the critical issue of reconciliation among the parties.

3.3.2.3 Workshop Design and Hypotheses

(i) THE DESIGN

The workshop was designed in accordance with the conventional mediation or consensus-building model. As such, it would be a facilitated event, focused on the practical issue of the reconstruction of Mostar, but allowing ample opportunity for the participants to raise issues and thereby determine the agenda. Reconciliation was an overall goal.

Specific Elements in the Design

A three-staged “macro-level” design was developed in accordance with the process-promoting conventional model:

The three stages were:

1. Phase One - Pre-Workshop: Convening;

2. Phase Two - Facilitated process-promoting workshop;
3. Phase Three - Post- Workshop: Implementation and follow-up.

Phase 1 Convening: The Convenor, identified here as K, was reputed to be a trusted former colleague of the participants, a refugee from Mostar living in Norway. K had maintained contact with friends, relatives and some of his former colleagues who had remained in Mostar throughout the war. K was of Croatian and Serbian extraction and was seen as a moderate. He reported that he was accepted by both sides and was highly motivated to assist in the role of “convenor”. He understood the purpose of the proposed workshop and welcomed the author who was introduced as the lead facilitator, who would lead a three member multi-disciplinary team of facilitators. The author became identified as the “mediator.” The term mediator was easily grasped by K and adopted by the researcher and team.

Phase 2: Facilitated Process-promoting Workshop³⁹: Planning the workshop included the development of an agenda and considerations related to executing the workshop; and the development of a number of hypotheses for research purposes.

(ii) THE HYPOTHESES

Hypotheses were developed on two levels: the Strategic and the Process. Strategic-level hypotheses address issues of measuring success in peacebuilding and communication and coordination among actors. The process-level hypotheses

³⁹ “While the participants themselves determine much of the content of the discussions, Burton has used functional issues, such as tourism or economic development, to encourage dialogue because these are easier to consider in an analytic (problem-solving workshop) framework. Actual conflict issues are more likely to be highly emotive. Once dialogue has commenced, the facilitators (also called the ‘panel’) attempt to move emphasis to more salient areas, although this can happen without such impetus. In general, Burton’s position is that it is crucial for the parties themselves to decide which issues are important to them.” (Woodhouse, 1991: 250; Burton, 1987)

address meso-level theory development in problem-solving workshops as outlined by Mitchell and discussed earlier.

Level 1:

A. Measuring Success.

It is hypothesized that implementation of the peacebuilding intervention as designed will result in success as measured by:

1. whether the participants lower or abandon any negative stereotypes they have of each other;
2. tension between both sides is lowered;
3. concrete proposals arise from the exercise on joint initiatives relating to the participants relationship, and reconstruction of Mostar;
4. any such proposals are implemented or followed-up in a specifically identifiable manner;
5. possible negative consequences (i.e. exacerbation of the conflict) are detected and acted upon in advance by the facilitator and/or the participants.

B. Communication and Collaboration Among Actors

It is hypothesized that better actor communication and collaboration will result from active attention by the facilitator to this issue and will be shown to be successful as measured by:

1. facilitator team meetings held prior to, during and after the intervention;
2. the presence of open communication, constructive feedback and problem-solving between the facilitators;
3. explicit linkages made by the facilitator of the initiative to any other known or discovered initiative that is related to it so that duplication of effort is eliminated, implementation of outputs is facilitated;
4. participants offer specific ideas, make known any relevant linkages with other initiatives.

Level 2: Meso-Level Theory in Problem-Solving Exercises

1. It is hypothesized that conducting a process-promoting workshop on peacebuilding co-temporaneously with the signing of a peace agreement will facilitate the success of the workshop as measured by indicators identified in Level 1 hypothesis.
2. It is hypothesized that existence of a strong, constructive relationship among the facilitators will make the success of the exercise more probable, as measured by indicators in Level 1 Hypotheses.
3. It is hypothesized that starting with the objective of facilitating dialogue on reconstruction of Mostar and not on reconciliation of the parties will make the success of the exercise more probable, as measured by reports of the participants and observation and commentary of members of the facilitation team.
4. It is hypothesized that explicitly stating that the exercise may be followed by a series of similar exercises or initiatives with the support of the facilitators will make the success of the exercise more probable as measured by specific follow-up activities. (Such actions may be participant-driven and exclusive of the facilitator.)
5. It is hypothesized that ratification of the UN/95 Dayton agreement on December 15/95 will have a positive impact on the target group and the entire process as measured by the degree and nature of participation and measures of success developed in Level 1 hypotheses.
6. It is hypothesized that a failure to ratify the UN/95 Dayton agreement on December 15/95 will raise negative tensions in the target group as measured by changes in the design for the workshop.

Phase 3: Implementation and Follow-up:

The planning envisaged that one of the tangible outcomes of the workshop would be a commitment by the participants to meet again, perhaps on a number of occasions. The venue for the first workshop was Dubrovnik, a pleasant, accessible and safe neighbouring city. Where and when any follow-up workshops would be held was a matter to be determined with the participants.

3.3.3 Action

This initiative in peacebuilding included two components, both which terminated without any concrete action beyond the convening stage. The first effort was the planned workshop. When it was cancelled a second initiative was planned in concert with the European Union Administration of Mostar. It too was terminated in the convening phase.

The following material, describing the initiative and the circumstances surrounding it, culminating in termination of the project, is taken from correspondence and field notes.

The Workshop in Dubrovnik:

October/95 - Based on earlier contact by the PRDU, University of York, with architects, engineers, planners and social scientists in Mostar, we begin to plan a weekend workshop in December/95 to discuss their professional future and the opportunities that exist for them to contribute to peacebuilding.

From correspondence dated October 23 seeking funding for the workshop:

During our visit to Mostar, earlier this month, it became clear to us that Professionals from both sides are very frustrated and in a way they feel trapped by the politicians and the conflict, which seems to fill them with fear and suspicion. As a result of the war and the intervention of the European Administration, Mostar professionals have been largely marginalized, and their professional input has been replaced by European Professionals. For example, today, you can find engineers with 10-15 years experience working as drivers for the EU, while engineering jobs are being carried out by European Engineers. The excuse often used is that people from the East and West are not able to tolerate each other and work in a professional way.

However, the feeling I have had from Mostar people was that they have not had the chance, since the break out of the conflict, to actually meet each other and talk about their concerns and look into the future opportunities of reconstruction in Mostar.

One of the conclusions from our visit to Mostar was, that we should help them to find the opportunity to meet and professionally reconcile, particularly that all of them know each other and have worked together before the war, and are concerned about the possible division of the city.

So far, 8 of them (4 Muslims and 4 Croats) have agreed to come together over a weekend (15 - 18 December 1995) to meet and discuss their professional future and the opportunities that exist for them to contribute to peacebuilding.

From an internal memorandum prepared November 1/95 by the author:

SOME ORGANIZING THOUGHTS ABOUT DUBROVNIK WORKSHOP

Purpose:

- ▶ to discuss the future rebuilding of Mostar;
- ▶ to restore participants' working relationship;
- ▶ to facilitate their return to productive professional work;
- ▶ to support their relationship-building efforts.

People/Participants/Facilitators:

- ▶ 4-6 Bosnians (Muslim) and 4-6 Croatian Herzegovinians (Catholic) Architects;
- ▶ all knew each other prior to war, worked together in Mostar (now a divided city);
- ▶ none appropriately employed at this time because of divided city; EU architects have taken their place;
- ▶ have not talked to each other since war began;
- ▶ want to work again, will have many relationship issues with former colleagues;
- ▶ convened to discuss rebuilding Mostar; convened by a trusted former colleague who now is a refugee in Norway;
- ▶ facilitators are B. H., S. B. and Norwegian colleagues;
- ▶ convenor, K., should be identified as such and not placed in role of mediator; his on-site role should be worked out ahead.

Shape of Table:

- ▶ relatively formal to start; to provide structure and comfort;
- ▶ convenor has welcoming role and lower profile afterwards;
- ▶ mediation team is called facilitators and is positioned around the table (or at opposite ends if rectangular);
- ▶ mediators introduce the process, clarify ground rules, context of the discussions and employ mediation process;
- ▶ groups sit opposite each other or together at least for all of day one unless early contact demonstrates relationship is more fluid;
- ▶ the technical task (agenda) is set forth by facilitators;
- ▶ brief opening statements from each participant; who goes first?;
- ▶ lunch much more informal;
- ▶ a working agenda developed over lunch which must receive participants' support;
- ▶ lunch food should be culturally appropriate.

Number of Meetings:

- ▶ two or three would seem appropriate;
- ▶ second or subsequent meetings might be action-oriented (smaller working group/delegation to build relationship and demonstrate progress on the technical front).

Linkages (Communication):

- ▶ a contact with the Jewish Community (apparently active with this group or some of its members) is appropriate as early as it can be determined what role the Jewish community is playing;
- ▶ the EU should be informed about this initiative and representations made to them after the meeting by an appropriate delegation.

Details of Agenda:

- ▶ Ground Rules:
- ▶ show respect for each other, no interruptions during opening statements;
- ▶ caucuses, can be called by any one and only mean you are trying to move the discussions forward;
- ▶ participants have veto power over agenda and process;
- ▶ the nature of minutes, if any will be approved;
- ▶ no one will walk out without first meeting with the facilitators ;
- ▶ welcome by Convenor;
- ▶ welcome and introduction of facilitators, a brief outline of the agenda - the overall aim established in simple clear terms;
- ▶ technical piece (the challenge/the task) outlined;
- ▶ Ben leads opening statements (translators?);
- ▶ agenda formation and process design.

From an internal memorandum to the PRDU from the author, dated November 8/95

Sultan:

To Confirm - RE: Dubrovnik

1. K should inform each participant that they will be invited to give 15 minute opening statement on Saturday A.M. (brief, informal).
2. An "ice-breaker" the night before would be good - K., You & I would greet.
3. The Agenda is quite unstructured after 12 noon Saturday.
4. We should find out more about the Jewish link - and a contact in the EU.

Thanks

Ben

From correspondence dated November 16 from K to PRDU:

I am so glad also because of Mr. Ben Hoffman's interests for participation. During the last few days I have had a many contacts, and received a lot of very important information from Mostar. This is the reason why I had to postpone sending a proposal for planning work-shop or conference in Dubrovnik, about the reconciliation among professionals in Mostar. According all information what I received, the Dayton-Ohio agreement about the unification city of Mostar give us a better chance and much more space for action. We are not in "the any time-limit" because of that.

Process of the reconciliation as one of the most important pre-condition for the sustainable reconstruction and development stay a very long-term process, **and still very, very sensitive.** . .

My role in the w-s or conference, as well as in the PGU, has to be defined in advance very clear, for us, for my colleagues and friends from Mostar, and especially for myself, and it has to be presented very clear.

I will probably live and work with them again one day (what is absolutely outside of my responsibility), as well as to have a cooperation with all of you some time.

In terms of that, any further activities of mine in the Republic of Bosnia-Herzegovina, especially in the Mostar region, through the PGU or any other project, has to be examine very serious, and established on a really professional level of engagement.

Priorities, etc.

From correspondence from K dated November 17:

Dear Sultan,

I have consulted with my colleagues and friends from "THE URBING" (West side of Mostar) and they think that the idea is very good and they accepted. I have consultation with Mr. I. about the same and he think also very positive about idea. He will make some consultation with some people from the local authorities and inform me personally.

Mr. B. as deputy mayor, in charge of reconstruction, from the west Mostar is on trip, and I couldn't make a official consultation with him.

I couldn't make contacts with the east side "THE CITY PLANNING INSTITUTION" because of bad line, but I will try again.

We have to contact the authorities

In Mostar now run that activities about making a new structural urban plan for city of Mostar, what can be right point for the invitation. It's running under EUAM, involving the both sides planners.

Give me a comment about the themes of the work-shop, because we can not say officially that we are working on the programme of the reconciliation among them.

From correspondence from K dated December 1:

Dr. Sultan Barakat
PRDU-director University in York-UK

Dear Sultan,

Related by our intention for work-shop in Dubrovnik, I have some important information.

1.- Mr. S., director of the City Planning Institution from East side of the city is on business-trip during next 3 weeks. He is our key person from east side and it is impossible to find substitution.

2. - Situation in the region especially in the City is very fragile with strong tension. A cancelation of the so called Herzegovinia-Bosnia (H-B) and putting on the list of suspected for war-crime some of the H-B topic person is reason for that.

During next few weeks I expect a lot of individual criminal acts, and risk for this profile of meeting might be "decoy-duck". But establishing a Bosnian/Croat Federation in political life, related by Ohio agreement, shall reduce risk to minimum, without jeopardizing of the planning activities or its actuality.

If exist any flexibility in schedule, postponing the work-shop for 3-4-weeks might be the best solution for now, if You haven't some other ideas.

However, we shall be in contacts and informed each other.

Best regards

From correspondence from the author to K dated December 4:

Sultan and I have reviewed your memo of December 1/95 and we agree that it is better to postpone the workshop if holding it as planned will be a problem for the participants. There is no way that we want to put anyone at risk or have a negative impact on the peace process, even a small impact.

There are some questions, however, that we should deal with before postponing.

Your thoughts would be most appreciated and we will be guided by them:

1. Is the absence of Mr. B. a big part of your reason for suggesting a postponement? If so, is it really fair to others to postpone on his account. What if he cannot make the next date?
2. When you say the workshop could be a “decoy-duck”, what exactly do you mean? Is it that the participants won’t take it seriously or be truthful with each other because of the OHIO agreement? Or is it because the participants will use the workshop to attack each other on grievances relating to the OHIO agreement and things like the cancelation of so-called H-B? Or is it something else?
3. When you say tensions are strong, do you mean that there would be too much hostility in the room? The reason I ask this, is that as a former psychologist and now a mediator, it is often that people and groups need assistance exactly when the tensions are high. But I also do not agree with creating unnecessary crises.
4. Normally, a workshop like this would have been organized after a series of private, confidential meetings with each individual participant. This time we were relying on you to “convene” the workshop, build some trust before the event, and get things moving in the right direction. Do you agree, especially if we postpone the workshop, that I (and You?) could go directly to Mostar in Mid-December and meet with each person. The purpose would be to:
 - introduce ourselves, especially me as main facilitator;
 - educate me about the city and the reconstruction needs;
 - learn from each person about their situation and interests;
 - build trust in us and the process;
 - perhaps meet with the Jewish community or any other body that is already supporting this kind of reconciliation work so that our work is conducted “in context” and that any linkages are thought about ahead of time;
 - give us better information on which to design and conduct the workshop.

What do you think? I could make such a trip as I also have other business in Zagreb.

From field notes December 5:

K agrees that a series of personal meetings in Mostar to “convene” the workshop is appropriate. He has been carrying a lot on his own and I do not have a sense of the ground. Plans to go immediately.

From correspondence from the author to K, dated December 12:

With great regret we have to cancel the visit to Mostar. . . All is set back now to January/96.

Thanks for your excellent cooperation.

Discussion:

Over the course of planning the workshop that was started at the PRDU in October 1995 and later involved the author, it became apparent that our Convenor was under great strain and that the situation on the ground was very delicate. K made it clear that participants would be risking their lives and he had stated that in Mostar, “a life was worth the price of a bullet.” The author determined to take greater leadership in the project and more responsibility for convening the workshop. The project was faltering and lacked convening “power.” Before a “convening” trip to Mostar could take place, the EU-Administration of Mostar contacted the PRDU and invited a proposal for a series of workshops to be convened by the EU and to take place in its newly constructed Training Centre.

A decision was made to abandon the singular effort that was to take place in Dubrovnik, which was stalled, and to undertake a more comprehensive initiative called “Peacebuilding and Urban Reconstruction in Mostar: A Series of Advanced Training Short Courses.” (Appendix A-1)

Our aim was to contribute to peacebuilding in Mostar, and to support the Dayton Peace agreement. We planned to offer a series of specific courses that would not only provide practical skills for the participants but enable us, in consultation with the EU’s Mostar Training Centre, to identify a number of local “champions” who would be encouraged and supported in their peacebuilding role in their respective communities. That is, after the proposed eight courses had been delivered, a group of some twelve key individuals (a peacebuilding constituency) would be invited to a major peacebuilding seminar at which they would participate in a “Train-the-Trainer” workshop and discuss how they might form the nucleus of a sustainable training program at Mostar’s Training Centre.

The eight courses planned were:

1. Strategic Planning: Programming and Evaluation of Post-war Reconstruction Projects;
2. Conflict Resolution;
3. Negotiation Skills;
4. The Restoration of Cultural Heritage Damaged by War;
5. Community Participation in Reconstruction;
6. Mediation Skills;
7. Designing Dispute Resolution Systems.

The proposal called for a training needs assessment to be conducted in Mostar in January and a site visit was planned for January 17, 1996. The following has been extracted from field notes maintained by the author during the visit.

January 13/96 High security at Zagreb airport - very militaristic environment. President Clinton visiting on round of meetings with signatories to Dayton agreement. Travellers quickly ushered about and off to Dubrovnik.

January 15/96 Tit for tat sniper fire in Mostar. Tensions high.

Jan 16/96 It makes sense to look for opportunities to broaden the agenda - they will need a comprehensive program in Mostar - sustained for some time: confidence building measures, education and understanding. Our work should be integrated with other peacebuilding efforts.

Jan 17/96 Our Dubrovnik friends cautioned us as we left for Mostar. The EU driver, a young Mostarian who was studying mechanical engineering before the war, showed us different sites along the coastline and slowly opened up about what was being said by the people - that the young die - not the generals and warlords and mafia. At a military checkpoint on the border from Croatia to Bosnia-Herzegovina an instant change is apparent: military police, checkpoints, bombed houses, a village with this house intact, and that one destroyed - the result of "Ethnic Cleansing", targeted bombing.

And then Mostar. So much destruction! And when you look behind the destruction and your eye recreates what existed you see how beautiful a city it had been - an ancient city of most wonderful architecture, streets, the river and gorge - the bridge - the Stari Most - now all in rubble. (See Figure 18.)

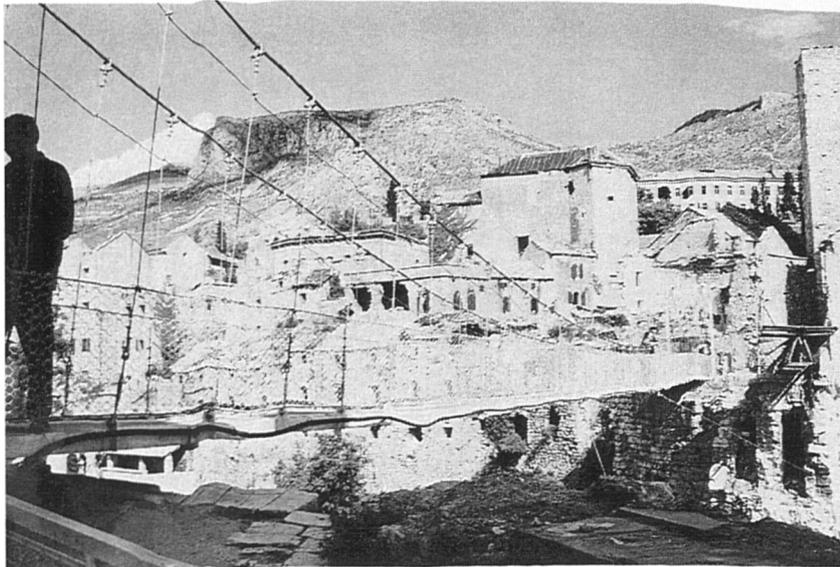


Figure 18: Mostar View #1

Mostar is full of police, military, EU, IFOR and the rumours in the EU hotel (a place of sanctuary recovered out of the rubble) is that tensions are high - that on Jan 22 free movement from East to West (and vice versa) is planned - and more killings anticipated.

Can we work there? If we put on a training session on “Peacebuilding and Urban Reconstruction” - would anyone come? Would any locals come? The EU rep says “yes”, the local people want peace - they want to return to a normal life.

It remains to be seen.

Jan 18 & 19/96 What I heard: Our Croat driver wouldn't attend training sessions at the new centre - especially if instructors are eastern. Would have to get sponsorship of his student organization. He is willing to introduce us to student association president. Hates to use the term Bosnia-Herzegovina as he is Herzegovinian and everybody just uses “Bosnia” (the Muslims). Would like to see

peace - war is insane. Mostar needs economic development most, now! Mostar is not the same - many have left, many are new refugees.

Our EU Co-ordinator confirmed that, yes, social reconstruction is important but the EU won't put money into that - it is willing to reconstruct the physical space. "Locals" are used whenever, wherever as often as possible. The problem is they are not skilled - absolutely unsuitable in some cases (ie a former waiter now a senior official in the water works commission) - many of the skilled people left long ago. People will attend our training, although tensions are high.

What I Saw: A kind of life going on, in and despite the destruction. A lot of pride taken by the 2 or 3 local Mostarians at the Training Centre - I saw small, private efforts to rebuild - apparently stimulated by reconstruction of the Training Centre. A lot of negative, stereotyping of Serbs: "they make good soldiers", "they can't be trusted", "they are primitive".

What I Felt: Fear, and a sense of evil.

What I thought: Why not just plough this all down - and start from scratch again? (See Figure 19.)



Figure 19: Mostar View #2

Jan. 20/97 The EU agrees to our proposal - a big event to launch it is planned for early February/96.

Back in Dubrovnik most people believe having a professional army is the only way to ensure safety against aggression and that safety for the nation (Croatia) will generate confidence in the international community and that will bring peace through economic development. There appears to be a real victim mentality in the Croatians. Do the Serbs and Bosnians have it too?

March/96 Notification from PRDU - Mostar training is cancelled! EU in awkward situation. The Training Centre buildings were restored based on false ownership documents. The original owner, living abroad, has returned and claimed the property. Training Centre closed; all training cancelled! The Administration in Mostar has changed as well.

From July 2, 1996 Associated Press:

Returns from Bosnia's first postwar elections shows city council seats split between the Muslim and Croat parties, leaving Mostar again divided by ethnic differences. The Muslim-Croat fighting during the three and one-half year war ripped apart this southwestern Bosnian city, naturally divided by the Neretva River. Municipal elections were supposed to symbolize peace and reunification in Bosnia. Instead, they cement the ethnic division and bode ill for the Muslim-Croat federation set up by the Dayton peace plan. (*sic*)

3.4 CONTRIBUTIONS FROM THIS CASE

Contributions for this case study were developed on two levels. First, we turn to the Hypotheses that were developed for the Process-promoting Workshop to be held in Dubrovnik. Then we present a concept arising from the field work in Mostar relating to the three principal modes of dispute resolution: power, rights and interests.

3.4.1 Hypothesis-based Contributions

The first observation with respect to the Workshop is that only a few of the hypotheses relating to measuring success were tested because the Workshop itself was not held. In examining the hypotheses it can be seen that the Workshop was not held, in part, because some of the hypotheses on actor communication and coordination and some on meso-level theory in problem-solving were clearly not supported.

The hypotheses are assessed as follows:

Level 1: Communication and Collaboration Among Actors:

1. It is hypothesized that better actor communication and collaboration will result from active attention by the facilitator to this issue and will be shown to be successful as measured by:

(a) Facilitator team meeting held prior to, during, and after the intervention. Team meetings were not held prior to the intervention nor was

a systematic, reflective de-briefing held after cancellation of the Dubrovnik workshop. The facilitators chose instead to respond to the EU request for training and then the meetings concerning that agenda were planning meetings to construct a proposal and to meet with the EU to finalize a contract. Part of the difficulty for the facilitators was cost, time, and distance. The Convenor, K, was living in Norway and attempting to convene a meeting in Mostar, while the facilitators were in UK. The facilitators had developed an hypothesis that the time was “ripe” for the intervention and consequently the pace was rushed. Significant attention to the need to meet as a team for the purposes of content did not come until the situation on the ground demanded a dedicated field visit. By that time the EU had become involved and the initiative shifted to an expanded series of training. We believed that the EUAM would provide neutral auspices under which we would hold the training.

(b) The presence of open communication, constructive feedback and problem-solving between the facilitators. The intervention lacked coordination as the Convenor was reporting to the PRDU and the author was involved at a clinical level. The clinical dimension required greater prominence and was frustrated by the administrative agenda. While open communication and problem-solving did take place it was at an administrative level. More constructive feedback between the clinical and administrative dimensions of the intervention were required.

(c) Explicit linkages to any other known or discovered initiative that is related will be made by the facilitator so that duplication of effort is eliminated, implementation of outputs facilitated. When the facilitators learned that the Jewish community in Mostar was active in a similar attempt a decision was made at the PRDU administrative level of the initiative to proceed with the workshop as planned and wait until the participants

informed the facilitators of any other similar initiatives. When the EU invited a proposal for an expanded but similar project the essence of the Dubrovnik workshop was incorporated.

(d) Participants offer specific ideas, make known any relevant linkages with other initiatives. In fact, the participants, through the Convenor, did make known the initiative being conducted by the Jewish community in Mostar. The facilitators chose to ignore that information until it was presented by the participants in the workshop. This was partly due to a desire to ensure the integrity of the Dubrovnik workshop, and a concern that the facilitator's not assume other initiatives (reported or learned by hearsay) were known or accepted by all of the participants from both sides. In hindsight, failing to take account of the work of the Jewish community appears to be a short-sighted reaction.

Level 2: Meso-Level Theory in Problem-Solving Exercises

1. *It is hypothesized that conducting a process-promoting workshop on peacebuilding co-temporaneously with the signing of a peace agreement will facilitate the success of the workshop as measured by indicators identified in Level 1 hypotheses.* Tensions rose leading up to the signing of the peace accord and the climate in which this workshop was to be held for local municipal leaders was not conducive to success.

2. *It is hypothesized that existence of a strong, constructive relationship among the facilitators will make the success of the exercise more probable, as measured by indicators in Level 1 Hypotheses.* The relationship between the author and the Convenor strengthened during the convening stage, especially as matters become more sensitive and greater attention to the conditions on the ground were required. The administrative-clinical relationship that dominated the

first two months of planning was not conducive to success. Clinical needs and direction should take precedent.

3. *It is hypothesized that starting with the objective of facilitating dialogue on reconstruction of Mostar and not on reconciliation of the parties will make the success of the exercise more probable, as measured by reports of the participants and observation and commentary of members of the facilitation team.* The Convenor gave explicit feedback that focusing on reconciliation was not appropriate. This hypothesis, while not fully tested, appears to be confirmed.

4. *It is hypothesized that explicitly stating that the exercise may be followed by a series of similar exercises or initiatives with the support of the facilitators will make the success of the exercise more probable as measured by specific follow-up activities. (Such actions may be participant-driven and exclusive of the facilitator.)* This was not tested.

5. *It is hypothesized that ratification of the UN/95 Dayton agreement on December 15/95 will have a positive impact on the target group and probably the entire process as measured by the degree and nature of participation and measures of success developed in Level 1 hypotheses.* On the contrary, tensions in Mostar rose prior to and with ratification of the agreement. Furthermore, ratification of the agreement may have fuelled the EU agenda in Mostar, resulting in the request for a proposal in a facility originally constructed for computer and employment skill training. The EU's error in constructing a training facility on property that was eventually claimed back from the EU resulted in termination of the EU's training initiative, including 'Peacebuilding and Urban Reconstruction in Mostar.'

6. *It is hypothesized that a failure to ratify the UN/95 Dayton agreement on December 15/95 will raise negative tensions in the target group as measured by*

changes in the design for the workshop. The agreement was ratified and negative tensions persisted.

From the development and test of these hypotheses a number of important factors may be identified as contributions to the central case in this study:

- ▶ Peacebuilding is clinical work: in addition to the administrative and logistical dimensions of a peacebuilding intervention, especially of the problem-solving sort, the clinical nature of the intervention must be recognized from the beginning and counted for throughout. It is a people-centred activity in a highly complex and sensitive context.
- ▶ Time is required to conduct the convening function appropriately and to prepare the parties to participate.
- ▶ The larger military, political and social context in which the participants find themselves is very important to their motivation and ability to participate and to the conditions under which a workshop might be held.
- ▶ It cannot be assumed that the imminence or existence of a peace accord in and of itself fosters reconciliation at the community level.
- ▶ A convenor must have legitimacy, time, trust, credibility.
- ▶ Safety is imperative.

When the European Union assumed a role in the peacebuilding initiative, some of the problems which arose in connection with the Dubrovnik workshop were thought to be removed. The EU would be a convenor with authority and resources to ensure that the right parties could participate under the right conditions. The EU, however, had its own problems with credibility and achieving success in Mostar. It had also constructed a training centre on Muslim-owned property and lost that facility when ownership was asserted by a displaced refugee.

The lessons that applied to the Dubrovnik workshop applied again to the expanded initiative under the EU's auspices. More effort on the ground by the facilitators, or at least in active concert with the EU, were necessary. Peacebuilding of this sort in this type of case is not achieved on a "drop in" basis.

3.4.2 Theoretical Insight Arising from Field Experience

The objective of the process-promoting workshop for Mostarians was to restore their relationship and build the basis for reconciliation. The workshop was to draw upon conflict resolution theory and techniques. As noted by Ury, Brett, Goldberg and Brown (1989) disputes are resolved in one of three principal ways: through power, rights and interests. This is depicted as a series of concentric circles; rights and interest-based approaches are said to take place within an overall "matrix of power". (See Figure 20.)

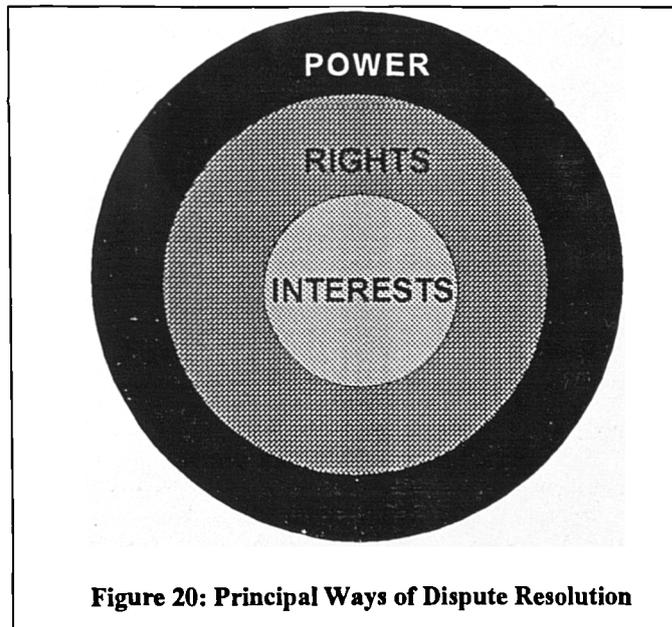


Figure 20: Principal Ways of Dispute Resolution

Power-based approaches are associated with force, with hostile actions in the domestic context; with war in the international context. Rights are associated with

rule of law, the courts and administrative tribunals. Interests are identified as the needs, concerns, fears of parties and they are associated with conflict resolution.

The reality in Mostar was one of power - raw power and violence. The process-promoting intervention we planned was an interest-based approach, an application from the field of conflict resolution. The incompatibility of an environment of violence and a methodology based on interests became apparent. How relevant in Mostar is an interest-based dispute resolution process?

An understanding of power and the role of power in cases such as Mostar must be addressed. Conflict resolution must apply in these “hard” cases - or become irrelevant.

Experienced analysts of conflict and seasoned dispute resolvers know that power plays a role throughout the disputing universe. “Power imbalances”, “empowering weaker parties”, “grid lock” and “stalemate” are everyday terms. No one would dispute the assertion that all disputing involves power; that the outcome of every dispute is determined by the use of power. Power, defined here, is the ability to effect outcomes.

Insight arising from the field work in Mostar suggests, however, that it is an inaccurate oversimplification to *imply that power, rights and interests are unique and exclusive of one another*. The notion that the three are related such that interest-based outcomes are seen to be pursued in the context of rights-based remedies and more so, that both interest-based approaches and rights-based settlements take place within a larger context or matrix of power is also an inadequate treatment of power.

It is contended here that power is, in fact, omnipresent. It is exercised as force in forms of “power over” as in Mostar; it is exercised in courts of law as rights

contests in the form of “power through”; and it is exercised in interest-based negotiated settlements. When power is expressed collaboratively it is “power with” and in that form the hopes of consensus-based conflict resolution may be realized.

We dispute along a power axis.

This is more than disputing “in the context” of power. It is more than relegating power to brute force as manifest in strikes, violence and wars; or to contemplate power as refined coercion when it is manifest in litigation and rights contests. It places power *inside* conflict, its management, and its resolution.

In doing so it places power and justice together. A choice of which process (force, rights, interests) to use is not merely a strategic choice but entails a profound choice about what kind of justice we want, apart from the specifics of a particular outcome. We have a real opportunity when we dispute or assist others who are disputing to choose the quality of the experience we want - not by assessing and reacting to the role of power - but by understanding it and the potential each form of power has, and then embracing the preferred form.

The idea that conflict can be managed by force, rights, or interests relates in turn to the notion that outcomes that are force-based are “impositions,” involving a winner and a loser; outcomes that are rights-based are “settlements,” once again involving a winner and a loser; and outcomes that are interest-based are “resolutions” where both the disputants win.

Furthermore, the sense of justice associated here with force is retributive justice (including the need for vengeance); procedural justice is associated with a rights-based approach (that is, the correct procedures are applied in the right manner to the right parties); and interest-based approaches are associated with restorative

justice (a harm has been done which must be addressed so that the integrity of the relationship of the disputants and organic whole can be restored).

This can be depicted as follows:

JUSTICE GOAL

RESTORATIVE

PROCEDURAL

RETRIBUTIVE

DISPUTING PROCESS

INTERESTS

RIGHTS

FORCE

OUTCOME CHARACTERISTICS

RESOLUTION

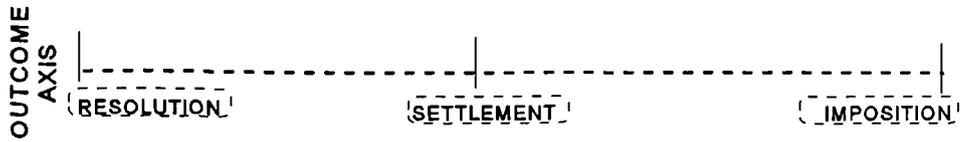
SETTLEMENT

IMPOSITION

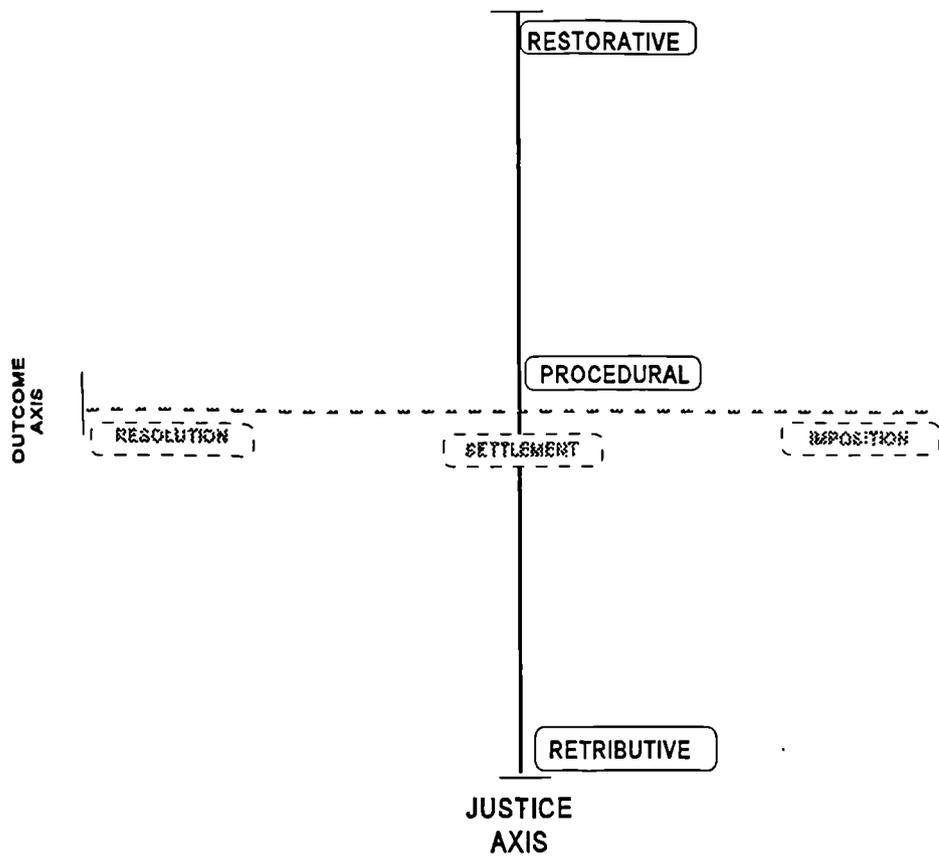
I argue that force, rights and interests are each a variant of power; a different *expression* of power. Whereas the hawks and realists gravitate to force and retribution, and we associate the doves and idealists with interest-based conflict resolution, the view here is that power is common to all. There must be power in interest-based processes of dispute resolution or they are inappropriate (inadequate) in cases like Mostar. This problematique with power, however, has never been adequately addressed in either the literature in the conflict resolution and peacebuilding fields, nor in generic negotiation or mediation skill training programs.

But let's look one more time at the conventional schemata in disaggregated form.

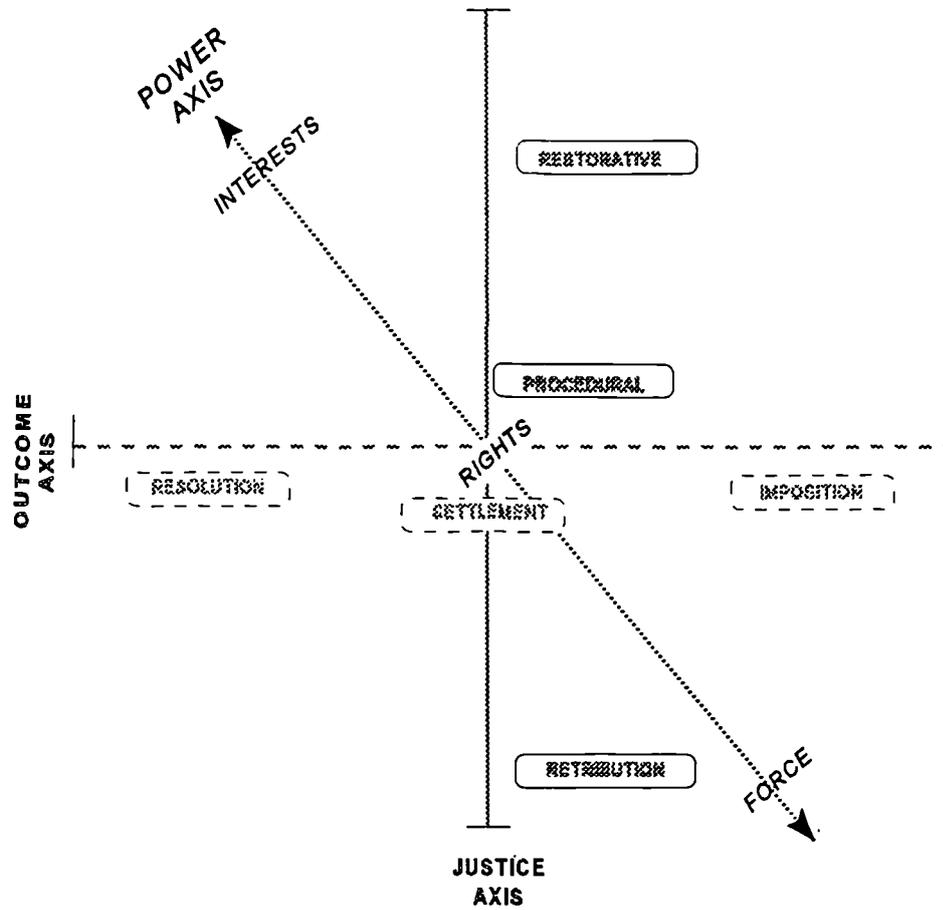
Let's establish an axis called the OUTCOME AXIS:



Now, let's intersect the OUTCOME AXIS with a JUSTICE AXIS:



Now, let's go one step further and insert a new axis called the POWER AXIS: "FORCE" is placed in the SE quadrant, "RIGHTS" at the centre point and "INTERESTS" in the NW quadrant.



Having situated Force, Rights, and Interests on a common POWER AXIS these depict more accurately what they truly are - various expressions of power. That is, the so-called Power-based approach to disputes is really VIOLENCE (power over); Rights-based is (power through); and Interest-based is (power with).⁴⁰

So the complete re-formulated picture is shown in Figure 21.

⁴⁰“Power Over” and “Power With” are fairly common terms in conflict resolution training: “Power Through”, the author believes, is a new concept developed here.

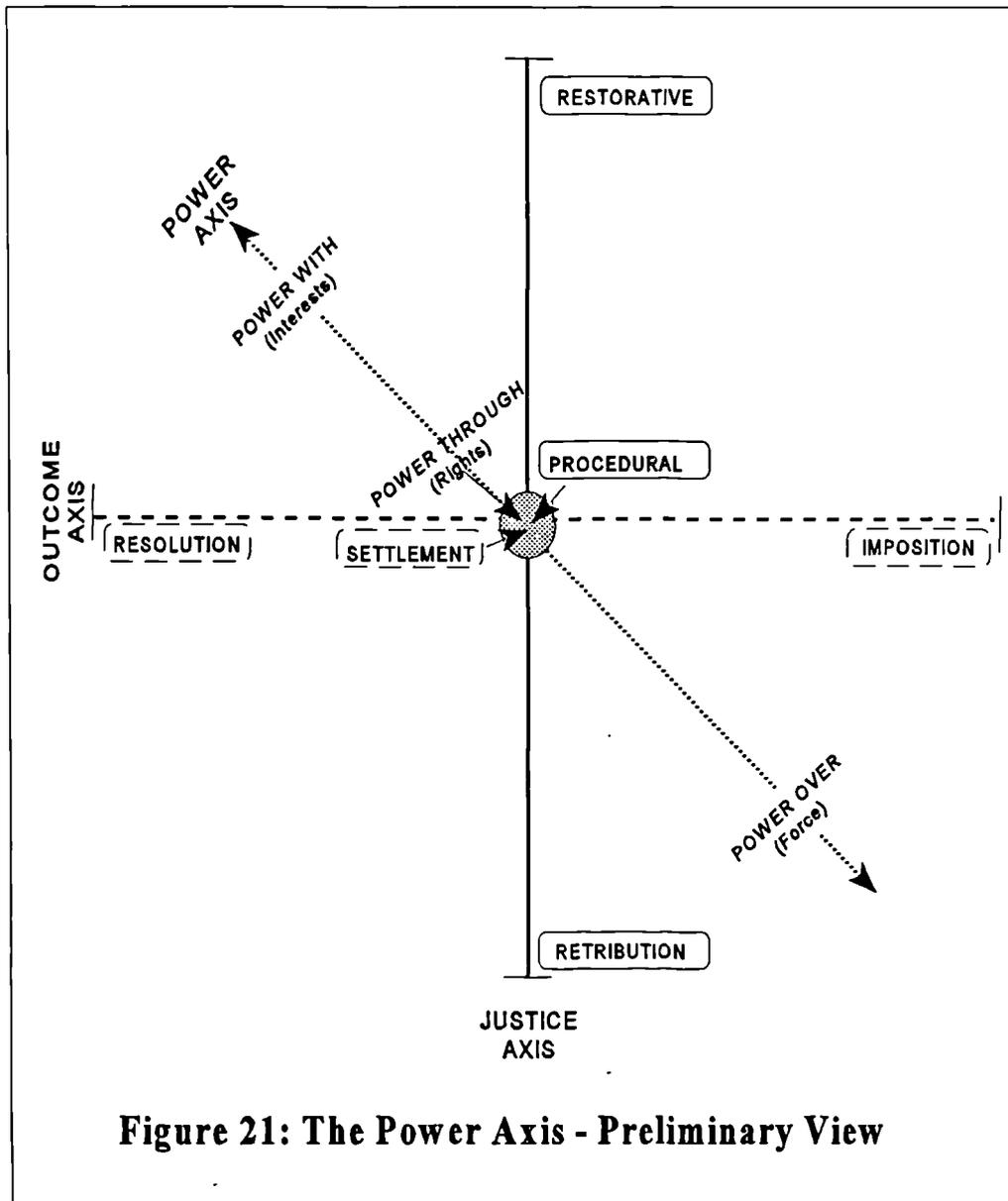


Figure 21: The Power Axis - Preliminary View

Disputants may move along the Power Axis to “Power Through” or to forms of “Power Over”. This is the case in Mostar. This is the world of winner and loser - of victor and vanquished.

Rights are in effect a type of “power through” as manifest in at least two ways. Established rights are the result of a grievance or a class of interests and use of the apparatus of the courts to affirm them. A rights contest is also very much a

question of having the power to sustain the “battle” and prevail. The rights-based approach is resort to a refined use of power, drawing on contests already fought and won.

Rights are aggregated power. The choice of a rights-based approach remains a choice of what type of power to use in disputing. And conversely, when “power over” as the brute exercise of force is not acceptable, or is perceived as entailing too much cost, a shift to a finer instrument, a determination of rights, in a more refined arena, the courts of procedural justice, is taken. This arena is also a forum of power expression leading inevitably to a victor and a vanquished.

Why is it important to make these distinctions in the use of power?

First, “power with” is power found in joining with the other party, with the one with whom one is in conflict, to seek a resolution; to go beyond settlement. This is done by using the power found in the relationship - the energy there - whereby synergy is possible; whereby something new is created rather than something old being re-distributed. Where the matter is simply one of redistribution, theoretically, it is effected through certain understanding and executed without malice or greed or resentment.

This is what is meant by the “promise of mediation” which has been illuminated by Baruch Bush and Folger. (See Baruch Bush, R.A. & Folger, J. 1994.) That is, through recognition of each other and mutual, reciprocating empowerment something “more than” is achieved; resolution is possible. Other methods of disputing, in particular rights-based approaches, may arrive at something fair, but the “more than” and resolution will not be an outcome.

The second reason to make these distinctions concerning power is to determine whether “power with” is possible in a war-torn society.

How can an interest-based approach be used in an environment like Mostar that is characterized by the use of brute power, power-over, violence? What are the conditions required to turn people at war away from violence to peace: to exercise power as “power with” rather than “power over”?

It is interesting to contemplate whether a certain stage of human and social development must be reached before the potential of “power with” may be realized.

In the meantime, however, recognizing that one may choose from a number of qualities of disputing provides greater readiness when the choice must be made to use one form of power over another. It gives us pause to think about how to cultivate and experiment with “power with”. In that way, we may be able to realize the potential of interest-based conflict resolution.

If we are able to choose the quality of disputing, it will be helpful to have a sense of possible criteria for selecting both the desired characteristics of the outcome, and the corresponding process for achieving it.

It may be helpful to recognize that the decision about what form of power to use, or what is likely to be used by others may be made on the basis of a number of criteria, including but not limited to the following:

1. Fun: It appears that some people throughout the ages and some presently enjoy fighting or disputing and always will. Which processes are suitable for the “fighting for the fun of it” lovers? (See Wiles, 1977.)
2. Winning: Some people fight to win. They may not necessarily enjoy the fight but do enjoy the spoils of victory. (Wiles, 1977)

3. Fair, Wise, Efficient, and Enduring Outcomes: These criteria have been suggested as a prudent and comprehensive way to measure the outcome of a dispute. Which use of power will achieve high levels on these criteria? (Susskind and Cruikshank, 1987)

4. Recognition and Empowerment: Better relationships, personal growth and the opportunity to change the world to make it a better place have been suggested as criteria upon which to base the method of disputing. (Baruch Bush and Folger, 1994; Sponcel and Gregor, 1994)

Power, for all that practitioners contend about it, is not well understood or explored in the fields of negotiation, mediation, peacebuilding and conflict resolution.

So where might this discussion lead?

It appears that the choice of the power we use to settle disputes has a lot to do with the following factors, all of which require more thought and study:

1. the existence of and the relative tension between cooperative and competitive drives within the disputants and between them, which is related to;
2. the sense of security and identity of the parties, which is based on;
3. the disputants' sense of "self" and "other"; Taking into consideration:
4. the context of disputing - what relevant onlookers and the structure of the environment will sustain.

War-torn Mostar presents us with a serious challenge when attempting to use interest-based peacebuilding methodologies in a "power over", violence-based environment. (See Appendix A-2, A-3, A-4.)

3.5 SUMMARY AND CONCLUSIONS

This chapter presented the first of three “contributing” cases used in this study to test the Conflict Transformation Framework. A peacebuilding initiative that began as an opportunity to conduct a process-promoting workshop among former middle-range Muslim and Croat colleagues in war-torn Mostar developed into a larger project under the auspices of the European Union Administration in Mostar. The entire initiative, however, came to a full and final end nine months after it began, without successfully holding the initially proposed workshop or the expanded series of planned peacebuilding activities.

The City of Mostar was described in the Introduction to the chapter as resistive of peace, especially as envisaged in the Dayton Agreement, which called for the integration of the Croat and Muslim ethnic factions in Mostar. Both groups had destroyed their once beautiful city and had ensconced themselves on opposite sides of the Neretva River, having blown up the Stari Most, the medieval bridge that united the city and from which the city takes its name.

As a series of hypotheses at both the strategic and process levels were developed for the proposed process-promoting workshop, which had been designed in accordance with classical problem-solving workshops. The evolution of the intervention from a single workshop to a series of social-psychological peacebuilding initiatives was described. The contributions of this case were developed from two perspectives: first, the workshop hypotheses were tested and then a concept paper which considered the three principal modes of dispute resolution (power, rights, interests) as they applied in Mostar was presented, as having arisen from the field experience in Mostar.

The first observation with respect to the workshop hypotheses was that many were not tested because the workshop was cancelled. It was cancelled, in part, because some of the hypotheses on communication and coordination among actors “on the ground” in Mostar was not supported by the evidence. That is, certain actions that hypothetically should have taken place did not, and it appears that the failure to do so had a negative impact on the initiative. The hypotheses that were constructed on the assumption that signing of the Dayton Agreement at the Track I diplomatic level would have a positive influence at the community-based level of peacebuilding were also not supported. In fact, tensions increased on the eve of signing the Agreement and persisted in the early stages of implementation, during which the workshop was planned. It appears that peace itself can be threatening; it is a threat to those who have a stake in war; a threat to those who must contemplate giving up their acrimony and become willing to live with the enemy once again.

The concept paper which was developed on the basis of the field work in Mostar explores the role of power in dispute resolution. It raises the question of the adequacy or appropriateness of conflict resolution, including interest-based approaches and techniques to peacebuilding, in such extreme environments as Mostar. Mostar is described as being in a condition of “power over,” where violence and imposition are dominant. How can “power with,” associated with conflict resolution based on the interests of the parties as they join together to achieve reconciliation and new constructive arrangements, apply in such an environment? And further, what is to be said of “power through,” associated with rights and the rule of law? When “power over” dominates, and there is no rule of law, can “power with” peacebuilding be undertaken?

Peace, defined in this study as “positive” peace, is recognized as an ideal. The challenge of peacebuilding across a range of situations is contemplated, recognizing the enormity of the challenge in former totalitarian societies, let alone

war destroyed societies like Mostar. The context in which peacebuilding is taking place is identified as significant.

It is concluded that a framework for peacebuilding is necessary. Guidance is necessary on practical questions such as what might be achieved first, and at what pace.

The next chapter describes an initiative that began as a social-psychological peacebuilding activity in Romania and developed into a capacity-building initiative undertaken on a broader scale. Some of the lessons from Mostar were applied in this second of our three “contributing” cases. In particular, the context, which was under-emphasized in the Mostar case - to a fault - is attended to more systematically in the work in Romania.

CHAPTER 4

Case 2: Conflict Resolution Capacity Building in Romania: The Long View

4.1 INTRODUCTION

Although the initial contact with the Foundation for Democratic Change, a fledgling NGO in Romania, occurred in 1994, the peacebuilding work described in this chapter came into full operation in 1996 and continues to this time. As described here, the importance of the context in which a peacebuilding initiative is planned and carried out is significant. This is one of the principal lessons from the work in Mostar in 1995-96, and it guided peacebuilding activities in Romania.

The initial contact with the Foundation for Democratic Change and the initial assessment of need suggested that some form of relationship building activity between ethnic Hungarian and ethnic Romanians in Romania was required. Another social-psychological peacebuilding initiative, this time in an emerging democracy, a transitional society, was required. As the case actually shows, however, greater attention to the context (the social, political and economic

context), and an assessment of the volatility of the conflict between the ethnic factions, resulted in re-focusing the initiative to an institutional capacity-building activity.

The issue of measuring success in such a protracted peacebuilding initiative is discussed and a critical shift in characterizing peacebuilding takes place. The author had begun the study thinking of peacebuilding in terms of an “intervention” that is done by some (well-meaning) outside third party to a needy “recipient”. This case underlined the fundamental and paramount importance of the local actors who become a partner in peacebuilding with the outside third party. Peacebuilding is re-characterized in this case from “intervention” to “assistance”. That re-characterization is explored throughout the balance of the study. (See Appendix B for supporting documentation.)

4.2 FEATURES OF THE CASE

4.2.1 Peacebuilding Activity

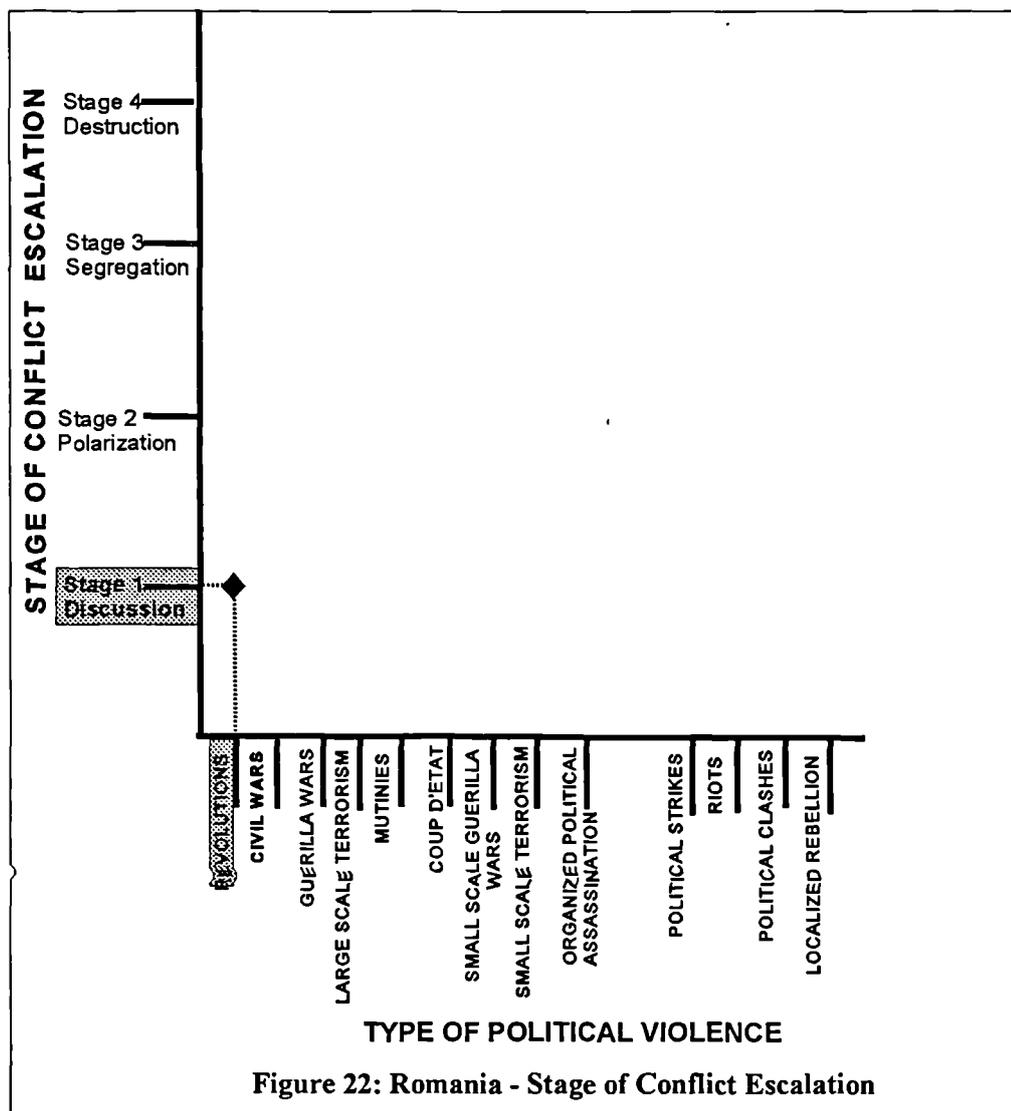
The initiative was a conflict resolution capacity building project in partnership with a fledgling Romanian NGO, Foundation for Democratic Change (FDC). The initiative included professional development support to the Romanian NGO leadership, a field visit and needs assessment, facilitation of a strategic planning session to determine the nature and organization of a centre for conflict resolution in Romania, research into the means by which Romanians resolve conflict, customization of a Romanian model of conflict resolution, and a Romanian national workshop on conflict resolution to raise awareness and refine future developments.

4.2.2 Social Structure - Target Population

The targeted population was middle range leaders in key sectors of Romanian society, including legal, labour, education, public administration and young political leaders.

4.2.3 Stage of the Conflict Escalation

The short revolution in Romania, triggered on December 15, 1989 and ended on December 25 upon the execution of former President Nicolae Ceausescu, claimed approximately 1033 lives. From 1990 to 1996 the country lived through a transitional period during which the former communist leadership was committed to limited forms of democracy by eliminating Party control over the economy and allowing a limited number of free market initiatives. In 1992, Mr. Iliescu's transitional government won a second mandate during which the country continued to struggle economically and then in 1996 the transitional government lost the election to more liberal parties. The type of conflict was post revolutionary, transitional society and the stage of the conflict escalation was at the high level of Stage 1 (Discussion) and the low level of Stage 2 (Polarization). (See Figure 22.) (Appendix B-1)



4.2.4 Duration of Intervention

Initial contact with the Foundation for Democratic Change was in October 1994 and the initiative began in May, 1995 and is ongoing (3 years and ongoing).

4.2.5 Ethical Considerations

These centred principally on a concern with raising unrealistic expectations of financial support for the FDC and concern that a western model of conflict resolution might be inappropriately “applied” to Romania.

4.3 THE INTERVENTION

4.3.1 Methodological Considerations

4.3.1.1 General Methodological Considerations

Three overarching considerations gave shape to this action research in peacebuilding: relationship, resources, and knowledge. These three considerations influenced what was done, when it was done, and how it was done.

Relationship: At a meeting of the OSCE and NGOs on conflict prevention held in Austria in 1994, the president of the Foundation for Democratic Change, Romania, invited the author to work with the FDC on conflict resolution in Romania. The focus of the work was to be on inter-ethnic conflict resolution, particularly relationships between the large Hungarian minority in Romania and ethnic Romanians.⁴¹ The author was representing the Canadian International Institute of Applied Negotiation (CIAN) at the OSCE meeting and the relationship that was established was between the FDC and CIAN. (Appendix B-2)

⁴¹ Under the Ceausescu regime, there was no official recognition of inter-ethnic tensions in Romania. During the years immediately following the revolution in 1989, Romania saw several highly publicized incidents of clashes between ethnic Romanians and members of national minorities. (Helsinki Watch Report, 1992.)

The nature of the relationship from the beginning was a collaborative partnership. This was a function of mutual respect: on CIAN's part a respect for the integrity and indigenous knowledge of the FDC - and an awareness that the FDC must one day operate independently within Romania; and on the FDC's part a respect for CIAN's expertise and resources, including a clear appreciation that CIAN was not able to "underwrite," or "fund" the FDC's initiative in Romania.

The FDC was also a new NGO in a newly emerging democracy in the former Soviet Bloc. Both parties to the partnership were aware that a relationship would need to be built over time, one step at a time. A degree of prudence on both parts was therefore a factor. On the FDC's part, it could only speculate what exactly CIAN was and what it might actually be able to achieve with and for the FDC. On CIAN's part, the FDC was an unknown entity in an unfamiliar political and social environment.

These "founding" factors, or parameters that helped define the relationship related directly to other more substantive considerations, that of resources, and knowledge.

Resources: The FDC would need to establish a resource base that was not dependent on CIAN if it was to become self-sustaining. CIAN was not able to play the role of a funding agency; it was able to offer technical assistance, administrative guidance, a network, some financial and material support, and a commitment to stay engaged for the long term.

The challenge confronting both parties included the physical distance between Romania and Canada, and related costs of carrying out a collaboration; the competitive funding climate in which conflict resolution bodies were functioning; the extreme lack of even basic administrative resources of the FDC; the inherent difficulty of conducting business in a transitional Romanian society where

international communications were difficult, let alone the local challenges of organizing and conducting business.

These mutually recognized resource limitations required an approach that economized on resources, placed an emphasis on the practical and sustainable, and virtually reinforced a philosophical view of collaboration rather than paternalism, mutual respect rather than chauvinism, the role of CIAN as a facilitative as well as an expert body, the use of elicitive approaches rather than prescriptive.⁴²

The “culture” of an initiative to build conflict resolution capacity in Romanian society was being formed in part through self-conscious attention to principles and in part by objective reality. A third major influence on methodology was knowledge.

Knowledge: It was apparent in the request from the FDC that the transfer of knowledge of conflict resolution from CIAN to the FDC, and through the FDC to Romanian society was the principal focus of the collaboration. The question remained, however, whether western models of conflict analysis, prevention and resolution were appropriate to Romania. What was the typical Romanian response to conflict? What mechanisms existed in Romania society for the non-violent expression and resolution of conflict? What skills did people have in conflict resolution?

Additionally, the challenges relating to knowledge were broadened by the nature of the context in which the FDC was operating: a situation where there was no history of nongovernmental actors in society and only one or two year’s

⁴² Lederach is also to be credited with developing, in the training context, the distinction between prescriptive and elicitive approaches. (See Beyond Prescription, 1991; Preparing for Peace, 1995.)

experience of founding, leading, and administrating an NGO. An excerpt from the FDC's information materials reads as follows:

Created by a group of dedicated people who are deeply concerned with the development of the Rule of Law, Democracy and Human Rights in Romania, in a time of fundamental changes that Romanian society has to face, Foundation for Democratic Change is a non-governmental organisation which first of all intends to develop New constructive ways of conflict management, especially by third-party, consultation, which could represent a solution for the many present conflicts in the Romanian society.

The break down of the communism finds Romania in the situation of re-defining its both political, economic and social co-ordinates.

If at the political or economic level, progress can be made faster; at the social level steps forward are smaller and more complex. Romanians are now in the situation to fight their own old philosophy of life and mentality, also their understanding of the role of the individual in a democratic society. Individuals are still sensitive to manipulation and demagogic discourse, also to the paternalist habit of overcoming difficulties, Romanians are still confused about the true meaning of their rights and freedoms, about how to use them or to claim their rights to be respected. They have to learn how to free themselves from deeply rooted prejudices and ideological patterns, also to learn tolerance and the need for mutual understanding and co-operation. (Appendix B-3)

To fulfil all these, political and economic references are not enough, and political culture and civil society should be developed. (Appendix B-3)

Why we are needed?

In the nowadays Romania, this political culture is expected to be provided mostly by civil society actors than by governmental agencies. The Romanian civil society however finds itself at its beginning and it still vulnerable.

Furthermore, the role of its actors is complex and sometimes paradoxical. On one hand, they have to organise their structures and strategies, also to keep pressure upon the state's behaviour; On the other hand, the same actors should also help the State to strengthen those powers that are necessary for the development of democracy.

These are challenging tasks for the newly created NGOs that have to face themselves financial problems, lack of experience and the reluctance of the

governmental partners, and also the need for action in different fields at the same time. Thus, specific and specialised activities should be developed.

Finally, individuals involved in NGOs and civil society projects need a permanent training about both philosophical background and concrete steps of their actions. Thus the necessity to train the trainers should always be observed.

For all the above mentioned reasons, and:

- considering all these aims and gaps and being aware that one of the main and more tensional area that has to be dealt with, is the one of inter-ethnic relations;
- taking into account that more coherent steps for the improvement of the protection of Human Rights in general, and Minority Rights in particular, are still needed to be made;
- being aware that neither governmental agencies nor civil society actors are yet familiar with concepts and methods of conflict-management and third part mediation;
- being finally concerned that Human Rights education and political culture are as important as economic and political reforms are for the development and consolidation of democracy.

We believe that the Foundation for Democratic Change, as an organisation with an educational vocation is necessary and can be helpful for the promotion of the democratic values and active participation within Romanian society.

On the part of the FDC, therefore, knowledge of substantive matters relating to conflict resolution and knowledge of operating a nongovernmental organization were both challenges.

For its part, CIAN had little knowledge of Romanian society, it lacked knowledge of what of conflict resolution might be transferrable to Romanian society.

4.3.1.2 Specific Methodological Considerations

The three broad parameters (nature of the relationship, resources, and knowledge) provided a methodological framework. The case became one of action research in applied peacebuilding using the following Methodology:

- Step 1: Information Exchange and Orientation.
- Step 2: Needs Assessment.
- Step 3: Strategic Planning.
- Step 4: Program Design.
- Step 5: Program Implementation.

Step 1 might be described as the “preparation” stage of the case and the other steps as the “action” stage. The distinction is somewhat artificial, however, as all five steps were interactive and dynamic: the participatory, collaborative nature of the initiative was sustained from the first contact.

For analytical reasons, however, Step 1 is presented here as Preparation and the others as Action.

4.3.2 Preparation

The preparation stage consisted of three elements:

- (i) the exchange between FDC and CIAN of written information and any relevant background documentation;
- (ii) an orientation session in Canada;
- (iii) research on Romania conducted by CIAN to develop a “situation report”.

4.3.2.1 Information Exchange

Descriptions of the organizations, their objectives and a preliminary list of potential funding sources were exchanged. Contact and communication between Canada and Romania was not always easy; communications technology was frequently changing in Romania and the FDC did not have an office or established place of business.

4.3.2.2 Orientation Session

To contribute to a preliminary knowledge base for continuation of the project in Romania two representatives for the FDC visited Canada in 1995 and attended courses in conflict analysis, negotiation and mediation delivered by CIAN. The FDC delegates were also introduced to potential Canadian funding sources and visited CIAN's offices to view its mode of operation. (Appendix B-4, B-5, B-6)

4.3.2.3 Romania Situation Report

Based on materials provided by the FDC, Helsinki Watch, EU Country Report, the AUBG Aspecter, the OSCE, and the Economist, the following Situation Report was developed:

During the Communist era, Romania's minorities were subjected to systematic and comprehensive denial of basic rights. Since the fall of Nicolae Ceausescu, the government, led by Ion Iliescu, has paid lip service to pluralism and protection of minority rights. Recently, however, there has appeared to be a resurgence in xenophobia and nationalist sentiments, especially between Romanian and Hungarian groups at the local level. And now some of the leaders of these groups known to have been exacerbating tensions have entered politics at the national level.

Though the National Salvation Front (NSF) -- subsequently the Democratic National Salvation Front (DNSF) after the 1992 election and now the Social Democracy Party of Romania -- repealed most of the unpopular laws concerning minority rights, its leaders have been seemingly unable, or unwilling, to implement their policies effectively at the local level. For reasons of self-protection, therefore, the Hungarian community formed its own political party, the Hungarian Democratic Union of Romania (HDUR), contested seats in areas with substantial Hungarian populations, and demanded the reinstatement and expansion of cultural rights. Ethnic violence has occurred periodically, with extremist elements in both communities stirring up trouble and exacerbating tensions. The 1992 election confirmed the rise of political extremism at the national level -- the newly-named DNSF was unable to form a majority and ultimately formed a coalition with ultra nationalist parties.

Ethnic Hungarians are by far the largest minority in Romania, with figures historically at about 2 million out of a total population of 22 million for the whole country. This group has been the target of most of the recent anger of the Romanian nationalists, although the smaller Gypsy community has historically suffered worse persecution. The 1992 census reported that Hungarian numbers had fallen to about 1.6 million, prompting Hungarian accusations that a form of ethnic cleansing was being practised.

The fall of the Ceausescu regime precipitated violent inter-ethnic incidents like the troubles in Tirgu Mures in 1990, when ethnic Hungarians in Transylvania demonstrated for expansion of cultural and linguistic rights and were subsequently attacked by Romanian nationalists. This situation could not be controlled immediately by the transitional national authorities. The government deployed troops and tanks to quell the unrest. Several people were killed and a state of emergency was declared. Tensions were not eased by the lukewarm condemnation of nationalist excesses by leading politicians. Romanian fears of a Hungarian

irredentist agenda were also fanned by members of the HDUR, and by remarks by politicians in Hungary.

After a brief respite, tensions appeared again in May 1992, when the mayor of Cluj-Napoca, Gheorge Funar (now head of the right wing Romanian National Unity Party), ordered the removal of Hungarian-language street signs from the city. Furthermore, the ethnic Hungarian prefects of Covasna and Harghita were replaced by ethnic Romanians. The government tried to calm the situation by appointing parallel prefects but later lost credibility by removing the only Hungarian State Secretary in the government.

Though an agreement was signed between government representatives and leaders of the Hungarian community in July 1993 guaranteeing bilingual street signs in certain areas and the training of Hungarian-speaking school teachers, by early 1994 ethnic discrimination was still openly pursued in parts of Romania. Evidently the government has not been serious in its commitment to protection of minority rights or else been unable to control or influence elements who are dissatisfied with the transition process.

In late 1993, President Iliescu attempted to combat a rise in xenophobia by taking action against extremist groups and anti-semitism in the media. Among other initiatives, he ordered judicial proceedings against a Romanian-language publisher of "Mein Kampf."

Other significant minorities in Romania include an 80,000 German community, down significantly from a decade ago since 100,000 emigrated in 1990. The Gypsy community, meanwhile, is estimated to number approximately 500,000.

The most disturbing trend in ethnic relations in recent years has been the tendency for tensions to move from the local scene to the national political stage. A 1995

Economist report noted that the ruling Social Democratic Party had signed an agreement the previous summer with the openly anti-semitic and generally racist Greater Romania Party (Romania Mare - RM). This pact also involved the former Communists - now named the Socialist Labour Party - and was subsequently joined by the avowedly anti-Hungarian “Romanian National Unity Party” (RNUP), headed by Gheorghe Funar.

These extremist parties, through members’ influential positions in the media, culture, and education, have sought to resurrect and promote their hero Marshal Ion Antonescu, whose army fought alongside Nazi German forces in the Second World War and who sent hundreds of thousands of Jews and Gypsies to camps in Poland. Extremists proudly unveiled a statue of the Marshal earlier this year; state television produced a documentary of the event portraying Antonescu as a great man, and the Ministry of Culture distributed it throughout the country.

The sense of security in Romania has suffered also from the recent upsurges in nationalist sentiment in the two major ethnic communities. A collaborative project by CIIAN and the FDC would be immensely valuable as a means of bringing different opinion-groups together in a cooperative effort to promote consensus-building.

4.3.3 Action

4.3.3.1 Needs Assessment

The author and a research assistant visited Romania in early 1996 to conduct a needs assessment. The report is as follows:

The purpose of our visit to Romania was to ascertain what the need was, and how it might be met. What degree of support did our partner, the FDC, enjoy? To what extent did the theories and techniques of conflict resolution have the potential to take root in Romanian society?

Our needs assessment was designed to encompass the input of a broad cross-section of Romanian societal actors. The Dean of the Academy of Economics, Professor Viorel Lefter, University of Bucharest spoke highly of the involvement of the Université de Montreal and McGill University in the MBA program administered through the university. He also spoke of the need for conflict management techniques in a labour union - private sector context.

We were greeted enthusiastically by a group of graduate students at the Academy of Economics who, after our presentation expressed a keen interest in learning more about conflict management techniques through third party consultations. Within this group there was interest in being research assistants to the larger project as well as the potential for dispute resolution trainees.

The Institute for Law Research an academic think tank, is committed to legal reform in Romania and expressed a keen interest in third party consultation as a form of alternative dispute resolution. The interest centred around its potential in Romanian society as an alternative to the court system. The diversity of this group of academic researchers in all venues of law was promising as they boasted a wide variety of contacts within, and outside of government. The Law Institute expressed a keen interest in having us return, and in supporting the joint initiatives of CIAN and the FDC.

Mr. Russel Marifield of the Technical Assistance Branch at the Canadian Embassy. A proposal for short-term funding from FDC was received warmly and provided financial assistance to our Romanian partners to cover office equipment start up costs.

The prominent Romanian intellectual Stelian Tanase, author and former member of Parliament who now teaches political science at the University of Bucharest and leads the Civil Society Foundation. Mr. Tanase pledged his cooperation with the FDC and offered his help in translating and disseminating information related to conflict management.

At a conference of young political leaders organized by the Foundation for Pluralism. the interest in conflict resolution was so keen that after our initial presentation we were invited to follow up discussions on the subject

of conflict management. After the discussions several leaders expressed interest in becoming involved in the project.

A list of needs identified through our assessment included:

- ▶ financial resources to manage the basic operation of a new NGO in an emerging democracy;
- ▶ an office for the FDC;
- ▶ written materials in Romanian on conflict resolution;
- ▶ training for the FDC representatives;
- ▶ public relations campaign to distinguish the FDC initiative from other civil society building NGOs;
- ▶ development of a FDC NGO-government relationship acceptable to funding agencies, giving credibility to FDC while preserving organizational integrity;
- ▶ resources to maintain and build a national and international network;
- ▶ greater knowledge of Romanian conflict management practices and preferences;
- ▶ time and the human energy to address the challenge and these needs.

4.3.3.2 Strategic Planning Session

A series of meetings followed with the executive of the FDC, reviewing the findings of the needs assessment. These meeting were informal, a time to digest the results of the visit to their country of Canadian experts in conflict resolution. It was agreed that a strategic planning session was necessary, facilitated by the author.

4.3.3.3 Program Design

In a facilitated strategic planning session several options for proceeding with its agenda were developed with the FDC. These included:

- ▶ a public awareness function relying almost exclusively on printed materials and presentations by the FDC on conflict resolution to targeted groups;

- ▶ development of a mediation “service” to provide negotiation advice and dispute resolution services in Romanian society;
- ▶ training a team of trainers in conflict resolution who would provide skill development training to targeted sectors through a de-centralized model;
- ▶ creating a “centre” or “institute” for conflict resolution that would conduct research in conflict resolution, public awareness, and provide training through a centralized model.

The FDC decided to adopt the following plan:

- (1) establish offices for the FDC - with the financial support from the Technical Assistance Branch of the Canadian Embassy in Bucharest;
- (2) establish a realistic business plan, to conduct research, develop Romanian materials in conflict resolution, and to prepare the way towards the establishment of a new Romanian Centre for Conflict Resolution;
- (3) identify a core group of Romanians who will play a central role in further CIAN/FDC work;
- (4) pursuing research in conflict management practices in Romania and strengthening its contacts and involvement with other NGO partners;
- (5) develop a “culturally-specific” process of Mediation and Dispute Resolution for Romania that draws together standard system-design and conflict resolution techniques and the in-country knowledge of the Foundation for Democratic Change;
- (6) develop a core training package based on the “culturally-specific” model of conflict resolution.
- (7) pilot test the model among the core group mentioned in (3) above;

- (8) make revisions to the model on the basis of Romanian evaluation and feedback;
 - (9) develop a “train-the trainers” package for use in Romania;
 - (10) work with the FDC to identify resource persons for conflict resolution in Romania and to secure commitments from them and lay the foundations for a solid national conflict resolution network;
 - (11) hold “train-the-trainers” sessions in Romania for selected participants;
 - (12) assist the Romanian trainers in launching a number of regional workshops aimed at:
 - ▶ creating a network of potential resource-persons available for conflict-resolution endeavours; and
 - ▶ identifying a cross-section of sectoral leaders who are committed to peaceful conflict resolution mechanisms; and establishing linkages with them and obtaining feedback from them.
- (Appendix B-7)

4.3.3.4 Status Report

A chronology of events and activities to build a capacity in Romania for conflict resolution includes:

October, 1994 - Initial Contact between FDC and CIAN in Austria at OSCE;

November to January, 1995 - Information Exchange/Situation Report;

February to May, 1995 - Fund raising for FDC representatives to visit Canada;

June to July, 1995 - preparations for FDC visit to Canada;

August, 1995 - FDC visit/technical training /orientation;

September to December, 1995 - correspondence/ preparation of funding request to conduct needs assessment in Romania;

January to February, 1996 - final preparations for visit to Romania;

March to April, 1996 - needs assessment, strategic planning session in Romania;

May to June, 1996 - major initiative in Canada by CIAN to secure funding for long-term program development as per strategic plan, networking by FDC in Romania and funding search;

July to December, 1996 - major funding proposal in Canada declined, FDC office established on limited funds, research in Romania on conflict resolution commences, funding applications prepared in Romania to EU-Phare for minimum infrastructure and workshop on conflict resolution;

January to February, 1997 - preparations for large-scale multisectoral workshop on conflict resolution planned for Romania, overture to FDC by American NGO, Partners for Democracy, to fund a centre for conflict resolution in Romania; (Appendix B-8)

March, 1997 - high profile workshop with middle level leaders attending from various sectors, funding agencies, CIAN representation and presentation, and report on ongoing research on conflict resolution in Romania;

April to June, 1997 - funding applications in Romania approved to conduct targeted workshops with legal and public administration leaders;

July, 1997 to present - preparations for a stand-alone Romanian centre for conflict resolution. (Appendix B-9)

CHAPTER 4: Case 2: Conflict Resolution
Capacity Building In Romania: The Long View



Figure 23: Romania View #1



Figure 24: Romania View #2

4.4 CONTRIBUTIONS FROM THIS CASE

Among the various new nongovernmental organizations created in the first days after the Romanian revolution, the Foundation for Democratic Change was the only one that was dedicated exclusively to creating a capacity in Romania for non-violent conflict resolution. The challenges were enormous. Some of the lessons of this case study include:

- ▶ as the chronology of events and activities shows, the achievements of three years of work may be viewed as a modest start; or they may be viewed as a huge success. Success itself becomes a relative term. In real world cases such as this it is apparent that success must be measured from several perspectives, including:
 - What was the starting point, the “reality on the ground” when the peacebuilding initiative began?
 - What was the declared objective, and was it accomplished?
 - What adaptations to the declared objective and method were required by the circumstances and facts of the situation and were those adaptations made?
 - Are the changes or development in the “right” direction - do they contribute to negative and positive peace?
 - How enduring is the outcome likely to be?
- ▶ The overarching importance of the context in its totality is underscored by this case. What are the political, social, economic, security and cultural factors?
- ▶ The role of time as a factor to consider in setting out to do peacebuilding and in measuring success. This case demonstrates how much time it can take to make progress.

- ▶ The role of resources. Peacebuilding is not something that is “done” by one outside expert to a “recipient”. If it were, that alone would require considerable resources to be a meaningful effort. When peacebuilding is building capacity that has internal integrity, the notion of resources is expanded to include, increase and enhance local/indigenous resources. That said, these local resources, in this case the members of the FDC and their network, were severely taxed. Peacebuilders must bring resources, help find resources, and nurture the resources already in the environment.
- ▶ Peacebuilding is multi-faceted - many actors conducting many activities on many levels is required. The challenge at the level of a specific initiative is to make a constructive contribution. The need for coordination, reduction of duplication, and economies and achievement of efficiencies becomes apparent.

4.5 SUMMARY AND CONCLUSIONS

This chapter provided a brief review of the second of three contributing cases, “conflict resolution capacity building in Romania”. An initial contact with a fledgling NGO, the Foundation for Democratic Change, and a initial assessment of need for peacebuilding assistance suggested that a social-psychological intervention targeted at ethnic Hungarians and Romanians in Romania was required to prevent the escalation of inter-ethnic conflict.

The case demonstrates, however, that greater attention to the context in which a peacebuilding initiative is planned and a more accurate assessment of the likelihood of a conflict to escalate is required to properly focus the peacebuilding

initiative. In this case, the re-focus was a major shift from a specific clinical intervention, most probably a process-promoting workshop, to assisting a Romanian NGO to build the capacity within Romanian society for the non-violent expression and resolution of conflict.

Now two discrete forms of peacebuilding become apparent: social-psychological and institutional. The likelihood of various types of these two general forms being required at the same time and being provided by a number of different actors at different levels within a conflict environment is underscored by the case. Peacebuilding is multi-faceted; yet the need for coordination, reduction of duplication of effort, and achieving efficiencies is also apparent.

This case also demonstrates the importance of resources in peacebuilding, observing the paramount role of local resources. A sustainable peace will require that local people are assisted in ways to build indigenously-appropriate capabilities and the institutional capacity for the non-violent expression and resolution of conflict. Peacebuilding is re-characterized in this case from an “intervention” to “assistance”.

In the next chapter a very particular example of capacity building is featured; that of building a mechanism for the non-violent resolution of Indian land claims in Canada. The relevance of peacebuilding in a mature democracy is examined. The role of the third party peacebuilder as “provider of assistance” is explored more fully through the interplay of the roles of “expert” and “process” consultant. The importance of context and engaging the end-users of a dispute resolution mechanism as partners in its design is underscored, building on the lessons of the Romanian case.

CHAPTER 5

Case 3: Designing A Dispute Resolution Mechanism for Indian Land Claims: Achieving the Possible

5.1 INTRODUCTION

This chapter describes a peacebuilding initiative in Canada. Canada itself is described as a mature democracy, so the definition of peacebuilding comes under study. Is it possible that a society that has relatively little manifest political violence, is clearly not a war-torn society, requires peacebuilding?

Peacebuilding, as striving for the ideal of positive peace (the absence of overt hostility and the absence of structural violence), takes the form here of institutional capacity building. The initiative was to design a dispute resolution mechanism for the resolution of Indian land claims.

Several elements in the Conflict Transformation Framework are evident here. The long term, non-crisis perspective of peacebuilding is apparent: in the absence of

a crisis in a society that is not at war, this peacebuilding initiative engaged the author first in 1990 and resumed in 1996. While the long-term perspective of building peace is thus evident, related ethical questions are considered. Is this a serious effort on the part of one of the parties (Canada) to the conflict, a critical moment in the life cycle of the conflict and a time for a major peacebuilding initiative? Or is it a small step on a very long and steep path? Or merely a palliative? These ethical questions challenged the author on several levels, forcing a choice about what is ideal and what is practical in peacebuilding.

The case also relies on methodology that enlists the end-users of the “product” (the dispute resolution mechanism) to ensure that the product is relevant and that it will be sustainable over the long term. The need for the peacebuilder to combine technical “expert” knowledge and consulting “process” skills is emphasized in the case. Local resources in peacebuilding are once again seen as paramount; the notion of providing “assistance” rather than “intervention” is found in this case, as in Romania. (See Appendix C for supporting documentation.)

5.2 FEATURES OF THE CASE

5.2.1 Peacebuilding Activity

In July, 1996 the Indian Claims Commission wrote an open letter to the Prime Minister of Canada and to the Grand Chief of the Assembly of First Nations to announce that the Commission would terminate its work on March 31, 1997. The Commission, believing it had established its credibility as a fair and independent land claims review body, felt very strongly that the land claims reform process in Canada was not moving quickly enough and that the Commission itself should be replaced by a permanent body.

In response to the Commission's decision to terminate its work, the author was appointed to conduct an independent review of the Commission. The case work involved an assessment and review of the Indian Specific Claims Commission's effectiveness, the development of recommendations directed at making a more effective claims resolution process in Canada, and the design of a land claims dispute resolution mechanism for Indian land claims in Canada. ⁴³

5.2.2 Social Structure - Target Population

The technical tasks associated with the assessment and review of the Indian Claims Commission involved senior officials in the Government of Canada and in the Assembly of First Nations, the coordinating and political body of the indigenous North American tribes in Canada. The product of the work, including the newly designed dispute resolution mechanism was directed at senior political (ministerial) leadership in the Government of Canada and the Chiefs of the First Nations of Canada.

5.2.3 Stage of Conflict Escalation

The Indian Claims Commission was created as an interim body in 1991 to improve the Indian land claim settlement process in Canada. It was created in a highly charged political and social environment after a major armed confrontation between Mohawk Warriors and the Canadian Armed Forces in Oka, Quebec. (See Figure 25.)

⁴³ In Canada there are two major types of land claims brought by indigenous peoples: comprehensive, and specific. Specific claims are in cases when a treaty exists and a First Nations asserts that there is a violation under the terms of the treaty. A comprehensive claim may lead to a treaty.

Historical records show that there has been tension and distrust between aboriginal peoples (First Nations) and the Canadian Federal Government (the Crown) since the beginning of their tenuous relationship in the 18th century. For example, from 1906 to 1910 a series of protests were organized by the Chiefs of British Columbia when the Couichan Petition lobbied for the inclusion of native representatives when making land use decisions.

Recent history shows a pattern of acts of protests, civil disobedience and armed resistance since 1969, the year the Government of Canada released its White Paper, a statement of policy regarding First Nations and Federal government interactions. The conflict is marked by a pattern of escalating violence with eight (8) recorded political clashes between 1980 and 1990, and armed resistance and two deaths in the 1990s.

The conflict at the time of beginning work on this case can be described as having manifest itself in some violent outbursts and being in a (possibly protracted) escalatory phase. In a July, 1997 newspaper article in the *Ottawa Citizen* the Royal Canadian Mounted Police are reported as predicting native militancy:

‘Aboriginal militancy will increase in the summer of 1997, particularly in British Columbia,’ says the newly declassified report. ‘Land claims and unresolved treaty issues will be at the root of most instances, and the federal government’s lukewarm response to the 1996 Royal Commission on Aboriginal Peoples Report, and its proposed amendments of the Indian Act, will exacerbate the situation.’ (See Appendix C-1.)

The type of conflict is “political clashes” on the turmoil dimension at the middle to upper level of Polarization, Stage 2 of conflict escalation. (See Figure 26.)

CHAPTER 5: Case 3: Designing a Dispute Resolution Mechanism For Indian Land Claims in Canada: Achieving the Possible



Figure 25: Canada View #1
Mohawk Warriors and Canadian Armed Forces Confrontation

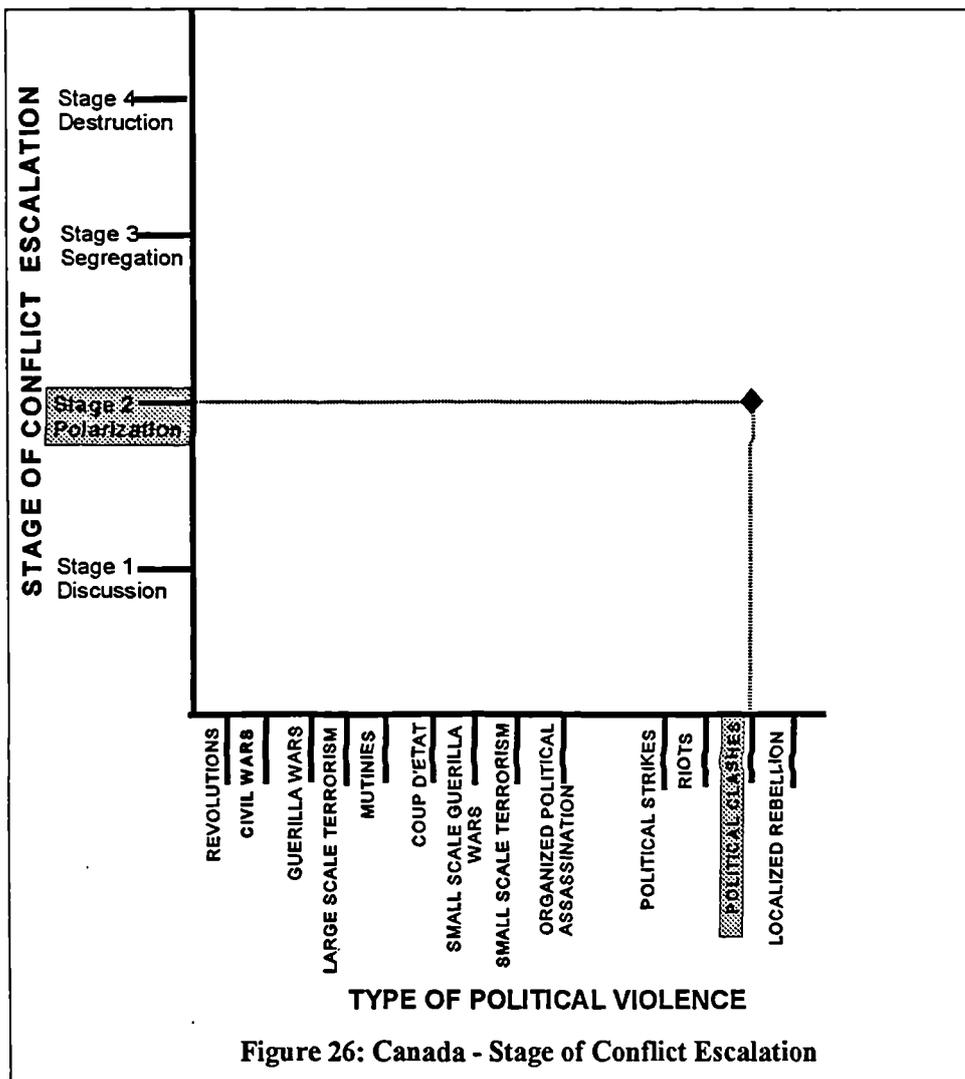


Figure 26: Canada - Stage of Conflict Escalation

5.2.4 Duration of Intervention

The author was given the assignment by the Assembly of First Nations and the Government of Canada in September, 1996. Work was to be completed by November 30, 1996. The three month assignment came about, in part, on the basis of research conducted in 1990 (Hoffman, 1990) on the use of conflict resolution techniques, such as mediation, in land claims in Canada. Thus, the involvement in this case may be described as extending over a six year period, although not continuously.

5.2.5 Ethical Considerations

Some of the problems raised by the Indian Claims Commission's resignation had been anticipated by the author in the earlier research conducted by the author in 1990. In fact, many of the recommendations to the Government of Canada that were based on the 1990 research had not been acted upon at that time, including some addressed to the newly constituted Indian Claims Commission.

This history raised the ethical dilemma as to whether the Government of Canada and the Assembly of First Nations were prepared to act upon the findings that would arise from this assignment. A related consideration was whether the assignment, which had sweeping terms of reference and appeared to be a potentially significant case, would be shaped largely by political and bureaucratic influences so that the outcome would be seriously compromised. Was this a critical moment in the life cycle of the conflict and a time for a major peacebuilding initiative? Or was it a small step on a very long and steep path? Furthermore, was it merely a palliative?

These ethical considerations were a preoccupation throughout the assignment, especially in making recommendations for improving the claims resolution process and in designing the dispute resolution mechanism. There was a constant tension between the ideal and the realistic, the theoretically correct and the practical.

5.3 THE INTERVENTION

5.3.1 Methodological Considerations

5.3.1.1 General Methodological Considerations

Four specific parameters influenced the methodological approach adopted in this case. The first was the Commission's mandate; the second was the mandate given the author; the third was the fundamental focus of the intervention, a technical task of designing a dispute resolution mechanism for the resolution of Indian land claims; the fourth was the time frame in which to complete the work. (Appendix C-2)

First, the Indian Specific Claims Commission's mandate, under the authority of the Inquiries Act, is to:

- (1) inquire into and report on:
 - (a) the rejection of a specific claim by the Minister, or
 - (b) compensation criteria that apply in the negotiation of a settlement;
- (2) provide advice and information to the Joint Working Group on Specific Claims;
- (3) prepare an annual report and such other reports as the Commission considers to be required to the Governor in Council; and

- (4) provide mediation to the parties when both parties request it.

Second, in accordance with the Terms of Reference of the assignment, the task was to develop recommendations concerning the following key objectives:

- ▶ the mandate such a Commission must have to be an effective dispute resolution body;
- ▶ the authority such a Commission must have to execute its mandate;
- ▶ the context necessary to facilitate proper execution of its mandate;
- ▶ the design of the dispute resolution mechanisms embodied in and provided through the Commission; and
- ▶ the legal, procedural, financial and administrative considerations related to the operation of the Commission.

Third, the author's knowledge and experience in designing dispute resolution systems informed the Review, such that the review:

- ▶ tested the Commission's effectiveness and experience against measures of success applicable in the field of alternative dispute resolution. These measures include accessibility, flexibility, transaction costs, client satisfaction, and measures of restorative and reparative justice;
- ▶ examined the relevance and relationship of the three principal methods of dispute resolution (Power, Interests and Rights) as they bear on the mandate and procedures of the Commission;
- ▶ identified the resistance or constraints to dispute resolution as they may have impacted the Commission or will affect future efforts (Issues of: Human Resources, Organizational Culture, Power, Organization Strategies, Resources, Leadership);
- ▶ examined the Commission as a conflict management system along dimensions which correspond to the following "characteristics" of a conflict management system:
 - Boundaries - mandate, authority, legal, human and fiscal resources;

- Purpose - the degree to which the Commission's purpose reflects Canada's and the AFN's preferred response to specific claims;
 - Inputs - the raw material of the Commission (as a dispute resolution system) are the disputes it is to resolve. What are these disputes? Are they appropriate?;
 - Transformation - in discharging its function of transferring disputes into resolution and impasses into results, the Commission uses processes such as: intake; information gathering; investigation; meetings and community sessions; written and oral arguments; facilitation and mediation. These "transformation" functions were examined;
 - Outputs - what is the output expected of the Commission? (withdrawals, decisions, agreements, settlements). What have the Commission's outputs been? How productive has the Commission been, and of what value the products? And to whom?;
 - Feedback - what feedback has the Commission received from its clients, related constituencies, employees and others regarding the adequacy, quality, cost and perception of fairness with respect to its functions, services and results?; and
- ▶ examined the Commission against 3 key dispute resolution system design scenarios: whether, when, how:
- Whether:** is the Commission an appropriate mechanism to address the concerns it is requested to deal with?
- When:** does the Commission address these concerns at the optional time in their conflict life cycle?
- How:** is the Commission doing the appropriate things to address the concerns that were before it?

Fourth, time was of the essence.

5.3.1.2 Specific Methodological Considerations

A specific methodological approach was adopted in view of the four parameters. The approach included the following elements:

- (i) Research was organized thematically to deliver data directed at making recommendations responding to the key objectives. The themes were: the Commission's Authority and Mandate; Structure; Administration and Resources; Products; Process; and the Context within which the Commission operates.
- (ii) All researchers familiarized themselves with a basic body of documentation so that even the most technical administrative matters to be reviewed (i.e. administrative procedures, staffing) were examined from a "product deliverable" perspective.
- (iii) A "concurrent research process" was used so that information was exchanged across the team on a frequent basis so as to develop increasing levels of focus and refinement.
- (iv) A "utilization-focused" evaluation methodology was employed to solicit the views of key decision makers and end-users of the Commission's services.
- (v) A focus group drawn from The Department of Indian Affairs and Northern Development (DIAND), Justice Canada, Assembly of First Nations, and the Commission was convened toward the end of the review to participate on an informal basis in a claims resolution co-design exercise.

Methodology:

The methodology (Appendix C-3) included:

- ▶ An extensive document review.
- ▶ Individual interviews with key informants.

- ▶ Separate group sessions with officials at DIAND, the AFN, Justice Canada, the Privy Council Office.
- ▶ A meeting with the Commissioners.
- ▶ A broad survey of the 66 cases the Commission has previously or is now dealing with:
 - ▶ An in-depth case study of six inquiries conducted by the Commission.
 - ▶ A review of the cases of rejected claims which could have gone to the Commission but did not.
 - ▶ An international comparative study.
 - ▶ Observation of “community session” held by the Commission in Wabasca-Desmarais.
 - ▶ An informal claims settlement process co-design exercise utilizing a focus group with participants from DIAND, Justice, AFN, and the Commission.

5.3.2 Preparation

5.3.2.1 Readyng the Research Team for Concurrent Approach

The comprehensiveness of the assignment, the context of an escalating pattern of violence in the conflict between indigenous peoples in Canada and the Canadian government, the extremely narrow time frame in which to conduct the study and make recommendations that could be acted upon, and the fact that a Canadian federal election was some six to twelve months on the horizon were factors that influenced preparation. Several things would need to happen quickly, and the quality of the work could not be compromised by any limiting factors.

Preparations thus entailed:

- ▶ Recruiting, briefing and preparing a multi-disciplinary team to conduct the work. Members included: an expert in conflict resolution and dispute resolution system design; an aboriginal affairs policy analyst and researcher; an international relations expert to bring an international comparative perspective to bear on the work; a lawyer; a management consultant with business and financial administration expertise; a research assistant in international conflict resolution; and a supporting administrative and secretarial staff.
- ▶ Accumulating volumes of supporting documentation and establishing a reference library and data base.
- ▶ Building knowledge at the team level of applied research, emphasizing the interactive features of data collection and the use of a focus group of end-users (Government and First Nations) to co-design the dispute resolution mechanism that would be presented as the centrepiece of the assignment.
- ▶ Exploring at the team level the ethical considerations of the project. The history of the relationship between First Nations and the Canadian Federal Government was reviewed, the conflict was mapped, the political climate and specifically the mood of the Canadian people and federal government toward indigenous peoples and their land claims was considered at length, and the strategic dimensions of the assignment were considered. Specifically, the team assessed at the preparatory stage whether it was likely that the Canadian government would take seriously and act upon any recommendations that would give greater independence to an intermediary body responsible for settling land claims brought by First Nations against the Canadian Government. Furthermore, could the Canadian treasury afford to settle all legitimate claims if a fair and equitable mechanism to receive and address them existed? Was it possible that our assignment might be a significant peacebuilding initiative - a step

taken in a democratic society toward an even higher level of positive peace and away from potential violence in what appeared in a prima facie way to be a fundamental imbalance of power between the Crown and First Nations in Canada? Was our assignment a legitimate exercise or would our work be part of a politically motivated “stop gap” - a conflict “management” exercise rather than a conflict “resolution” initiative?

- ▶ Preparations thus entailed a commitment to high professional standards in the technical dimensions of the assignment while remaining sensitive and responsive to the political and strategic dimensions.

5.3.2.2 Data Collection

Data were collected according to the methodology and a number of preliminary findings were determined, including:

- ▶ broad agreement that it is unfair when Canada is the defendant of its actions with respect to a First Nations’s specific land claim and judge of the validity of that claim;
- ▶ broad agreement that Canada’s policy and process for land claims must be reformed;
- ▶ some recognition that there is a need in Canada for an independent quasi-judicial Indian claims body with power to make binding decisions;
- ▶ some recognition that claim “settlement” may be achieved by cash payments to a First Nation when the claim is valid but the “resolution” of the claim, healing, and the restoration of good relations between a First Nation and Canada requires more: in some cases apologies and/or other forms of compensation or “equitable remedies” will be appropriate.

5.3.3 Action

The project was completed on time with a high degree of methodological rigour; what we set out to do, methodologically, was done. A set of recommendations were made and a land claims dispute resolution mechanism (described as the “next step”) was presented as a two year interim model leading to the creation of a permanent independent quasi-judicial tribunal. (Appendix C-4)

5.3.3.1 A Dispute Resolution Co-Design Exercise

The findings were sufficiently controversial on key points such that the value of engaging the end-users of the research in a dispute resolution mechanism co-design exercise became apparent. Representatives of the Canadian Government, the Assembly of First Nations and the Indian Claims Commission were invited to attend a focus group in an unofficial capacity. The findings were re-characterized and presented to the focus group as “voices” rather than hard findings. These “voices” were explored for their implications in designing a dispute resolution mechanism that would be acceptable to all representatives and their constituencies.

5.3.3.2 Report Recommending the “Next Step”

A model, the “Next Step” was presented on November 7, 1996 in the final report, Review of the Indian Specific Claims Commission. (See Figure 27 and Figure Notes.) The “Next Step” was a theoretically-informed dispute resolution system that the team believed was practical, based upon the co-design efforts of the focus group.

A Description of the Steps of the Model and the Explanatory Notes for the “Next Step” read as follows:

Notes for Figure 27

A DESCRIPTION OF THE STEPS OF THE MODEL

1. Once a First Nation becomes aware of possible grievance with Canada, it conducts an initial review utilizing its own resources. It then prepares a preliminary assessment of its findings in the form of a Statement of Grievance. This Statement of Grievance is not to contain all of the detailed research results and legal opinions presently found in a claim submission but contain the type of information which would have been necessary to enable the First Nation to apply for funding to DIAND for in depth research of a potential claim under the existing system.
2. The First Nation submits the Statement of Grievance directly to the Commission.
3. The Commission, upon receipt of the Statement of Grievance, shall notify Canada by forwarding a copy of the Statement of Grievance to DIAND.
4. The Commission shall convene the parties, upon execution of a 'joint process protocol', within an established period of time, in a joint 'Claim Process Review Session' (CRPS). The protocol serves as a process guideline, provides ground rules, and will address issues such as: commitment to good faith dealing, agenda making, participants, authority and timelines. Depending on the nature and complexity of the claim this session could last a matter of hours or entail a series of meetings over time. This process would belong to the parties but must be completed within a time frame of three months. This session helps the parties to articulate the claim, that is, determine what the nature of and the basis for the grievance is so as to better understand and identify the issues. Additionally, the Commission will assess the research and information needs of the parties and review process options. A joint risk assessment of the grievance representing a possible outstanding lawful obligation will be explored. The primary purpose of the process review session is to assist the parties to engage in a case review in a manner that will lead to the most cost effective resolution while recognizing the legitimate interests of both sides. The Commission will also in consultation with the parties assess and determine the funding needs required by the First Nation.
5. During the CPRS, the parties will select a dispute resolution process from the options being offered through the assistance of the Commission. These include a Fast Track process for claims the parties agree that the claim amount is \$500,000 or less; for claims in excess of \$500,000 the

First Nation may elect either to utilize the Dispute Resolution Processes provided through the Commission followed by the existing DIAND Claims process in the event the parties are unable to settle; or proceed directly to DIAND. Mandatory mediation shall be available to the parties once a claim is accepted for negotiation whether the First Nation utilizes the DR processes of the Commission or proceeds directly to DIAND.

6. The Fast Track - In claims following this stream the parties will have a 45 day window, which period of time shall commence at the conclusion of the Claims Process Review Session, within which to negotiate a settlement of the grievance with or without the assistance of the Commission. In the event negotiations are unsuccessful, the matter will come before the Commission for a binding decision. The Commission will make available an arbitrator acceptable to the parties and chosen from an agreed upon roster, to conduct the arbitration. A process will be employed that ensures the hearing will be conducted in a way that is consistent with the concept of a fast tracked system, based upon the submission of written material only. In the event the arbitrator determines compensation is due by Canada to the First Nation the amount of compensation shall be determined within 10 days, failing agreement by the parties, using final offer selection arbitration.
7. If the claim is considered to exceed \$500,000 the Commission is available to assist the parties in obtaining any appropriate dispute resolution mechanism including facilitated negotiations, mediation, neutral or expert opinions, non-binding arbitration.
8. Other than for Fast Tracked Claims, the First Nation shall have the option at any time after the CPRS of submitting its grievance directly to DIAND and to have the matter follow the existing specific claims process.
9. If the claim is accepted for negotiation at DIAND, the parties shall have the option of having mandatory mediation as set out in stage 10.
10. Mandatory mediation shall mean that either party can request the Commission convene a mediation session and the other party shall attend the first session. Following a first session, further participation is voluntary.
11. If the claim is rejected by Canada, the Commission shall move directly to the inquiry stage without the necessity of a planning conference. The Commission shall have the flexibility of employing any of the processes available in Stage 7.

Explanatory Notes

We have designed this model with the view to addressing the strengths and weaknesses we have observed in the current process during our review. We acknowledge the importance of a joint design exercise attended by representatives of DIAND, the AFN, Justice and the Commission which has been most helpful in informing our thinking. We present this Model as a next step in the evolution of processes for resolving First Nation Land Claims. The stages that are set out in the Model (see diagram) and explained in more detail here are reflective of the recommendations contained in Section F.

The key features that inform the design are:

- ▶ Grievances are filed initially with the Commission rather than DIAND, to ensure a perception of neutrality in the beginning stages.
- ▶ The Commission's role begins at the front end of the process, before the parties become entrenched in their positions, to encourage them to work together to determine the nature of the dispute, the process to be employed, and the allocation of resources for its resolution in an efficient and effective way. In this way the overall costs of processing claims may be reduced and the resulting savings be made available for settlements.
- ▶ In order to further the perception of neutrality and to reduce any levels of distrust engendered by Canada not only assessing the claim but deciding what funding will be made available to the First Nation, the Model empowers the Commission with the responsibility of assessing and determining funding needs. This would be done within the parameters of criteria provided to the Commission.
- ▶ An archive of research information on an electronic database, which will be shared by Canada and First Nations, is to be maintained by the Commission. This will assist in reducing the duplication of research presently occurring which results in wasted resources. The creation of a neutral database is also to encourage and support joint fact finding and collaborative processes under the auspices of the Commission.
- ▶ In order to gain experience with the concept of binding authority, we have recommended final offer arbitration in the Fast Track stream following a fixed period of negotiation. This will allow a gradual move towards the Commission having an expanded authority if the

experience is positive, and increase the comfort levels of the parties during any transition.

- ▶ The concept of mandatory mediation is introduced if the First Nation decides to follow the existing claims process after participating in the Claims Process Review Session convened by the Commission. It should be noted that this only applies if the claim is accepted for negotiation and therefore relates only to the issue of compensation. Further, a party is only required to attend one mediation session, following which participation is purely voluntary. Again, this is designed to help the parties become more familiar with the mediation process in a gradual way and allow experience to inform future thinking.
- ▶ In the event a claim goes to the Commission, it will proceed to a full inquiry as many of the steps taken during Planning Conferences should already have occurred during the Claims Process Review Session. Nevertheless, there exists flexibility within the Commission to ensure that whatever process is required at the inquiry stage that was not fulfilled earlier, can then be implemented.

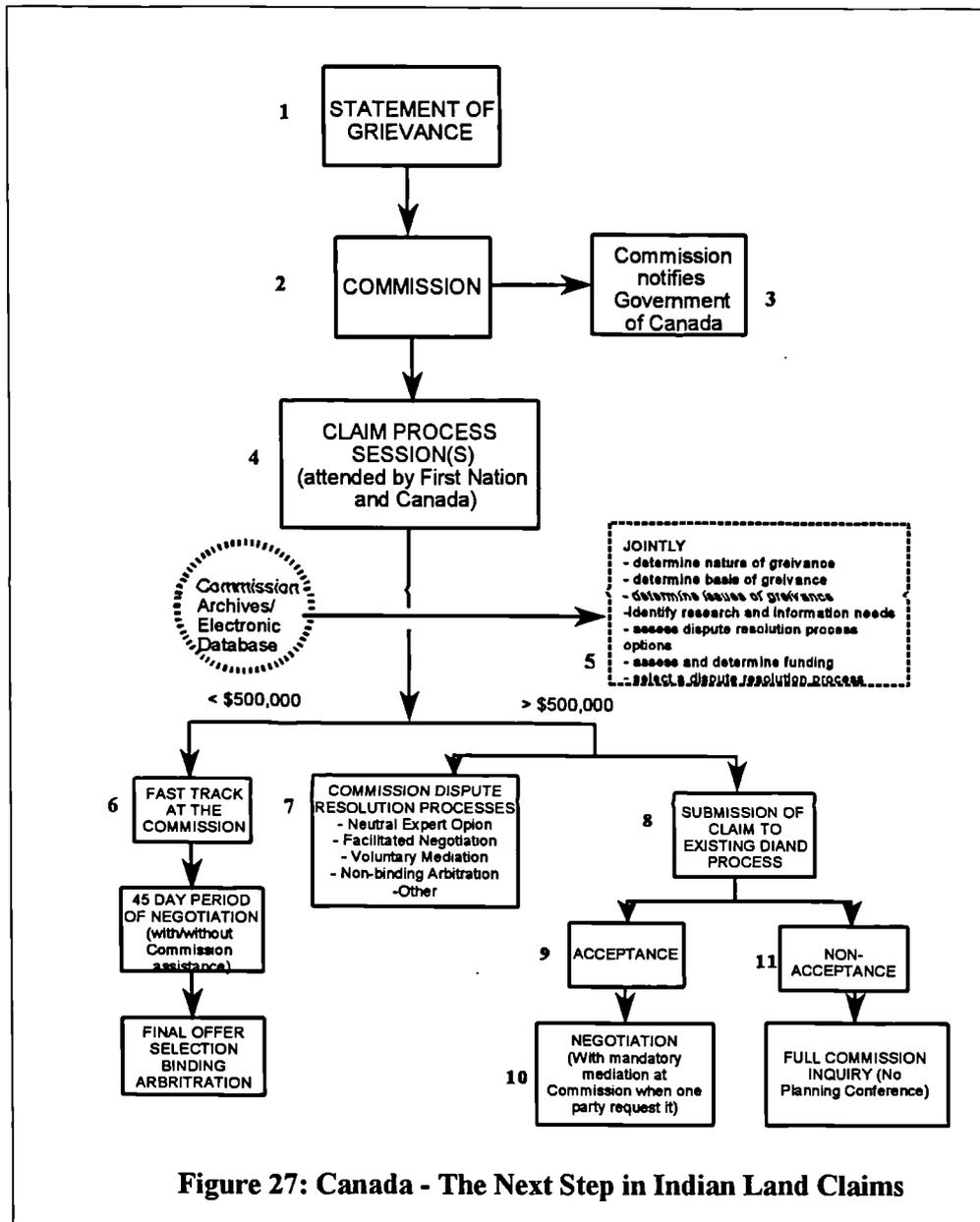


Figure 27: Canada - The Next Step in Indian Land Claims

5.3.3.3 Follow-Up

In late November, 1996 the Assembly of First Nations' Chiefs Committee on Claims requested and received a presentation on the recommendations and model. The Canadian government did not request a presentation.

At the same time that the Review of the Indian Specific Claims Commission was delivered a major, multi-year initiative, the Royal Commission on Aboriginal Peoples was released. The Royal Commission received considerable media attention; other than the presentation to the Chief's Committee there was no immediate response or reaction to the Review of the Indian Specific Claims Commission.

In December, 1996 the AFN reported informally that some of the recommendations were being acted upon immediately.

In January, 1997 the Canadian national newspaper, the *Globe and Mail* carried a story on the Review, indicating that it had recommended that an independent quasi-judicial tribunal be established to resolve land claims.

In June, 1997 the AFN reported informally that the Chief's Committee had requested a status report from Canada on the disposition of the Review.

In July, 1997 the Indian Claims Commission reported favourably on the Review.

In September, 1997 joint Canada - AFN efforts commenced to finalize a new, independent Indian Claims Resolution body.

5.4 CONTRIBUTIONS FROM THIS CASE

Unlike Bosnia-Herzegovina and Romania, this case study in peacebuilding is situated in a democratic society with a free market economy where the rule of law is well established. Canada is thought of as a peaceful, civil society. Occasionally in the past thirty years and more frequently in recent years, Canada has received

international attention related to the separatist cause in the Province of Quebec.⁴⁴ Tensions and armed confrontation between Canada and its aboriginal peoples has not been notable from an international perspective. How, therefore, can this be characterized as a peacebuilding initiative? What contributions does it make that may be applicable to this study's central case in Crimea?

First, several points about the definition of peace are reinforced by this case. Second, the importance of time as a key variable is underscored. Third, this case recalls the point stressed by O'Connell (1991:119):

...those who consider peace to be a concern confined to a morale elite, who cannot tolerate political negotiation or compromise without sullyng their consciences, set themselves apart from the main decision-making structures of society and render themselves ineffective. Moreover, in carrying on a discussion with like-minded persons only in an intellectual ghetto they risk deepening one another's prejudices rather than testing their ideas against a harsh world of reality and its multi-faceted and multi-group search for truth...

This thesis defines peace as both negative peace (the absence of overt violence) and positive peace (a state of affairs in which structural as well as direct violence has been eliminated). With the exception of *sporadic armed confrontation and overt strife* between Canadian aboriginal peoples and Canada, a negative peace reigns. Furthermore, this condition of peace is not something that has been established after a recent period of war or in the context of a war-torn society. Nor is it a condition of negative peace in an emerging democracy and where none of the characteristics of a civil society are established. On the contrary.

⁴⁴ Quebec's 1996 referendum on separation (51.6% "no") received international media attention and the literature on inter-ethnic conflict has begun to refer to the Quebec case. In 1997 *The Economist* carried several stories on Canada and paid particular attention to the Canadian unity issue in the context of reporting on the June, 1997 federal election.

Aboriginal peoples in Canada, however, and according to the findings in the research conducted in this case, Canadian authorities generally, view the Canadian Indian land claims policy and process as fundamentally unfair. The policy and the process are symptoms of a structural violence: positive peace remains a goal not a reality.

This raises the key questions about peace as it is defined here: at what stage or in what state must a society be, to be said to be in peace? Is it an ideal that is never attained? A society may achieve a negative peace and many do. Democracies and civil societies are established and are sustained. Is peace more than this? If it is, then peacebuilding does apply to societies that are already democracies and societies that are civil.

Returning to O'Connell:

The negative element of peace is the avoidance of discord or inflicted disorder in the shape of violence. It is often the most psychologically salient of the elements of peace. . . . While it is easy to point out how inadequate negative peace is, it is worth insisting that such peace is a necessary, though not sufficient condition of positive peace. . . . The danger of concentrating on negative peace, however, is that practitioners and theorists alike may neglect to work on constructing the foundations of peace. . . . In that sense peace can be understood as a *state* at which people arrive or hope to arrive. At best human peace must stay relative and in measure remain flawed. Yet the state of perfect peace in which the lion will lie down with the lamb is a pervasive human ideal. It is, however, the relative nature of human peace that leads us to see peace as a *process*. Involved in any living concept of peace is a set of attitudes among persons that are dynamic and purposeful, that are ready to carry the costs of the search for peace and the elimination of violence and that seek to uphold the values of justice and freedom inherent in stabilizing peace. In short, peace is, in St Augustine's words, 'the tranquillity of order' but it is the tranquillity of a dynamic order that seeks to underpin human co-operation and remove not only violence but its causes. (Woodhouse, 1991: 111)

From this perspective peace may be viewed as an ideal state to be achieved though a dynamic process of co-operation between individuals, groups and states striving

to remove the causes of violence. If violence is one form of expressing conflict, peacebuilding entails building a capacity for the non-violent expression of conflict and the resolution of conflict through the removal of the underlying causes of conflict. If conflict is a normal, everyday occurrence which “arises when parties disagree about the distribution of material or symbolic resources and at on the basis of these perceived incompatibilities” (International Alert, 1996:3) then peacebuilding must consider what it is about people and the conditions in which they exist that will motivate them to co-operate, to express conflict non-violently, and to seek removal of the personal and structural sources of violence - while recognizing that conflict is inevitable.

Designing systems, mechanisms and processes for the non-violent resolution of conflict is thus a central element in peacebuilding.

To answer our first question, then, this case is a case of peacebuilding. The Indian Claims Commission is a dispute resolution mechanism that required review, assessment and improvement. It was a mechanism built in a democratic civil society where structural violence is perceived to exist by the First Nation (aboriginal peoples), some of whom looked to the mechanism as a means of expressing their conflict non-violently with the goal of justice and a measure of peace.

The case suggests that peace becomes an ideal state applicable to societies at all levels of development, including those that are democratic and civil societies; and peace is also a relative term describing the way or process of being in relationship with one another. It is thus a state to strive for and a manner (including attitude and behaviour) that people extend towards one another.

If a mature democracy and civil society as found in Canada requires peacebuilding to improve the processes of relationship and to strive toward a higher state of

positive peace, it can be appreciated how much time it will take to build peace in war torn societies, former totalitarian states, those with no experience of civil society.

Furthermore, this case underlines the importance of having a framework for peacebuilding, if not a theory. Guidance is necessary on practical questions such as what might be achieved first, what time it should reasonably take to build peace and what processes, systems and mechanisms of non-violent conflict resolution are transferable from one society to another.

Finally, this case illustrates the ethical dilemma facing the peacebuilder. Political negotiation and compromise were required. A mechanism had to be developed that would be capable of being adopted by Canada because it did not go too far too quickly and yet was a significant step in the direction of justice and the removal of structural violence for First Nations. Again, the lesson of reasonable goals and expectations for the peacebuilder is evident.

5.5 SUMMARY AND CONCLUSIONS

This chapter presents an example of building the capacity in a mature democracy to raise and resolve Indian land claims non-violently. The public resignation of a government-established Indian Claims Commission, some violent confrontations between the Canadian government and aboriginal people, and a sense that tensions were growing and that the conflict could escalate motivated the parties to consider a new dispute resolution mechanism.

The case illustrates the relevancy of peacebuilding in circumstances when structural violence is present and when the political conflict based on that structural violence has yet to be manifest on a large scale. The definition of peacebuilding used in this study is thus reinforced by the case (destruction of the structures of violence and construction of the structures of peace including the capacity to express and resolve conflict non-violently).

CHAPTER 6

Analysis: Critique of the Conflict Transformation Framework

6.1 INTRODUCTION

This chapter presents a critique of the Conflict Transformation Framework based on analysis of the “contributing cases” (Mostar, Romania, Canada). The analysis and critique are undertaken in the context of the aim of our research: to test the conflict transformation framework with the overall goal of contributing to an “architecture for peacebuilding.”

The analysis of the cases is conducted from two perspectives:

1. the “lessons learned” from the casework; and
2. the “line of inquiry” pursued in the study.

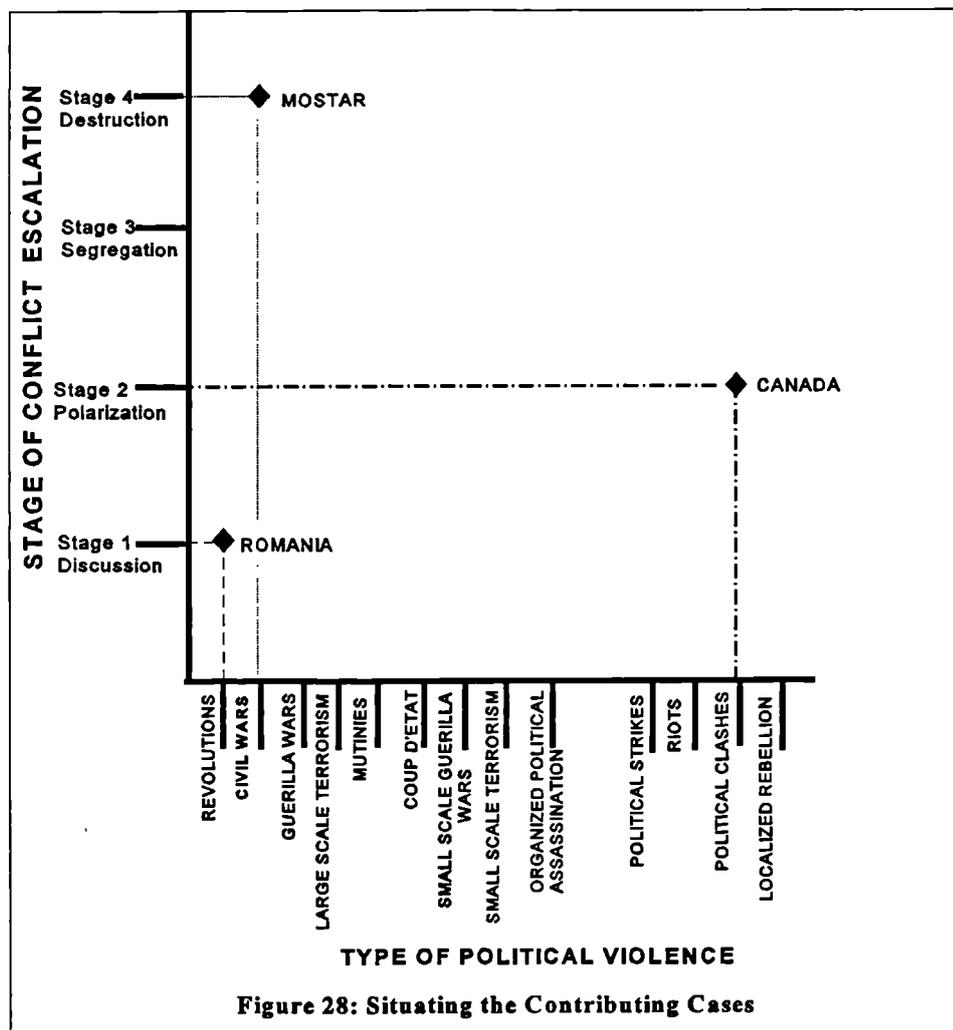
The “lessons learned” is a series of clinical observations derived from a process of critical reflection on the field work in peacebuilding. The “line of inquiry” perspective entails the application to the cases of the three levels of inquiry identified in our Methodology:

Level 1, Lederach's Comprehensive Strategy for Conflict Transformation;

Level 2, Key Issues (as identified in the literature); and

Level 3, Lederach's Imperatives.

The three contributing cases are depicted together here in Figure 28, situated at the intersection of type of political violence and stage of conflict escalation.



An overview of the method applied in the analysis is depicted in Figure 29. The analysis and critique led to the development of a conceptual framework and

6.2 ANALYSIS OF THE CASES

6.2.1 Lessons Learned

6.2.1.1 Case 1: Peacebuilding and Urban Reconstruction in Mostar - A Problem Solving Workshop

The clinical observations derived from critical reflection on the field work in Mostar including the following:

- ▶ Peacebuilding is clinical work: a people-centred activity in a highly complex and sensitive context.
- ▶ Time must be taken to convene and prepare the participants appropriately.
- ▶ The context (security, political and social) is very important to the motivation and ability of individuals in a war-torn society to participate in peacebuilding activities and to the conditions of the intervention.
- ▶ The presence of an imminent or existing peace accord established at the Track I, diplomatic level, does not necessarily foster reconciliation at the community level.
- ▶ The convenor must have time, trust, legitimacy and credibility.
- ▶ Safety is an important variable.
- ▶ The rule of law is critical to civil society.

- ▶ Peacekeeping (including United Nations civilian policing) is necessary to create sufficient order and safety to use conflict resolution techniques to build the “rule of law” and other indigenously appropriate mechanisms for non-violent expression and resolution of conflict.

- ▶ The rule of law may be essential to conflict transformation.

6.2.1.2 Case 2: Conflict Resolution Capacity Building in Romania

Success in peacebuilding is a relative term. What was the starting point? What was the declared objective? Was it met? Or were adaptations to the declared objective required by the facts and circumstances and were the adaptations made?

The overarching importance of the context in its totality is underscored by this case: the political, economic, social, security and cultural factors.

The amount of time required to make progress is great.

Resources are critical and must be available in adequate levels.

When peacebuilding is “capacity building” that has internal integrity the notion of resources is expanded beyond external resources introduced into a situation to the inclusion, increase and enhancement of local/indigenous resources.

Peacebuilding is not something that is “done” by an outside expert to a “recipient”.

6.2.1.3 Case 3: Indian Land Claims Conflict Resolution System Design in Canada

The definition of peace as used in this thesis is reinforced: Peace as both negative peace (the absence of overt violence) and positive peace (a state of affairs in which structural as well as direct violence has been eliminated).

Someone benefits by the current conflict or believe themselves to benefit.

Peacebuilding does apply to societies that are democracies and societies that are civil.

Peace may be viewed as an ideal state to be achieved through the dynamic process of co-operation between individuals, groups and states striving to remove the causes of violence.

(If an ideal, is it a lifetime of work? If it is a lifetime of work, how to measure success becomes important.)

Peace is both a state of striving for and a manner (including attitude and behaviour) that people extend toward one another.

Peacebuilding entails building a capacity for the non-violent expression of conflict and the resolution of conflict through the removal of the underlying causes of conflict.

Peacebuilding must consider what it is about people and the conditions in which they exist that will motivate them to co-operate, to express conflict non-violently, and to seek removal of the personal and structural sources of violence - while recognizing that conflict is inevitable.

Designing systems, mechanisms and processes for the non-violent resolution of conflict is thus a central element in peacebuilding.

If a mature democracy and civil society such as Canada requires peacebuilding to improve the relationship of Indians and the Government of Canada and to remove the structural violence against Indians, it can be appreciated how much time it will take to build peace in war torn societies, in former totalitarian states, in states with no experience of civil society.

A framework, if not a theory for peacebuilding is necessary to provide guidance on practical questions such as what might be achieved first, what time it should realistically take to build peace by identifying the systems, mechanisms, and processes of non-violent conflict resolution that are indigenous and capable of being activated or restored, or external and capable of being transferred and adapted.

A practical, non-elitist approach must be taken by the peacebuilder.

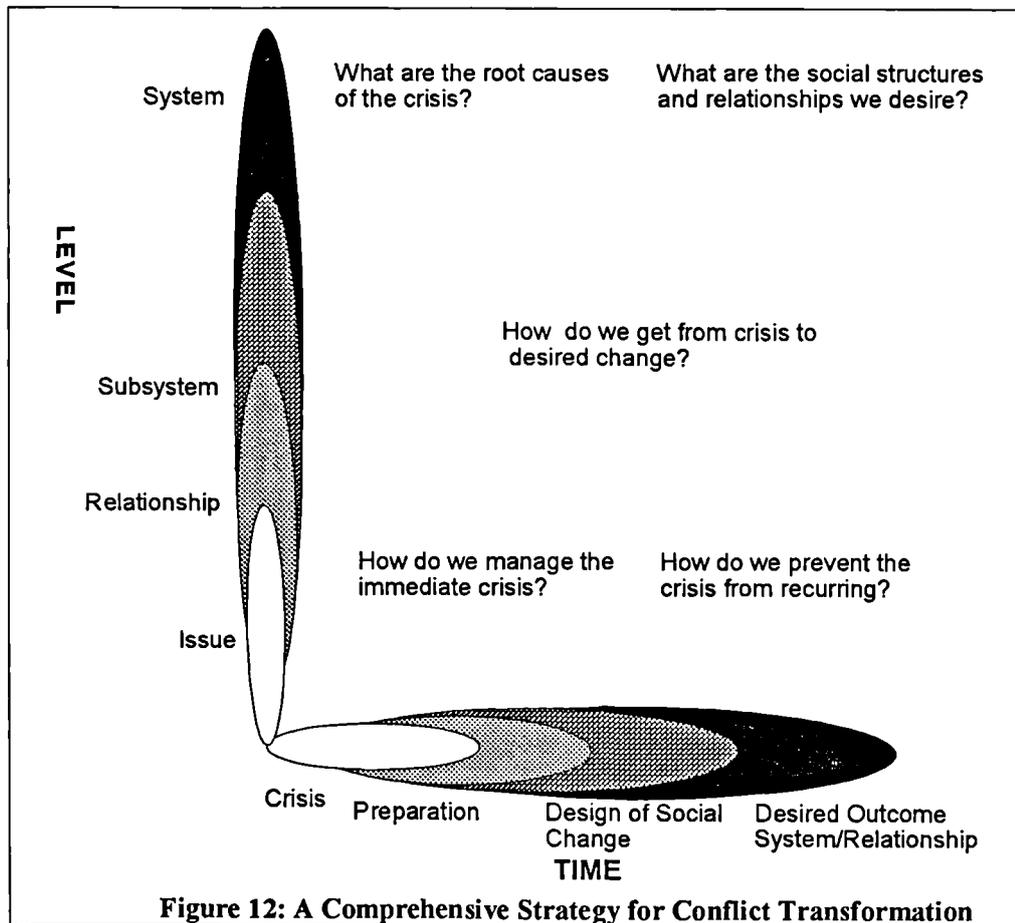
The peacebuilder can expect to face ethical dilemmas: political negotiation and compromise are required to ensure the contribution of something capable of being adopted because it does not go too far too quickly and yet is a significant step in the direction of justice and the removal of structural violence.

The peacebuilder must have reasonable goals and expectations.

6.2.2 Line of Inquiry Analysis

6.2.2.1 Level 1, Lederach's Comprehensive Strategy For Conflict Transformation

Lederach articulated five key questions at different points on the axes of Levels (issue, relationship, subsystem, system) and Time (crisis, preparation, design of social change, desired outcome system/relationship) in his graphic depiction of a comprehensive strategy for conflict transformation. (See Figure 12).



Lederach's five questions were organized for our research purposes in terms of presenting situation; desired outcome; and transformation:

PRESENTING SITUATION	Question One: How do we manage the immediate crisis?
DESIRED OUTCOME	Question Two: What are the social structures and the relationship we desire? Question Three: How do we prevent the crisis from recurring?
TRANSFORMATION	Question Four: What are the root causes of the conflict? Question Five: How do we get from crisis to desired change?

Taking Lederach's view that a crisis-orientation is inadequate, we asserted in the Methodology that, theoretically, the answer to Q1 is informed by the answer to Q2. The answer to Q3 is informed by the answer to Q4. The answers to Questions 1,2,3, and 4 indicate the response to Question 5.

The application of these key questions to the three contributing cases is presented on a case by case basis. The theoretically-informed order of raising and answering the questions is used (i.e, Q1 is informed by answer to Q2; Q3 by the answer to Q4; and Q5 by answers to 1,2,3, and 4).

For each question a "putative" answer is given followed by an "analytical note". The "putative" answer is the researcher's "commonly thought" or "reputed" answer which applied when the field work was being undertaken. The "analytical note" is a theory- and practice-informed observation on the answer from the perspective of hindsight.

The analytical note is a retrospective commentary on the answer itself; on the key questions as articulated by Lederach; their organization into the categories of

Presenting Situation, Desired Outcome, and Transformation; and the order or “logic” of responding to them derived from Lederach’s comprehensive strategy for conflict transformation.

After the three cases have been considered a series of summary observations are presented as the cumulative contribution of the “Level 1” analysis of the cases.

Case 1: Peacebuilding and Urban Reconstruction in Mostar

Presenting Situation:

<p>CASE 1: MOSTAR</p>
<p>PRESENTING SITUATION 1. HOW DO WE MANAGE THE IMMEDIATE CRISIS?</p>
<p>DESIRED OUTCOME 2. WHAT ARE THE SOCIAL STRUCTURES AND THE RELATIONSHIP WE DESIRE?</p>
<p>3. HOW DO WE PREVENT THE CRISIS FROM RECURRING?</p>
<p>TRANS- FORMATION 4. WHAT ARE THE ROOT CAUSES OF CONFLICT?</p>
<p>5. HOW DO WE GET FROM CRISIS TO DESIRED CHANGE?</p>

Question One: How do we manage the immediate crisis?

Putative Answer:

The immediate crisis was a war-destroyed city within a war-torn society divided into two isolated, formerly integrated ethnic populations, Muslims and Croats.

A peace accord had just been signed at the national level and a tentative negative peace existed in Mostar, with intermittent gunfire, alleged political corruption and (organized) crime.

The presenting situation may be described as a relatively stable crisis as opposed to an acute crisis. Basic survival needs were being attended to, there was some degree of movement, efforts to restore services (water and electric), and the beginning of physical reconstruction. Political leadership at the municipal level in the two ethnic enclaves was identifiable and available to international authorities and agencies operating in Mostar.

The overall presenting crisis was being managed by the European Union Administration in Mostar and a transition from UNPROFOR (UN Protection Forces) to IFOR (Implementation Force) was underway. The peacebuilding initiative in this case was in response to an assessed need to restore working relations between selected mid-level “moderate” municipal officials from the two groups so that they might form a “constituency of peace.”

Analytical Note:

Defining “immediate crisis” is difficult in a war torn society context. There are levels at which it can be viewed, from the individual to the systemic. (For example, people might be seriously hurting “on the ground”; from a humanitarian perspective a crisis may therefore be seen to exist but the state may still be operating, the government asserting its sovereign right to act, and from external appearance, seen to be conducting the affairs of state. No “crisis” is seen to exist.)

In the absence of diagnostic questions, attention and resources could be directed in any number of ways: to the people (civilians) or away from them to other targets (the government, warring factions, military, paramilitary or political leaders).

Furthermore, there may be an important distinction to draw between “response” to a crisis as compared to “management” of a crisis. A crisis response, depending on the values, perceptions and resources of a third party and the level being attended to, may involve a response to address individual safety and physical survival where relief (emergency shelter, food, medical services) is a key factor and/or a response of peace enforcement or peacekeeping to bring a halt to violence. If the response is to target resources to halt the violence, it is conceivable that in such cases individual civilian victims will have to fend for themselves.

Thus, the word “management” becomes important. It suggests a critically reflective, pre-meditated intervention. In doing so, it directs us away from an immediate, reflex response to at least one level of remove. Does it take us to Lederach’s question of desired outcomes, ordered as Question 2?

Did Q2 have a place in the peacebuilding initiative in his case?

Consider Q2.

Case 1: Mostar

Question Two: What are the social structures and the relationship we desire?

Putative answer:

Peaceful integration of former fellow citizens, restoration of the City of Mostar, and reconstruction of a civil society.

Analytical Note:

The answer to Q2 places the “immediate crisis” in a long term perspective but fails to give much direction to the specific steps to take to manage the crisis and how to implement these steps.

Taken alone, the question of desired outcomes impresses as dangerous: it is subject to personal values, prejudices, and technical limitations.

Will Q3, concerning preventing the crisis from recurring, be instructive?

Case 1: Mostar

Question Three: How do we prevent the crisis from recurring?

Putative Answer:

When field work was commenced in this case, prevention was assumed to be possible by striving for the desired outcome of an ethnically integrated civil society. Since the two isolated and alienated communities had been integrated prior to the war it was assumed that an intervention focusing on restoring relationships was appropriate. That type of intervention “tool” was in our “tool kit” and it seemed imminently sensible to use it.

The serious trauma of war, the bitterness toward one another, and the resistance of the Muslims and Croats to one another was appreciated. The mere fact that these people had lived together before (“and would have to live together again”) seemed sufficient to undertake the initiative.

Failure to convene the two groups led to a termination of the initiative. Difficulties in convening them, both the result of an increase in tension and erosion of security, and the limitations of the Convenor, began to underscore the depth of the interpersonal and social gulf separating them. It also pointed out how important the political and military context was.

Individual participants risked their lives as moderates in expressing a willingness to participate in the process promoting workshop. Despite the presence of peacekeeping forces and UN civilian police, political control in the groups was powerful and any deviation could put the participants at extreme risk.

Would a more deliberate consideration of Q4, the root causes of the conflict, have changed the intended intervention?

Consider Q4.

Case 1: Mostar

Question Four: What are the root causes of the conflict?

Putative Answer:

Only as the planned intervention met with repeated frustration did the importance of examining the situation and the intervention more clinically (and potentially more responsibly) arise.

Efforts to intervene were not taken in a cavalier manner; and concern for safety was paramount. A deeper assessment of the root causes, however, was not undertaken, overshadowed as that was by the pursuit of the desired outcomes.

Analytical Note:

The appropriateness of the intervention at the stage of the crisis at which it was being introduced, it would seem, was questionable. While participants were indicating a readiness to take the risk because they saw merit in the initiative, it appears that it was “rejected by the context.” It was untenable.

Case 1: Mostar

Question Five: How do we get from crisis to desired change?

Putative answer:

The value of building a local “constituency of peace” comprised of mid-level actors was seen as one of a variety of peacebuilding initiatives, an operationalization of a conflict transformation strategy as set forth by Lederach’s

theory and framework. Other initiatives running in parallel were understood to be ongoing. (Track I diplomatic efforts of peacemaking and peacekeeping.)

Analytical Note:

The importance of examining root causes of the conflict and testing third party assumptions is underlined here. Furthermore, issues of timing and sequencing of interventions and attending to the context, or what the environment will sustain, is important. But this case, and the central role played by “desired outcomes” in

Lederach’s key questions begs a larger question: who determines “desired outcomes”?

**CASE 2:
ROMANIA**

**PRESENTING
SITUATION**

1. HOW DO WE
MANAGE THE
IMMEDIATE
CRISIS?

**DESIRED
OUTCOME**

2. WHAT ARE
THE SOCIAL
STRUCTURES
AND THE
RELATIONSHIP
WE DESIRE?

3. HOW DO
WE PREVENT
THE CRISIS
FROM
RECURRING?

**TRANS-
FORMATION**

4. WHAT ARE
THE ROOT
CAUSES OF
CONFLICT?

5. HOW DO
WE GET FROM
CRISIS TO
DESIRED
CHANGE?

In this case, specifically, how did peaceful integration become the desired outcome? Furthermore, if it is a legitimate desired outcome, how is it achieved and over what time frame?

This case readily shows the pitfalls of what appears to be a premature intervention: was it flawed in other more fundamental ways?

**Case 2: Conflict Resolution Capacity Building in
Romania**

Presenting Situation:

Question One: How do we manage the immediate crisis?

Putative Answer:

There was no immediate crisis in an assessment of the presenting situation. Inter-ethnic conflict between ethnic Romanians and ethnic Hungarians was seen as a significant concern in that reports of violent clashes and ongoing open

hostility suggested that the conflict could escalate to increased levels of political violence.

The “urgency” that presented was related to a more generalized concern that Romania was in transition from a dictatorship and centralized economy to a democracy and market economy and lacked the capacities (institutions, systems, social, political and economic infrastructure) to achieve transition in a timely and peaceful way. Over and above the initial focus on Romanian-Hungarian inter-ethnic relations, the non-violent management of conflict through building conflict resolution capacity in Romanian society appeared to be a critical element of successful transition.

Analytical Note:

The question of “managing” the immediate crisis was less salient: preventing social, political and economic erosion and potential crisis appears to have called for a shift in the perspective to a broader view and a focus on what could be achieved on this broader scale.

Question 2 (the desired social structures and relationships) became salient.

This begs the question of the relative ease with which the diagnostics and required peacebuilding activity can be determined when there is not an immediate crisis; or contrariwise - the potential difficulty of knowing what to do, when, in a war situation. In war perhaps the obvious applies: security and human welfare responses are first. This in turn directs us back to the initial assertion by Lederach that a short term relief perspective is inadequate for conflict transformation.

Consider Q2 in the Romanian case.

Case 2: Romania

Question Two: What are the social structures and the relationships we desire?

Putative Answer:

Based on the representations made by the local nongovernmental partner in this case, the Foundation for Democratic Change, the desired outcome was a peaceful multi-ethnic democratic society.

Analytical Note:

The answer to Q2 became the predominate factor in assessing the presenting situation and determining the peacebuilding intervention. Capacity building, in this case understood as building the capacity in Romanian society for the nonviolent expression and resolution of conflict, was seen as the peace-building activity.

Was there a requirement to answer Q3 to proceed in this case?

Consider Q3.

Case 2: Romania

Question Three: How do we prevent the crisis from recurring?

Putative Answer:

Preventing a potential crisis was a strong initial motivator for the peacebuilding activity.

Question 2-level considerations, however, provided a perspective on the “presenting situation,” placing an emphasis on prevention. (Thus directing the inquiry to Q3.)

The long-term horizon necessary for this type of intervention to meaningfully contribute to a “transformation” of how conflict is expressed and managed in

Romania became apparent. It provided a perspective from which to approach the work and “shaped” what was done.

While resource limitations were a significant factor, limiting what could be done and the pace of doing it, the perspective (capacity building on a societal level in a transitional context) became more salient than the issue of resources. It would take time.

Analytical Note:

Theoretically, the answer to Q3 is to be informed by the answer to Q4: what are the root causes of the conflict.

Was the emphasis in the intervention on prevention (a Q3-level focus) including the importance of perspective, context and time, informed by answering Q4?

Consider Q4, which is theoretically a “transformation” question.

Case 2: Romania

Question Four: What are the root causes of the conflict?

Putative Answer:

The conflict, perceived initially through a narrow lens focusing upon Romanian-Hungarian inter-ethnic relations was assessed in practice from the diagnostic perspective of root causes. The conventional models of explaining inter-ethnic conflict, including concerns with identity and full participation in political processes were considered as explanatory models. The complexity of understanding this relationship, including history, economic and political power were soon added to initial, and what might be called, simple or superficial analysis and understanding.

The intervention included a “tracking” of this presenting concern to monitor relations and efforts to resolve them while working on a broader scale to build a general capacity for conflict resolution in Romania.

Analytical Note:

Question 4, the question of root causes, was critical in this case. The protracted and deep-seated nature of the Romanian-Hungarian inter-ethnic conflict indicated the serious challenge involved in any effort to transform conflict between these two populations. At the same time, their conflict was not lethal, and it was “nested” in a broader context. That broader context was the perceived delicate condition of Romania in the early days of its transition. Ignoring this context, the needs associated with it (and the local partner’s priority of addressing it) might do more to impede improvements in the specific case of Hungarian-Romanian ethnic relations or render them one of many problems that might have been averted through conflict resolution capacity building.

While resources did impact the amount of effort which could be placed in the peacebuilding initiative, the overall context and causes of potential violence rooted in it became determinative of the action taken.

Case 2: Romania

Question Five: How do we get from crisis to desired change?

Putative answer:

Within the parameters of the peacebuilding fieldwork in this case, build the skills and systems for the non-violent expression and resolution of conflict in Romania. Trust that other capacity-building work would proceed at a pace to bring Romania to a state of democracy and market economy. Expect that the transition might take a decade or more.

Analytical Note:

The realization of peacebuilding as a multi-faceted undertaking involving many actors, both internally and externally, was clear. The time horizon of decades rather than years for work of this nature became obvious. The concern that failure on one front might precipitate collapse in the entire system demonstrated the linked nature of a system and the importance of steady progress on many dimensions, concurrently.

**Case 3: Designing a Dispute Resolution Mechanism
For Indian Land Claims In Canada**

**CASE 3:
CANADA**

**PRESENTING
SITUATION**

1. HOW DO WE
MANAGE THE
IMMEDIATE
CRISIS?

**DESIRED
OUTCOME**

2. WHAT ARE
THE SOCIAL
STRUCTURES
AND THE
RELATIONSHIP
WE DESIRE?

3. HOW DO
WE PREVENT
THE CRISIS
FROM
RECURRING?

**TRANS-
FORMATION**

4. WHAT ARE
THE ROOT
CAUSES OF
CONFLICT?

5. HOW DO
WE GET FROM
CRISIS TO
DESIRED
CHANGE?

Presenting Situation:

Question One: How do we manage the immediate crisis?

Putative answer:

After generations of frustration expressed by Indians about the injustice of the Government of Canada's land claim settlement policy, growing tension, years of sporadic violence now perceived to be escalating, and the public resignation of all members of the government-appointed Indian Claims Commission mandated to review claims rejected by the Government, a potential crisis was anticipated. The mechanism of claim settlement would cease to operate, placing pressure upon the government to act immediately or confront wide-spread violent protest by Indians in Canada, as was being threatened.

Designing a credible, balanced, just and mutually acceptable land claims dispute resolution mechanism capable of being implemented in the immediate-to-short term was judged to be the way of managing the emerging crisis.

Analytical Note:

The notion of crisis, of defining it and determining when and if a situation is a crisis becomes a consideration. The government may have had a political crisis that it might have managed by political means; or it might have judged the protestations of Indian leadership as just that, protests that in the wider scheme of governing a state, are one of the daily requirements. In effect, the “crisis” might be felt more at the bureaucratic level where program delivery was impacted and at the ministerial level it would call for issue management but fall short of a perceived crisis.

It is conceivable that even wide-scale violent Indian protest (seizing and occupying property, blocking roads, gun fights or armed stand-offs with government law enforcement or military personnel) would not be perceived by government as a crisis unless certain conditions obtained. Such conditions, for example, could be public outcry from other (non aboriginal) citizens whose lives or property were being disrupted by the Indian actions; international attention to the protests, causing or being perceived by government as having the potential to cause the government some injury; more widely expressed loss of confidence by the electorate in the government (for reasons either sympathetic or antagonistic to the Indians and their cause).

The notion of “managing” the crisis is also a consideration in the context of conflict transformation and peacebuilding. Are crises, or potential crises of this sort to be “managed”? Is it the peacebuilder’s concern to “manage” such things, and in doing so run the risk of serving the power that dominates, of returning to the situation a state of “order” but not necessarily justice?

In this case, a decision was taken that designing a credible, balanced, just and mutually acceptable land claims dispute resolution mechanism *capable of being*

implemented in the immediate short term was judged to be the way of managing the emerging crisis. (italics added)

The peacebuilding activity chosen subscribed to managing an emerging crisis. Was this decision informed by Lederach's paradigm of questions?

Consider Q2.

Case 3: Canada

Desired Outcome:

Question Two: What are the social structures and the relationship we desire?

Putative Answer:

This question was explicitly addressed in responding to the request to intervene. The social structure and relationships desired were identified as: restoration to Indians of their lands and reconciliation of Indians and Canada. Restoration included the potential return of occupied lands rightfully belonging to Indians, compensation for such lands or other remedies as appropriate. Reconciliation was to include healing for past harms and willingness to move forward in mutually respectful ways.

Based on years of prior work by the author on this issue, these social structure and relationship goals were considered to be the goals of the Indians; they were the goals of the third party. There was less certainty that they were the true, or deeply held goals of the government. For to establish a mechanism that would deliver this type of outcome was tantamount to placing a potentially large financial and political burden on the government.

Analytical Note:

Clearly, Canada has a civil society and a relatively undisturbed atmosphere of negative peace. The higher objective of positive peace, removal of structural

violence, appears to be a relevant factor in the case apart from the potential that the negative peace could be disrupted. The nature of Indian-initiated political violence remains a matter of speculation.

There is in this case, however, the appearance of two concerns that may affect the perceptions and motivation of the peacebuilder.

One level of concern appears to be that of avoiding violent conflict. The other is the value placed on positive peace.

The tension between avoiding violent conflict and achieving positive peace is apparent in the choice to do something immediately to manage the emerging crisis (avoid violence) by designing a credible, balanced, just and mutually acceptable mechanism.

Presumably, if the mechanism failed to meet these criteria the peacebuilder would be in an ethical dilemma. Presumably, violence (openly expressed hostility that shatters the negative piece as contrasted with structural violence) is to be avoided at any cost.

What if these two goals cannot be achieved simultaneously? Is ongoing structural violence more acceptable to physical violence and war? In other words, would a flawed mechanism that might achieve some measure of justice be preferred to physical violence? Would a burst of physical violence serve to seize the minds of actors who should be concerned and lead to the construction of a bonafide mechanism?

Does this suggest that Q3, “preventing the crisis form recurring” was a consideration? If it was, how did it shape the intervention?

Consider Q3.

Case 3: Canada

Question Three: How do we prevent the crisis from recurring?

Putative Answer:

Act swiftly to capitalize on the government's perception that it has (or may have) a crisis (however defined or perceived) and strive through best efforts at technical dispute resolution design work, consultation and conflict resolution skills to engage both sides so that the outcome would be mutually acceptable.

Recognize that neither would get all that they wanted, especially since the government has more power and the Indians more need. Stage attainment of the ultimate goal to stop erosion of the negative peace and start erosion of structural violence. Begin to build the structures of peace.

Make certain that the mechanism could be implemented immediately to demonstrate the potential for more just settlements. Point the parties towards the ideal and place them on the road there.

Were root causes of the crisis a factor?

Consider Q4.

Case 3: Canada

Transformation:

Question Four: What are the root causes of the conflict?

Putative Answer:

The root causes of the conflict were a significant factor in diagnostics, ethical considerations, planning the intervention, determining what was achievable, and deciding to proceed.

Analytical Note:

Awareness of root causes, especially when they involve great power asymmetry and a history of oppression, as evident in this case, raise serious issues for third parties. On the one hand, the peacebuilder may wish to achieve too much. To do what the context and the relationship simply will not sustain. The peacebuilder may be so partial to the oppressed that his acceptability to the dominate party may be an issue. The peacebuilder may wish to advocate and act, if not for the oppressed, per se, for the principle of the overthrow of oppression everywhere.

Is this what is meant when it is asserted that peacebuilding is a political activity?
It is not peacebuilding unless the structures of violence are addressed - unless the structures of peace are erected?

Is it possible that nothing short of physical violence will get the attention of some oppressors? If so, does the peacebuilder watch and wait - waiting for enough erosion that rebuilding, or more likely, that building something new for the first time is possible?

Further, would a peacebuilder see fit to become a revolutionary - destroy the structures of violence by taking up the pen, the checkbook, or the gun?

When to act? How to act? How do we get from crisis to desired change?

Consider Q5?

Case 3: Canada

Question Five: How do we get from crisis to desired change?

Putative answer:

As reported, a conscious decision was taken to stage attainment of the ultimate goal by stopping erosion of the negative peace and starting erosion of structural

violence (through design of a dispute resolution mechanism enabling the nonviolent expression and resolution of land claims).

In designing the mechanism make certain that it could be implemented immediately to demonstrate the potential for more just settlements. Point the parties towards the ideal and place them on the road there.

Analytical Note:

Lederach's first four questions as they have been ordered here contributed to the response to Q5.

Questions arise, however, about the term "crisis," the notion of "managing" the crisis within a framework of conflict "transformation," determining the desired outcome and the concept and practice of peacebuilding itself.

6.2.2.2 Summary Observations Arising From Level 1 Line Of Inquiry Analysis

The observations are:

1. The term "crisis" is a loaded word. A dictionary definition of crisis is: the turning point in a disease; the decisive moment, a time of danger or suspense in politics (Webster's Encyclopaedic Dictionary of the English Language, 1988).

The question remains: by whom is the situation judged to be a crisis?

Furthermore, when a crisis is the point of departure for thinking about peacebuilding; the "crisis perspective" skews peacebuilding to those activities taken during or immediately after crisis, thereby limiting the scope of the

conflict transformation agenda. It also challenges the definition of peacebuilding as used in this study.

If peacebuilding is the destruction of the structures of violence and construction of the structures of peace, a crisis-orientation implies that structural violence is tolerated up to the point of crisis. Thereafter, a negative peace is sought, presumably to be followed by efforts to achieve positive peace (within reasonable expectations given the situation).

2. Lederach's key questions, although arguably beginning with and keeping the term crisis in view, direct us away from a crisis response and open the potential for pre-crisis peacebuilding. They do this in directing us to root causes of conflict and challenging us to set sights on desired outcomes in terms of social structures and relationships.
3. When a crisis does not exist, a clearer and more deliberate focus on "desired social structures and relationships" seems possible. The urgent need in a crisis situation to know what to do, when, is relaxed. Peacebuilding as defined in this study is readily recognized in efforts to achieve the ideal of positive peace in systemic interventions as compared to the flurry of emergency, short-term relief efforts.
4. When the focus and related activity is not on short-term urgent relief measures, the long term horizon of peacebuilding is also readily recognized. Relief, if delivered, is its own reward. Lives are saved, trauma is relieved, measurable gains are evident. Transforming structures and social relationships evidently is a long term prospect.
5. Who determines the desired outcomes, however, remains critical. Are the parties at whom peacebuilding is directed able to articulate their preferences

for desired outcomes? Will the prejudices, perceptual biases, strengths and limitations of third parties not only determine when a crisis exists but what the desired outcome is?

6. The peacebuilder seems preoccupied with non-violence. Conflict Transformation is the transformation of violent expressions of conflict, whether structural/systemic or interpersonal. It is also the establishment, potentially, of a means to resolve the conflict.
7. Diagnostic questions are essential to undertake responsible peacebuilding. Asking “What are the root causes of conflict?” will help determine the desired outcomes or at least raise questions of the gulf between “desired outcomes” and “probable outcome.” This may lead to a more realistic assessment of “possible outcome.”
8. “Possible Outcome” is a nexus of the real, and the ideal. It gives some guidance to what can be done, when, and at what level.
9. The strengths and weaknesses (or limitations) of the third party, the actors at which the intervention is directed, and the context in which these interact are crucial in determining the “possible outcome.”
10. The context is understood as a living reality, an environment or “milieu” with powerful influence on the possible. Therefore, more comprehensive models of peacebuilding are required.
11. The changes required to build peace take time. The issue of resources, or resource limitations, while important, is reframed from the peacebuilding perspective. Even if there were all the resources necessary, it would still take time to heal, to change.

12. Making decisions about where to put effort is informed by a multi-level perspective. If a system-level intervention will gradually change the context enough to alter individual perceptions and behaviour, and interpersonal or intergroup behaviour is judged to be at an acceptable level (no violent expressions, limited violent expressions) one might place effort on systemic change.
13. The organically linked and sensitive relationship of individual/ethnic group to social and systemic structures, however, underlines the risk in a uni-dimensional approach to peacebuilding.
14. A holistic view is necessary.
15. A concurrent approach is required.
16. Lederach's key questions in his comprehensive strategy for conflict transformation:
 - (i) help place peacebuilding in a long-term, holistic framework;
 - (ii) help make peacebuilders more accountable for their actions;
 - (iii) provide strategic guidance rather than a formula, blueprint, or plan for specific action steps at specific times.

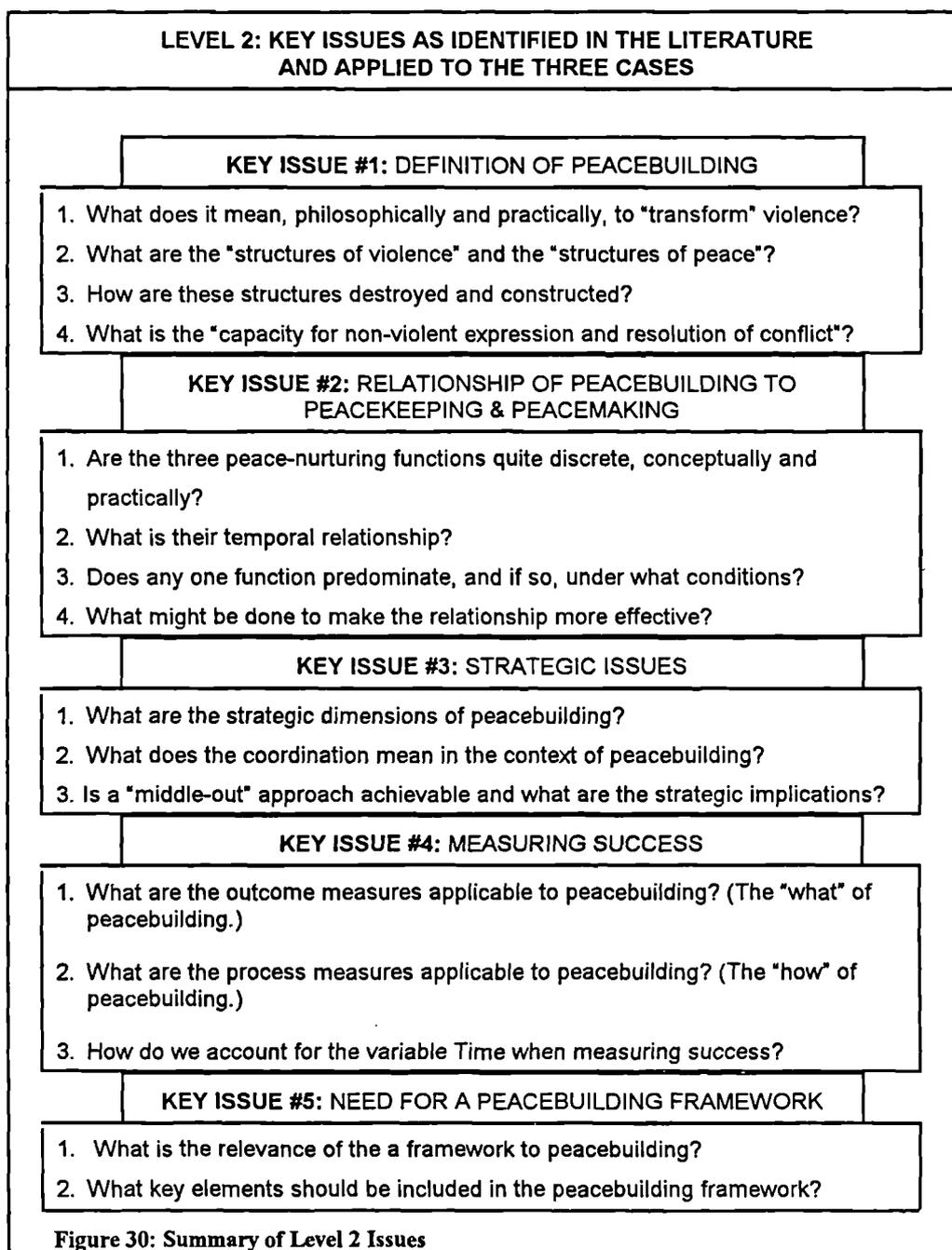
6.2.2.3 Level 2, Key Issues (as identified in the literature)

In this section of our analysis of the contributing cases we consider the cases from the perspective of the five primary issues identified in the literature:

- 1. The definition of peacebuilding;**
- 2. The relationship of peacebuilding to peacekeeping and peacemaking;**
- 3. Strategic issues, specifically actor coordination;**

4. **Measuring success; and**
5. **The need for a peacebuilding framework.**

An overview of the five key issues and related questions applied to the three contributing cases appears in Figure 30.



KEY ISSUE #1: Definition of Peacebuilding:

Peacebuilding has been operationally defined in this study as: **the transformation of violence through destruction of the structures of violence and construction of the structures of peace including building the capacity for the non-violent expression and resolution of conflict.**

To test the definition, we articulated four questions:

1. **What does it mean, philosophically and practically, to “transform” violence?**
2. **What are the “structures of violence” and the “structures of peace”?**
3. **How are these structures destroyed and constructed?**
4. **What is the “capacity for non-violent expression and resolution of conflict”?**

These questions are addressed for each case and then we conclude whether experience obtained in the field supports the definition of peacebuilding.

<p>Case 1 - Mostar ISSUE # 1: DEFINITION OF PEACEBUILDING</p>

TEST #1: What does it mean, philosophically and practically, to “transform” violence?

In Mostar violence was explicit, open, and pervasive of the milieu. The war damage looked like a great physical wound and the social tension was palpable.

That a cease fire was in place and a peace accord (Dayton) recently signed meant only that Mostar had achieved a tenuous state of negative peace.

The presence of peacekeeping and international civilian police forces maintained this negative peace. It halted the physical expression of violence - with the exception of intermittent sniper fire. Peacekeepers and international civilian police, presumably, did not change the underlying conflict that had been expressed as war violence.

The Dayton Accord is still, presumably, addressing some (many or all) of the reasons for the conflict which was expressed as violence.

If the violence in Mostar (the inter-ethnic war) was an expression of conflict and it is assumed that there are other nonviolent means of expressing conflict, then to transform violence may mean to undertake steps so that conflict is expressed nonviolently. Efforts are directed at the "expression" of conflict.

If political violence is assumed to be predicated on conflict, that is; violence will not occur in the absence of conflict, then measures to address the underlying conflict may go more directly to fundamentals and thereby transform violence (change the form, appearance, character or nature of violence).

To transform political violence, then, is not to change the expression of conflict from violent to nonviolent form but to change violence fundamentally. When violence is transformed fundamentally, into what is it transformed?

In this context, to transform violence into peace. And there are two faces of peace: negative peace, which may be more allied with the (non-violent) expression of conflict; and positive peace, which is allied with the resolution of conflict.

Peacekeeping in Mostar secured the negative peace; peacemaking may have sought a positive peace.⁴⁵ Peacebuilding seeks a positive peace. It is allied with the resolution of conflict - where "resolution" takes the dictionary meaning of "to convert a discord into a concord" with attendant "dissipation" (of tension, antipathy). (Webster's Encyclopaedic Dictionary of the English Language, 1988.)

Case 1 - Mostar

TEST #2: What are the "structures of violence" and the "structures of peace"?

When viewed from the immediate perspective of war-torn Mostar, the structures of violence were indistinguishable: the entire milieu was witness to violence - to raw power.

Theory and models of ethnic conflict on which the intervention was planned suggested that the structures of violence were social-psychological: for example, negative stereotyping, in-group and out-group perceptions and the fundamental need for cultural, linguistic and ethnic "identity".

The "structures of peace" in this context were the attitudes, interpersonal skills, common understandings, and tolerance that would be established between the Muslim and Croat Mostarians. More so, the structure of peace, ideally, would be the bridge of reconciliation that would be constructed through the growth of a relationship that is characterized by mutual identification, rather than alienation - something made possible by seeing self in other. (See Buber, 1958; Monteville, 1993.)

⁴⁵ To assert here that the diplomatic, Track I, peacemaking efforts were informed by and included specific provisions that sought the overall goal of a "positive" peace would require a separate assessment of the Dayton Peace Accord, a task outside the scope of this study.

Practically, reconciliation would entail achieving four key elements: to understand each other; to forgive each other; to build trust - to be able to believe that what happened in the past will not happen in the future; and to plan for the future together. These would be the structures of peace⁴⁶.

Case 1 - Mostar

TEST #3: How are these structures destroyed and constructed?

This diagnostic directed the planned intervention to a process and techniques that would address these structures of violence with a view to resolving the conflict they supported.

Moderates from each group who expressed a willingness to meet together would be guided through a conflict resolution process planned in detail to build the bridge of reconciliation as outlined. This group would then become a “constituency for peace,” a nucleus which would influence and support others in the growth of intercommunal reconciliation.

Case 1 - Mostar

TEST #4: What is the “capacity” for non-violent expression and resolution of conflict?

In this case, having the attitudes, interpersonal skills, common understandings, and tolerance to forgive each other; to build trust - to be able to believe that what happened in the past will not happen in the future; and to plan for the future together.

⁴⁶These four elements were presented to the author spontaneously by a Rwandan refugee when asked “what does reconciliation mean to you?”

Furthermore, the intervention as planned foresaw the design of dispute resolution capacities (institutional mechanisms at the Municipal level with policies, procedures and processes) to bring grievances forward for their just and equitable resolution.

<p style="text-align: center;">Case 2 - Romania ISSUE # 1: DEFINITION OF PEACEBUILDING</p>
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TEST #1: What does it mean, philosophically and practically, to “transform” violence?

In Romania the initial concern was with the potential for more open hostility and violence between ethnic Hungarians and ethnic Romanians. To transform violence, in this situation, was initially viewed as effort to provide these groups with skills and mechanisms that would allow the non-violent expression and resolution of their conflict.

The delicate condition of Romania in the early stages of its transition, with associated social, political and economic adjustments and hardship felt by the population provoked a shift of emphasis.

Generalized violence was judged to be the potential outcome if broad societal change was not forthcoming. Transforming the “potential” violence necessitated attention to the structural level. The need for capacities (skills and dispute resolution mechanisms typical of a civil society) across the social, economic and political spectrum subsumed the initial concern.

Case 2 - Romania

TEST #2: What are the “structures of violence” and the “structures of peace”?

Tension, anxiety, economic suffering, political struggle and human hardship were evident in Romania. Were these the symptoms of “structural” violence? Or were they the symptoms of a society undergoing fundamental transition; a state and society whose structures are undetermined?

Clearly, a state of flux prevailed.

The intervention was guided by the working assumption that Romania had chosen the path to democracy and a market economy. The “structures of peace” associated with states with civil societies and market economies were assumed to be the objective. Some “Romanianization” of these was appreciated as inevitable and respected as necessary to their sustainability.

Case 2 - Romania

TEST #3: How are these structures destroyed and constructed?

Aware that Romania was in transition and might “regress” to a state of violence, the emphasis was on construction of the structures of peace.

Young political leaders and representatives of key sectors in society (education, law, government) were targeted to receive training in conflict resolution skills and models adapted to Romania from Western approaches.

Case 2 - Romania

TEST #4: What is the “capacity” for non-violent expression and resolution of conflict?

The capacity for non-violent expression and resolution of conflict included, in this case, democracy itself; an independent judiciary; dispute resolution mechanisms at the municipal, regional and national level; and a society with the attitudes of non-violence and skills to express conflict non-violently.

Case 3 - Canada

ISSUE # 1: DEFINITION OF PEACEBUILDING

TEST #1: What does it mean, philosophically and practically, to “transform” violence?

Webster’s defines violence as: a use of physical force so as to damage or injure; intense natural force or energy; an abusive use of force, passion, fury, distortion of meaning; desecration *to do violence to*, to offend, outrage, *to do violence to someone’s sense of justice*. (Webster’s Encyclopaedic Dictionary of the English Language, 1988.)

Violence becomes a relevant term in the case of land claims asserted by Indians in Canada, in a number of ways. Removed from the context of a war-torn society where violence is pervasive and omnipresent; and removed from the cloudy atmosphere of flux in a transitional society, structural violence may appear more clearly in a civil society, in a peaceful mature democracy.

The violence felt by Indians in Canada includes offence and in some cases outrage. It includes violence having been done to their sense of justice. Its form is

structural violence; in this case its expression was in a claims settlement process (dispute resolution mechanism) that was viewed as unjustly constructed, insensitive to aboriginal culture, as biased in favour of Canada, and abusive.

Case 3 - Canada

TEST #2: What are the “structures of violence” and the “structures of peace”?

The structures of violence in this case were the laws, policies and processes of the dominant culture which were antagonistic to the goals of justice, reconciliation and positive peace.

These structures, sustained by attitudes and reinforcing attitudes of those whose goals were supported, had the appearance of legitimacy. They were part of the fabric of a civil society and one that is characterized as a peaceful and tolerant society. For these reasons they may not be readily seen as persistent and systemic violence by those other than the oppressed (or their “sympaticos”). The structures may require “adjustment” to accommodate malcontents, but they are not fundamentally flawed, unjust and a form of violence.

Thus, the antithetical relationship between structures of violence and positive peace is more apparent in situations where negative peace has long been established, where a civil society exists and yet some distance remains between the real and the ideal.

The essence of the structures of peace, philosophically, becomes the goal, hope and principles of justice. These are operationalized in institutions and processes, in attitudes and human conduct.

Case 3 - Canada

TEST #3: How are these structures destroyed and constructed?

Can the structures of violence be destroyed by violence? If wide-spread revolutionary violence is unlikely in a civil society and a democratic state comprised of a large majority (non-aboriginal) and a small minority (aboriginal), would other forms of political violence bring down the structures of violence? For these structures now appear as power; power aggregated and structured in the interests of some and antagonistic to the interests of others.

Given that structure is power and law is a structure, law is power. The question arises, whose power is represented in law? If “rule of law” is a representation of the power of the people, dictat is a representation of the power of the tyrant. The rule of law can thus take various forms. The tyrant’s dictat is rule of law that has “authority” and “force” but lacks popular legitimacy is it does not represent the will or interests of the people.

The “rule of law” associated with a civil society is typically a codified law; the law is explicit, open to review and amendment by the people (in a democracy through their elected representatives).

If the people’s law cannot be separated from them but represents their power, and the people are oppressed by the law, then destroying and constructing law is part of peacebuilding.

What law is there in peace? What is the form of law that is a structure of peace? Can it be anything, from conventional or “local” law to codified law so long as it is transparent, subject to change by the people, and enjoys the confidence and respect of the people?

Would people in a state of positive peace require law? Or would they live on higher principles that inform law?

What are these higher principles? Are they universal and describable? Or are they social constructs - a representation of power as it is distributed and redistributed?

Can power be shared? Will it be shared by those who have it, or must it be taken?

Are there states or stages of social evolution toward the goal of positive peace, that once achieved, make the destruction of the structures of violence more possible, easier; and in such states of evolution or development, the structures of peace more easily erected?

In Canada, a civil society and democracy, the threat and use of violence by Indians - and the perception of the potential escalation of this violence was sufficient to seize the mind of Canada. It appears that Canada was prepared to negotiate a new dispute resolution mechanism that moved forward on the road to positive peace; a new Indian land claims settlement mechanism (legal structure) would remove pre-existing structural violence. Power would be re-distributed.

Case 3 - Canada

TEST #4: What is the “capacity” for non-violent expression and resolution of conflict?

In this case, the “capacity” for non-violent expression and resolution of conflict had two dimensions: the pre-existing capacity of the government of a civil and democratic society to negotiate a redistribution of power; and the embodiment of the capacity for non-violent expression and resolution of conflict in a legitimate dispute resolution mechanism by which land claims could be brought by Indians

against Canada and in which the process applied was credible and just, and through which a fair and equitable settlement of the dispute could be achieved.

**KEY ISSUE #2: The Relationship of Peacebuilding to
Peacemaking and Peacekeeping**

The relationship of the three peace-nurturing functions is examined by case, following a series of questions articulated at the outset. The four questions are:

1. Are the three peace-nurturing functions quite discrete, conceptually and practically?
2. What is their temporal relationship?
3. Does any one function predominate, and if so, under what conditions?
4. What might be done to make the relationship more effective?

Case 1 - Mostar

**ISSUE #2: RELATIONSHIP OF PEACEBUILDING TO PEACEMAKING &
PEACEKEEPING**

1. Are the three peace-nurturing functions quite discrete, conceptually and practically?

Identification of two of the three peace-nurturing functions was apparent in Mostar. The peacemaking function was embodied in the diplomatic efforts that led to the Dayton Accord; peacekeepers were present and essential to keeping a

negative peace on the ground in Mostar. Peacebuilding as it is defined here was less obvious. The intended peacebuilding activity, had it been carried out, could be characterized as a discrete function relative to peacekeeping. Some peacekeepers (and especially UN civilian police), conceivably, in working with people directly on the ground might touch upon the peacebuilding function. Peacebuilding is presumably a significant part of the peacemaker's role -there is a conceptual link. Peace accords are more than cease fire agreements. They must attend to the transformation of violence and construction of the structures of peace. What informs that exercise and how "deconstructive" of the structures of violence and "constructive" of the structures of peace are questions outside the scope of this study.

Case 1 - Mostar

2. What is their temporal relationship?

Peacemaking (and its peacebuilding component) was intricately linked with Peacekeeping. In fact the peacekeeping mission was transformed in the course of the war from UNPROFOR (United Nations UN Peacekeeping Force) to IFOR (the Dayton Accord Implementation Force). Implementation of the peace accord was seen as impossible without the attendant peacekeeping function.

Conceptually, or at least strategically, a peace accord in a war torn society requires force. Violence must be halted and the building of peace begun.

Peacebuilding at the municipal level in Mostar, at this stage of the conflict, was impaired without Peacekeeping. The safety of participants was an essential consideration. The question of the optimal timing of community-based peacebuilding is another consideration.

Case 1 - Mostar

3. **Does any one function predominate, and if so, under what conditions?**

In Mostar, the Peacekeeping or implementation force predominated. It did so under conditions which included an extremely lethal and broadly destructive internal civil war among ethnic groups, deeply entrenched resistance by the Mostarian Croats and Muslims to an “integrated Mostar” and where no rule of law remained and corruption and crime prevailed.

Case 1 - Mostar

4. **What might be done to make the relationship more effective?**

The peacebuilding initiative enjoyed support and collaboration of the European Union’s Administration in Mostar. No contact with the Peacekeeping forces, however, occurred. Security was thus a large consideration that was never professionally addressed. Dialogue and cooperation between Peacekeepers and Peacebuilders would, first, establish a relationship which did not exist; and second, improve the prospects of a successful peacebuilding intervention.

Case 2 - Romania

**ISSUE #2: RELATIONSHIP OF PEACEBUILDING TO PEACEMAKING &
PEACEKEEPING**

1. **Are the three peace-nurturing functions quite discrete, conceptually and practically?**

Romania’s brief and violent revolution which overthrew the dictatorship of Ceausescu was immediately followed by stabilization through internal measures for law and order.

Peacekeeping was therefore not an active peace-nurturing function in this case. As such, it is a discrete function that does not always attend, conceptually or practically, the other two functions.

Peacemaking, defined as Track I diplomatic efforts was not present; Track II Peacemaking has been subsumed under Peacebuilding in this study and in that form was present. So Peacemaking, per se, was not present in this case.

Peacebuilding was present.

The three peace-nurturing functions can therefore be discrete; or at least the concepts can be distinguished one from the other, conceptually.

If, however, internal measures of law enforcement and applications of the rule of law and internal measures to make peace through nonviolent political struggle are admissible as internal forms of these peace-nurturing functions, it can be seen that, while distinct, all three are necessary to nurture peace.

Case 2 - Romania

2. What is their temporal relationship?

In this case, the presence of law and order and internal efforts at political restructuring were ongoing during the Peacebuilding efforts.

Peacebuilding as an external intervention was independent of Peacekeeping and Peacemaking as used in this study. Presumably, if the peacebuilding efforts and related initiatives failed, the need for Peacemaking and Peacekeeping would arise.

Case 2 - Romania

- 3. Does any one function predominate, and if so, under what conditions?**

Peacebuilding was the only peace-nurturing function present in Romania. It was the sole function under conditions where the political violence was limited to isolated instances, the social order was relatively stable and the political actors in the state were pursuing their objectives nonviolently through the existing and evolving (fledgling democratic) institutions of government.

Case 2 - Romania

- 4. What might be done to make the relationship more effective?**

At a strategic, external level some awareness of the Peacebuilding effort by appropriate regional/international authorities may have enhanced the capacity building work in this case. Resources might have been allocated directly to the initiative to achieve more, apart from any other support that may have been given by donors to Romania towards its internal efforts at reform and capacity-building.

Prevention would thus be served better and early warning of erosion as seen from the level of this Peacebuilding initiative would have been possible.

Case 3 - Canada
**ISSUE #2: RELATIONSHIP OF PEACEBUILDING TO PEACEMAKING &
PEACEKEEPING**

1. **Are the three peace-nurturing functions quite discrete, conceptually and practically?**

Several armed confrontations between Indians and Canadian authorities, including some loss of life, had engaged local and national police forces, and in one case, the Canadian Armed Forces. Indians had called for international intervention but externally - provided Peacekeeping and Peacemaking did not occur. It is not certain that either Canada or the Indian Bands would recognize the design of a dispute resolution mechanism for Indian land claims as a Peacebuilding initiative.

This thesis contends that it was, and holds that Peacebuilding as defined was applied in this case.

In the absence of the general observation of the rule of law by Indians and an unwillingness by Canada to build the capacity for non-violent expression and resolution of Indian land claims, it is inevitable that relations would have eroded significantly. More political violence was possible.

The conceptual link of the three peace-nurturing functions remains in this case, although it is modified. Two of the three are internalized and become, in effect, “lower case”, normalized features of a civil society.

Peacebuilding remains relevant and related. While it is practically facilitated by the context, it is also challenged to strive for higher levels of positive peace.

This places positive peace above civil society.

Case 3 - Canada

2. What is their temporal relationship?

In this case, Peacebuilding was carried out in the absence of Peacekeeping and Peacemaking as understood in this study. It took place prior to a conceivable role for the other two peace-nurturing functions.

Case 3 - Canada

3. Does any one function predominate, and if so, under what conditions?

Peacebuilding was the exclusive function in the Canadian democratic, civil society where there was the general observation of the rule of law by Indians and a willingness by Canada to build the capacity for non-violent expression and resolution of Indian land claims. That is, where Canada was prepared to redistribute power by removal of structural violence.

Case 3 - Canada

4. What might be done to make the relationship more effective?

Presumably, international authorities, including the United Nations and the International Court of Justice to whom the Indians had appealed, were aware of the conflict. The potential for erosion, while seemingly remote, was a factor. Would provisions to enable external intervention in low level political violence such as in this case improve the prospects of prevention and lead to greater achievement of positive peace?

There seems to be merit, even in this type of case, of a “watchful eye”.

KEY ISSUE #3: Strategic Issues:

We examine the cases for their contribution to strategic issues by addressing the following three questions articulated at the outset:

1. **What are the strategic dimensions of peacebuilding?**
2. **What does coordination mean in the context of peacebuilding?**
3. **Is a “middle-out” approach achievable and what are the strategic implications?**

<p style="text-align: center;">Case 1 - Mostar ISSUE #3: STRATEGIC ISSUES</p>

1. **What are the strategic dimensions of peacebuilding?**

The following strategic dimensions are evident in this case: timing of the intervention; integration with the other peace-nurturing functions; and preparation of the environment (including the role and legitimacy of the convenor or local partner).

The workshop was ill-timed, especially in the absence of support from Peacekeeping forces and lack of integration with an overall Peacebuilding plan at the national level that may have been a component of the Dayton Accord.

While the participants from both communities indicated to the Convenor a readiness to partake, security issues placed them at extreme risk. Assistance from

Peacekeeping forces and/or UN civilian police in Mostar would have improved the security climate for both the participants and the intervention team.

Timing the intervention later when the conflict might have de-escalated somewhat as opposed to the eve and immediately upon signing the Dayton Accord might have been more constructive. More time to prepare the participants and to integrate the initiative with other more formal Peacebuilding initiatives would likely have been more constructive.

Case 1 - Mostar

2. What does coordination mean in the context of peacebuilding?

There was little coordination in this case except between the intervention team and the convenor; and the convenor and the participants.

Coordination could have included: coordination of the intervention with nation-wide internationally-sponsored Peacebuilding efforts; coordination at the local level in Mostar between the convenor and the local Peacekeeping force; and coordination with another community-based Peacebuilding initiative reputed to be underway.

Case 1 - Mostar

3. Is a “middle-out” approach achievable and what are the strategic implications?

Despite serious security concerns a group of middle-range actors drawn from the Croat and Muslim communities in Mostar were prepared to meet in an attempt to restore their relationship. Whether their commitment would have carried through the initial workshop and forward remains unknown.

If this group had met and committed to further meetings, their role as a “constituency of peace” would have been tested. This case therefore did not test the middle-out approach in a direct way.

The case demonstrates that a middle-out approach requires considerable attention to the strategic and clinical issues that have been identified. A “middle-out” approach does not appear to have merit as an isolated or untimely peacebuilding initiative.

<p style="text-align: center;">Case 2 - Romania ISSUE #3: STRATEGIC ISSUES</p>
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1. What are the strategic dimensions of peacebuilding?

The broadly applied and generalized nature of conflict resolution capacity building in Romania place the initiative at the strategic level.

The strategic dimensions included: assessing the presenting case (ethnic Hungarian and ethnic Romanian conflict) in a larger national context and making a determination to shift the level of intervention to national institution capacity building; determining which sectors and actors should be involved; attending to the ongoing strategic level developments in Romania’s transition, including political struggle and economic reform; placing the initiative in a long-term perspective; and measuring success in relative and incremental units.

Case 2 - Romania

2. What does coordination mean in the context of peacebuilding?

A transitional society moving to democracy and a market economy is engaged in capacity-building. The institutions of finance and commerce, of private and public law, of democratic government are undergoing reform or being constructed for the first time. As a capacity-building initiative at the national level the points of intersection between the initiative and these other capacity-building initiatives were apparent and undeveloped.

The role of conflict resolution in the economy, in public institutions - in issues as broad as public policy formulation and as narrow as mechanisms to settle housing and land use disputes - or applications as specific as improving the competitiveness of new private companies through management development and improved labour relations were undeveloped.

Funding proposals that were refused were denied in part because the bearing of conflict resolution on the other capacity-building initiatives was not appreciated.

Although eventually some of this was achieved, coordination at this level of Peacebuilding could have included contact, collaboration and possibly funding support from international donors active in Romania, organs of the Romanian government, and other nongovernmental actors in the country.

Case 2 - Romania

3. Is a “middle-out” approach achievable and what are the strategic implications?

The “middle-out” approach was taken in this case inasmuch as the actors targeted for training in conflict resolution were leaders in respective sectors and not senior,

high-level officials or grassroots representatives. They participated eagerly in the workshops and expressed a commitment to expanding the capacity in Romania for conflict resolution.

The specific or general impact of this approach, however, is undetermined. It is assumed that years, if not decades will be required to measure success.

Apart from the potential merits of the middle-out approach, the merits of introducing conflict resolution and conducting dispute resolution system design work at the official level where the machinery of democracy and a market economy are being developed remains attractive, although untested here.

<p style="text-align: center;">Case 3 - Canada ISSUE #3: STRATEGIC ISSUES</p>

1. What are the strategic dimensions of peacebuilding?

A set of inter-connected “context variables” and key features of the third party peacebuilder were associated with the strategic dimension in this case.

The context variables include: internal and external pressure on the government of Canada with regard to Indian land claims; the existence of a major government policy development initiative, the Royal Commission on Natives, and expectations associated with that undertaking; and the timing of the intervention.

Pressure on Canada can be identified at several points: the bureaucracy itself had reached a point of sympathy for the Indian argument that the existing process of asserting and validating land claims was flawed, and unfair; the political clashes including armed confrontation had created internal pressure on Canada; Indians

were also asserting their cause in international forums and this too may have caused some pressure on Canada. Furthermore, Canada's own initiative in establishing a Royal Commission created pressure and attendant expectations. After decades of "managing" the conflict, at the very least the "status quo" was no longer tenable for Canada.

Features of the third party that were strategically relevant include: a long history of working with the parties; perceptions held by the parties that the third party was trustworthy, impartial, and an expert in the technical requirements of the project.

Case 3 - Canada

2. What does coordination mean in the context of peacebuilding?

In this case coordination was a meaningful variable when the initiative is placed in the strategic context. The Cabinet (elected officials responsible for government portfolios), the institutions of government, including the higher offices that execute government strategy, the line ministries (Justice, Indian and Northern Affairs) and the leadership and parallel bureaucracy in the Indian government had to be involved in the initiative in a strategically coordinated way.

This coordination was necessary to obtain information, inform and engage the parties, build trust in the third party and support for the new dispute resolution mechanism. It was also necessary in order to test the resolve of the parties to fundamental change as it might be embodied in the mechanism and to test the viability of the mechanism from political and operational perspectives ("would it fly?").

If the Royal Commission is viewed as one aspect of the peacemaking function of a mature democracy; that is, an effort to establish new distributions of power and

new institutions, then coordination did take place between the peacemaking and peacebuilding. The coordination was, however, passive and responsive rather than driven by the peacebuilder. Nevertheless, awareness of the context was essential to the intervention.

Case 3 - Canada

3. Is a “middle-out” approach achievable and what are the strategic implications?

This initiative appears to be a middle-out approach involving the senior bureaucracy of the Government of Canada and the Assembly of First Nations. The elected representatives of both groups, the Prime Minister of Canada and his Cabinet, and the Grand Chief and his Committee of Chiefs on Land Claims were one level removed from the practical work. The mid-level actors were in contact with levels below them in the bureaucracy, including ongoing contact with more grassroots representatives. They were able to bridge the gap between the grassroots and the political representatives while working actively with the third party on the technical and political dimensions of the project.

A middle-out approach is achievable. The strategic implications include those already discussed, especially the importance of context and timing, but also the importance of maintaining contact with mid-level parties and establishing trust with them and appreciation for the crucial and delicate role they play as advocate and broker, as change agent.

The peacebuilder’s role is also more than seeking to accommodate all sides. The peacebuilder, enjoying the trust of the parties, free of partisan perceptions and obligations, has the potential to take risks the parties cannot take by virtue of their positions and roles. The peacebuilder may test the limits of the practical by moving the parties toward the ideal.

KEY ISSUE #4: Measuring Success:

We examine the cases for their contribution to the issue of measuring success by addressing the three questions articulated in the methodology.

The questions are:

1. **What are the outcome measures applicable to peacebuilding? (the “what” of peacebuilding).**
2. **What are the process measures applicable to peacebuilding? (the “how” of peacebuilding).**
3. **How do we account for the variable Time when measuring success?**

<p>Case 1 - Mostar ISSUE #4: MEASURING SUCCESS</p>
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1. **What are the outcome measures applicable to peacebuilding? (the “what” of peacebuilding).**

Several outcomes were hypothesized during the design stage of the planned intervention. They were not tested in this case. The Hypotheses were developed on two levels: the Strategic and the Process. Strategic level hypotheses address issues of measuring success in peacebuilding and communication and coordination among actors. The process level hypotheses address meso-level theory development in problem-solving workshops as outlined by Mitchell and discussed earlier.

Level 1:

A. Measuring Success.

It is hypothesized that implementation of the peacebuilding intervention as designed will result in success as measured by:

1. whether the participants lower or abandon any negative stereotypes they have of each other
2. tension between both sides is lowered
3. concrete proposals arise from the exercise on joint initiatives relating to the participants relationship, and reconstruction of Mostar
4. any such proposals are implemented or followed-up in a specifically identifiable manner
5. possible negative consequences (i.e. exacerbation of the conflict) are detected and acted upon in advance by the facilitator and/or the participants.

B. Communication and Collaboration Among Actors

It is hypothesized that better actor communication and collaboration will result from active attention by the facilitator to this issue and will be shown to be successful as measured by:

1. facilitator team meetings held prior to, during and after the intervention
2. the presence of open communication, constructive feedback and problem-solving between the facilitators
3. explicit linkages made by the facilitator of the initiative to any other known or discovered initiative that is related to it so that duplication of effort is eliminated, implementation of outputs is facilitated

4. participants offer specific ideas, make known any relevant linkages with other initiatives.

Level 2: Meso-Level Theory in Problem-Solving Exercises

1. It is hypothesized that conducting a process-promoting workshop on peacebuilding co-temporaneously with the signing of a peace agreement will facilitate the success of the workshop as measured by indicators identified in Level 1 hypothesis.
2. It is hypothesized that existence of a strong, constructive relationship among the facilitators will make the success of the exercise more probable, as measured by indicators in Level 1 Hypotheses.
3. It is hypothesized that starting with the objective of facilitating dialogue on reconstruction of Mostar and not on reconciliation of the parties will make the success of the exercise more probable, as measured by reports of the participants and observation and commentary of members of the facilitation team.
4. It is hypothesized that explicitly stating that the exercise may be followed by a series of similar exercises or initiatives with the support of the facilitators will make the success of the exercise more probable as measured by specific follow-up activities. (Such actions may be participant-driven and exclusive of the facilitator.)
5. It is hypothesized that ratification of the UN/95 Dayton agreement on December 15/95 will have a positive impact on the target group and the entire process as measured by the degree and nature of

participation and measures of success developed in Level 1 hypotheses.

6. It is hypothesized that a failure to ratify the UN/95 Dayton agreement on December 15/95 will raise negative tensions in the target group as measured by changes in the design for the workshop.

While there were no outcome measures in the case as the intervention was cancelled, some process measures were accentuated by the case. They are considered as follows:

Case 1 - Mostar

2. **What are the process measures applicable to peacebuilding? (the “how” of peacebuilding).**

This case suggests that inter-communal relationship building between ethnic groups involved in a protracted, deep-rooted conflict living in a war-torn society must be done :

- ▶ in a timely manner;
- ▶ in a strategically aligned way with peacemaking initiatives;
- ▶ coordinated with peacekeeping;
- ▶ with participation of a credible local partner;
- ▶ over a long period of time.

Case 1 - Mostar

3. **How do we account for the variable Time when measuring success?**

Time as a key variable must be factored into the planning, execution and measurement of a peacebuilding intervention.

Case 2 - Romania
ISSUE #4: MEASURING SUCCESS

1. **What are the outcome measures applicable to peacebuilding? (the “what” of peacebuilding).**

The existence of skills within the population to express and resolve conflict without resort to violence accompanied by the availability of institutional mechanisms to express and resolve conflict non-violently. These skills include negotiation and mediation; the mechanisms include the instruments of justice such as administrative law, tribunals, duly constituted bodies to receive and hear grievances and mediate or adjudicate their resolution. The form of government itself, including democratically elected parliaments and the institutions of civil society represent the capacity of a society to raise and settle conflict non-violently.

Case 2 - Romania

2. **What are the process measures applicable to peacebuilding? (the “how” of peacebuilding).**

In addition to the process measures highlighted by Case 1, Mostar, this case emphasizes the importance of resources. Resources here meaning that peacebuilding must look to, draw upon, and enhance local or indigenous resources. Peacebuilding is not something “done to” a recipient but something “done with,” together with a local partner, community or population.

Case 2 - Romania

3. **How do we account for the variable time when measuring success?**

In this case, which dealt with institutional and social capacity building, the necessity of a long time frame became obvious. Measuring outcomes would take time by virtue of the scale and scope of the peacebuilding initiative itself.

In this context, however, where the variable time necessarily precludes measuring outcomes in the short term, the importance of process measures is highlighted. How peacebuilding is conducted becomes a foreground consideration. Time thus focuses our attention on the importance of how peacebuilding is done and the need to have process measures and apply them during the intervention.

<p style="text-align: center;">Case 3 - Canada ISSUE #4: MEASURING SUCCESS</p>
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1. **What are the outcome measures applicable to peacebuilding? (the “what” of peacebuilding).**

Acceptance by the parties of a new Indian land claims dispute resolution mechanism was an explicit objective and attainment of this objective was a measure of success. Improved trust between the parties and reduced tensions leading to the elimination of armed confrontation between the parties were also objectives which could be measured. Trust was the least objectively measurable of these and was evidenced during the intervention as the parties remained committed to the process, providing human and financial resources, lobbying on behalf of the emerging mechanism with their respective constituencies.

Case 3 - Canada

2. **What are the process measures applicable to peacebuilding? (the “how” of peacebuilding).**

It is possible to view the nature and challenge of dispute resolution system design as a technical task carried out by an expert for a client. The process would therefore require data collection, analysis, design and possibly the vetting of a

prototype, after which the final product would be completed and presented to the client.

This approach places the expert outside the client system and assumes that special, exclusive and final knowledge resides with the expert.

The alternative approach, used in this case, is to view the design exercise as a task requiring “expert” and “process” skills; the client is engaged throughout the process in an interactive consensus-building exercise that focuses on the development of a dispute resolution system which will have practical utility and be feasible and sustainable from a political perspective. This approach places high value on process as an objective in itself. The working assumption is that the end-users of the new “product” have inherently valuable insight that should influence design and furthermore, their ongoing involvement will increase the probability that the outcome will be valid.

In this case, the process measures would include the level of activity of the parties and the quality of their participation (both subjectively as measured by their trust in, support of and satisfaction with the process and objectively by the nature and quality of the resources they provided).

Case 3 - Canada

3. How do we account for the variable time when measuring success?

This case demonstrates once again that the process of peacebuilding requires time and that reliable measures of success will require time as well. The fact that a dispute resolution system was designed and that it enjoyed the support of both parties allows us to state that within a relatively short (one year) period of time a concrete result was forthcoming. It will take several years to test the system.

KEY ISSUE #5: The Need for a Peacebuilding Framework:

We examine the cases for their contribution to the issue of the need for a peacebuilding framework by addressing the two questions developed in the Methodology. The questions are:

1. **What is the relevance of a framework to peacebuilding?**
2. **What key elements should be included in a peacebuilding framework?**

<p style="text-align: center;">Case 1- Mostar ISSUE #5: NEED FOR A PEACEBUILDING FRAMEWORK</p>
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1. **What is the relevance of a framework to peacebuilding?**

The intervention planned for Mostar was designed on the basis of theory and practice in problem solving (or process-promoting) workshops. Several levels of theory and practical experience informed the approach to be taken. The intervention was perceived as a clinical social-psychological intervention and the requirements of this type of intervention were met in the design stage.

Despite this preparation, the intervention was cancelled. Whereas an early assessment of the initiative concluded that the timing was wrong, that the intervention was premature, later analysis suggests otherwise. The participants were prepared, at personal risk, to attend the relationship building workshop. From a social-psychological perspective, it therefore appears that the timing was not wrong. The problem with the timing of the intervention now appears to be related to other issues.

The other issues include the lack of security to enable the intervention to proceed and the lack of coordination with any other peacebuilding initiatives that were planned for or were underway in Mostar.

This initiative suffered because it was dis-connected, an isolated effort informed by clinical knowledge and the theory of problem solving workshops; but informed and initiated in the absence of a larger framework.

A peacebuilding framework was relevant and necessary.

Case 1 - Mostar

2. What key elements should be included in a peacebuilding framework?

In this case, the following key elements of a peacebuilding framework are indicated:

- (a) The relationship of peacebuilding, peacekeeping and peacemaking. How these three peace-nurturing functions relate conceptually and apply practically in this specific situation are key.
- (b) The role of local actors, in particular the local “partner” who plays the “convening” role in this type of intervention must be addressed. Who they are, what they do, how they will do it are all important factors.
- (c) The third party, in particular their working assumptions about the peacebuilding endeavour (including the outcome and process objectives they have), their acceptability to the local targeted population, their clinical knowledge and personal fortitude are important considerations. Furthermore, is the third

party prepared and able to face the challenges of a war-torn society, including safety and survival issues?

- (d) The centrality of the rule of law to a civil society and the practicality of operationalizing it is an element.
- (e) The dimension of Time is an element.

Case 2 - Romania ISSUE #5: NEED FOR A PEACEBUILDING FRAMEWORK
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1. What is the relevance of a framework to peacebuilding?

In the Romanian case peacebuilding was informed by a definition of peace that went beyond the establishment of negative peace to the construction of the structures of positive peace. This objective of positive peace in turn gave direction to the practical task of capacity building. Building the capacity of a civil society, the institutions of democracy and a market economy, was informed by the goal of expressing and resolving conflict non-violently.

The intervention, then, ostensibly a capacity-building task was guided by “definitional” framework. The peacebuilding definitional framework placed positive peace at the pinnacle, civil society below it and negative peace and political violence lower yet.

In addition to “definitional” framework, the intervention was guided by an appreciation that peacebuilding could take place at different levels within a society and be addressed to different targets. Thus, the initial concern with inter-ethnic conflict between Romanian and Hungarian communities gave way to a broader-

based effort of capacity-building. A potential clinical conflict resolution intervention at the intercommunal level was replaced by a more generalized initiative across a number of sectors.

This points to the relevance of a peacebuilding framework in diagnosing a situation and in determining when, where and how to proceed. In the absence of a framework peacebuilding would be reactive, potentially undisciplined, and uninformed by conceptual clarity.

Case 2 - Romania

2. What key elements should be included in the peacebuilding framework?

In this case, the following key elements of a peacebuilding framework are indicated:

(a) Clear definitions of the terms of peace, conflict, violence, transformation and capacity-building would provide conceptual integrity, assist in guiding peacebuilding at the diagnostic and applied stages; help distinguish it from other activities, and provide referents for measuring success.

(b) The context in which peacebuilding is undertaken is a key element. The “focus” and “scope” of a peacebuilding initiative will be greatly determined by factors in the context. What is urgent, necessary, desirable and practical are context-related.

(c) The paramount place of the local actors in any peacebuilding initiative is indicated. Real people with pressing limitations and enormous challenges and unique indigenous resource are the central and enduring actors in peacebuilding.

Case 3 - Canada
ISSUE #5: NEED FOR A PEACEBUILDING FRAMEWORK

1. What is the relevance of a framework to peacebuilding?

As pointed out earlier, the Government of Canada and the Assembly of First Nations may not view the task of designing an Indian land claims dispute resolution mechanism as a peacebuilding initiative. It is conceivable, and argued by some in the literature, that peacebuilding is something that takes place post-conflict in a war torn society. Furthermore, if peace is defined as negative peace, then the Canadian case, in a general sense, would seem not to apply as a peacebuilding initiative as a relative state of negative peace exists. The armed confrontations and limited loss of life might be viewed as isolated incidents indicating a level of tension in Indian-Canada relations but not the material for peacebuilding.

This thesis takes a different definition of peacebuilding, stressing positive peace and the absence of structural violence. From a definitional perspective, the design of an Indian Land Claims mechanism that removes structural violence and enables Indians to assert their claims and have them resolved non-violently is peacebuilding work.

A framework that sets out definitions of critical terms and sets forth the key concepts that clarify and distinguish activities which are “peacebuilding” is relevant. In the absence of such a framework it is difficult to establish what needs to be done, when, and in what manner. It is difficult to establish objectives and measures of success, both process and outcome measures.

Case 3 - Canada

2. What key elements should be included in the peacebuilding framework?

In this case, the following key elements of a peacebuilding framework are indicated:

- (a) The need for a clearly stated definition of peace, and peacebuilding.
- (b) The need for conceptual integrity; a framework that identifies concepts and their relationships.
- (c) The relationship of peacebuilding activity (nature of and level to which it is targeted) and the “stage of conflict” is an important element to assist diagnostics and the determination of appropriate specific peacebuilding activity.

6.2.2.4 Summary Observations Arising from Level 2, Line of Inquiry Analysis

Level 2, Line of Inquiry Analysis addressed the five key issues identified in the literature from the perspective of casework. The key issues were:

- 1. The definition of peacebuilding;
- 2. The relationship of peacebuilding to peacemaking and peacekeeping;
- 3. Strategic issues, including coordination and a “middle-out” approach;
- 4. Measuring success; and
- 5. The need for a peacebuilding framework.

A summary of the analysis is presented here as key points.

- 1. Peacebuilding has been operationally defined in this study as: **the transformation of violence through destruction of the structures of**

violence and construction of the structures of peace including building the capacity for the non-violent expression and resolution of conflict.

The cases suggest that the definition is sound, although some explanation is required.

It is arguable that the definition could be shortened and the words “including building the capacity for the non-violent expression and resolution of conflict” eliminated. That is, through constructing the structures of peace, building the capacity (personal, interpersonal and institutional) for the non-violent expression and resolution of conflict is implied. Because the development in the target population of attitudes and interpersonal skills is essential to peacebuilding, and since these may be overlooked if the emphasis is placed exclusively on the “structures of peace,” retaining the whole definition has merit.

2. The three peace-nurturing functions are discrete; Peacemaking, Peacekeeping, and Peacebuilding can be distinguished one from the other, conceptually.
3. We are concerned here with political rather than domestic violence (physical and/or emotional abuse of family members) or conventional criminal violence. To transform political violence requires more than changing the expression of conflict from violent to nonviolent form but to address the conflict underlying political violence. To address the underlying conflict in cases of political violence is to do more than “change” the expression of the underlying conflict but to “transform” the underlying violence itself. When violence is transformed fundamentally, in this context, it is transformed into peace. And there are two faces of

peace: negative peace, which may be more allied with the (non-violent) expression of conflict; and positive peace, which is allied with the resolution of conflict through destruction of the structures of violence and construction of the structures of peace. The structures of peace include the capacity for the non-violent expression and resolution of conflict.

4. The “capacity” for non-violent expression and resolution of conflict in this context means having the attitudes, interpersonal skills, common understandings, and tolerance to forgive each other; to build trust - to be able to believe that what happened in the past will not happen in the future; and to plan for the future together. “Capacity” also means institutional mechanisms (laws, policies, procedures and processes) that underlay a just society and enable grievances to be brought forward for their just and equitable resolution.
5. The essence of the structures of peace, philosophically, becomes the goal, hope and principles of justice. These are operationalized in institutions and processes, in attitudes and human conduct.
6. Given that structure is power and law is a structure, law is power. The question arises, whose power is represented in law? If “rule of law” is a representation of the power of the people, “dictat” is a representation of the power of the tyrant. The rule of law can thus take various forms. The tyrant’s “dictat” is rule of law that has “authority” and “force” but lacks popular legitimacy as it does not represent the will or interests of the people.

The “rule of law” associated with a civil society is typically a codified law; the law is explicit, open to review and amendment by the people (in a democracy through their elected representatives).

If the people's law cannot be separated from them but represents their power, and the people are oppressed by the law, then destroying oppressive laws and constructing legitimate law is part of peacebuilding.

7. Building the structures of peace embraces both Peacemaking and Peacekeeping. Peacebuilding is the ubiquitous peace-nurturing function. But it does not stand alone. It relies on Peacemaking and Peacekeeping.
8. Peacemaking, definitionally and practically, should in turn embrace Peacebuilding. The Peacemaker's work at the statesman level is, dynamically, work with leaders to build their capacity for non-violence in the making of peace, and formalizing this in peace accords/treaties/law. These accords must also anticipate peacebuilding, spelling out the details of how violence is transformed through new structures. Peacebuilding is presumably a significant part of the peacemaker's role - there is a conceptual link with practical extension. Peace accords are more than cease fire agreements. They must attend to the transformation of fundamental violence which gives rise to conflict and political violence (strife, war). They must attend to the construction of the structures of peace.
9. **A limitation of this study is that the cases give us no empirical insight into what informs peacemaking: how peacemakers achieve "destruction" of the structures of violence and "construction" of the structures of peace.**
10. A middle-out approach to peacebuilding is achievable. A focus on middle-range actors, however, should not preclude attention to the strategic dimensions of peacebuilding. The strategic implications include the

importance of context and timing, of coordination with Peacemaking and Peacekeeping.

11. A middle-out approach requires recognition of the importance of maintaining contact with mid-level parties and establishing trust with them and appreciation for the crucial and delicate role they play as advocate and broker, as change agent.
12. The peacebuilder's role is also more than seeking to accommodate all sides. The peacebuilder, enjoying the trust of the parties, free of partisan perceptions and obligations, has the potential to take risks (toward the destruction of the structures of violence and construction of the structures of peace) that the parties cannot take by virtue of their positions and roles. The peacebuilder may test the limits of the practical by moving the parties toward the ideal outcome.
13. Moving the parties toward the ideal (the structures of peace and the capacity for the non-violent expression and resolution of conflict) requires acknowledgment that there are strategic dimensions to peacebuilding. These must be considered in the diagnostic, planning and intervention stages.
14. Coordination between peacemaking, peacekeeping, and peacebuilding is necessary to increase the probability of success. Of the three peace-nurturing functions, peacebuilding is the most ubiquitous. Peacebuilding may take place prior to the need for peacemaking - serving a preventive function; it is anticipated in peacemaking; and conducted alongside peacekeeping and afterwards.

15. Peacebuilding is not exclusive to war-torn societies. It applies in those situations when the structures of violence must be deconstructed and the structures of peace constructed.
16. A “hierarchy” of conditions or states can be identified as follows: war; negative peace; civil society (with legitimate rule of law); positive peace.
17. It is possible to measure success in peacebuilding by identifying both outcome and process objectives. Outcome measures include the “what” that is to be achieved by peacebuilding activities; process measures include “how” those outcomes are to be achieved.
18. Time is a key variable in peacebuilding. Time as a variable must be factored into the planning, execution and measurement of a peacebuilding intervention.
19. Potential outcome measures include the existence of skills within the population to express and resolve conflict without resort to violence accompanied by the availability of institutional mechanisms to express and resolve conflict non-violently. These skills include negotiation and mediation; the mechanisms include the instruments of justice such as administrative law, tribunals, duly constituted bodies to receive and hear grievances and mediate or adjudicate their resolution. The form of government itself, including democratically elected parliaments and the institutions of civil society represent the capacity of a society to strive for positive peace and to raise and resolve conflict non-violently.
20. Resources are a key variable in peacebuilding. In addition to bringing resources, and more importantly over the longer term, peacebuilders must look to, draw upon, and enhance local or indigenous resources.

21. Peacebuilding is not something “done to” a recipient but something “done with,” together with a local partner, community or population.
22. Peacebuilding can be seen as a task requiring “expert” and “process” skills; the client is engaged throughout the process in an interactive way so that the outcome will have practical utility and be feasible and sustainable from a political perspective. The working assumption is that the end-users of the new “product” have inherently valuable insight that should influence design and furthermore, their ongoing involvement will increase the probability that the outcome will be valid. This approach places high value on process as an objective in itself.
23. Process measures are very important to peacebuilding. They are more than instrumentally relevant. They model conduct consistent with the peace that is sought. They suggest that the means is important and that ends do not justify means. Some process objectives that can be identified are that peacebuilding should be undertaken:
 - in a timely manner;
 - in a strategically aligned way with peacemaking and peacekeeping initiatives;
 - with participation of a credible local partner;
 - over a long period of time;
 - where the level of activity of the parties and the quality of their participation will sustain peace (demonstrated both subjectively as measured by their trust in, support of and satisfaction with the process and objectively by the nature and quality of the resources they provide).
24. A peacebuilding framework is necessary. Key elements that should be included in a peacebuilding framework include:

- (a) Clear definitions of peace, conflict, violence, transformation, peacebuilding, and capacity-building. Clarity of definition would support conceptual integrity, assist in guiding peacebuilding at the diagnostic and applied stages, help distinguish it from other activities and provide referents for measuring success.
- (b) Explication of the relationship of peacebuilding, peacekeeping and peacemaking. How these three peace-nurturing functions relate conceptually and apply practically should be outlined.
- (c) The paramount place and role of local actors, in particular, the local “partner” who plays the “convening” role in this type of intervention must be addressed. Who they are, what they do, how they will do it are all important factors. Real people with pressing limitations and enormous challenges and unique indigenous resource are the central and enduring actors in peacebuilding.
- (d) The third party, in particular, their working assumptions about the peacebuilding endeavour (including the outcome and process objectives they have), their acceptability to the local targeted population, their clinical knowledge and personal fortitude are important considerations. Furthermore, the third party must be prepared and able to face the challenges of a war-torn society, including safety and survival issues.
- (e) The context in which peacebuilding is undertaken is a key element. The “focus” and “scope” of a peacebuilding initiative will be greatly determined by factors in the context. What is urgent, necessary, desirable and practical are context-related.
- (f) The dimension of Time is an element.
- (g) The relationship of peacebuilding activity (nature of and level to which it is targeted) and the “stage of conflict” is an important element to assist diagnostics and the determination of appropriate specific peacebuilding activity.

6.2.2.5 Level 3, Lederach's Imperatives

In this section of our analysis of the contributing cases we consider the cases from the perspective of the three “imperatives” asserted by Lederach, as outlined in our methodology. The three imperatives are:

- 1. It is imperative to think about time when looking toward an architecture for peacebuilding.**
- 2. It is imperative to think about the systemic roots of conflict.**
- 3. It is imperative to consider the role of middle-range actors.**

<p>Case 1 - Mostar LEDERACH'S THREE IMPERATIVES</p>

- 1. It is imperative to think about time when looking toward an architecture of peacebuilding.**

This case confirms Lederach's imperative about time. The failure to conclude the planned intervention was initially determined to be a function of “bad timing” in the sense that the intervention itself was inappropriate at the stage of conflict in Mostar. The Muslims and Croats were polarized, removed to two sections of a divided city. They had waged severe war against each other and it might have been concluded that a process-promoting workshop was pre-mature. The idea of a conflict resolution initiative directed, ultimately, at reconciling the parties appeared inappropriate at the time.

In hindsight, with the benefit of more rigorous analysis, it is now possible to conclude that time was a key variable, but not in the sense of “bad timing” for the intervention as planned. More precisely, at this time in the conflict security issues were paramount and had they been addressed the intervention might have proceeded as planned.

Time, as outlined earlier, is also important in terms of providing a sustained peacebuilding intervention and in terms of measuring success.

It has become obvious that peacebuilding is not an expert intervention done to a recipient but a sustained collaborative effort with a local partner or population to deconstruct the structures of violence and construct the structures of peace. It takes time to do this; and time will have to transpire before success can be measured.

Case 1 - Mostar

2. It is imperative to think about the systemic roots of conflict.

This case confirms Lederach’s imperative about the need to think about the systemic roots of conflict. The intervention as planned was in the order of a social-psychological intervention that would focus on relationship building, and the hope of reconciliation between former members of an integrated Mostar.

Whereas it was assumed that the root causes were related to issues of ethnic identity and explained by theory concerning deep rooted identity-driven conflict, that analysis may have been insufficient.

The near total destruction of their built environment and the extreme violence they had perpetrated on each other, and the rising tensions on the signing of the Dayton Peace Accord give rise to further questions about the root causes of the conflict.

If the intervention as planned was directed at the participants and failed to consider the broader context in which they had been motivated to war and in which they then had to be motivated to peace, it seems reasonable to conclude that the intervention would have been misplaced; it would have been superficial. Attention to the potential need for the resolution of “hard issues” must not be neglected.

The paradox which points to the need for greater consideration of the systemic roots (emphasis intended) of conflict is as follows. On the one hand the participants were prepared to attend the workshop as planned, suggesting a willingness to peace, and an affirmation of the analysis of root causes that informed the workshop goal and its design. On the other hand, the risk to their lives by attending a workshop directed at reconciliation and the political pressure they were under in their community - despite the momentous event of a peace accord being signed at the Track I level - suggests the causes of conflict may run deeper, they may be systemic.

It is arguable, therefore, that systemic root causes may have arisen in the workshop; to think about them in advance may have been instructive to planning the social-psychological peacebuilding effort. That is, efforts to achieve greater understanding of each other, removal of negative stereotypes, reconciliation and healing may require attention to the systemic issues and potential root causes of the conflict.

Case 1 - Mostar

3. It is imperative to consider the role of middle range actors.

The intervention was designed for middle-range actors. Their role was to become a “constituency of peace” as Lederach has espoused.

Cancellation of the planned intervention prohibited our test of this imperative as it applies to peacebuilding outcomes. Their willingness to participate under risk of life does indicate the potential role that middle-range actors might play.

Case 2 - Romania
LEDERACH'S THREE IMPERATIVES

- 1. It is imperative to think about time when looking toward an architecture for peacebuilding.**

This case of peacebuilding in a post-revolutionary transitional society confirms Lederach's imperative about time.

The intervention, ongoing for three years, was planned to take into account the amount of time required to build conflict resolution capacity on a broad societal scale in Romania.

Analysis of the case suggested that the time line for the peacebuilding outcome to be measurable would be decades, not years. Furthermore, identifying Time as a key element in a peacebuilding framework was confirmed.

Case 2 - Romania

- 2. It is imperative to think about the systemic roots of conflict.**

This case confirms this imperative. The initial focus was upon inter-ethnic conflict and political violence between ethnic Romanians and Hungarians. The strategic level of analysis undertaken when planning the intervention, combined with the assertions of the local peacebuilding partner, resulted in a new perspective. Focus was shifted from an inter-ethnic conflict resolution initiative to a capacity-building

initiative. This necessitated a shift from the root causes of inter-ethnic conflict to a more systemic analysis.

The systemic root causes of conflict related to the structures in Romanian society that sustain conflict and its expression as political violence; it pointed to the need to build the structures of peace through capacity-building.

An issue that arises is whether there is a meaningful and useful distinction to be made between root causes (which may be more particular) and systemic root causes (which may be “deeper” and more “general”).

In this case, addressing the root causes of inter-ethnic conflict, assumed to be identity-driven, was superseded or subsumed, at least for the purposes of the intervention, by attention to more generalized, systemic root causes in Romanian society as a whole.

Case 2 - Romania

3. It is imperative to consider the role of middle range actors.

This case confirms the importance to peacebuilding of middle-range actors. It also raises questions about the efficiency and effectiveness of efforts that are exclusively undertaken at the middle-range.

Our partners, the Foundation for Democratic Change, are middle-range actors. FDC was duly constituted as a nongovernmental organization and situated in Romanian society to be able to effect the conflict resolution capacity building which was undertaken.

The case, however, suggests that higher level actors, including national and international actors may have given greater impetus to the work at the middle

range. This relates to the general task of capacity building, including the development of institutions of democracy and a market economy, goals that Romania held and which are consistent with the objectives of peacebuilding.

The middle-out approach to peacebuilding appears valid in this case; measures of success to verify this are not available at this time.

<p style="text-align: center;">Case 3 - Canada LEDERACH'S THREE IMPERATIVES</p>

1. It is imperative to think about time when looking toward an architecture for peacebuilding.

This case confirms Lederach's imperative about time, in three principal ways. First, the timing of the intervention was contingent upon events that were occurring in the broader political context with respect to Indian Affairs in Canada (the Royal Commission) and in the specific context of political violence (armed confrontation) between Indians and Canada. Second, the legitimacy of the third party was in part a function of the length of time involved in the issue of Indian land claims in Canada. Third, some time (years) is required to measure success of the new Indian Claims Dispute Resolution Process.

Case 3 - Canada

2. It is imperative to think about the systemic roots of conflict.

The systemic roots of conflict were very much a consideration in the planning and execution of the intervention. The peacebuilding activity was to construct a structure of peace. This new structure had to address the structures of violence

inherent in the former system and ensure a vehicle for more just and equitable resolution of claims.

Power as a key element in peacebuilding, as embodied in laws and institutions of society, became a central factor associated with the systemic roots of conflict.

Case 3 - Canada

3. It is imperative to consider the role of middle range actors.

This case illustrates the value of middle-range actors who are able to act as brokers (in collaboration with the third party) between high-level players and who can bridge the gap between the aspirations of grass roots and the political limits and tolerance of high level actors.

6.2.2.6 Summary Observations about Lederach's Three Imperatives

The cases confirm the validity of Lederach's three imperatives. The role of middle-range actors, while validated, remains underdeveloped. More research is necessary.

6.3 Critique of the Conflict Transformation Framework

On the basis of the analysis of the cases we are now able to critique Lederach's Conflict Transformation Framework. As a "comprehensive strategy" what are its

strengths and weaknesses? What practical guidance may we take from it? How may it contribute to an “architecture for peacebuilding?”

Lederach instructs us to understand peacebuilding as:

...a comprehensive term that encompasses the full array of stages and approaches needed to transform conflict (from violence - both overt and structural) toward sustainable, peaceful relationships and outcomes. Peacebuilding thus involves a wide range of activities and functions that both precede and follow formal peace accords. Metaphorically, peace is seen not merely as a stage in time or a condition. It is a dynamic social construct. Such a conceptualization requires a process of building, involving investment and materials, architectural design, coordination of labour, laying of a foundation, and detailed finish work, as well as continued maintenance. (Lederach, 1994: 14)

As noted earlier, Lederach’s Conflict Transformation Framework entails consideration of five elements: structure, processes, reconciliation, resources and coordination.

With respect to *structure*, three areas are to be considered:

- (1) the levels of the population with which peacebuilding is envisioned - taking note that there are three levels: the highest level which we associate with peacemaking, the diplomatic or strategic level - and from which cease fire agreements and peace accords may be produced but which do not necessarily translate to the community; the mid-level, or ‘middle range leader’, such as individuals who are respected and known by sector or ethnic group and who are in a position to influence the levels above and below (the middle out approach); and the grassroots, local level, involving local leaders, indigenous NGOs, community development activists, whose main concern may be survival issues and who may be unable to put their reality into a broader context;
- (2) the context in which issues are placed - taking note of the tendency to focus on issues rather than the relationships or systemic causes of the

conflict and the importance of viewing local issues in relation to a larger systemic perspective;

(3) the time frame developed for peacebuilding activities-taking note of the tendency to respond to conflict on a crisis basis and the importance of linking immediate and long-term planning, of thinking in decades rather than events.

With respect to *process*:

- (1) the importance of acknowledging that there are a multiplicity of roles relating to peacebuilding; and that
- (2) mechanisms are needed to address the interdependence of these roles.

With respect to *reconciliation*:

- (1) the importance of acknowledging that the primary elements that drive and reinforce conflict are often psycho-social and are linked to relationships rather than political substance, requiring that;
- (2) the human being must be put back into the process of peacebuilding; and
- (3) an reorientation towards relationship building and not exclusively resolution of the issues is necessary.

With respect to *resources*:

- (1) the need to expand our view of how and who is able to undertake peacebuilding so that it is not just the activity of those who represent the state or the business of specialists; and
- (2) place greater emphasis on longer-ranged views than short-term projects, on actor responsibility and accountability at all levels.

With respect to *coordination*:

- (1) address the need for coordination of peacebuilding activities through;

- ▶ clearer channels in conflict situations, so that high-level activity is linked to middle and grassroots peacebuilding initiatives, and that actors are linked;
- ▶ conferences of donors, recipients and other related agencies and organizations are informed so that communication and collaboration are improved;
- ▶ research, at the applied level in the form of establishing peace inventories, identifying initiatives within a particular area.

Our analysis of the three contributing cases, following the Line of Inquiry set out in the Methodology, confirms the overall merit of Lederach's Conflict Transformation Framework. The five elements he identifies appear as significant considerations in our analysis; in particular, structure, resources and coordination. Lederach's articulation of structure as comprising population, context and time requires a closer examination based on the analysis of the cases; reconciliation and process likewise.

Reconciliation, the distinguishing element that was identified as setting the Conflict Transformation Framework apart from the Disaster Management plus Reconstruction and the Developmental Reconstructivist Frameworks, while implicitly present in the ultimate goal of positive peace, is less emphasized in the cases. That is, reconciliation was an explicit practical goal or end-state in the Mostar and Canada case, and over time it would apply in relations between Hungarian and Romanian ethnic communities in Romania. While remaining a key feature in the cases, it was however subsumed under the larger goal of positive peace.

Furthermore, the nature of the cases, the challenges associated with them, and the critical analysis of them suggests the need for more attention to the structure,

especially context and actors; to the “issues”, especially distribution of power through institution building; and to the context, appreciated as an organic whole.

Nevertheless, Lederach’s framework resonates throughout the analysis. The five questions he developed in the context of his comprehensive strategy and what we have called here Lederach’s “three imperatives” (the importance of time, attending to the systemic roots of conflict, the critical role of middle-range actors) are validated.

Furthermore, the definition of peacebuilding used here and assessed as valid in the analysis, and its implications for an “architecture” are congruent with the Conflict Transformation Framework.

Differences between the Conflict Transformation Framework and the results of the analysis of the cases do arise, however. These differences are a matter of degree in some cases, where the concern is with the emphasis that Lederach has placed on an element or concept; and some differences that are more profound, as in the importance of context, the need to address the third party more explicitly, and the relationship of the three peace-nurturing functions: peacemaking, peacekeeping and peacebuilding.

Let us consider these more closely.

The five key questions that relate the structural and procedural dimensions of Lederach’s strategic model did inform the casework and they were helpful in reflecting critically about peacebuilding.

As noted by Lederach:

‘Structure’ suggests the need to think comprehensively about the affected population and systematically about the issues. ‘Process’ underscores the

necessity of thinking comprehensively about the progression of conflict and the sustainability of its transformation by linking roles, functions, and activities in an integrated manner. Together, the two lenses suggest an integrated approach based on five questions.

The five questions were organized in terms of presenting situation; desired outcomes; and transformation.

PRESENTING SITUATION	Question 1: How do we manage the immediate crisis?
DESIRED OUTCOME	Question 2: What are the social structures and the relationships we desire? Question 3: How do we prevent the crisis from recurring?
TRANSFORMATION	Question 4: What are the root causes of the crisis? Question 5: How do we get from crisis to desired change?

Despite the conventional wisdom of starting with the presenting situation and a question of managing the immediate crisis, we took Lederach's view that a crisis-orientation is inadequate (while respecting the need for immediate practical responses, such as relief, as part of a comprehensive strategy).

We asserted that, theoretically, the answer to Q1 is informed by the answer to Q2. The answer to Q3 is informed by the answer to Q4. Answers to Qs 1, 2, 3, and 4 indicate the response to Q5.

We asserted that both the questions and their order must be examined from the perspective of whether they have theoretical and practical integrity. They must speak to the key issues identified in the literature.

Our analysis demonstrates the utility of the questions as given. Question 5, pursued in the order identified, is in essence the pressing question of peacebuilding: what peacebuilding needs to be done?

The answer to “what needs to be done?” is a matter of following theoretically-informed practical guidance.

The analysis of the cases validates the questions and their order to an extent. They provide theoretically-informed general guidance consistent with a long-term approach to peacebuilding. They are helpful strategic questions within that perspective.

Concerns arise, however, at a deeper level of examination of the fundamental dimensions of structure and process, upon which the questions are formulated.

Within the dimension of “structure,” Lederach (1994: 21) includes population, context and time. His framework places great emphasis on the middle-range actors, and a middle out approach to peacebuilding. In fact, he goes so far as to assert:

The middle range offers what might be called a ‘middle-out’ approach to peace. It is based on the idea that the middle range⁴⁷ holds a set of leaders with a determinant location in the conflict who, if integrated properly in

⁴⁷ Lederach describes actors from each level, noting that middle-range leaders are positioned such that they are likely to know and be known by the top-level leadership, yet they are significantly connected to the broader context and the constituency that the top leaders claim to represent. . . . they are connected to both the top and grassroots . . . but they are not bound by political implications that govern every move and decision at the top level and they vicariously know the context and experience of people living at the grassroots level, yet are not encumbered by the survival demands facing many at this level.

the peace process, might provide the key to creating an infrastructure for achieving and sustaining peace. *(To my knowledge, a theory of middle-range peacebuilding as such has not yet been developed. We do, however, have a number of parallel examples to draw upon of middle-range approaches to peace. These fit into three categories: problem-solving workshops, conflict resolution training, and the development of peace commissions.)* (Italics added to indicate that the cases in this study cover two of the three examples.)

Our analysis, which included two cases explicitly involving middle-range actors, reinforce the merit of Lederach's assertion. We concluded that a middle-out approach is achievable and we remarked on the importance of middle-range actors. Nevertheless, our cases give us caution against placing too much hope in peacebuilding that is exclusively focused on this population.

This caution is not to detract from the strength they have as a resource and the potential of sustainable peace that comes with restoration of relationships, with reconciliation. It has more to do with the salience of context and issues embedded in the context; the need to integrate Track I level issues and Peacekeeping; and the impact of both on peacebuilding at the middle range.

Notwithstanding Lederach's clear instruction with respect to *process* concerning the importance of acknowledging that there are a multiplicity of roles relating to peacebuilding and that mechanisms are needed to address the interdependence of these roles, the Conflict Transformation Framework provides little practical guidance here. The emphasis is on middle-range actors and reconciliation.

Our analysis, using the Conflict Transformation Framework, directs us to *resituate* process to ensure the acknowledgment that there is a multiplicity of roles relating to peacebuilding and a need for mechanisms which are needed to address the interdependence of these roles.

Our analysis directs us to focus on context, not as an feature of structure, but as a fundamental element.

Furthermore, notwithstanding Lederach's identification of *coordination* as a key element and the attendant need to address the coordination of peacebuilding activities through clearer channels in conflict situations, so that high-level activity is linked to middle and grassroots peacebuilding initiatives, and that actors are linked, his proposals for these appear necessary but insufficient.

For example, he proposes that conferences of donors, recipients and other related agencies and organizations are informed so that communication and collaboration are improved; and that research, at the applied level in the form of establishing peace inventories, identifying initiatives within a particular area be undertaken. It acknowledges the relationship of the three peace-nurturing functions (Peacebuilding, Peacemaking, Peacekeeping) but does not illuminate the relationship, conceptually or practically. Nothing that is of practical value is explicitly stated about coordinating Peacebuilding with Peacekeeping and Peacemaking.

The element of coordination requires clarification and development, in two ways. The relationship of Peacebuilding, Peacekeeping and Peacemaking - across the spectrum of applications and along the hierarchy of stages from war to peace requires greater explication. In this regard, the role of the third party, the peacebuilder - or even more fundamentally, the third party in all its relevant aspects, must be addressed more specifically.

The Conflict Transformation Framework is considerably strong as a philosophical model. Its tenacity in placing and holding human beings at the centre of peacebuilding is consistent with the definition of positive peace, with the goal of

justice, the ideal state and ongoing human and social dynamic of building peace step by step.

We see in the cases, however, the role of power and the practical limits of peacebuilding. These limits may arise from the context itself, from the type of peacebuilding assistance which is offered, from the population to which it is offered, from the third party offering it, and the manner in which it is provided.

The Conflict Transformation Framework is remarkably comprehensive. Yet it does not address all of the issues in the literature which were identified here as key issues. That is, it speaks to the definition of peacebuilding (including transforming violence and creating the structures of peace) but gives little specific guidance on building institutions or mechanisms that provide a capacity for non-violent expression and resolution of conflict.

It emphasizes the strategic dimension in outlining coordination as a key element and stresses the importance of time, especially the value of a long-term “timeframe” for undertaking and measuring the success of peacebuilding; but it fails to articulate the nature of the coordination and leaves much unsaid about the national and international context and related strategic considerations, and the critical issue of “timing” of interventions.

It addresses the issue of measuring success but does not distinguish between process and outcome objectives and measures. It points us to the goal of reconciliation but gives little guidance or signs of success on the road between war and peace.

Ultimately, the Conflict Transformation Framework illustrates the importance of theory, the value of a framework, and the urgent need for practical guidance based on research, applied work and critical reflection.

The Conflict Transformation Framework passes the test of validity. It elevates our focus by pursuing fundamentals. The transformation of violence into peace is the paramount objective.

In mapping out so much terrain, it highlights the uncharted areas and moves us toward an architecture for peacebuilding.

6.4 SUMMARY AND CONCLUSIONS

This chapter has presented a multi-level analysis of the three contributing cases. The analysis is the basis upon which a critique of the Conflict Transformation Framework was conducted. The analysis began by situating the three cases on the intersection of “stage of conflict escalation” and “type of political violence.” In the Canadian case, the political violence was described as “political clashes” on the “turmoil dimension” and the stage of conflict escalation as Stage 2, “polarization.” In the Romanian case, the political violence was described as “post-revolutionary” and the stage of conflict escalation as located between upper Stage 1, Discussion and lower Stage 2, Polarization. In the Mostar case, the political violence was described as “civil war” and the stage of conflict escalation as “Destruction”.

The analysis then took the form of “lessons learned” from the casework and a detailed application to each case of the “line of inquiry” pursued in this study. The lessons learned were a series of clinical observations derived from reflections on the field experience. The line of inquiry analyzed the cases from the perspective of Lederach’s comprehensive strategy for conflict transformation; from the perspective of the detailed questions arising from the key issues identified in the literature; and from the perspective of Lederach’s three imperatives.

The Conflict Transformation Framework was validated by this analysis. It provides a comprehensive framework that is theory-informed, keeping human beings at the centre of peacebuilding, and striving for positive peace. Some shortcomings of the Framework were noted, however, and a number of conclusions were drawn. We concluded that:

- A middle-out approach to peacebuilding is achievable and middle-range actors are critically important as a resource that may contribute to a sustainable peace that comes with restoration of relationships, with reconciliation.
- Caution should be taken in placing too much hope in peacebuilding that is exclusively focused on middle-range actors. There is a need to integrate Track I (Peacemaking) issues and Peacekeeping with Peacebuilding efforts being undertaken at the middle range.
- The Conflict Transformation Framework provides nothing that is of practical value concerning coordinating peacebuilding with peacemaking and peacekeeping.
- We must consider context as a fundamental element in any model of peacebuilding.
- The Conflict Transformation Framework leaves much unsaid about the national and international context and the impact of related strategic considerations upon peacebuilding.
- The relationship of peacebuilding, peacekeeping and peacemaking - across a spectrum of applications and along the hierarchy of stages - from war to peace - requires greater explication.

- The third party - the peacebuilder - in all its relevant aspects must be addressed more specifically.
- The Conflict Transformation Framework gives little specific guidance on building institutions or mechanisms that provide a capacity for non-violent expression and resolution of conflict.
- The Conflict Transformation Framework stresses the importance of time, especially the value of a long-term “timeframe” for undertaking and measuring the success of peacebuilding.
- The Conflict Transformation Framework says little about the critical issue of “timing” of interventions.
- The Conflict Transformation Framework does not distinguish between process and outcome objectives when it addresses the issue of measuring success.
- Peacebuilding takes two general forms: social-psychological processes drawing upon conflict resolution techniques and institutional capacity building.

In the next chapter we build on the analysis and conclusions presented here to develop an architecture for peacebuilding.

CHAPTER 7

Synthesis: An Architecture for Peacebuilding

7.1 INTRODUCTION

This chapter sets forth an architecture for Peacebuilding.

The “Architecture” is presented through a discussion of the four key components:

1. Conceptual basis of the Architecture
2. Definition of key terms
3. Philosophical principles
4. Peacebuilding Assistance Model

The architecture builds on the analysis of the three contributing cases and the resulting critique of the Conflict Transformation Framework. As an architecture for Peacebuilding it seeks to be prescriptive; it declares what peacebuilding is and recommends a process to build peace. It is a synthesis of our discussion; it must rise to meet the challenges set out when we first considered the brief.

The brief as originally described set out the challenge of Peacebuilding as follows.

Our response had to consider:

- ▶ the nature of the conflict, including the likelihood of protracted, deeply rooted, violent, at times anarchial warfare;
- ▶ the scale and scope of physical, social, economic and political destruction;
- ▶ the massive migrations of internally displaced persons, and refugees;
- ▶ the lack of models or an experiential base to guide Peacebuilding;
- ▶ the international community's constraints which are a function of the war being "internal", "intra-state";
- ▶ the levels at which intervention can and must take place, from the strategic, international level, to the operational, regional and national level, to the tactical, grass roots level;
- ▶ the multiplicity of actors, with different jurisdictions, mandates, experience, strengths and weaknesses;
- ▶ the financial costs, to deploy and maintain a Peacekeeping force; to finance and deliver humanitarian relief in the form of food, emergency shelter, medical and psychological services; to finance and provide reconstruction of the destroyed physical environment, including water and electrical services, communication and transportation infrastructure, housing, public buildings and services, cultural monuments and heritage sites;
- ▶ the challenge to build the foundations of peace, to work with the political representatives and members of the warring factions and the affected communities, to demilitarize troops and rogue warriors, to establish the Rule of law, and to create a new political, social and economic reality, a new society that is sustainable.

Furthermore, on the basis of the fieldwork and analysis in this study we have reformulated the brief or appreciate it differently. The challenge to build peace

may occur at any point on the continuum from political violence to positive peace. The essence of Peacebuilding is the transformation of structural and overt violence into positive peace. On that continuum it may be necessary to establish negative peace, the cessation of overt hostilities; to build the institutions of a civil society; to create a culture of peace; to strive for the ideal.

An architecture for Peacebuilding must be theory-informed; it must have principles upon which it stands; it must have clearly defined terms and concepts; it must challenge the peacebuilder and elevate him by and toward those principles; yet it must be practical. That is the task in this chapter.

Then, having set forth an “architecture for Peacebuilding” we apply it in the next chapter and this study’s central case: Peacebuilding in Crimea. Was the architecture presented here adequate? What are its strengths? What improvements can be made?

Finally, in our concluding chapter we reflect on our thesis and look to the future. What are the critical questions which remain unanswered, and what is the related research that must be taken next?

7.2 CONCEPTUAL BASIS OF THE ARCHITECTURE

- (i) The conceptual basis of an “Architecture for Peacebuilding” begins with understanding war as the violent expression of conflict and by establishing our conception of peace. Perceived overt or structural violence begets conflict; and conflict may be expressed in any number of forms of political

violence (on the turmoil or revolutionary dimensions). To transform political violence requires more than changing the expression of conflict from violent to nonviolent form but to address the fundamental *violence* which generates conflict in the first instance and gives rise to political violence. To address political violence is to “transform” the underlying violence itself. When violence is transformed fundamentally, in this context, it is transformed into peace. There are two faces of peace: negative peace (the absence of overt hostilities), which is more allied with the (non-violent) expression of conflict; and positive peace, which is allied with the resolution of conflict through destruction of the structures of violence and construction of the structures of peace. Peacebuilding strives for positive peace.

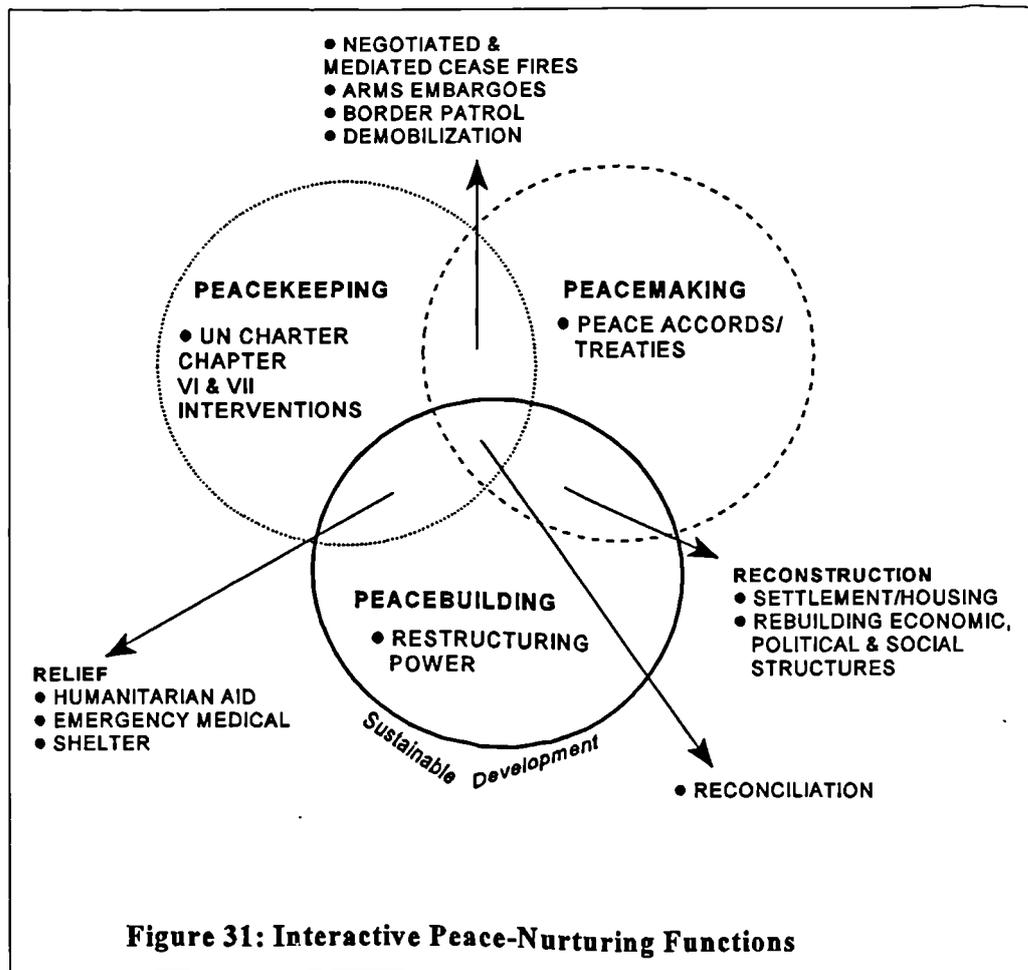
The terms Peacemaking, Peacekeeping and Peacebuilding are a triad of peace-nurturing functions. They are the key elements of a “peace process”. Conceptually, they are discrete; although in practice they are interactive (See Figure 31). Of the three, Peacebuilding is the most ubiquitous. It may be provided in all cases of political violence: before, during, and after war in both Track I and Track II forms. (See Figure 32)

Peacemaking, however, embraces Peacebuilding, both in the actual process of diplomatic efforts to secure peace accords and in the accords themselves, where construction of the structures of peace are anticipated and some of the means specified.

Peacekeeping touches upon Peacebuilding as well, both in very concrete instances such as support to humanitarian assistance and in more strategic ways, when enforcing a ceasefire and providing a form of law and order.

All three functions nurture peace. They share a common bedrock: that which they seek to establish, peace itself. They are motivated by peace and they

interact together. When and how they interact is determined by the complexity and demands of the violence they seek to transform and by the peace they seek to establish.



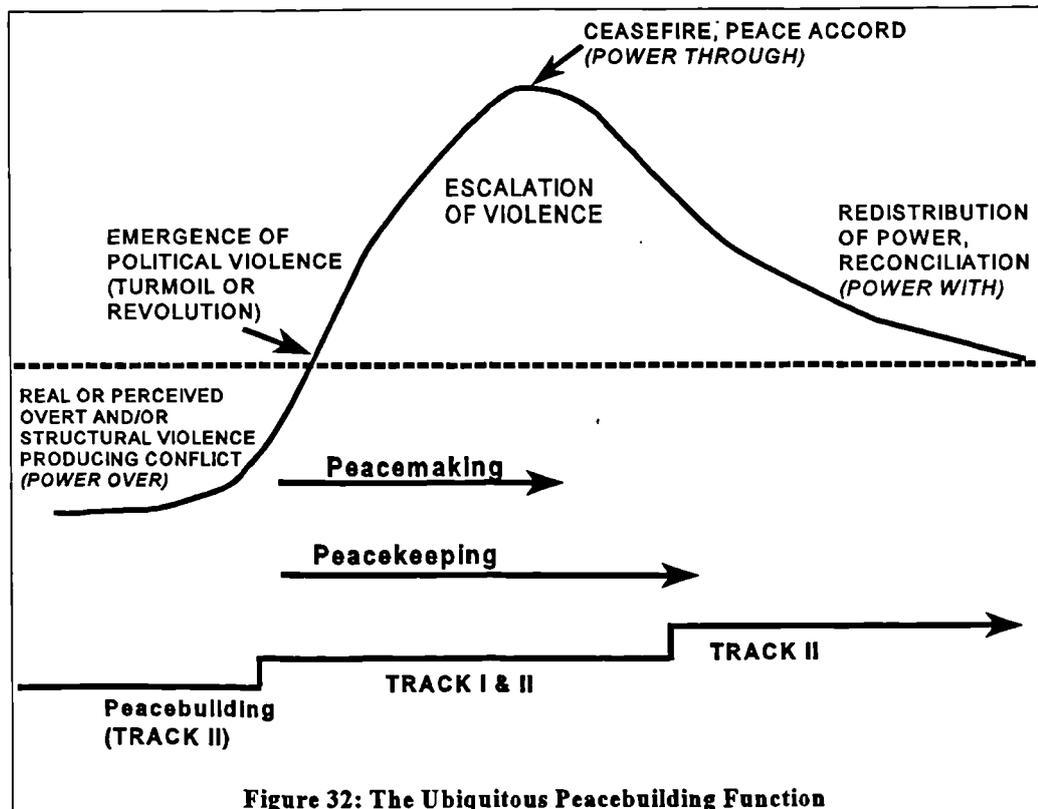


Figure 32: The Ubiquitous Peacebuilding Function

- (ii) The essence of the structures of positive peace, philosophically, becomes the goal of reconciliation, the hope of resolution and the principles of restorative justice. These are operationalized in institutions and processes, in attitudes and human conduct, including the capacity for the non-violent expression and resolution of conflict.

The “capacity” for non-violent expression and resolution of conflict in this context means having the attitudes, interpersonal skills, common understandings, and tolerance to forgive each other; to build trust - to be able to believe that what happened in the past will not happen in the future; and to plan for the future together. “Capacity” also means institutional mechanisms (laws, policies, procedures and processes) that underlay a just society and enable grievances to be brought forward for their equitable resolution.

Thus, an architecture for Peacebuilding takes into account the importance of hope, healing and reconciliation - the fact that before, during and after war, people must live in relationship; they must learn to live with differences without recourse to violence.

If we assume that peace is the opposite of war (which is one expression of political violence), then the relationship of conflict and war is a relevant consideration. War is conflict expressed violently. War and violence are virtually synonymous; or more accurately, there cannot be war without violence. On the other hand, peace and violence are incongruent. Short of the ideal of “perfect peace”, however, peace and conflict, are not incompatible. Conflict is sustainable in a situation of peace. Conflict itself is not the problem. Violence is. War is conflict expressed violently. War and other forms of political violence are expressions of conflict that are in turn reactions to real or perceived underlying forms of violence.

Violence may be perceived to be done to one party by an oppressor or by an oppressive social system; or violence may be done by one party to oppress, to achieve its objectives. This gives rise to conflict and may result in “political violence” expressed on the Turmoil or Revolutionary Dimension.

To build peace is to understand the root causes of conflict - but not to stamp out conflict. Building peace has to do with building a capacity to achieve or return to a condition of non-violence, which includes a condition of justice and the capacity for expressing conflict non-violently.

This is the distinguishing feature, the overarching challenge of Peacebuilding. Peacebuilding is other than development and reconstruction, other than socio-economic change, more than these component parts and

affiliated processes. Short of the ideal of perfect positive peace identifiable by the absence of both overt hostilities and structural violence, the question becomes how to be in conflict - without violence - rather than peace being a state of non-conflict, enforced or otherwise.

Bush helps us relate this discussion of peace to Peacebuilding - to the work of constructing the foundations of peace. He declares that “although peace may be conceived in general terms as a process characterized by (1) the gradual elimination of pervasive and systematic violence, and (2) the gradual construction of a “just” and accommodating society, economy and polity, this should not imply the process is necessarily linear or monolithic. More accurately “the” peace process is a conjunction of events and factors that collectively and cumulatively effect change. It is both “process” and “outcome”. (Bush, 1995: 9)

Peacebuilding is building both process and outcome, what the rule of law and justice are, respectively. Together they are the capacity for the non-violent expression of conflict. They are the structures of peace.

Given that structure is power and law is a structure, law embodies power. The question arises, whose power is represented in law? If “rule of law” is a representation of the power of the people, dictat is a representation of the power of the tyrant. The rule of law can thus take various forms. The tyrant’s dictat is rule of law that has “authority” and “force” but lacks popular legitimacy, as it does not represent the will or interests of the people.

If the people’s law cannot be separated from them but represents their power, then destroying oppressive law and constructing legitimate law is part of the Peacebuilding endeavour.

Law that is a structure of peace may be conventional or “local” law or codified law so long as it is transparent, subject to change by the people, and enjoys the confidence and respect of the people.

This is the mark of a peaceful society. The presence of justice, the opportunity for development and the expression, management and settlement of conflict non-violently. A civil society. Not necessarily any particular type of society. There is no implication that it will be a western democratic society, a collective or tribal society, a market economy society or any other preconceived type.

Rather, it is a society that does not violate and can function without resort to violence, internally or externally.

In order to have peace and the non-violent expression of conflict, specific conditions and mechanisms must exist. Establishing these is what peacebuilders must do.

Peacebuilding is therefore concerned with the transformation of violence in a society, whether structural or overt; and transformation of the manner in which conflict is expressed, from violent to non-violent. This is done through building appropriate capacities in a society.

The new order in a post-war society is not an order absent conflict. Conflict will continue to be present, between people, groups, social, economic and political systems. However, both structural and overt violence will be sufficiently removed and methods for non-violent expression of naturally-occurring conflict will be in place.

- (iii) Thus, the notion of Peacebuilding being applied to a “post-conflict” situation is flawed. The idea that rebuilding war-torn societies is a “post-conflict” task is inaccurate. Furthermore, in a very practical sense, the thought of confining Peacebuilding to “post-war” or “post-violence” is problematic for the peacebuilder.

There are many variants of political violence. One variant is civil or internal war. In such situations of war it is not often the case that war comes to a clear and certain stop and peace begins.

It is true that peace may be an outcome: we are able to say that now, at this moment, a condition of peace exists. But peace is also a process. A state or phase in which the violence is being transformed into non-violence; in effect a state when choices are continually being made to remove structural violence (inequalities, injustices) and to express conflict non-violently through mechanisms that are valued and endorsed by those in conflict - in some cases for those who experience structural violence and for those at war. Grievances, disputes, and more fundamental conflicts may be addressed through institutions such as legislative and regulatory bodies, administrative and executive agencies, an independent judiciary, and the very methods of governance adopted by a particular society.

An architecture for Peacebuilding recognizes that there are stages of societal development. It recognizes that positive peace is an ideal at this stage of our moral, social and political development. It nevertheless strives to build a “culture of peace.” (See UNESCO Sources, No 86, 1997: 8.)

The culture of peace may thus be defined as all the values, attitudes and forms of behaviour, ways of life and acting that reflect and are inspired by respect for life and for human beings and their dignity and rights, the rejection of violence in all its forms, and

commitment to the principles of freedom, justice, tolerance and understanding among and between groups and individuals.

An architecture for Peacebuilding thus directs us toward the structural elements in a society, to root causes of conflict, and to activities that will reinforce a negative peace (absence of overt strife and violence) while striving for positive peace.

- (iv) An architecture for Peacebuilding moves beyond conflict transformation. It takes as a starting point the view that conflict is a

. . . multi-dimensional social phenomenon which is an integral feature of human existence, essential to the ongoing processes of history, to social change and to transformation. Seen in this way, conflict is something which is a common, everyday occurrence. It is natural and unavoidable - a social fact of which we have all had direct experience. And, providing it can be expressed constructively, it is desirable. (International Alert, 1996: 3)

An architecture for Peacebuilding is an architecture for violence transformation, where violence is defined as a use of physical force so as to damage or injure; an abusive use of force, passion, fury; distortion of meaning; desecration *to do violence to*, to offend, outrage, *to do violence to someone's sense of justice*. (Webster's Encyclopedic Dictionary of the English Language, 1988.)

To transform political violence, then, is not to change the expression of conflict from violent to nonviolent form but to transform violence fundamentally.

The peace-nurturing triad effects this transformation.

Peacemaking may achieve an agreement of the belligerents to cease fire; and it may establish a peace accord. In that accord the building of peace is

anticipated. Political violence will stop; the underlying conflict will be addressed; provisions will be made for destruction of the structures of violence and construction of the structures of peace.

The Peacemaker's role is clear.

In other cases the structures of violence, sustained by attitudes and reinforcing the attitudes of those whose goals are supported by the structures, may have the appearance of legitimacy. They may not be exposed by extreme forms of political violence, such as coup d'etat, guerrilla war, or revolution. The structures of violence may be part of the fabric of a society that is characterized as a peaceful and tolerant society. For these reasons they may not readily be seen as persistent and systemic violence by those other than the oppressed (or their "sympathizers"). They may be seen as requiring "adjustment" to accommodate malcontents, but not perceived as fundamentally flawed, unjust and a form of violence.

Thus, the antithetical relationship between structures of violence and positive peace is also apparent in situations where negative peace has long been established, where a civil society exists and yet some distance remains between the real and the ideal.

The Peacemaker's role may be internalized to such societies.

In those cases of political violence, however, when hostility is overt, when war is about to, or has broken out, manifest violence must be addressed. Peacemaking and Peacekeeping are required.

Peacekeeping may secure a negative peace: there is no evidence of overt hostility, and a form of (imposed) order exists.

Peacebuilding will seek to establish and consolidate a positive peace. Peacebuilding is allied with the restoration of harm done and the resolution of conflict - where “resolution” takes the dictionary meaning of “to convert a discord into a concord” with attendant “dissipation” (of tension, antipathy). (Webster’s Encyclopedic Dictionary of the English Language, 1988)

Peacebuilding constructs the structures of peace. In the first case, without recourse to Peacemaking but embracing it; in the second, with recourse to both Peacemaking and Peacekeeping.

Peacebuilding looks to the root causes of conflict, and finds violence there.

When the expression of violence is social-psychological, for example, negative stereotyping, in-group and out-group perceptions, its root cause may be a cultural chauvinism.

The “structures of peace” in this context may be the attitudes, interpersonal skills, common understandings, and tolerance that must be established - the bridge of reconciliation - that must be constructed through the growth of a relationship that is characterized by mutual identification, rather than alienation - something made possible by seeing self in other.

On the other hand, the structures of violence may be the laws, policies and processes of the dominant culture - or dominate class, which are antagonistic to the goals of justice, reconciliation and positive peace.

When the structures of violence are power which is aggregated into institutions, to the advantage of some in a society, the structures of peace may be new institutions. The architect of peace builds new structures that

re-distribute power. The new distribution of power is no longer supportive of violence but of peace.

An architecture for peace therefore may help construct social-psychological structures, new structures of power (political and economic) and design systems of dispute resolution so that grievances may be brought forward, non-violently, for resolution.

The structures of violence cannot be destroyed by violence.

The Peacekeeper may impose order by threats or use of violence, but that order is unsustainable.

Political violence may draw attention to the conflict which is based upon perceived or actual violence. Political violence may bring down pre-existing structures of violence but will create new ones in their place unless the structures of peace are constructed to replace the structures of violence.

The new structures must have the power of legitimacy.

For the structures of violence now appear as power; power aggregated and structured in the interests of some and antagonistic to the interests of others.

Similarly, the structures of peace now appear as power; power distributed in the interests of the many.

- (v) An architecture for Peacebuilding is based on three interrelated axes:
the Outcome Axis;
the Justice Axis; and
the Power Axis.

The Outcome Axis:

The Outcome Axis has at one end the objective of Positive Peace (resolution); at the other, War (imposition). In the middle is Negative Peace (settlement) (see Figure 33(A)).

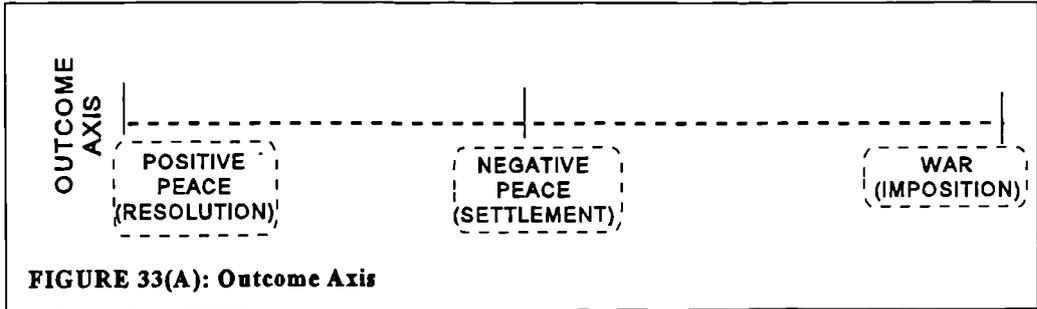


FIGURE 33(A): Outcome Axis

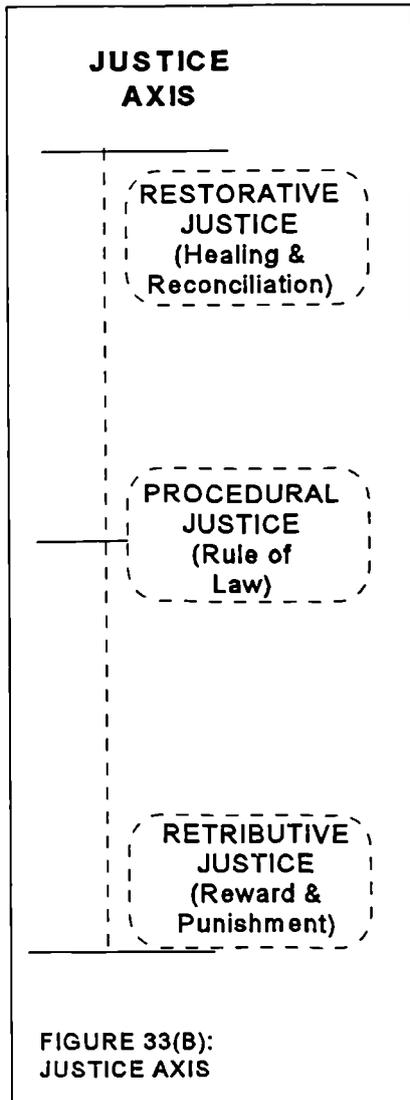


FIGURE 33(B): JUSTICE AXIS

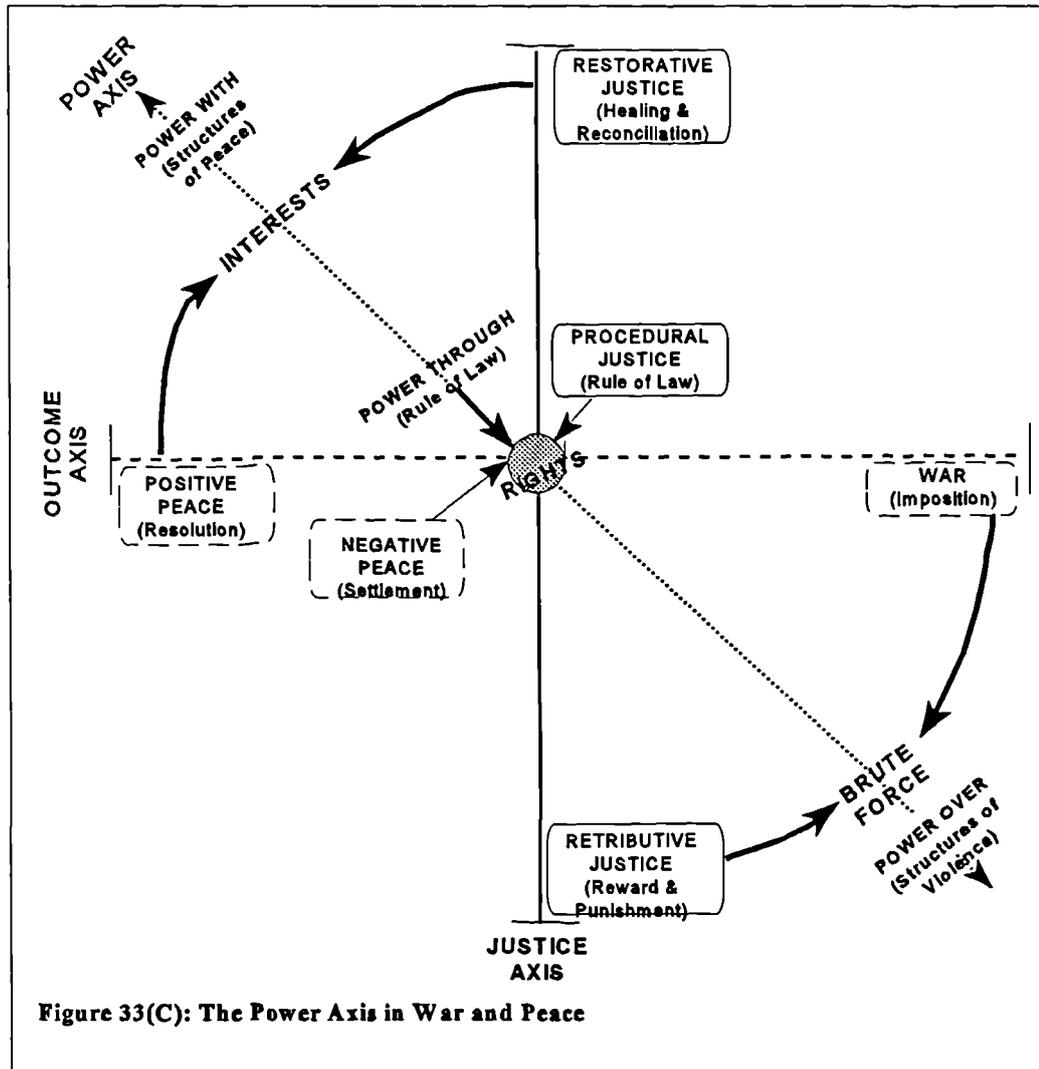
The Justice Axis:

Intersecting the Outcome Axis is the Justice Axis (see Figure 33(B)). At the top is Restorative Justice (associated with healing and reconciliation); at the other extreme is Retributive Justice (associated with reward and punishment). In the middle is Procedural Justice (associated with the Rule of Law).

The Power Axis:

A third axis runs through them: the Power Axis (see Figure 33(C)). At one extreme, in the southeast quadrant where retribution and imposition converge, Power is expressed as Power Over (the realm of Brute Force, supported by the structures of violence). At the other extreme, where restoration and

resolution converge, Power is expressed as Power With (the realm of Interests, supported by the structures of peace). In the middle, where Negative Peace and Settlement intersect, Power is expressed as Power Through (the realm of Rights, supported by the Rule of Law).



Power is thus central. It has many forms and is expressed variously: as brute force; as rights; as interests.

An architecture for Peacebuilding, utilizing Peacemaking and Peacekeeping, moves warring factions, societies in transition and even civil societies and

democracies along the Power Axis from violence to peace. Peacebuilding seeks to transform power from the violent form to peaceful form.

The Rule of Force is the exercise of “power over” in various forms and methods, including coercion and raw violence.

The Rule of Law is the exercise of “power through” rights and a society’s legitimate system for aggregating power and accessing power to achieve personal or public (civic) objectives non-violently.

The Rule of Justice is the experience of “power with” one another; it is the synergistic power that comes in relationship with others, where “identification with” rather than “alienation from” other is fundamental.

Power will be expressed differently, and experienced differently. Power Over will be experienced as violation. Thus a step on the road to positive peace is negative peace, supported by the Rule of Law. The Rule of Law is explicit and transparent, it enjoys the confidence and respect of the people, it is open to review and amendment by the people (in a democracy through their elected representatives).

Power With is the sharing and combination of power, experienced constructively.

Negative peace is associated with procedural justice; with Peacekeeping and with the Rule of Law.

Positive Peace is associated with restorative justice; with Peacebuilding and an orientation toward relationships based on concern for the interests of each other.

The choice of a particular outcome determines the justice delivered. The choice of a particular justice determines the outcome delivered.

There are states or stages of social evolution toward the goal of positive peace, an ideal, that once achieved, make the destruction of the structures of violence more possible, easier; and in such states of evolution or development, the structures of peace are more easily erected.

The “capacity” for non-violent expression and resolution of conflict has two dimensions: the capacity of a state or political adversaries to negotiate a redistribution of power; and the embodiment of the capacity for non-violent expression and resolution of conflict in legitimate dispute resolution mechanisms.

An architecture for Peacebuilding must be conceptualized to build that capacity. It must embody the art and science of restructuring power.

7.3 DEFINITION OF KEY TERMS

peace: is defined as positive peace, the absence of overt hostilities and the absence of structural violence.

conflict: conflict arises when parties disagree about the distribution of material or symbolic resources and act on the basis of these perceived incompatibilities.

violence: Webster’s defines violence as: a use of physical force so as to damage or injure; intense natural force or energy; an abusive use of force, passion, fury;

distortion of meaning; desecration *to do violence to*, to offend, outrage, *to do violence to someone's sense of justice*. (Webster's Encyclopedic Dictionary of the English Language, 1988.)

power: is defined here as the ability to influence outcomes, appearing in three forms: power over, power through, power with.

Peacebuilding: the definition of Peacebuilding used here is adapted from Bush, informed by Lederach, and attends to the pursuit of positive peace as developed by Galtung: **the transformation of violence in a society through destruction of the structures of violence and construction of the structures of peace including building the capacity for the non-violent expression and resolution of conflict.**

transformation: consistent with the use of the term by Lederach, used here to mean a more fundamental reconstruction than mere change. Lederach's definition being: "transformation as a concept is both descriptive of the conflict dynamics and prescriptive of the overall purpose that building peace pursues, both in terms of changing destructive relationship patterns and in seeking systemic change." (Lederach, 1995: 18)

7.4 PHILOSOPHICAL PRINCIPLES

1. Peace has two faces: negative peace, which is more allied with the (non-violent) expression of conflict; and positive peace, which is allied with the resolution of conflict through destruction of the structures of violence and construction of the structures of peace.

2. Peacebuilding is not value-neutral. Peacebuilding strives for positive peace, the absence of overt hostilities and the absence of structural violence.
3. Positive peace is an ideal.
4. Peacebuilding must be carried out in a manner that is consistent with its objectives: ends do not justify means. Both outcome objectives (what is achieved) and process objectives (how it is achieved) apply.
5. Peacebuilding is not “done” by an outside expert “to” a recipient. Peacebuilding is done “with” local actors. Peacebuilding is not an “intervention.” It is the provision of assistance.
6. The local actors are paramount to a sustainable peace. They are the key resource in Peacebuilding.
7. Peacebuilding is the transformation of violence. It is more than transforming violent expressions of conflict into non-violent expressions.
8. Power is the central element in Peacebuilding. Peacebuilding re-structures power- from violent forms to non-violent forms.
9. Power is expressed in three principal ways: power over; power through; and power with. Each of these is associated with an dominant outcome: “power over” is associated with imposition (political violence in its various forms); “power through” with settlement (negative peace, either enforced by Peacekeepers or through internalized Rule of Law); “power with” is associated with positive peace (based on the interests of the parties).

10. The way in which power is expressed is also associated with three dominant types of justice: “power over” with retributive justice (with its various forms of punishment and reward); “power through” with procedural justice (with opportunities for settlement based on rights); and restorative justice (with an emphasis on the interests of the parties to repair harm done, achieve healing and reconciliation).
11. The choice of justice pursued will determine the outcome achieved; the choice of outcome sought determines the justice achieved.
12. Peacebuilding seeks to identify and analyse the root causes of political violence and to establish the desired outcome.
13. An architecture for Peacebuilding is an architecture of the possible.
14. The possible is found at an intersection of the ideal and the real.
15. The ideal is positive peace. The real is a function of the root cause of political violence and three key factors: the third peacebuilder party; the actors to whom Peacebuilding assistance is provided; and the context in which Peacebuilding is undertaken.
16. The key factors interact in the restructuring of power.
17. Peacebuilding finds the nexus of the actors’ outcome and justice objectives and their capabilities as they interact with the context to bring about a sustainable restructuring of power.
18. Peacebuilding is not conflict transformation but the transformation of violence into peace by changing the form and expression of power.

19. Peacebuilding nurtures peace.

20. Of the three peace-nurturing functions, Peacebuilding is the most ubiquitous. Peacebuilding may take place prior to the need for Peacemaking - serving a preventive function; it is anticipated in Peacemaking; it is conducted alongside Peacekeeping, and afterwards.

21. Peacebuilding is not exclusive to war-torn societies. It applies in those situations when the structures of violence must be deconstructed and the structures of peace constructed.

7.5 PEACEBUILDING ASSISTANCE MODEL

7.5.1 Introduction

The Peacebuilding Assistance Model operationalizes the philosophical principles of an architecture for Peacebuilding. It is the practical product of the theory developed here. The Peacebuilding Assistance Model features the consideration of four (4) essential components over three (3) phases of peacebuilding activity.

The four essential components are:

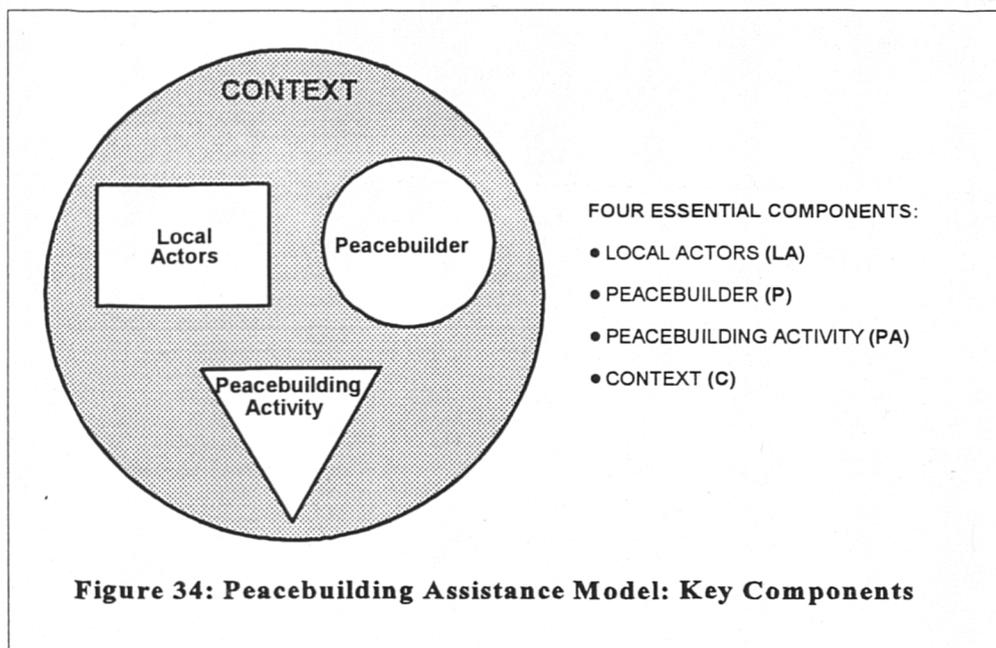
- the Local Actors (LA) to whom the Peacebuilding assistance is provided;
- the Peacebuilder (P);
- the Peacebuilding Activity (PA); and
- the overall Context (C) in which peace is to be built.

(See Figure 34 for a simple sketch.)

The three phases over which these key components interact in Peacebuilding are:

- the Preparation Phase;
- the Execution Phase; and
- the Follow-Up Phase.

Before discussing these in detail, we describe the essential components and the general characteristics of the Peacebuilding Assistance Model.



7.5.2 Essential Components

LA

Local Actors

The Local Actors may be declared or known adversaries; representatives of factions or interest groups in the community, or indigenous actors committed to Peacebuilding and conflict resolution. They may be high level, middle-range, or

grassroots representatives. They are the key resource in the Peacebuilding venture.



Peacebuilder

The Peacebuilder is an external third party explicitly engaged in Peacebuilding, defined as **the transformation of violence in a society through destruction of the structures of violence and construction of the structures of peace including building the capacity for the non-violent expression and resolution of conflict.**



Peacebuilding Activity

After receiving some form of brief or mandate, the Peacebuilding Activity is determined as a result of diagnostics undertaken by the Peacebuilder in consultation with the Local Actors, and given “shape” and “scope” by the potentialities within the overall Context. Peacebuilding may be a social-psychological, interactive activity drawing upon the conflict resolution field and/or institutional capacity building.



Context

The Context is understood as a living reality, an organic environment or “milieu” with powerful influence on the Local Actors, the Peacebuilder and the Peacebuilding Activity.

7.5.3 Characteristics of the Model

The Peacebuilding Assistance Model has the characteristics of being interactive, flexible and concurrent.

Interactive

The Peacebuilding Assistance Model is an interactive, dynamic model that places the Context in an all encompassing perspective relative to the three other components. Each of these three components, the Peacebuilder, the targeted Local Actors and the theory-informed Peacebuilding Activity must react to and ultimately transform the Context from one of violence to one of peace.

The three components interact with each other inasmuch as the Peacebuilder's orientation, values, and clinical approach and the Peacebuilding Activities will be informed by theory, appropriate to the Context and geared to the Local Actors who are partners in an exercise to transform power; and whose strengths and weaknesses are influenced by opportunities, limitations, and possibly, threats to Peacebuilding inherent in the Context.

At the intersection of the four components is the overall objective, peace, that which is being built. (See Figure 35.)

Flexible

The Model is flexible in that through the interactions of the key components the roles that are played by the Peacebuilder and the Local Actors are given greater definition and the "leadership" or responsibility for certain Peacebuilding Activities at certain times will shift from one to the other. Furthermore, the objective of Peacebuilding will change through a process of interaction of the three components. This flexibility is required to ensure realistic, responsive Peacebuilding Activity.

Concurrent

The Model recognizes the likelihood of a concurrent set of peace-nurturing activities, carried out simultaneously at various levels by various actors. The Context may require that Peacebuilding Activities be supported by Peacekeeping; the Peacebuilder may recognize in the Context and in the Local Actors a need for external resources or outcomes that will be achieved through diplomatic, Track I Peacemaking efforts undertaken while Peacebuilding is ongoing.

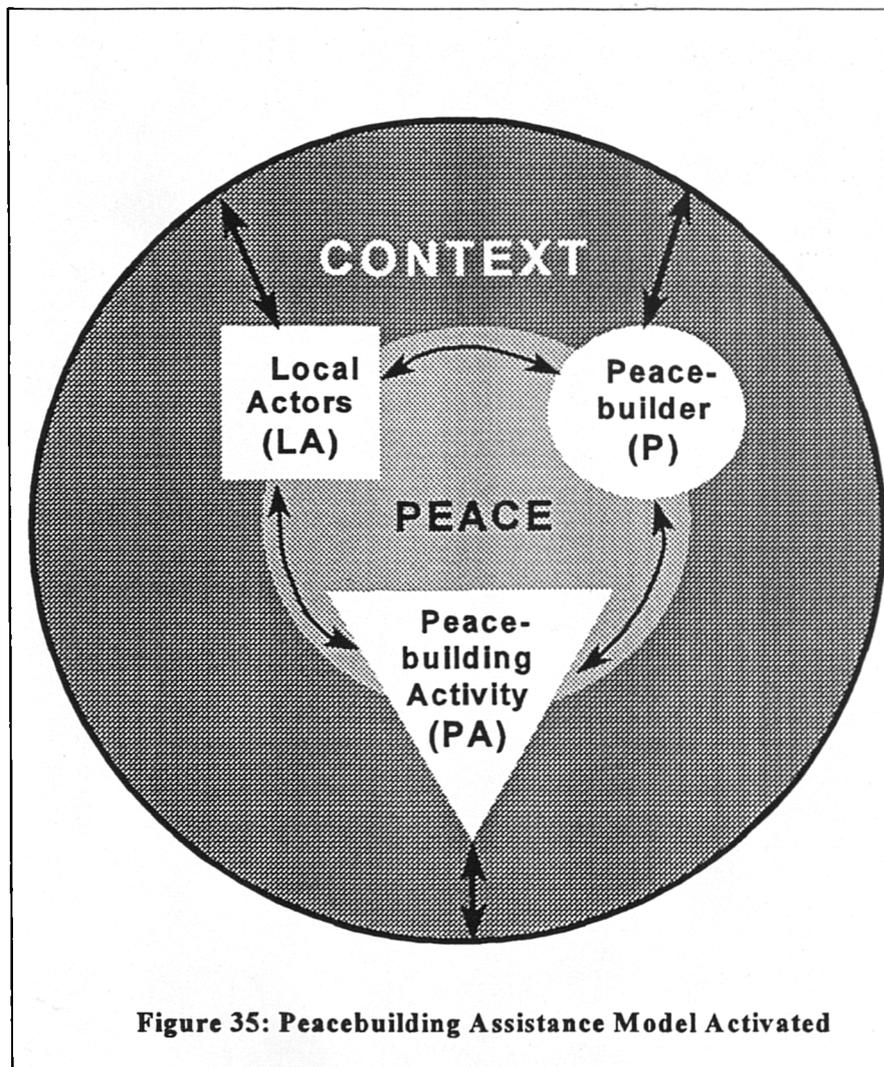


Figure 35: Peacebuilding Assistance Model Activated

7.5.4 Operationalizing the Model

The Peacebuilding Assistance Model is operationalized in three phases:

PHASE ONE: Preparation;

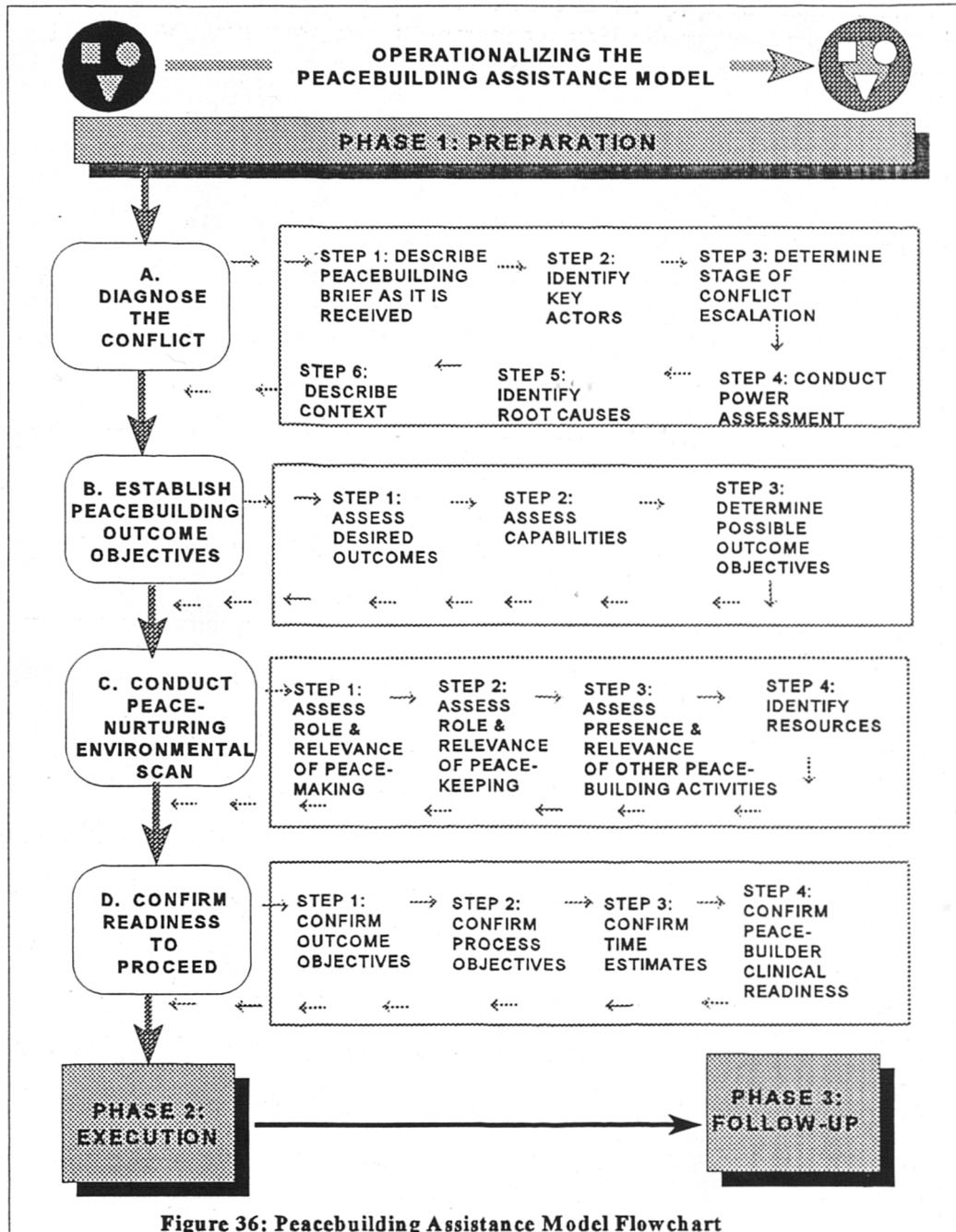
PHASE TWO: Execution; and

PHASE THREE: Follow-up.

Each phase has a number of components and related tasks that have been developed on the basis of the Conceptual Basis of an Architecture for Peacebuilding and the 21 Philosophical Principles. The components provide a clinical orientation to the Peacebuilder. For each component, a set of Key Questions is also provided for practical purposes. The answers to these questions will assist the Peacebuilder in preparing, executing, and following-up his work.

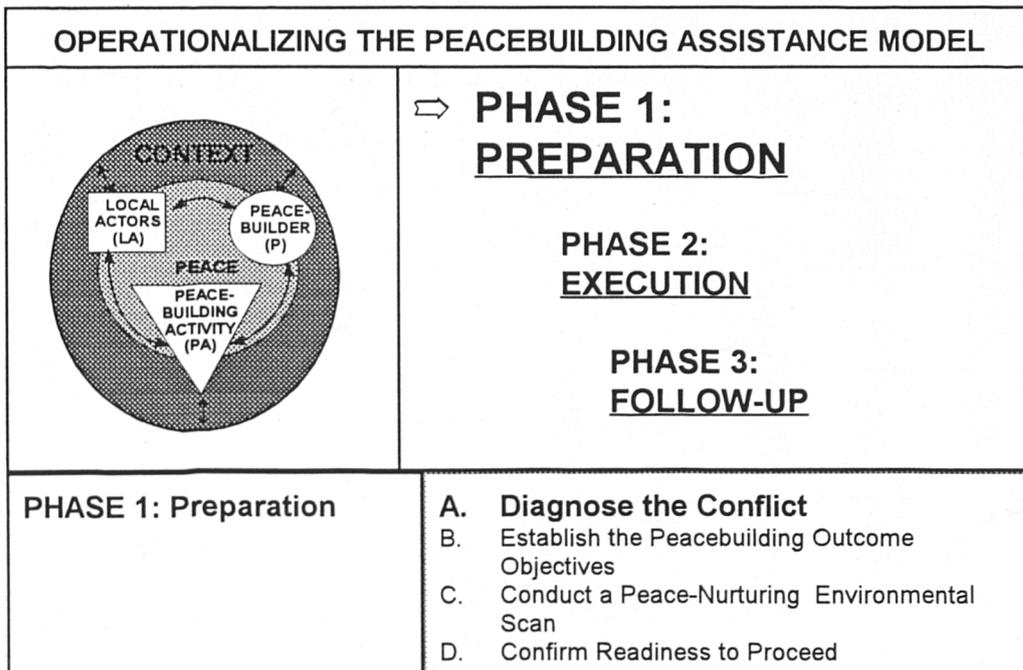
While the Model presents the three phases as conceptually discrete, and organizes them in a linear sequence, it is not rigid in this respect. A certain degree of flexibility and overlap in the three phases is intended.

The operationalization of the Model is shown in a flow chart. (See Figure 36)



7.5.4.1 Phase One: Preparation

The key components in Phase One, Preparation, are to: Diagnose the Conflict; Establish the Peacebuilding Outcome Objectives; Conduct a Peace-Nurturing Environmental Scan; and Confirm Readiness to Proceed.



- STEP 1:
Describe the Peacebuilding Brief as it is Received
- STEP 2:
Identify Key Actors
- STEP 3:
Determine Stage of Conflict Escalation
- STEP 4:
Conduct Power Assessment
- STEP 5
Identify Root Causes
- STEP 6
Describe Context

Step 1: Describe the Peacebuilding Brief as it is Received

The Peacebuilder will not conduct all of the Preparation Phase as an abstract or academic exercise to be followed by the Execution Phase, but will be interacting with the Local Actors in some manner from the outset of the Peacebuilding initiative. The Peacebuilder does not receive a neat and tidy brief, complete with terms of reference and pre-determined outcome objectives. After initial contact the brief is developed and may evolve over time, during which the Peacebuilding Activity is defined, and refined.

Key Questions:

- ▶ How has this potential Peacebuilding initiative arisen?
- ▶ Who is the initial contact or client for the Peacebuilder?
- ▶ Describe the situation requiring Peacebuilding assistance in general terms?
- ▶ What are the initial impressions of the task and associated challenge?

Step 2. Identify Key Actors

The key actors include the Local Actors most closely associated with the Peacebuilding activity and all those, both internally and externally, who have a direct and significant impact on the objectives sought in the Peacebuilding Activity.

These key actors may not be directly involved in the specific Peacebuilding Activity; however they must be taken into account in planning and executing the Peacebuilding Activity. One or more actors in the local or external environment benefit or perceive themselves to benefit by structural violence and the conflict it precipitates or by the political violence being expressed.

Examples of internal key actors include political groups, the military, nongovernmental organizations. Examples of external key actors include international nongovernmental organizations, agencies of the United Nations, the media, donor countries.

Key Questions:

- ▶ Who are the key actors, both internally and externally?
- ▶ Who are the Local Actors most directly involved in this Peacebuilding Activity?
- ▶ What is their relationship to the other actors?
- ▶ Are any new actors likely to become involved?
- ▶ Is an essential actor missing from this Peacebuilding Activity?

Step 3. Determine Stage of Conflict Escalation

The relationship of the Peacebuilding Activity (nature of and level to which it is targeted) and the “stage of conflict escalation” is an important element to assist diagnostics and the determination of appropriate specific Peacebuilding activity.

Peacebuilding as defined in this study is operationalized in efforts to achieve the ideal of positive peace through social-psychological, systemic, and structural interventions as compared to the provision of emergency, short term relief efforts.

Key Questions:

- ▶ At what Stage of Conflict Escalation is the situation?
- ▶ Is it likely to escalate or de-escalate?
- ▶ How long will it remain in the current stage?

Step 4. Conduct Power Assessment

Power is defined as the ability to effect outcomes.

Power will be found in the resources and influence potential of the various actors; it may be identified in the structures of violence in the conflict situation. The structures of violence may be the laws, policies and processes in the situation which favour some of the actors and disadvantage others; and which are antagonistic to the goals of justice, reconciliation and positive peace.

These structures, sustained by and reinforcing the attitudes of those whose goals are supported by the structures, may have the appearance of legitimacy. They may be part of the fabric of the society; and one that may be characterized as a peaceful and tolerant society. For these reasons they may not be readily seen as systemic and persistent violence by those other than the oppressed (or their “sympaticos”).

They may be acknowledged by a dominant force in the situation as requiring “adjustment” to accommodate malcontents, but not viewed as fundamentally flawed, unjust and a form of violence.

The essence of the structures of peace, philosophically, becomes the goal, hope and principles of justice. These are operationalized in institutions and processes, in attitudes and human conduct.

When the structures of violence are expressed as laws and institutions which give advantage of some in a society - such that resources are distributed unjustly - the structures of peace will be new laws and new institutions. The architect of peace builds new structures that re-distribute power. The new distribution of power is no longer supportive of violence but of peace.

Key Questions:

- ▶ Is there an obvious imbalance in power and resources in this situation?
- ▶ Do the laws and institutions favour a particular group or sector in the society such that some perceive a form of violence being done to them?
- ▶ Who has power (ability to effect outcomes), and who does not?
- ▶ Are there mechanisms of conflict resolution in place, such that grievances may be expressed and resolved non-violently?
- ▶ What steps appear necessary to reduce violence and build peace?
- ▶ Is the first mandatory step in this situation to secure the environment through Peacekeeping and efforts to establish the rule of law?
- ▶ Should the Peacebuilder wait until security has been established?

Step 5. Identify Root Causes

Peacebuilding applies in those situations when the structures of violence must be deconstructed and the structures of peace constructed.

Peacebuilding entails building a capacity for the non-violent expression of conflict and the resolution of conflict through the removal of the underlying causes of conflict. (Capacities such as conflict resolution mechanisms, processes and skills.)

Peacebuilding must consider what it is about people and the conditions in which they exist that will motivate them to co-operate, to express conflict non-violently, and to seek removal of the personal and structural sources of violence - while recognizing that conflict is inevitable.

Models of explaining inter-ethnic conflict, including concerns with identity and full participation in political processes may be considered as explanatory models. The complexity of understanding inter-ethnic conflict may include understanding the history, economic and political reality and the role of power in the conflict.

The organically linked and sensitive relationship of ethnic group conflict to social and systemic structures underlines the risk in a uni-dimensional approach to Peacebuilding. Making decisions about where to put effort is informed by a multi-level perspective. If a system-level intervention will gradually change the context enough to alter individual perceptions and behaviour, and interpersonal or intergroup behaviour is judged to be at an acceptable level (no violent expressions, limited violent expressions). Peacebuilding efforts might be placed on systemic change.

Key Questions:

- ▶ What is the political structure?
- ▶ What role does culture have here?
- ▶ Is language a relevant factor?
- ▶ Is religion a relevant factor?
- ▶ Is ethnic identity a factor?
- ▶ What influence does the economic situation have on the conflict?

- ▶ Who benefits by the status quo?

Step 6. Describe Context

The Context in which Peacebuilding is undertaken is a key element. The “focus” and “scope” of a Peacebuilding initiative will be greatly determined by factors in the Context. What is urgent, necessary, desirable and practical are Context-related.

The Context includes political, economic, social, security and cultural factors. The Context embodies the structural and root causes of conflict. The Context, *inter alia*, sets parameters on Peacebuilding; moreover, the Context itself is an organic reality that must be transformed through Peacebuilding.

Key Questions:

- ▶ How does the presenting situation relate to the larger national or international context?
- ▶ What level of assistance in capacity-building is appropriate (inter-group, systemic/structural)?
- ▶ Which sectors and actors should be involved?
- ▶ What other strategic level developments, including political/economic struggle and/or reform efforts are related and relevant?
- ▶ What time frame is realistic for Peacebuilding in this situation?
- ▶ How influential is the overall Context to the envisaged Peacebuilding Activity?

PHASE 1: PREPARATION

B. Establish the Peacebuilding Outcome Objectives

<p>OPERATIONALIZING THE PEACBUILDING ASSISTANCE MODEL PHASE 1: Preparation PHASE 2: Execution PHASE 3: Follow-Up</p>	<p>A. Diagnose the Conflict B. Establish the Peacebuilding Outcome Objectives C. Conduct a Peace-Nurturing Environmental Scan D. Confirm Readiness to Proceed</p>
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<p>STEP 1: Assess Desired Outcome</p>
<p>STEP 2: Assess Capabilities (Opportunities, Strengths, Limitations)</p>
<p>STEP 3: Determine the Possible Outcome Objectives</p>

Step 1. Assess Desired Outcome

It is possible to measure success in Peacebuilding by identifying both outcome and process objectives. Outcome measures include the “what” that is to be achieved by Peacebuilding activities; process measures include “how” those outcomes are to be achieved.

Both negative peace (the absence of overt hostilities) and positive peace (a state of affairs in which structural as well as overt violence has been eliminated) are potential outcomes.

Specific outcome measures include the existence of skills within the population to express and resolve conflict without resort to violence; accompanied by the availability of institutional mechanisms to express and resolve conflict non-violently. These skills include negotiation and mediation; the mechanisms include the instruments of justice such as: administrative law, tribunals, duly constituted bodies to receive and hear grievances and mediate or adjudicate their resolution. The form of government itself, including democratically elected parliaments and the institutions of civil society represent the capacity of a society to strive for positive peace and to raise and resolve conflict non-violently.

Other outcomes might include the development of institutions of finance and commerce, of private and public law, of government - undergoing reform or being constructed for the first time - as capacity-building initiatives.

The role of conflict resolution in society and the economy, in public institutions - in issues as broad as public policy formulation and as narrow as mechanisms to settle housing and land use disputes - or applications as specific as improving the competitiveness of newly privatized companies through the development of management and constructive labour relations may be seen as capacity-building initiatives.

For the actors in the situation, outcome objectives may include having the attitudes, interpersonal skills, common understandings, and tolerance to forgive each other; to build trust - to be able to believe that what happened in the past will not happen in the future; and to plan for the future together.

Who determines the desired outcomes, however, remains critical.

Key Questions:

- Are the parties at whom Peacebuilding is directed able to articulate their preferences for desired outcomes?

Step 2. Assess Capabilities (Opportunities, Strengths, Limitations)

Peace is both a state and a manner (including attitude and behaviour) that people extend toward one another in “striving for” that state.

The opportunities, strengths and limitations of the third party Peacebuilder, the Local Actors at which the Peacebuilding Assistance is directed, and the Context in which these interact are crucial in determining the “possible outcome.”

The Context (political, cultural, social, religious and security, especially in a war-torn society) is critical to the motivation and ability of individuals to participate in Peacebuilding activities and to the conditions of the assistance to be provided. The context, perceived as a living, dynamic milieu which is more than the sum of its parts, is not merely a “parametric” variable to be considered; the context itself must undergo transformation.

The role of Local Actors, in particular, the local “partner” who plays the “convening” role, works with the Peacebuilder, or is part of a Peacebuilding initiative must be addressed.

The third party Peacebuilder’s working assumptions about the Peacebuilding endeavour (including the outcome and process objectives they have), the Peacebuilder’s acceptability to the local targeted population, the Peacebuilder’s clinical knowledge and personal fortitude are important considerations. Furthermore, the third party must be prepared and able to face the challenges of a war-torn society, including safety and survival issues.

Key Questions:

- ▶ What factors in the Context support the proposed Peacebuilding Activity?
- ▶ What limitations are set by the Context?
- ▶ What are the root causes of conflict in this Context?
- ▶ Who are the Local Actors?
- ▶ What is the Local Actor’s stake in this Peacebuilding initiative?
- ▶ Are the Local Actors suited to the role they are playing?
- ▶ Do the Local Actors need particular support?
- ▶ How long will the Local Actors be able to play a role?
- ▶ Who is the Peacebuilder seen to be?
- ▶ What is the Peacebuilder’s stake in this Peacebuilding initiative?

- ▶ What assumptions is the Peacebuilder making about him/herself, the Context, the Local Actors and the conflict?
- ▶ What are the Peacebuilder's outcome objectives?
- ▶ Is the Peacebuilder suited to the role he/she is playing?
- ▶ Does the Peacebuilder need particular support?
- ▶ How long will the Peacebuilder be able to play a role?
- ▶ Is the Peacebuilder able to fulfil the requirements in an ethically responsible manner?
- ▶ Will the prejudices, perceptual biases, strengths and limitations of third parties have a role in determining the desired outcome?

Step 3. Determine the Possible Outcome Objectives

The “desired outcome” may be different when viewed from the perspective of the third party Peacebuilder, the Local Actors, and the Context.

The “probable outcome” is what is likely to occur given the current stage of the conflict, the distribution of power and resources, and the capabilities of the key actors, including the Peacebuilder. The Peacebuilder's role is more than seeking to accommodate all sides. The Peacebuilder, enjoying the trust of the parties, free of partisan perceptions and obligations, has the potential to take risks the parties cannot take by virtue of their positions and roles. The Peacebuilder may test the limits of the practical by moving the parties toward the ideal.

Somewhere between the ideal “desired outcome” and the more likely “probable outcome” is a “possible outcome”. Diagnostic questions are essential to undertake responsible Peacebuilding. Asking “What are the root causes of conflict?” and assessing capabilities will help determine a more realistic assessment of the “possible outcome.”

Approximating the “Possible Outcome” provides realistic guidance to what can be done, and at what level.

The “possible outcome” will provide insight into what might be achieved first, what time it should realistically take to build peace and what systems, mechanisms, and processes of non-violent conflict resolution that are indigenous and capable of being activated or restored, or external and capable of being transferred and adapted.

Key Questions:

- ▶ What are the outcome objectives of the specific Peacebuilding initiatives that are planned?
- ▶ What is likely to be achieved in regards of each of these objectives?

OPERATIONALIZING THE PEACEBUILDING ASSISTANCE MODEL PHASE 1: Preparation PHASE 2: Execution PHASE 3: Follow-Up	A. Diagnose the Conflict B. Establish the Peacebuilding Outcome Objectives C. Conduct a Peace-Nurturing Environmental Scan D. Confirm Readiness to Proceed
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PHASE 1: PREPARATION

C. Conduct a Peace-Nurturing Environmental Scan

Coordination between Peacemaking, Peacekeeping, and Peacebuilding is necessary to increase the probability of success in achieving the Outcome Objectives. Of the three peace-nurturing functions, Peacebuilding is the most ubiquitous. Peacebuilding may take place prior to the need for Peacemaking - serving a preventive function; it is anticipated in Peacemaking; and conducted alongside Peacekeeping, and afterwards.

How these three peace-nurturing functions relate conceptually and apply practically in a specific situation are key considerations.

A holistic view is necessary.

A concurrent approach may be required

STEP 1:
Assess the Role
and Relevance of
Peacemaking

STEP 2:
Assess the Role
and Relevance of
Peacekeeping

STEP 3:
Assess the
Presence and
Relevance of
Other
Peacebuilding
Activities

STEP 4:
Identify Resources

Step 1. Assess the Role and Relevance of Peacemaking

Peacemaking, definitionally and practically, should in turn embrace Peacebuilding. The Peacemaker's work at the statesman level is, dynamically, work with leaders to build their capacity for non-violence in the making of peace, and formalizing their commitments in peace accords/treaties/law. These accords must also anticipate Peacebuilding, spelling out the details of how fundamental violence which gives rise to conflict and political violence is to be transformed through the construction of new structures. Peacebuilding is presumably a significant part of the peacemaker's role - there

is a conceptual link with practical extension.

The presence of an imminent or existing peace accord established at the Track I, diplomatic level does not, however, necessarily foster reconciliation at the community level.

Awareness of peace accords and coordination with Track I efforts is constructive.

Key Questions:

- ▶ Are Track I diplomatic efforts underway or concluded?

- ▶ Is there a Peacebuilding component involved in those initiatives?
- ▶ Are there implications from that Track I level for the proposed Peacebuilding Activity?
- ▶ Are there implications from the proposed Peacebuilding Activity for Track I?

Step 2. Assess the Role and Relevance of Peacekeeping

Conceptually, or at least strategically, a peace accord in a war torn society requires force. Violence must be halted and the building of peace begun.

Establishing an indigenously appropriate and legitimate rule of law is a critical step in achieving a civil society.

Peacekeeping (including civilian policing) is necessary to create sufficient order and safety to use conflict resolution techniques to build the “rule of law” and other indigenously appropriate mechanisms for non-violent expression and resolution of conflict.

Safety is a primary consideration.

Peacebuilding activities may require support from Peacekeeping forces and lack of integration with an overall Peacebuilding plan can be counter-productive.

Key Questions:

- ▶ What is the role of Peacekeeping and the Peacekeeping commitment in the peace accord?
- ▶ Are there any specific security issues associated with the planned Peacebuilding activity?
- ▶ What type of support from Peacekeeping will be required?

- ▶ What type of coordination is necessary?
- ▶ Should the timing of the Peacebuilding activity be adjusted to account for security issues?

Step 3. Assess the Presence and Relevance of other Peacebuilding Activities

The Peacebuilding Assistance being planned is likely to be one of a number of initiatives, especially in transitional and war-torn societies where need will be great. Knowledge of other activities reduces the likelihood of duplication or contradictory efforts and enhances the potential of sharing resources or coordinating resource allocation.

Key Questions:

- ▶ What other Peacebuilding assistance is being provided in this situation?
- ▶ At what level?
- ▶ By whom?
- ▶ Is there value in coordinating the planned initiative with others?
- ▶ What practical steps need to be taken?

Step 4. Identify Resources

Resources are a key variable in Peacebuilding. The notion of resources includes external resources introduced into the situation; and more importantly over the longer term, peacebuilders must look to, draw upon, and enhance local or indigenous resources.

Peacebuilding is not something “done to” a recipient but something “done with,” together with a local partner, community or population.

The paramount place of the local actors in any Peacebuilding initiative is indicated. Local actors are real people with pressing limitations and enormous challenges, yet a unique indigenous resource who are the central and enduring actors in Peacebuilding.

External resources must be adequate and sustained.

Accountability in the distribution and use of resources will give the Peacebuilding Assistance and those associated with it credibility, with both internal and external key actors.

Key Questions:

- ▶ What resource(s) is it that the Peacebuilder brings?
- ▶ Is the resource(s) appropriate for the planned Peacebuilding Activity?
- ▶ What may be done to enhance the Peacebuilder, if necessary?
- ▶ What is the role being played by Local Actors?
- ▶ Does the local “convenor” or “partner(s)” have the time, trust, legitimacy and credibility required of them?
- ▶ What type of external resources are needed (i.e, financial, technical knowledge, material)?
- ▶ How much of those resources are required?
- ▶ At what time in the Peacebuilding process are these resources required?
- ▶ Are such resources available?
- ▶ Will they be provided in a timely way?
- ▶ What action must be taken to ensure adequate resourcing for the Peacebuilding initiative; both internally and externally?

<p>OPERATIONALIZING THE PEACBUILDING ASSISTANCE MODEL</p> <p>PHASE 1: Preparation PHASE 2: Execution PHASE 3: Follow-Up</p>	<p>A. Diagnose the Conflict B. Establish the Peacebuilding Outcome Objectives C. Conduct a Peace-Nurturing Environmental Scan D. Confirm Readiness to Proceed</p>
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<p>STEP 1: Confirm Outcome Objectives</p>
<p>STEP 2: Confirm Process Objectives</p>
<p>STEP 3: Confirm Time Estimates</p>
<p>STEP 4: Confirm Peacebuilder Clinical Readiness</p>

PHASE 1: PREPARATION
D. Confirm Readiness

Step 1. Confirm Outcome Objectives

The Peacebuilder must have reasonable goals and expectations. A practical, non-elitist approach must be taken by the Peacebuilder.

The Peacebuilder can expect to face ethical dilemmas in confirming realistic Peacebuilding objectives. Political negotiation and compromise may be required to ensure that the objective is something capable of being achieved, because it does not go too far too quickly, is sustainable given the resources, and yet is a significant Peacebuilding step.

Key Questions:

- ▶ What is the Peacebuilder’s understanding of the brief?
- ▶ What is the Local Actors’ or partners’ understanding of the brief?
- ▶ Are these compatible?
- ▶ What must be clarified, if the objectives are not compatible?
- ▶ Are there any unintended negative consequences of the Peacebuilding activity that might be anticipated?
- ▶ What can be done to reduce any unintended negative consequences?

Step 2. Confirm Process Objectives

Peacebuilding is a task requiring “expert” and “process” skills; the client is engaged throughout the Peacebuilding activity in an interactive process that focuses on the development of capacities (social-psychological and/or institutional) which will have practical utility in the building of peace, while being feasible and sustainable from a political perspective.

This approach places high value on “process” as an objective in itself. The working assumption is that the end-users of the new “product” have inherently valuable insight that should influence the objectives, the design of the Peacebuilding Activity; and furthermore, their ongoing involvement will increase the probability that the outcome will be valid.

Key Questions:

- ▶ Is the intended level of activity of the parties and the quality of their participation adequate and realistic to achieve the outcome objectives?
- ▶ Is there evidence that the local actors or partners endorse the Peacebuilding activity, both subjectively, as measured by their trust in, support of and satisfaction with the planned initiative; and objectively, by the nature and quality of the resources they will provide?
- ▶ Is the Peacebuilder confident that his/her role and conduct will be ethically sound?

Step 3. Confirm Time Estimates

Time is a key variable in Peacebuilding. Time as a variable must be factored into the planning, execution and measurement of a Peacebuilding initiative. Time has three dimensions in the Peacebuilding context: consideration of the “timing” of

specific activities (when to do what); consideration of the length of time it will take to accomplish the Peacebuilding Activity (duration of assistance provided); and the length of time required to measure outcomes.

(a) When to do What

Planning the Peacebuilding activity includes a determination of the order and timing of activities.

Key Questions for (a):

- ▶ Is the intended Peacebuilding Activity consistent with the time pressures suggested by the level of conflict escalation and projections of development of the conflict?
- ▶ Are *social-psychological or institutional capacity building activities* required first?
- ▶ Can some of the planned Peacebuilding assistance be provided concurrently?
- ▶ Does this initiative(s) need to be integrated with the other peace-nurturing functions?
- ▶ Has the environment for the intended Peacebuilding assistance been adequately prepared (including the role and legitimacy of the convenor or local partner)?

(b) Duration of Assistance Provided

While resource limitations may be a significant factor, limiting what can be done and the pace of doing it, the long-term time horizon necessary to transform violent contexts through the re-structuring of power is more salient than the issue of resources. Sufficient time must be allocated to ensure continuity of the Peacebuilding activity so that a sustainable peace may be built.

Key Questions for (b):

- ▶ Is the Peacebuilder prepared and able to commit the time required to do justice to the Peacebuilding activity?
- ▶ Is the local “partner” prepared and able to commit the required time to do justice to the Peacebuilding activity?
- ▶ What support is required to either actor to ensure an adequate level of commitment?
- ▶ What developments are likely to occur as a projection of the level of conflict escalation; and what is their likely impact on the intended duration of the Peacebuilding activity?

(c) How Long to Observe Results

It will take decades to heal human relations and re-structure power in situations of political violence.

Key Questions for (c):

- ▶ What short-to-medium term measures of success in Peacebuilding apply in this case (i.e, termination of overt hostilities, reduced loss of life, “normalization” of the environment such as free movement of people, market activities)?
- ▶ Are the process objectives identified for the Peacebuilding initiative being met?
- ▶ What outcome objectives can be expected at intervals of three, five, and ten years?

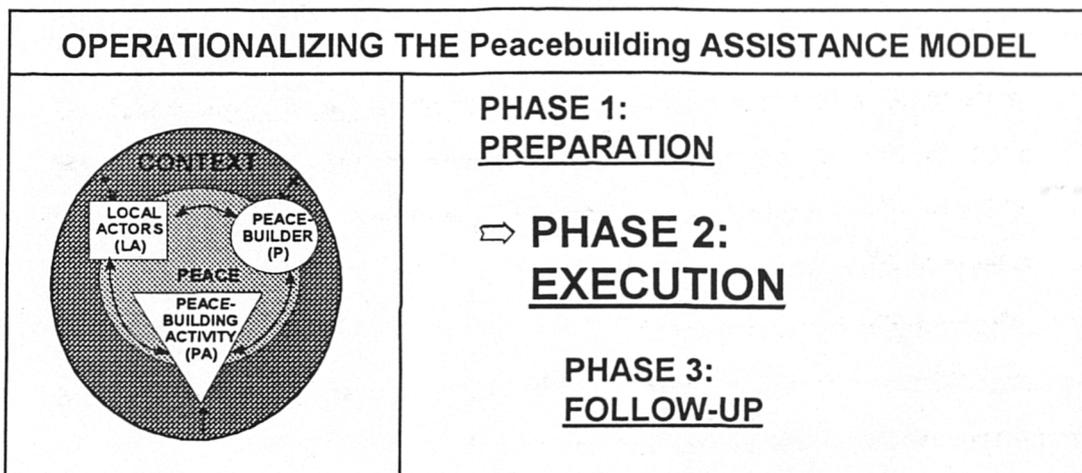
Step 4. Confirm Peacebuilder Clinical Readiness

Peacebuilding is clinical work. It is a people-centred activity in a highly complex, sensitive and challenging context. Safety and security of the Peacebuilder is an important consideration. Coping with stress and cross-cultural demands is a

reality. Potential geographical and social isolation, resistance by some to the assistance being offered, and pressure to meet the high level of need in a situation of political violence, especially a war-torn society, are realistic factors for the Peacebuilder.

Key Questions:

- ▶ Is the peacebuilder technically capable of executing this Peacebuilding activity?
- ▶ Is the peacebuilder personally prepared to work in this situation?
- ▶ Does the Peacebuilder have external support for clinical de-briefing?
- ▶ Is the Peacebuilder confident that his/her role and conduct can be ethically sound?



7.5.4.2 Phase Two: Execution

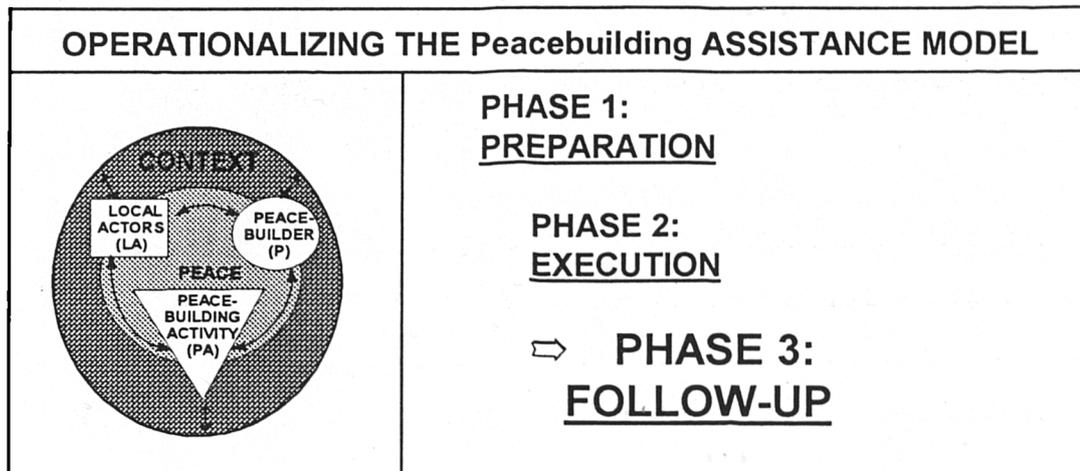
Proper execution of a Peacebuilding Activity requires adherence to the process measures established in the Preparation Phase and adjustments to the Outcome Objectives as required by the circumstances in the situation. Process measures are more than instrumentally relevant. They model conduct consistent with the peace

that is sought. They suggest that the means is important and that ends do not justify means.

Proper execution also requires that the Peacebuilder recognize and attend to the needs associated with the fact that Peacebuilding is a clinical task, notwithstanding the technical skills involved.

Key Questions:

- ▶ Is the Peacebuilding Activity being undertaken:
 - ▶ in a timely manner;
 - ▶ in a strategically aligned way with Peacemaking and Peacekeeping initiatives;
 - ▶ with participation of a credible local partner;
 - ▶ over a sufficiently long period of time;
 - ▶ where the level of activity of the parties and the quality of their participation will sustain peace (demonstrated both subjectively as measured by their trust in, support of and satisfaction with the actual initiative and objectively by the nature and quality of the resources they actually provide)?
- ▶ What were the declared objectives?
- ▶ Are the objectives being met?
- ▶ Are adaptations to the declared objectives required by the facts and circumstances? Are/were the adaptations made?
- ▶ Is the Peacebuilding Initiative being documented and evaluated in order to improve practice and make appropriate adjustments?
- ▶ Have provisions been made for the slow, gradual withdrawal of the Peacebuilder from the situation as the local capacity to sustain peace becomes evident and sufficiently strong?



7.5.4.3 Phase Three: Follow-up

Peace may be viewed as an ideal state to be achieved through the dynamic process of co-operation between individuals, groups and states striving to remove the causes of violence. As an ideal, positive peace may be viewed as an ongoing challenge. When the Peacebuilder has withdrawn from the situation and the indigenous actors are able to sustain their own ongoing Peacebuilding initiatives, a follow-up phase is morally and practically required to consolidate peace and support the forces of peace.

Key Questions:

Have the indigenous peacebuilding partners received follow-up support such as professional exchange opportunities?

Is follow-up technical assistance required?

Should the Peacebuilder take steps to ensure the local Actors receive recognition for their efforts?

Has this peacebuilding initiative been published to foster peacebuilding elsewhere?

7.6 SUMMARY AND CONCLUSIONS

This chapter presented an “Architecture for Peacebuilding” which was developed here as a product of the case studies, their analysis and the resulting critique of the Conflict Transformation Framework. The architecture was presented as comprised of four components: a conceptual basis; philosophical principles; key definitions; and a Peacebuilding Assistance Model.

The Peacebuilding Assistance Model operationalizes the philosophical principles of the architecture. It is intended as a guide for conducting Peacebuilding in the field. Four essential components to a Peacebuilding initiative were identified first: the Local Actors to whom Peacebuilding assistance is provided; the Peacebuilder; the Peacebuilding Activity; and the Context within which and with which the other three interact.

The principal characteristics of the Model were identified as interactive, flexible, and concurrent. The Model provides a series of steps in each of three stages of Peacebuilding: preparation, execution, and follow-up. Detailed questions that reflect the philosophical principles of the architecture and track the relevancy of these to the Local Actors, the Peacebuilder, the Peacebuilding Activity and the Context are provided for each step .

The Model is considered to be a practical outcome of this study, to be applied in the fourth case, Peacebuilding in Crimea. The mechanics and merits of the Model are explored in the next chapter where its application to Peacebuilding in Crimea is presented.

CHAPTER 8

Conflict in Crimea: Applying the Architecture for Peacebuilding

8.1 INTRODUCTION

This chapter presents a peacebuilding initiative in the Autonomous Republic of Crimea, Ukraine. The chapter is structured in two parts:

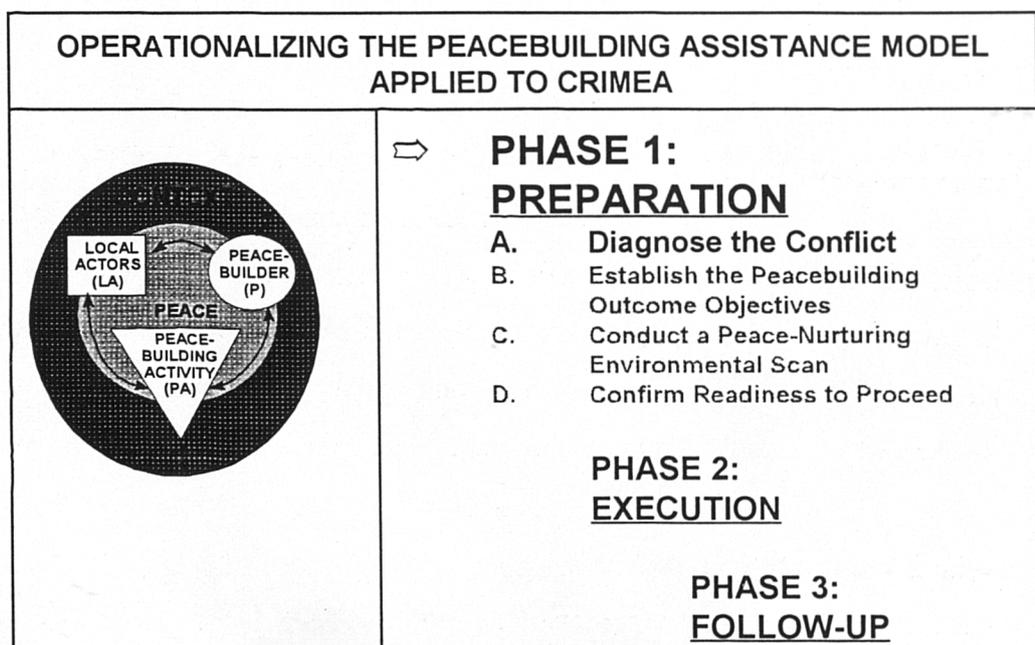
Part I: Applying the Peacebuilding Assistance Model; and
Part II: Discussion.

Part I of this chapter is a “walk through” of the Peacebuilding Assistance Model developed in the previous chapter. The Peacebuilding Assistance Model is used to structure and present the work undertaken in Crimea. The Key Questions of the Model are addressed as they were presented in the previous chapter. (See Appendix D for supporting documentation outlining a description of the project in Crimea.)

Part II of this chapter discusses the structure and the specific questions of the Peacebuilding Assistance Model which attempts to operationalize the philosophical principles of the “architecture for peacebuilding”. The value of the model to peacebuilding is considered.

The final chapter summarizes this study, focusing on the Architecture for Peacebuilding developed here, and it outlines critical questions and suggestions for further research.

8.2 PART I: APPLYING THE PEACEBUILDING ASSISTANCE MODEL TO CRIMEA



<p>A. Diagnose the Conflict</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ How has this potential Peacebuilding initiative arisen? ✓ Who is the initial contact or client for the Peacebuilder? ✓ Describe the situation requiring Peacebuilding assistance in general terms? ✓ What are the initial impressions of the task and associated challenge?
<p>STEP 1: Describe the Peacebuilding Brief as it is Received → KEY QUESTIONS</p>	<p>Phase One: Preparation</p> <p>A. Diagnose the Conflict</p> <p>Step 1. Describe the Peacebuilding Brief as it is Received</p>
<p>STEP 2: Identify Key Actors</p>	<p>Key Questions</p> <p>How has this potential Peacebuilding initiative arisen?</p>
<p>STEP 3: Determine Stage of Conflict Escalation</p>	<p>The Association of Universities and Colleges of Canada (AUCC), as part of its funding program for Eastern and Central Europe has invited the author to join a team of Ukrainian experts developing a funding proposal for peaceful integration of formerly deported peoples in the Crimea. The author's contribution is to be from the perspective of conflict resolution.</p>
<p>STEP 4: Conduct Power Assessment</p>	<p>The IRF's funding proposal is to be submitted to the Soros Foundation in New York by a Ukrainian NGO, the International Renaissance Foundation (IRF). The author received the invitation in December, 1996 and is to be in the field in three weeks. Time is of the essence. (Appendix D-2)</p>
<p>STEP 5 Identify Root Causes</p>	<p>Who is the initial contact?</p> <p>The Association of Universities and Colleges of Canada</p>
<p>STEP 6 Describe Context</p>	

The IRF's funding proposal is to be submitted to the Soros Foundation in New York by a Ukrainian NGO, the International Renaissance Foundation (IRF). The author received the invitation in December, 1996 and is to be in the field in three weeks. Time is of the essence. (Appendix D-2)

Who is the initial contact?

The Association of Universities and Colleges of Canada

Describe the situation requiring peacebuilding assistance in general terms?

As background material, the IRF has provided the author with research conducted by the team of experts. In addition to this material the author has conducted a search, including the Internet, has contacted some Canadian-based regional experts, and has been able to assemble a small amount of additional material. (See Appendix D-3, D-4.)

Some references in the written material and anecdotal comments suggest that the situation in Crimea is delicate: several ethnic groups who had been forcibly deported by Stalin in 1944, have been returning in large numbers to their former homeland, the Crimea, since the collapse of the Soviet Union in 1989. Among the deported groups are the Crimean Tatars, who claim that they are an indigenous people of the Crimea. Other ethnic groups deported by Stalin and at whom the proposal was directed, include: Germans, Armenians, Greeks and Bulgarians. The deported people are not welcome in a region of Ukraine now populated by an ethnic Russian majority. There are allusions to the potential of Crimea becoming “another Chechnya” if these formerly deported groups can not be integrated peacefully.

The IRF is reputed to be a credible large-scale Ukrainian NGO with regional offices delivering a variety of social and economic programs. The proposal in question was for funding to support the peaceful integration into Crimea of Crimean Tatars and other deported groups. (See Appendix D-5.)

What are the initial impressions of the task and associated challenge?

On the eve of departing Canada for Kiev, Ukraine, the author received contact from the IRF indicating that the work of the team of experts was essentially complete: the author is to examine the IRF’s funding proposal to the Soros Foundation, based on the expert research, from the perspective of an independent expert in conflict resolution. A series of key interviews has been scheduled, in

Kiev and Crimea, to assist the author in his independent review. (See Appendix D-6.)

Within three weeks of receiving the initial brief, and before departing Canada, the assignment has changed! My impression is that an urgency exists and that I must be neutral and professional in my work.

The IRF's Proposal, received in Kiev, is focused on four program activities to be carried out over three years:

1. Development of a Crimean Soros Integational-Educational Centre.
2. Support to Mass Media.
3. Support to Development of NGOs Network.
4. Propagation of National Cultures of the Crimea.

Note:

The remaining steps in Phase One, Preparation, were completed in the field and afterwards.

The author visited Kiev, Simferopol, the capital of Crimea, and Sevastopol, the Crimean port city housing the Russian Black Sea Fleet. He interviewed twenty people who represented key actors. (See Interview Protocol in Appendix D-7.)

<p>PHASE 1: Preparation</p> <p>A. Diagnose the Conflict</p> <hr/> <p>STEP 1: Describe the Peacebuilding Brief as it is Received</p> <p>STEP 2: Identify Key Actors → KEY QUESTIONS</p> <p>STEP 3: Determine Stage of Conflict Escalation</p> <p>STEP 4: Conduct Power Assessment</p> <p>STEP 5 Identify Root Causes</p> <p>STEP 6 Describe Context</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ Who are the key actors, both internally and externally? ✓ Who are the Local Actors most directly involved in this Peacebuilding Activity? ✓ What is their relationship to the other actors? ✓ Are any new actors likely to become involved? ✓ Is an essential actor missing from this Peacebuilding Activity?
	<p>Step 2. Identify Key Actors</p> <p><u>Key Questions:</u></p> <p>Who are the key actors, both internally and externally?</p> <p>The key actors are:</p> <p><u>Internally:</u></p> <ul style="list-style-type: none"> ▶ International Renaissance Foundation, a Ukrainian national NGO; ▶ Mejlis of the Crimean Tatar People, the elected “parliament” of the Crimean Tatars; ▶ The Crimean State Industrial-Pedagogical Institute, a state-funded institute of higher learning; ▶ Centre for Pluralism at the Pylyp Orlyk Institute for Democracy, an NGO;
	<ul style="list-style-type: none"> ▶ State Committee on National Minorities and Deported People, Supreme Soviet of the Crimea; ▶ Ministry of Education, Ukraine; ▶ Council of Advisors to the Parliament of Ukraine; ▶ State Committee of Ukraine for National Minorities and Migration; ▶ Crimean Centre for Independent Political Research, an NGO which focuses on journalism and media;

- ▶ Crimean Ukrainian Association, an NGO;
- ▶ Migration Problems Research Centre, an NGO, Kiev.

Externally:

- ▶ The Soros Foundation, New York, the nongovernmental funding body supporting the IRF and to whom the proposed program for “Integration of Formerly Deported Crimean Tatars, Germans, Greeks, Bulgarians, Armenians into Ukrainian Community” would be submitted;
- ▶ Russia, whose Black Sea Fleet is docked in Sevastopol, Crimea;
- ▶ Turkey, a neighbour that is the home to a large number of Tatars, with geopolitical interests in Crimea;
- ▶ Canadian Association of Universities and Colleges, a funding body supporting the IRF and the author;
- ▶ Organization of Security and Cooperation in Europe Mission to Ukraine, with offices in Kiev and Simferopol;
- ▶ UN Crimea Integration and Development Programme, Simferopol;
- ▶ UN High Commissioner for Refugees;
- ▶ Uzbekistan, the country from which most Crimean Tatars are emigrating.

Who are the Local Actors most directly involved in this Peacebuilding Activity?

- ▶ International Renaissance Foundation, a Ukrainian national NGO;
- ▶ The Crimean State Industrial-Pedagogical Institute, a state-funded institute of higher learning;
- ▶ State Committee on National Minorities and Deported People, Supreme Soviet of the Crimea;
- ▶ Ministry of Education, Ukraine;
- ▶ Crimean Centre for Independent Political Research, an NGO which focuses on journalism and media.

What is their relationship to the other actors?

The IRF appears to be a nonpartisan NGO enjoying credibility with all local actors; although its relationship to the international actors, the UN and OCSE, seems less dynamic. The IRF, if it obtains the desperately needed funding, as proposed, will provide concrete opportunities and new hope to all of the identified local actors.

The Crimean State Industrial-Pedagogical Institute and Ministry of Education will have a large role to play in the Educational aspects of the IRF's proposed programme.

The State Committee on National Minorities and Deported People has a role to play on the issue of citizenship of returned deportees, a less directly relevant role to play on the Education programme; but, potentially, a key role to play in the programme activities of Supporting NGOs and Propagation of National Cultures of the Crimea.

The Crimean Centre for Independent Political Research will have a role to play on programme activities for Mass Media.

Each of the NGOs are recent creations; their relationship with each other and official bodies is difficult to measure. The official government bodies are strongly supportive of the IRF's proposed programme.

Are any new actors likely to become involved?

The role of the OSCE and UN may increase, especially in matters of NGO development and culture of national minorities.

While the author was conducting this field visit the Mayor of Moscow visited Sevastopol and declared it "Russian territory". Kiev had installed an official

emissary in Sevastopol to assert that it is Ukrainian territory. The presence of the Russian Black Sea Fleet in Sevastopol and lack of resolution on its status in Crimea adds to the tension. The role that Russia will play remains unknown.

The cost of obtaining a Ukrainian citizenship has been prohibitive for many returnees. Uzbekistan requires a cash payment and surrender of Uzbeki citizenship for Crimean Tatars wishing to return to Crimea. Ukraine requires cash payment for a new Ukrainian citizenship. The combined costs have frustrated many Crimean Tatars' hopes of obtaining citizenship; and citizenship is directly related to issues of freedom of movement, housing, and state-funded support.

<p>PHASE 1: Preparation</p> <p>A. Diagnose the Conflict</p> <hr/> <p>STEP 1: Describe the Peacebuilding Brief as it is Received</p> <p>STEP 2: Identify Key Actors</p> <p>STEP 3: Determine Stage of Conflict Escalation → KEY QUESTIONS</p> <p>STEP 4: Conduct Power Assessment</p> <p>STEP 5 Identify Root Causes</p> <p>STEP 6 Describe Context</p>	<p>The Ukrainian parliament and/or relevant ministries may have to become involved. Relations may need to involve Uzbekistan.</p> <p>Is an essential actor missing from this Peacebuilding Activity?</p> <p>If a narrow focus on the proposed programmes is retained, perhaps none other than additional NGOs and local government ministries not yet identified.</p> <hr/> <p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ At what Stage of Conflict Escalation is the situation? ✓ Is it likely to escalate or de-escalate? ✓ How long will it remain in the current stage? <p>Step 3. Determine Stage of Conflict Escalation</p> <p>Key Questions:</p> <p>At what Stage of Conflict Escalation is the situation?</p> <p>Somewhere between Stage 2, Polarization and Stage 3, Segregation. Indicators are: Reciprocal, negative,</p>
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simplified stereotypes. Actions interpreted rather than words accepted. Communication less direct. Unilateral, contentious tactics (threats and ultimatums). “Good ingroup”/“evil enemy”. Relationship hostile, mistrust, lack of respect. Parties feel threat to basic needs. Conflict is win-lose: destructive competition, unilateral attempts to control other, search for allies.

Is it likely to escalate or de-escalate?

It could escalate quite easily, and quite quickly. Conditions for the deported people are extremely harsh; at the same time the overall depressed economic conditions make it difficult for the ethnic Russian majority who have lived in Crimea since 1944 to tolerate “newcomers” who place demands on limited resources.

If external actors (Russia, and there is some speculation that perhaps Turkey) interfered more overtly the situation could escalate.

If the militant faction of the Crimean Tatars instigated hostile action it could escalate.

If relations between Kiev (Ukraine) and Simferopol (Autonomous Republic of Crimea) do not improve on constitutional, language, and economic issues it could escalate.

How long will it remain in the current stage?

It could escalate quickly given the number of trigger points and the delicacy of the situation. It could remain in the current status for months but not likely years.

<p>PHASE 1: Preparation</p> <p>A. Diagnose the Conflict</p> <hr/> <p>STEP 1: Describe the Peacebuilding Brief as it is Received</p> <p>STEP 2: Identify Key Actors</p> <p>STEP 3: Determine Stage of Conflict Escalation</p> <p>STEP 4: Conduct Power Assessment → KEY QUESTIONS</p> <p>STEP 5 Identify Root Causes</p> <p>STEP 6 Describe Context</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ Is there an obvious imbalance in power and resources in this situation? ✓ Do the laws and institutions favour a particular group or sector in the society such that some perceive a form of violence being done to them? ✓ Who has power (ability to effect outcomes), and who does not? ✓ Are there mechanisms of conflict resolution in place, such that grievances may be expressed and resolved non-violently. What steps appear necessary to reduce violence and build peace? ✓ Is the first mandatory step in this situation to secure the environment through Peacekeeping and efforts to establish the rule of law? ✓ Should the Peacebuilder wait until security has been established? <hr/> <p>Step 4. Conduct Power Assessment</p> <p><u>Key Questions:</u></p> <p>Is there an obvious imbalance in power and resources in this situation?</p> <p>Yes. The Russian ethnic majority in Crimea and other established minorities (Ukrainians) have more political influence and resources than the returned deported people.</p>
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The Crimean Tatars impress, however, as an extremely resourceful and enduring people.

Do the laws and institutions favour a particular group or sector in the society such that some perceive a form of violence being done to them?

The Crimean Tatars and other formerly deported groups, lacking citizenship, access to their former lands and homes, and opportunity, would experience a form of structural violence.

Political clashes with Crimean Tatars, including destruction of their settlement homes, was a form of overt violence.

The established ethnic Russian majority perceives a threat to their interests by the language laws that make Ukrainian the official language of Ukraine and Crimea. Many do not speak Ukrainian, but Russian.

Crimean Tatars are concerned that their national language will not be revived if Ukrainian language dominates. They speak Russian and Tatar.

Who has power (ability to effect outcomes), and who does not?

All of the above-noted actors have power to effect outcomes, but in varying degrees and under varying conditions.

The formerly deported people, apart from other avenues of influence, appear to be coalescing in the form of what was described by the UN representative as “ethnic NGOs”. These newly emerging NGOs appear to have the least power but have the potential of group cohesiveness and with that, the potential for power. Their potential power is contingent on their ability to mobilize and/or join forces with allies.

The limitations on freedom of the press, the strains associated with survival and daily life, and the lack of knowledge and experience to act effectively as NGOs limit the activation of their potential power.

The Ukrainian ethnic minority in Crimea appears the next least powerful actor as they face a strong ethnic Russian majority and pressures from newly arrived deportees.

The Crimean Tatars are well organized, have voice both inside and outside Crimea, have achieved some seats on the Crimean parliament, and may have weapons. Their moderate leader, Mustafa Jemelev, is a credible charismatic leader with international connections.

Ostensibly the most powerful local actor, the Supreme Soviet of Crimea and Government Ministries, are engaged in a delicate relationship with the national parliament and bureaucracy in Kiev.

The ethnic Russian majority, which includes elected officials and bureaucrats throughout Crimea is the most powerful at present. Their power, however, is being curtailed and they have less influence as Russia officially remains outside the situation and as Kiev asserts a “Ukrainian” agenda in the Crimea.

Are there mechanisms of conflict resolution in place, such that grievances may be expressed and resolved non-violently.

There is a parliament in Crimea and “free” elections. The Crimean Supreme Soviet has 14% of its seats designated for Crimean Tatars.

The extent of dispute resolution mechanism at the administrative level in society is unknown. Unilateral and arbitrary action by authorities in matters such as housing and privileges are reported to be common.

What steps appear necessary to reduce violence and build peace?

External actors must not intervene with destructive intentions, either overtly or covertly. Specifically, Russia and Ukraine must resolve the issue of Sevastopol and the presence there of the Russian Black Sea Fleet.

The issue of citizenship of formerly deported people must be dealt with as a priority. Citizenship confers rights and privileges, that if met, will reduce tension

at the most basic level of housing and forms of social assistance. Granting citizenship to 250,000 Crimean Tatars will also shift the political power balance somewhat and may exacerbate conflict if not managed as part of a more general conflict prevention/peacebuilding program. The legitimate interests of the ethnic Russian majority and other groups in the Crimea must be protected.

Economic development initiatives, even small in scale, are needed to ease present living conditions and to reduce perceived threat to the current limited resources represented by the presence and aspirations of formerly deported people. These economic initiatives must be seen not to favour or disadvantage one ethnic group compared to others.

None of the five daily papers in Crimea is independent. Freedom of the press, accurate and balanced reporting are required.

Laws and institutions to establish and support the construction of a civil society are required.

Development of nongovernmental organizations, their role in advocacy, and building the fabric of a civil society at the community level is required.

Is the first mandatory step in this situation to secure the environment through Peacekeeping and efforts to establish the rule of law?

No. Peacekeeping is not required, but efforts to establish the rule of law to reduce corruption are required.

Should the Peacebuilder wait until security has been established?

No. It is possible to proceed with Peacebuilding activity now as there is no overt threat to the local actors or the Peacebuilder, and there are sufficient resources and the commitment to proceed.

<p>PHASE 1: Preparation</p> <p>A. Diagnose the Conflict</p> <p>STEP 1: Describe the Peacebuilding Brief as it is Received</p> <p>STEP 2: Identify Key Actors</p> <p>STEP 3: Determine Stage of Conflict Escalation</p> <p>STEP 4: Conduct Power Assessment</p> <p>STEP 5 Identify Root Causes → KEY QUESTIONS</p> <p>STEP 6 Describe Context</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ What is the political structure? ✓ What role does culture have here? ✓ Is language a relevant factor? ✓ Is religion a relevant factor? ✓ Is ethnic identity a factor? ✓ What influence does the economic situation have on the conflict? ✓ Who benefits by the status quo? <p>Step 5: Identify Root Causes</p> <p><u>Key Questions:</u></p> <p>What is the political structure?</p> <p>During the collapse of the Soviet Union Ukraine underwent a process to become an independent sovereign state. The Crimea, an agriculturally rich peninsula was given to Ukraine by Russia in 1954, as the Autonomous Republic of Crimea (ARC). The Crimea is presently today a “state” within the Ukraine - enjoying a form of autonomy which distinguishes it from other regions of Ukraine.</p>
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Since deportation of the Greeks, Bulgarians, Germans, Armenians and Crimean Tatars in 1944, the Autonomous Republic of Crimea has been dominated by an ethnic Russian population. Between 1989 and 1994, the Russian share of Crimea’s population fell from 64% (1,624,000 of 2,552,000) to 60%. Projections of the number of Crimean Tatars who will ultimately return to Crimea suggest that the Russian population will fall to 55%.

On November 1, 1991 the Supreme Rada of Ukraine adopted the Declaration of Rights of the Nationalities of Ukraine, demonstrating intentions of a well-balanced national policy by guaranteeing equal rights to all ethnics and ethnic groups residing in the country.

Though Crimean Tatars comprise approximately 10% of the population of the Crimea, their representation in bodies of executive power in mid-1996 was less than .5%, according to the Mejlis of the Crimean Tatars. Representation in local government is negligible, except for the Heads of Division for the Deported Citizens in some of the municipal and district executive committees. Of the 12,000 people employed in bodies of Internal Affairs of Crimea, only sixty (60) are Crimean Tatars.

During the 1994 Parliamentary elections in Crimea, pro-Russian separatists were victorious. Sociological polls conducted in 1995 showed that 40% of respondents wish the Crimea to be part of the USSR; 34% as part of Russia; 13% as part of Ukraine; and 13% as an independent sovereign state.

On March 17, 1995 a resolution of the Supreme Rada of Ukraine annulled all legislative acts of the Autonomous Republic of the Crimea which were in discord with Ukrainian legislation, the Crimean institution of the presidency was abolished (and with it a pro-Russian incumbent removed), and the law "On the Autonomous Republic of the Crimea" adopted. That law confirmed the main provisions of the ARC Constitution.

The Constitution of the ARC, however, was adopted by the Supreme Rada prior to Ukraine itself adopting its constitution, which was to lay the legal basis for further development of Ukraine state and society, as well as define the political-legal status of Crimea. This has placed strain on political relations and the status of Crimea.

The Constitution of Ukraine includes the notion of "indigenous peoples" and their rights. Indigenous people are viewed as existing in Ukraine alongside national minorities and their rights must be protected by special legislative acts.

Accordingly, the state should promote “development of ethnic, cultural, language and religious identity of all indigenous peoples and national minorities in Ukraine”.

The political expectations of the Crimean Tatars, however, were not met in the constitutional initiatives of Ukraine. The main political demands of the Crimean Tatars are:

- official recognition of the legitimacy of their traditional bodies of self-government, specifically: Kurultay (National Assembly), Mejlis (elected representative bodies of the Crimean Tatar people), and local Mjelis (bodies of local self-government);
- ensured participation of Crimean Tatar representatives in the legislative bodies of the Crimea and Ukraine and bodies of the executive power of the ARC;
- guaranteed equality in using the Crimean Tatar language on the territory of the ARC together with Ukrainian and Russian;
- solution of the issue of obtaining Ukrainian citizenship by Crimean Tatar repatriates;
- restitution of property or compensation for damages suffered by Crimean Tatar repatriates;
- elimination of restriction on the places of settlement on the peninsula, especially on the south coast of the Crimea.

At present a Framework for State Policy of Ukraine in Respect to Indigenous Peoples to address these issues has been drafted for review.

A recent Crimean Tatar campaign resulted in 14 seats of the Crimean parliament being assigned to Crimean Tatars (14%) and an additional four (4) for other minorities (for a total of 18% of the total seats in parliament). A Crimean Tatar is one of the Vice-premiers and the Crimean Tatars have additional ministerial representation.

What role does culture have here?

Culture is one of the key elements in the conflict and renaissance of national cultures is one of the prime focuses of the IRF's proposed program.

The Crimea is uniformly described by actors there as having been a peaceful poly-ethnic community. Enthusiasm for returning to such a condition is not evident among ethnic Russians.

Strong negative stereotypes of Crimean Tatars have been promoted by some elements within the ethnic Russian majority. The media, controlled by interest groups, has propagated these stereotypes to varying and extreme degrees at times.

It is often asserted by Crimean Tatars that they are the only ethnic group in Ukraine which can qualify as indigenous peoples. Some of them acknowledge the existence of two or three other indigenous peoples who comprise a small percentage of the population.

Crimean Tatars assert that they are unique as compared with other deported groups because, unlike the Germans, Greeks, Armenians, and Bulgarians they have no homeland but Crimea.

Near total destruction of the Crimean Tatar culture by Stalin and the commitment of Crimean Tatars to preserving their identity, language and culture during exile has resulted in a drive by Crimean Tatars for cultural renaissance.

There is some concern expressed that the Crimean Tatars pose a fundamentalist Islamic threat. Crimean Tatars counter that they are Sunnite Muslims (moderate) and they proudly present their "unique" culture and heritage. Other groups on the peninsula are Orthodox, Catholic, and Jewish.

The concept of integration, the focus of the IRF's proposal, is reported to be understood by the various ethnic groups as "adaptation and mutual benefit resulting from revival of national cultures (i.e. understanding of integration as a contribution made by every national group to a "joint pot" of poly-ethnic and poly-cultural community in Crimea and Ukraine.)

The IRF reports that understanding integration in this way is not always supported by officials in power and representatives of international organizations who perceive striving for national revival and national identity as national "isolation" or national "separation".

The culture believe that the issue of cultural renaissance contributing to ethnic cleavages remains contentious.

Is language a relevant factor?

The issue of revival of native language, as well as national education and culture is central to the conflict and central to the IRF's proposal.

In the 1920s and 1930s the Crimean Tatar language suffered from Soviet decisions to change the script from Arabic to Latin, then the Cyrillic. The Soviet initiative to crush Crimean Tatar language, education and culture left Crimean Tatars with folk poetry, folk lore, and memories held by the elders of a culture and language once enjoyed on the peninsula.

The IRF received criticism that its language program as initially planned was perceived to favour the Crimean Tatar culture and language, and that a more balanced approach was necessary to ensure acceptance and integration, rather than rejection, hostility and increasing the conflict.

The Crimea itself is predominantly Russian and Russian speaking. The deportees were “Russified” during exile and speak Russian. The right to speak Russian remains protected in the Law on National Minorities and the Law of Ukraine on Languages, which states that other languages beside the state language (Ukrainian) can be used in all spheres of life in regions where the majority of the population is comprised of national minorities who do not have enough command of the state language.

Ukrainian, however, is the official “state” language in the Crimea. Ethnic Russians are not pleased with having to learn and speak Ukrainian; the deportees must acquire Ukrainian; the Crimean Tatars who wish to restore their national language must acquire Ukrainian; and all face the longer-range fact that English is the language of international business.

Provisions made in the Law of Ukraine on National Minorities declare the right for national-cultural autonomy, including education in one’s native tongue, but implementation is neither ensured by the state nor supported by adequate funding. As noted in the research conducted for IRF: “The actual solution to the problem, even if there is the necessary legislative basis, requires enormous financial and intellectual resources because fifty years of deportation laid to the ground the Crimean Tatar system of national education, which has to be built anew. At present, even the legislative basis for restoration of the Crimean Tatar language and culture is missing.”

Is religion a relevant factor?

To the extent that the negative stereotype of Crimean Tatars as being fundamentalist Islamists about to “take over” Crimea is held, religion is a flash point for conflict.

Is ethnic identity a factor?

This is at the centre of the conflict and the thrust of the IRF's proposal is to support renaissance of ethnic identity in a balanced way to restore Crimea to a poly-ethnic community.

Crimean Tatars have an strong sense of ethnic identity, a strong tie to the land as Crimea's indigenous people.

They have a strong commitment to restoration of their culture and their place in their land.

These aspirations and commitments pose a threat to the dominant ethnic Russian group and perhaps to the other formerly deported people.

With so much focus on ethnic Russian and Crimean Tatars, the Ukrainian minority in the Crimea express a sense of isolation.

What influence does the economic situation have on the conflict?

Resources are scarce, employment is scarce, the economy is stagnant and has been described as being in crisis. These conditions exacerbate tensions.

Who benefits by the status quo?

Russia may benefit if the status quo continues, if local aspirations in Crimea are unmet, if Kiev appears ineffective, and turbulence predicates ethnic Russians to call for Russian intervention.

No internal actors appear to benefit, except the Crimean Tatars through persistent steady growth.

<p>PHASE 1: Preparation</p> <p>A. Diagnose the Conflict</p> <p>STEP 1: Describe the Peacebuilding Brief as it is Received</p> <p>STEP 2: Identify Key Actors</p> <p>STEP 3: Determine Stage of Conflict Escalation</p> <p>STEP 4: Conduct Power Assessment</p> <p>STEP 5 Identify Root Causes</p> <p>STEP 6 Describe context → KEY QUESTIONS</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ How does the presenting situation relate to the larger national or international context? ✓ What level of assistance in capacity-building is appropriate (inter-group, systemic/structural)? ✓ Which sectors and actors should be involved? ✓ What other strategic level developments, including political/economic struggle and/or reform efforts are related and relevant? ✓ What time frame is realistic for Peacebuilding in this situation? ✓ How influential is the overall Context to the envisaged Peacebuilding Activity? <p>Step 6. Describe Context</p> <p><u>Key Questions:</u></p> <p>How does the presenting situation relate to the larger national or international context?</p> <p>The relations between Simferopol and Kiev are very important. Constitutional matters: rights, policies, programmes and funding are all implicated.</p> <p>The role of external actors is important, especially that of</p>
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Russia and perhaps Turkey and Islamic connections and influences.

Uzbekistan's role in impeding the return of Crimean Tatars is relevant; it may be related to an agenda of Russia's to keep the Crimea destabilized and legitimate a role for it there.

What level of assistance in capacity-building is appropriate (inter-group; systemic/structural)?

Multi-level assistance is required. Some evidence exists that efforts on various levels are being provided. No coordination of these is evident.

Which sectors and actors should be involved?

Political leaders and Track I diplomats should be involved; middle-range actors in the Crimea; and grassroots representatives, such as NGOs, require assistance.

The IRF's proposal focuses on educational, cultural, nongovernmental sectors. The public sector (government) must be involved in these programmes.

The economic sector is not involved in the IRF's proposal; although it requires stimulation and assistance.

What other strategic level developments, including political/economic struggle and/or reform efforts are related and relevant?

The ongoing presence of the OSCE and UN is important, both to provide stability and to provide funding for concrete projects such as constructing settlement housing, education, and social assistance.

How influential is the overall Context to the envisaged Peacebuilding Activity?

The envisioned peacebuilding activity is:

1. development of a Crimean Soros Integational-Educational Centre;
2. support to Mass Media;
3. support to Development of NGOs Network;
4. propagation of National Cultures of the Crimea. (See Appendix D-5.)

The overall local political, legal and economic context, while important, should not prohibit the planned activity.

Questions arise about the order or emphasis which should be placed on the respective program activities. How is cultural tolerance and integration as

envisaged achieved? Will no or very little progress on the economic front, which is not the focus of the proposed program, negate the benefits of the program?

What time frame is realistic for peacebuilding in this situation?

The proposed program is projected over three years. If the conflict does not escalate, and it has de-escalated somewhat, three years is a reasonable start. Progress on other fronts must be made, however.

B. Establish the Peacebuilding Outcome Objectives

<p>OPERATIONALIZING THE PEACBUILDING ASSISTANCE MODEL APPLIED TO CRIMEA PHASE 1: Preparation PHASE 2: Execution PHASE 3: Follow-Up</p>	<p>A. Diagnose the Conflict B. Establish the Peacebuilding Outcome Objectives C. Conduct a Peacebuilding Environmental Scan D. Confirm Readiness to Proceed</p>
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<p>PHASE 1: Preparation</p> <p>B. Establish the Peacebuilding Outcome Objective</p> <hr/> <p>STEP 1: Assess Desired Outcome → KEY QUESTIONS</p> <p>STEP 2: Assess Capabilities (Opportunities, Strengths, Limitations)</p> <p>STEP 3: Determine the Possible Outcome Objectives</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <p>✓ Are the parties at whom Peacebuilding is directed able to articulate their preferences for desired outcomes?</p> <p>Step 1. Assess Desired Outcome</p> <p><u>Key Questions:</u></p> <p>Are the parties at whom peacebuilding is directed able to articulate their preferences for desired outcomes?</p> <p>Yes, with the exception perhaps of representatives of Mass Media. All media are controlled by special interests.</p> <p>The ethnic NGOs, national minorities, educators and government officials in posts relating to education, community development and culture are identifiable and able</p>
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to articulate their interests and expectations of the program. Whether they are able to do this collectively, and achieve a consensus is less likely (as reported by the UN representative).

The pressure on journalists and media representatives to withhold open and free expression suggests the actors in that sector may require additional support to identify their objectives, notwithstanding those identified in the IRF proposal.

<p>PHASE 1: Preparation</p> <p>B. Establish the Peacebuilding Outcome Objective</p> <hr/> <p>STEP 1: Assess Desired Outcome</p> <p>STEP 2: Assess Capabilities (Opportunities, Strengths, Limitations) → KEY QUESTIONS</p> <p>STEP 3: Determine the Possible Outcome Objectives</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ What factors in the Context support the proposed Peacebuilding Activity? ✓ What limitations are set by the Context? What are the root causes of conflict in this Context? ✓ Who are the Local Actors? ✓ What is the Local Actors stake in this Peacebuilding initiative? ✓ Are the Local Actors suited to the role they are playing? ✓ Do the Local Actors need particular support? ✓ How long will the Local Actors be able to play a role? ✓ Who is the Peacebuilder seen to be? ✓ What is the Peacebuilder's stake in this Peacebuilding initiative? ✓ What assumptions is the Peacebuilder making about him/herself, the Context, the Local Actors and the conflict? What are the Peacebuilder's outcome objectives? ✓ Is the Peacebuilder suited to the role he/she is playing? Does the Peacebuilder need particular support? ✓ How long will the Peacebuilder be able to play a role? ✓ Is the Peacebuilder able to fulfil the requirements in an ethically responsible manner? ✓ Will the prejudices, perceptual biases, strengths and limitations of third parties have a role in determining the desired outcome?
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Step 2. Assess Capabilities (Opportunities, Strengths, Limitations)

Key Questions:

What factors in the Context support the proposed Peacebuilding Activity?

The presence of the OSCE, the UN, other international NGOs including the Soros Foundation; the moderate view expressed by the Chairman of the Crimean Tatar Mjelis; the dedicated effort of the IRF; the pre-occupation of Russia with its own reform initiatives; the unhappy scenario of war in Chechnya as a negative option for Crimea; the efforts of the Ukrainian government; the population shift to reduce the ethnic Russian power balance; and the existence of some external media attention to the conflict in Crimea all support the proposed peacebuilding activity.

What limitations are set by the Context?

Lack of political experience or models to guide the political task required; a very bad economic environment; and the complexity of the situation are limitations.

What are the root causes of conflict in this Context?

- Inadequate resources.
- Perceived illegitimacy of the political system.
- Inadequate inter-cultural tolerance.

Who are the Local Actors?

- International Renaissance Foundation, a Ukrainian national NGO;
- The Crimean State Industrial-Pedagogical Institute, a state-funded institute of higher learning;
- State Committee on National Minorities and Deported People, Supreme Soviet of the Crimea;
- Ministry of Education, Ukraine;

- Crimean Centre for Independent Political Research, an NGO which focuses on journalism and media.

What are the Local Actors' stake in this Peacebuilding initiative?

The IRF has offices in several regions in Ukraine. This initiative is nevertheless quite important to the IFR from a number of perspectives, including: resources; credibility within Ukraine and externally with funding bodies such as its main sponsor, The Soros Foundation; employment for staff in Simferopol; and as a significant way to achieve its objectives for peace and prosperity in Ukraine.

The Industrial-Pedagogical Institute is struggling with limited resources. The educational component of the program will infuse resources and bring employment and credibility to the Institute. The Institute's Rector and Vice Rector are Crimean Tatars: they may tend to favour Crimean Tatar projects which could create conflict since the educational component of the IRF's proposal is to "establish a unified coordination centre for support and development . . . of the system of national education for Crimean Tatars, Germans, Armenians, Bulgarians."

The Government agencies will not, apparently, directly benefit in resources from the IRF's initiative. Their programs, however, will. They are supportive and are prepared to cooperate actively.

The Centre for Independent Political Research is a new NGO without resources, attempting to provide leadership in a sector that has a key role in the conflict, and which likely will be a source of tension and escalation. How the Centre is supported by the IRF program to ensure its growth and credibility in a conflictual sector is an important consideration.

All nongovernmental local actors critically require resources to remain viable. To what extent their need for resources will skew outcome objectives and make the program counter-productive is an issue.

Are the Local Actors suited to the role they are playing?

Yes, with the caution about the Crimean Tatar leadership of the Pedagogical Institute.

Do the Local Actors need particular support?

Yes. Technical assistance, transfer of skills and knowledge, advocacy and promotion of their cause with external actors, including governmental, nongovernmental, and funding sources.

Capacity building at the institutional level and conflict resolution skills and mechanisms are important.

How long will the Local Actors be able to play a role?

With funding from the Soros Foundation, at least the three years planned in the proposal and perhaps more if they are able to secure more funds during that period.

Who is the Peacebuilder seen to be?

An external Canadian expert in conflict resolution from an institute called the Canadian International Institute of Applied Negotiation. Someone who appears wealthy, well resourced.

Will the prejudices, perceptual biases, strengths and limitations of third parties have a role in determining the desired outcome?

Yes. The first level of direct influence is the report of the author as independent expert in conflict resolution.

The general state of “need” in Ukraine and in particular, the Crimea, makes the local actors vulnerable to third parties.

If the author continues in a peacebuilder role, his perceptual bias (or sympathy) toward the evidently violated formerly deported people, especially the Crimean Tatars, could have a role in determining the outcome.

The peacebuilder’s clinical strengths in conflict resolution may pre-determine a future focus on that dimension of peacebuilding.

Lack of influence at the Track I level could play a role as a limiting factor.

Limited financial resources will play a role as a limiting factor.

What is the Peacebuilder’s stake in this Peacebuilding initiative?

First, the initiative enables the Peacebuilder to conduct work on a case that is professionally challenging and potentially rewarding. There is a professional stake.

Second, the initiative gives the Peacebuilder a “subject case” for the purposes of this research on an “architecture for peacebuilding”. There is a personal academic stake.

Third, the initiative has the potential to be fundamentally rewarding, in terms of personal growth, expression of a commitment to peace and justice. This is an intrinsic stake.

What assumptions is the Peacebuilder making about him/herself, the Context, the Local Actors and the conflict?

1. That the Peacebuilder is seen as having more financial resources and influence than he has.

2. That the Peacebuilder has much to offer, clinically.
3. That resource limitations will limit the Peacebuilder's on-site contributions; therefore, contributions should be focused to be effective.
4. That structural, high level activity must take place in concert with this and other middle-range peacebuilding activities and that the Peacebuilder has limited influence there.
5. That the economy must improve as a key to reducing tensions.
6. That the Local Actors are generally well-minded and wish peace and believe in the IRF's proposed initiative.
7. That the Crimean Tatars, notwithstanding the Peacebuilder's sympathy for the position of the ethnic Russians, require and deserve the most support.

What are the Peacebuilder's outcome objectives?

1. That the IRF's proposed program be supported by the Soros Foundation. The objectives in the proposal have been clearly defined and are meritorious. The Independent Review (see Appendix D-8) made the following specific Recommendations:

(1) That there be support for the International Renaissance Foundation's program for "Integration of formerly deported Crimean Tatars, Germans, Greeks, Bulgarians, Armenians into Ukrainian Community".

(2) That the OSCE mission in Ukraine convene a high level meeting of key national and nation state/international actors to develop a strategic plan and coordinated measures to ensure that political issues such as citizenship and

other obstacles to peaceful integration be addressed as a conflict prevention agenda.

(3) That the IRF's program supervisory board, as one of its first functions, establish criteria for the evaluation of funding requests and allocation and management of the monies it distributes under the program.

(4) That mid-level actors in the Crimea and grass roots actors be convened by the UN agencies active in the Crimea along with the IRF to ensure that related activities are designed and executed to achieve economies and the goals of these key actors.

(5) That the IRF establish a method for self-evaluation of the program.

(6) That the IRF embark immediately on efforts to attract additional funding, especially to support inter-ethnic conflict resolution and dispute resolution system design activities and the long-term viability of the Crimean Soros integrational-educational centre.

2. That additional (or supporting) peacebuilding assistance be provided by the Peacebuilder, as reflected in the "set of initiatives" document (Appendix D-9):

- (a) encourage high level policy dialogue;
- (b) encourage mid-level strategic planning in the Crimea, convened by the IRF;
- (c) conduct conflict resolution workshops for NGOs and local government representatives;
- (d) conduct dispute resolution system design workshops;
- (e) promote awareness of and financial, political and moral support for peaceful integration, including:

- (i) revision and publication of the research conducted by Ukrainian Committee of Experts under the auspices of the IRF;
- (ii) creation of a number of governmental, academic and nongovernmental venues in North America for presentation of the facts, circumstances, and challenges with respect to integration of the Crimean Tatars and other deported people in Crimea;
- (iii) production of a video or other mass media on the Crimean Tatars as indigenous people in a sensitive and geopolitical, socio-political environment.

Is the Peacebuilder suited to the role he/she is playing?

Yes. At this time the most notable concern is language capability (English only) and whether there are sufficient resources to remain involved for the long term.

Does the Peacebuilder need particular support?

Yes. Funding support to conduct peacebuilding activities at the community level in Ukraine; funding and technical assistance to achieve those activities relating to promotion of awareness of and financial, political and moral support for peaceful integration (publications, North American venues, video production).

How long will the Peacebuilder be able to play a role?

Without funding, several months during which advocacy efforts on behalf of peacebuilding in the Crimea will be conducted from Canada.

With limited funding for travel and accommodation in Ukraine, a year or more, as necessary.

Is the Peacebuilder able to fulfil the requirements in an ethically responsible manner?

Yes, providing the limitations of the Peacebuilder are made clear to the IRF and it is clear and acceptable to the IRF and Local Actors that the Peacebuilder has a research interest.

<p>PHASE 1: Preparation</p> <p>B. Establish the Peacebuilding Outcome Objective</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ What are the outcome objectives of the specific Peacebuilding initiatives that are planned? ✓ What is likely to be achieved in regards of each of these objectives?
<p>STEP 1: Assess Desired Outcome</p> <p>STEP 2: Assess Capabilities (Opportunities, Strengths, Limitations)</p> <p>STEP 3: Determine the Possible Outcome Objectives → KEY QUESTIONS</p>	<p>Step 3. Determine the Possible Outcome Objectives</p> <p><u>Key Questions:</u></p> <p>1. What are the outcome objectives of the specific peacebuilding initiatives that are planned?</p> <p>As noted, those associated with the IRP’s proposed program and the author’s identified in Step 2 (a) through (e) (iii).</p> <p>2. What is likely to be achieved in regards each of these objectives?</p>

I have little influence in an high level policy dialogue.

Mid level strategic planning in Crimea should be possible to achieve.

Conflict resolution workshops can be achieved. System design workshops may be difficult to achieve as government actions are required, promoting as in (e) (iii), is possible.

<p>OPERATIONALIZING THE PEACBUILDING ASSISTANCE MODEL APPLIED TO CRIMEA PHASE 1: Preparation PHASE 2: Execution PHASE 3: Follow-Up</p>	<p>A. Diagnose the Conflict B. Establish the Peacebuilding Outcome Objectives C. Conduct a Peace-Nurturing Environmental Scan D. Confirm Readiness to Proceed</p>
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<p>PHASE 1: Preparation</p> <p>C. Conduct a Peace-Nurturing Environmental Scan</p> <hr/> <p>STEP 1: Assess the Role and Relevance of Peacemaking → KEY QUESTIONS</p> <p>STEP 2: Assess the Role and Relevance of Peacekeeping</p> <p>STEP 3: Assess the Presence and Relevance of Other Peacebuilding Activities</p> <p>STEP 4: Identify Resources</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ Are Track I diplomatic efforts underway or concluded? ✓ Is there a Peacebuilding component involved in those initiatives? ✓ Are there implications from that Track I level for the proposed Peacebuilding Activity? ✓ Are there implications from the proposed Peacebuilding Activity for Track I?
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C. Conduct a Peace-Nurturing Environmental Scan

Step 1. Assess the Role and Relevance of Peacemaking

Key Questions:

1. Are Track I diplomatic efforts underway or concluded?

The OSCE has been playing an active role encouraging institution-building steps related to minorities, language, and citizenship.

2. Is there a peacebuilding component involved in those initiatives?

Yes.

3. Are there implications from that Track I level for the proposed Peacebuilding Activity?

Yes - at all three levels: high, middle-range, and grassroots. At the high level, resolution of issues such as “citizenship, inter-agency cooperation, and international attention to the conflict prevention agenda in Crimea” would greatly facilitate middle and community based peacebuilding activities. More coordination among key actors such as IRF and UN in Crimea would support the objectives of cooperation, economies, efficiency and cost-effectiveness. The nature of minority rights workshops at the community level, the focus of conflict resolution workshops, and the technical work of designing dispute resolution systems would be structured and focused in a more clarified legal, political, and institutional environment.

**PHASE 1:
Preparation**

C Conduct a Peace-Nurturing Environmental Scan

**STEP 1:
Assess the Role and Relevance of Peacemaking**

**STEP 2:
Assess the Role and Relevance of Peacekeeping
→ KEY QUESTIONS**

**STEP 3:
Assess the Presence and Relevance of Other Peacebuilding Activities**

**STEP 4:
Identify Resources**

4. Are there implications from the proposed Peacebuilding Activity for Track I?

The proposed initiatives call for and envisages supportive Track I activities. The potential to influence that level remains unclear.

→ KEY QUESTIONS APPLIED TO CRIMEA

- ✓ What is the role of Peacekeeping and the Peacekeeping commitment in the peace accord?
- ✓ Are there any specific security issues associated with the planned Peacebuilding activity?
- ✓ What type of support from Peacekeeping will be required?
- ✓ What type of coordination is necessary?
- ✓ Should the timing of the Peacebuilding activity be adjusted to account for security issues?

Step 2. Assess the Role and Relevance of Peacekeeping

Key Questions:

What is the role of Peacekeeping and the Peacekeeping commitment in the peace accord?

There is no peace accord. Peacekeeping, per se, is not a factor at this time.

Are there any specific security issues' associated with the planned peacebuilding activity?

A negative peace currently exists. The degree of militancy within the “militant” Crimean Tatar faction is difficult to measure. There is some unofficial acknowledgement that weapons may be being amassed.

Organized crime is a factor. Small businesses are charged for “protection services” and face threats and destruction of property if they do not comply. The activities of organized crime at others levels is unknown.

Freedom of the press is necessary and efforts to achieve that may meet with threats or security issues.

A “low” level of concern with security for those associated with the planned peacebuilding efforts is warranted.

What type of support from Peacekeeping will be required?

Not Applicable.

What type of coordination is necessary?

Not Applicable.

Should the timing of the peacebuilding activity be adjusted to account for security issues?

No. It is possible to proceed now with conflict resolution workshops for NGOs and activities as proposed by the IRF and action recommended by the author.

<p>PHASE 1: Preparation</p> <p>C. Conduct a Peace-Nurturing Environmental Scan</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ What other Peacebuilding assistance is being provided in this situation? ✓ At what level? ✓ By whom? ✓ Is there value in coordinating the planned initiative with others? ✓ What practical steps need to be taken?
<p>STEP 1: Assess the Role and Relevance of Peacemaking</p>	<p>Step 3. Assess the Presence and Relevance of other Peacebuilding Activities</p>
<p>STEP 2: Assess the Role and Relevance of Peacekeeping</p>	<p><u>Key Questions:</u></p> <p>What other peacebuilding assistance is being provided in this situation?</p>
<p>STEP 3: Assess the Presence and Relevance of Other Peacebuilding Activities</p> <p>→ KEY QUESTIONS</p>	<p>The UN Integration and Development Program is active in reconstruction activities, building settlement housing, schools and physical infrastructure. It is also attempting to bring 24 ethnic NGOs together to promote collaboration and coordination. The UN representative expressed an interest in a conflict resolution workshop for this group - clarifying that the UN could provide limited funding support.</p>
<p>STEP 4: Identify Resources</p>	

The OSCE is planning a workshop in Crimea on minority rights.

Several foreign academic institutions are involved on the educational agenda.

At what level?

Grassroots.

By whom?

Addressed.

Is there value in coordinating the planned initiative with others?

Yes. The UN's "convening" power would be an asset in planning and conducting workshops; more particularly, the proposed technical dispute resolution system design work would be facilitated by the UN or higher agencies, as this work will involve local and regional government authorities.

What practical steps need to be taken to achieve coordination?

1. Contact the UN Integration and Development Program representative in Simferopol to propose a conflict resolution workshop for the ethnic NGOs.
2. Contact the OSCE in Kiev regarding the policy dialogue.
3. Establish contacts with relevant Embassies in Canada, to promote awareness and encourage dialogue. (Appendix D-10)
4. Work through the IRF in Crimea to achieve community-based initiatives.

<p>PHASE 1: Preparation</p> <p>C. Conduct a Peace-Nurturing Environmental Scan</p> <p>STEP 1: Assess the Role and Relevance of Peacemaking</p> <p>STEP 2: Assess the Role and Relevance of Peacekeeping</p> <p>STEP 3: Assess the Presence and Relevance of Other Peacebuilding Activities</p> <p>STEP 4: Identify Resources</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ What resource(s) is it that the Peacebuilder brings? ✓ Is the resource(s) appropriate for the planned Peacebuilding Activity? ✓ What may be done to enhance the Peacebuilder, if necessary? ✓ What is the role being played by local actors? ✓ Does the local "convenor" or "partner(s)" have the time, trust, legitimacy and credibility required of them? What type of external resources are needed (i.e, financial, technical knowledge, material)? ✓ How much of those resources are required? ✓ At what time in the Peacebuilding process are these resources required? ✓ Are such resources available? ✓ Will they be provided in a timely way? ✓ What action must be taken to ensure adequate resourcing for the Peacebuilding initiative; both internally and externally? <p>Step 4. Identify Resources</p> <p><u>Key Questions:</u></p> <p>What resource(s) is it that the Peacebuilder brings?</p> <p>Technical knowledge; a network; access to funding sources.</p>
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Is the resource(s) appropriate for the planned Peacebuilding Activity?

Yes. With the exception of language skills in Russian and Ukrainian.

What may be done to enhance the Peacebuilder, if necessary?

Obtain resources for interpretation and translation. Obtain resources for travel and accommodation. Obtain more knowledge of the geo-political environment and history of the region.

What is the role being played by local actors?

Funders, convenors, facilitators, stakeholders.

Does the local “convenor” or “partner(s)” have the time, trust, legitimacy and credibility required of them?

The IRF has the legitimacy and credibility. Without the Soros Foundation funding, as proposed, it will not have the necessary resources to continue with the proposed program and will likely continue limited activity from its other program budget.

What type of external resources are needed (i.e, financial, technical knowledge, material)?

1. Soros Foundation funding to the IRF.
2. Funding to the Peacebuilder for basic costs on-site, and ideally, for professional services.
3. Interpreter, limited equipment and material requirements for the Peacebuilder to conduct workshops.
4. Funding to carry out awareness activities, including video concept.

How much of those resources are required?

Re #1 - The total request is for 2.5 million dollars US.

Re #2 - Two field visits would require approximately \$ 10,000 US.

Re #3 - Estimated requirements are \$3,000 US.

Re #4 - To be determined.

At what time in the peacebuilding process are these resources required?

#1 - Immediately, as requested.

#2 - Within next six months.

#3 - Within next six months.

#4 - To be determined.

Are such resources available?

Yes for #1, 2, and 3. Unknown for #4.

Will they be provided in a timely way?

Yes, for #1, 2, and 3. Unknown for #4.

What action must be taken to ensure adequate resourcing for the peacebuilding initiative; both internally and externally?

The Independent Review must be completed immediately and forwarded to the IRF and the AUCC.

Funding requests for #2 & 3 must be submitted to the AUCC as per its program requirements.

<p>OPERATIONALIZING THE PEACBUILDING ASSISTANCE MODEL APPLIED TO CRIMEA PHASE 1: Preparation PHASE 2: Execution PHASE 3: Follow-Up</p>	<p>A. Diagnose the Conflict B. Establish the Peacebuilding Outcome Objectives C. Conduct a Peace-Nurturing Environmental Scan D. Confirm Readiness to Proceed</p>
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<p>PHASE 1: Preparation</p> <p>D. Confirm Readiness to Proceed</p> <hr/> <p>STEP 1: Confirm Outcome Objectives → KEY QUESTIONS</p> <p>STEP 2: Confirm Process Objectives</p> <p>STEP 3: Confirm Time Estimates</p> <p>STEP 4: Confirm Peacebuilder Clinical Readiness</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ What is the Peacebuilder's understanding of the brief? ✓ What is the local actors' or partners' understanding of the brief? ✓ Are these compatible? ✓ What must be clarified, if the objectives are not compatible? ✓ Are there any unintended negative consequences of the Peacebuilding activity that might be anticipated? ✓ What can be done to reduce any unintended negative consequences? <p>D. Confirm Readiness</p> <p>Step 1. Confirm Outcome Objectives</p> <p><u>Key Questions:</u></p> <p>What is the Peacebuilder's understanding of the brief? The first task (completed) is completion of the Independent Review. The second task is to carry out the elements of the Peacebuilding Activity as reflected in the set of initiatives document. The Peacebuilder will return to the Crimea for workshops in conflict resolution, convened either by the UN in Simferopol and/or by the IRF. (See Appendix D-11.)</p> <p>What is the local actors' or partners' understanding of the brief? They expect an independent review. The UN expects a proposal for a conflict resolution workshop with the 24 ethnic NGOs. The IRF expects some form of conflict resolution follow-up but has no commitment to details.</p>
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High level and strategic initiatives are not connected to the local level.

Are these compatible?

Yes.

What must be clarified, if the objectives are not compatible?

N/A

Are there any unintended negative consequences of the peacebuilding activity that might be anticipated?

Not at this time.

What can be done to reduce any unintended negative consequences?

N/A.

<p>PHASE 1: Preparation</p> <p>D. Confirm Readiness to Proceed</p> <hr/> <p>STEP 1: Confirm Outcome Objectives</p> <p>STEP 2: Confirm Process Objectives → KEY QUESTIONS</p> <p>STEP 3: Confirm Time Estimates</p> <p>STEP 4: Confirm Peacebuilder Clinical Readiness</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ Is the <u>intended</u> level of activity of the parties and the quality of their participation adequate and realistic to achieve the outcome objectives? ✓ Is there evidence that the local actors or partners endorse the Peacebuilding activity, both subjectively, as measured by their trust in, support of and satisfaction with the <u>planned</u> initiative; and objectively, by the nature and quality of the resources they will provide? ✓ Is the Peacebuilder confident that his/her role and conduct <u>will be</u> ethically sound? <hr/> <p>Step 2. Confirm Process Objectives</p> <p><u>Key Questions:</u></p> <p>Is the <u>intended</u> level of activity of the parties and the quality of their participation adequate and realistic to achieve the outcome objectives?</p> <p>Yes.</p>
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Is there evidence that the local actors or partners endorse the Peacebuilding activity, both subjectively, as measured by their trust in, support of and satisfaction with the planned initiative; and objectively, by the nature and quality of the resources they will provide?

There appears to be, although the proposal has not been submitted to the UN requesting funding.

Is the Peacebuilder confident that his/her role and conduct will be ethically sound?

Yes.

<p>PHASE 1: Preparation</p> <p>D. Confirm Readiness to Proceed</p> <hr/> <p>STEP 1: Confirm Outcome Objectives</p> <p>STEP 2: Confirm Process Objectives</p> <p>STEP 3: Confirm Time Estimates (a) When to Do What (b) Duration of Assistance Provided (c) How Long to Observe Results → KEY QUESTIONS</p> <p>STEP 4: Confirm Peacebuilder Clinical Readiness</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <p>Key Questions for (a):</p> <ul style="list-style-type: none"> ✓ Is the intended Peacebuilding activity consistent with the time pressures suggested by the level of conflict escalation and projections of development of the conflict? ✓ Are social-psychological or institutional capacity building activities required first? ✓ Can some of the planned Peacebuilding assistance be provided concurrently? ✓ Does this initiative(s) need to be integrated with the other peace-nurturing functions? ✓ Has the environment for the intended Peacebuilding assistance been adequately prepared (including the role and legitimacy of the convenor or local partner)? <p>Key Questions for (b):</p> <ul style="list-style-type: none"> ✓ Is the Peacebuilder prepared and able to commit the time required to do justice to the Peacebuilding activity? ✓ Is the local "partner" prepared and able to commit the required time to do justice to the Peacebuilding activity? ✓ What support is required to either actor to ensure an adequate level of commitment? ✓ What developments are likely to occur as a projection of the level of conflict escalation; and what is their likely impact on the intended duration of the Peacebuilding activity? <p>Key Questions for (c):</p> <ul style="list-style-type: none"> ✓ What short-to-medium term measures of success in Peacebuilding apply in this case (i.e, termination of overt hostilities, reduced loss of life, "normalization" of the environment such as free movement of people, market activities)? ✓ Are the process objectives identified for the Peacebuilding initiative being met? ✓ What outcome objectives can be expected at intervals of three, five, and ten years?
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Step 3. Confirm Time Estimates

(A) When to do What

Key Questions:

Is the intended peacebuilding activity consistent with the time pressures suggested by the level of conflict escalation and projections of development of the conflict?

Yes. The Track I diplomatic initiatives remain a priority and their resolution will facilitate local community-based activities.

Are social-psychological or institutional capacity building activities required first?

They may be carried out concurrently. Progress on the Track I level should be demonstrated as soon as possible.

Can some of the planned peacebuilding assistance be provided concurrently?

Yes, as discussed.

Does this initiative(s) need to be integrated with the other peace-nurturing functions?

No, not necessarily.

Has the environment for the intended peacebuilding assistance been adequately prepared (including the role and legitimacy of the convenor or local partner)?

For the IRF initiatives, yes. For the Peacebuilder-identified initiatives, no.

(B) Duration of Assistance Provided

Key Questions:

Is the Peacebuilder prepared and able to commit the time required to do justice to the peacebuilding activity?

Yes, if funded.

Is the local “partner” prepared and able to commit the required time to do justice to the peacebuilding activity?

Yes, if funded.

What support is required to either actor to ensure an adequate level of commitment?

The UN and IRF will require more information about the proposed workshops.

What developments are likely to occur as a projection of the level of conflict escalation; and what is their likely impact on the intended duration of the peacebuilding activity?

Tensions may rise and more turmoil might be expected if citizenship issues remain unresolved, if the role of Russia in Sevastopol is unresolved, and the economy remains stagnant.

Escalation could lead to a pressing need for Track I initiatives. The Peacebuilder is likely to have little influence there. There may be delays in the activities planned at the local level.

The commitment of time to this peacebuilding activity could be extended from one to two, or three years.

(c) How Long to Observe Results

Key Questions:

What short-to-medium term measures of success in peacebuilding apply in this case (i.e, termination of overt hostilities, reduced loss of life, “normalization” of the environment such as free movement of people, market activities)?

1. The citizenship issue resolved.
2. The “staged” objectives of the IRF accomplished as planned.
3. Skill development workshops for NGOs completed.
4. Some influence on Track I will be demonstrated, depending on the exact peacebuilding activities of this initiative related to that level.

Are the process objectives identified for the peacebuilding initiative being met?

Yes.

What outcome objectives can be expected at intervals of three, five, and ten years?

1. The IRF’s programme objectives, as planned and staged over three years, will be met.
2. Track I initiatives, potentially influenced by the planned activity, will have resulted in institution building, resolution of some of the issues related to language and property rights and political participation of the Crimean Tatars in Crimea.

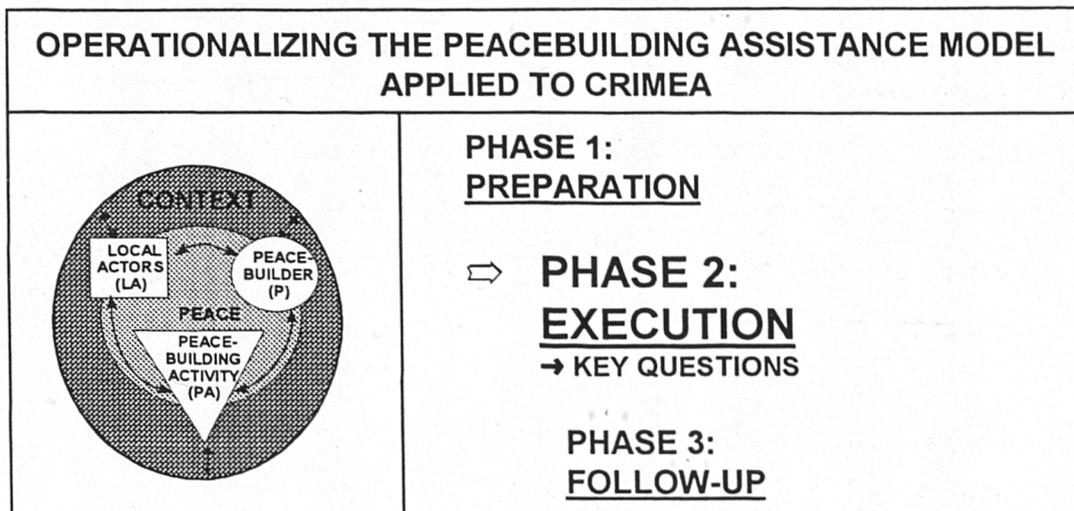
<p>PHASE 1: Preparation</p> <p>D. Confirm Readiness to Proceed</p> <hr/> <p>STEP 1: Confirm Outcome Objectives</p> <p>STEP 2: Confirm Process Objectives</p> <p>STEP 3: Confirm Time Estimates</p> <p>STEP 4: Confirm Peacebuilder Clinical Readiness → KEY QUESTIONS</p>	<p>→ KEY QUESTIONS APPLIED TO CRIMEA</p> <ul style="list-style-type: none"> ✓ Is the peacebuilder technically capable of executing this Peacebuilding activity? ✓ Is the peacebuilder personally prepared to work in this situation? ✓ Does the Peacebuilder have external support for clinical de-briefing? <p>Is the Peacebuilder confident that his/her role and conduct can be ethically sound?</p> <hr/> <p>Step 4. Confirm Peacebuilder Clinical Readiness</p> <p><u>Key Questions:</u></p> <p>Is the peacebuilder technically capable of executing this peacebuilding activity?</p> <p>Yes.</p> <p>Is the peacebuilder personally prepared to work in this situation?</p> <p>Yes.</p>
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Does the Peacebuilder have external support for clinical de-briefing?

Yes. Colleagues at the Institute. Colleagues at York University's Post-War Reconstruction and Development Unit.

Is the Peacebuilder confident that his/her role and conduct can be ethically sound?

Yes.



→ KEY QUESTIONS APPLIED TO CRIMEA

- ✓ Is the Peacebuilding activity being undertaken:
 - ▶ in a timely manner
 - ▶ in a strategically aligned way with Peacemaking and Peacekeeping initiatives
 - ▶ with participation of a credible local partner
 - ▶ over a sufficiently long period of time
 - ▶ where the level of activity of the parties and the quality of their participation will sustain peace (demonstrated both subjectively as measured by their trust in, support of and satisfaction with the actual initiative and objectively by the nature and quality of the resources they actually provide)?
- ✓ What were the declared objectives?
- ✓ Are the objectives being met?
- ✓ Are adaptations to the declared objectives required by the facts and circumstances?
Are/were the adaptations made?
- ✓ Is the Peacebuilding Initiative being documented and evaluated in order to improve practice and make appropriate adjustments?
- ✓ Have provisions been made for the slow, gradual withdrawal of the Peacebuilder from the situation as the local capacity to sustain peace becomes evident and sufficiently strong?

Phase Two: Execution

Key Questions:

Is the Peacebuilding activity being undertaken:

- in a timely manner;

Yes.

- in a strategically aligned way with peacemaking and peacekeeping initiatives;

No. Other than a workshop held in Canada involving seven embassies in the region, no further connection between this peacebuilding activity and Track I exists. The OSCE was encouraged to hold the policy dialogue initiative but nothing known materialized.

- with participation of a credible local partner;

Yes. The IRF received funding approval from the Soros Foundation and continues to be credible at the local level, although it is undergoing change at the senior level in Kiev, apparently related to management problems.

The UN did not respond to the proposal for funding to cover the cost of the conflict resolution workshop for the 24 ethnic NGOs. There has been no further contact.

- over a sufficiently long period of time;

Yes. It has been 18 months now.

- where the level of activity of the parties and the quality of their participation will sustain peacebuilding (demonstrated both subjectively as measured by their trust in, support of and satisfaction with the actual initiative and objectively by the nature and quality of the resources they actually provide).

Yes. The IRF and the Peacebuilder collaborated to identify the need for, to fund, convene and conduct two workshops in Simferopol: Conflict Resolution for NGOs, attended by 24 representatives; and Conflict Analysis for Journalists, attended by 18 journalists.

What were the declared objectives?

1. To complete the Independent Review.

2. To carry out the elements of the Peacebuilding Activity as reflected in the “set of initiatives” document:
 - a- encourage high level policy dialogue;
 - b- encourage mid-level strategic planning in the Crimea, convened by the IRF;
 - c- conduct conflict resolution workshops for NGOs and local government representatives;
 - d- conduct dispute resolution system design workshops;
 - e- promote awareness of and financial, political and moral support for peaceful integration, including:
 - (i) revision and publication of the research conducted by Ukrainian Committee of Experts under the auspices of the IRF;
 - (ii) creation of a number of governmental, academic and nongovernmental venues in North America for presentation of the facts, circumstances, and challenges with respect to integration of the Crimean Tatars and other deported people in Crimea;
 - (iii) production of a video or other mass media on the Crimean Tatars as indigenous people in a sensitive and geopolitical, socio-political environment.

Are the objectives being met?

1. Yes.

2. (a) Yes. A meeting was held with the OSCE Head of Mission to Ukraine in Kiev at which time the importance of an OSCE-convened policy dialogue was emphasized. The Head of Mission acknowledged the appropriateness of such

a role for the OSCE, indicating the possibility of convening such a meeting in Geneva.

(b) No. This has not been done. It has been overshadowed by other initiatives. It could still be recommended.

(c) Yes. When the UN in Simferopol did not respond to the proposal for an conflict resolution workshop for the identified 24 ethnic NGOs, dialogue with the IRF resulted in the identification of two training initiatives: conflict resolution workshop for NGOs and a workshop for journalists on conflict analysis.

(d) Yes. The workshop on designing dispute resolution systems was replaced by the workshop for journalists. The concept of dispute resolution system design is somewhat foreign to our partners and likely premature. A generic grounding in conflict resolution theory and techniques may need to precede design; and the participation of the most appropriate people, including government officials, requires more preparation than we have been able to give it. Such a workshop may take place in the coming years.

(e) (i) Yes. This was done by Carleton University, Ottawa, Canada.

(ii) Yes. The first initiative was a seminar hosted by the Peacebuilder in Ottawa, attended by seven embassies and partners from Crimea. The initiative is ongoing, through sponsorship by the AUCC of Crimean patterns for travel and meetings in Canada on subjects of multiculturalism, the rights of indigenous peoples and programmes for them, education, and the role of nongovernmental organizations in civil society.

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- (iii) No. A proposal to produce a documentary film on the Crimean Tatars has been developed and funding is being sought. (Appendix D-11)

Are adaptations to the declared objectives required by the facts and circumstances?

Yes. As noted.

Are adaptations being/were adaptations made?

Yes. The adaptations in workshops were required, especially to assist in the area of journalism. Tension is increasing in the Crimea as the time for elections approaches. A newspaper editor was assassinated just prior to the workshop we conducted for journalists and a television public affairs host had locked herself in her studio after receiving threats. (See Figures 37 and 38.)



Figure 37: Workshop with Journalists: View #1



Figure 38: Conflict Resolution Workshop with NGOs: View #2

Is the Peacebuilding Initiative being documented and evaluated in order to improve practice and make appropriate adjustments?

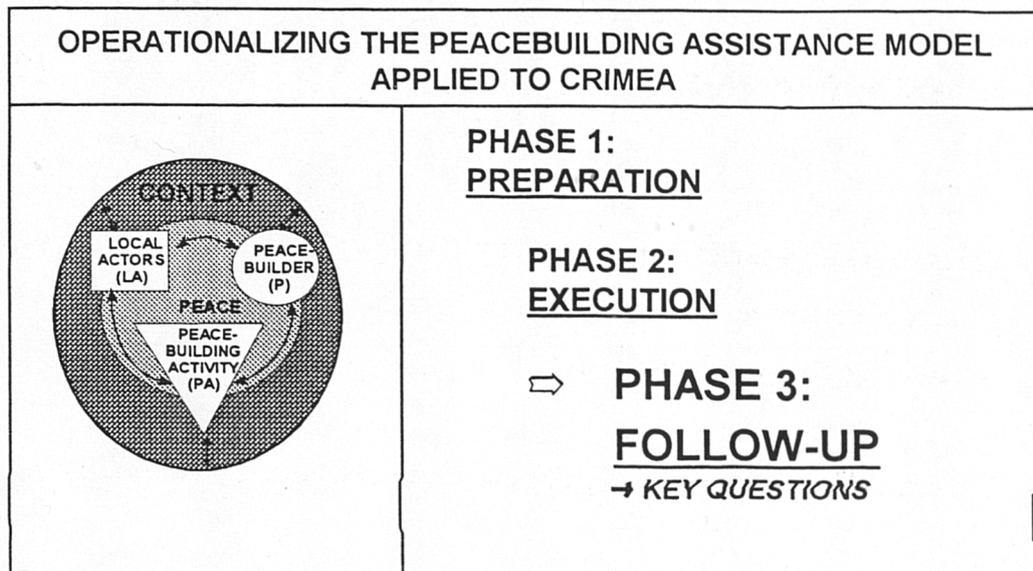
Yes. In addition to this research several articles have been published on the Peacebuilding Activity in Crimea, and articles produced by our Crimean partners have been published and distributed in Canada.

Have provisions been made for the slow, gradual withdrawal of the Peacebuilder from the situation as the local capacity to sustain peace becomes evident and sufficiently strong?

This initiative began in December, 1996 and at this time, March, 1998 it is too early to talk of a sustainable peace. Much remains to be accomplished in the Crimea and the potential of escalation remains. The upcoming elections will be significant for the future.

The Peacebuilder, however, may withdraw over the next year and some means of making the transition a responsible one is required. Broadening the base of peacebuilding assistance by introducing new external actors and supporting visits from and to the Crimea continues.

A new set of proposals, focusing on integrating cultural tolerance and conflict resolution into education in the Crimea is being developed.



→ **KEY QUESTIONS APPLIED TO CRIMEA**

- ✓ Have the indigenous peacebuilding partners received follow-up support such as professional exchange opportunities?
- ✓ Is follow-up technical assistance required?
- ✓ Should the Peacebuilder take steps to ensure the local Actors receive recognition for their efforts?
- ✓ Has this peacebuilding initiative been published to foster peacebuilding elsewhere?

Phase Three: Follow-up

Key Questions:

Have the indigenous peacebuilding partners received follow-up support such as professional exchange opportunities?

Yes. As discussed

Is follow-up technical assistance required?

Yes. There is more work to be done in the Crimea and there are contributions to be made in Canada, as discussed.

Should the Peacebuilder take steps to ensure the local Actors receive recognition for their efforts?

Yes.

We have hosted a dinner in the Crimea for NGOs and Journalists with some fifty persons in attendance. This was to recognize and celebrate the efforts of the IRF and to bring goodwill from Canada.

The publication of articles written by our Crimean colleagues is another form of doing this.

Has this peacebuilding initiative been published to foster peacebuilding elsewhere?

Yes. Articles and reports, as discussed. Something more comprehensive could be done.

8.3 PART II: DISCUSSION

8.3.1 Purpose of the Model

The purpose of the Peacebuilding Assistance Model is to operationalize the “architecture for peacebuilding” developed in the previous chapter. The Model is essentially a series of questions organized into three phases as a guide to prepare, execute, and provide follow-up to a peacebuilding initiative.

The Model presents questions in a narrative context which is intended to provide a philosophical framework to each particular question, and to integrate all questions in a manner that reflects and supports the operationalization of the “philosophical principles” of the “architecture for peacebuilding”.

The Model was applied in the fourth and central case of this research, Peacebuilding in Crimea. To apply it, the questions were removed from their narrative framework and the Model, in effect, became a questionnaire. It was a questionnaire intended to guide planning and action, to reflect on process, and to support a flexible, interactive, concurrent approach to peacebuilding by taking into account four key elements: the Peacebuilder, the Local Actors, the Peacebuilding Activity and the Context.

Our discussion here of the Peacebuilding Assistance Model is from the perspective of the Peacebuilder, the third party as user of the Model. We reflect on the structure of the Model, the questions themselves, and the Model’s value to the field of Peacebuilding. Does it operationalize the “architecture for peacebuilding” in a practical way? As a concrete product of this research is it a contribution to the field of peacebuilding?

8.3.2 Adequacy and Usefulness of the Structure Of the Model

Structuring the Model in three phases provided an overall logical order to the preparation, execution and follow-up of the peacebuilding activity. The intended flexibility of the Model, however, is less obvious when working with it. As in the case of most “questionnaires” or “forms”, the Model fails to capture the “real world” by imposing a linearity that cannot always be applied in the field.

Thus, while still in the preparation phase, as outlined in the Model, the Peacebuilder is actually doing peacebuilding, assessing and reassessing information and behaviour and taking decisions on further action. While executing the peacebuilding activity, toward the later part of the execution phase, the peacebuilder may already be involved in Phase Three, Follow-Up, on one or more particular initiatives. To conform to the “form” of the Model in the strictest sense, therefore becomes unrealistic in the field.

Notwithstanding these limitations or “artificiality” of the Model the structure does work to order thinking, anticipate consequences, and make adjustments. Some improvements are required to bring the Model “to life” as a planning tool and a guide to practice (a companion in the field), and as a post-peacebuilding evaluation tool.

More guidance on how to use the Model is required. The narrative which provides philosophical insight into the questions and makes them more meaningful should be retained. Simple innovations like a “user’s guide” and the requirement to “log entries” at time points throughout the peacebuilding initiative would help.

8.3.3 Adequacy and Usefulness of The Key Questions

From the perspective of a practitioner, the questions were comprehensive; some were particularly incisive; they were specific enough to focus effort and provide practical guidance; and they challenged the peacebuilder to remain engaged in an ethically and professionally responsible way - the long-term perspective was reinforced at different points throughout the process.

Comprehensiveness was achieved by organizing the questions into three phases (Preparation, Execution, Follow-up); by tracking the perspectives of the Peacebuilder, the Local Actors, the Peacebuilding Activity and the Context throughout the three phases; by structuring broad diagnostic thinking and requiring specific action steps on certain issues; by integrating the strategic (Track I), middle-range and grassroots levels; by explicitly attending to the relationship of the Peacebuilding Activity to the other two peace-nurturing functions, Peacekeeping and Peacemaking; and by requiring that both process and outcome objectives be declared.

Incisiveness was found in the questions that examined the stage of conflict escalation and prognostications of how the conflict might develop, and when; questions that probed the working assumptions and the vested interests of the actors; questions that examined root causes of the conflict and placed the specific initiative in an overall context.

Specificity was found in detailed questions that required that objectives be articulated, reviewed and adjusted; and demanded what practical steps needed to be taken, by whom and in what way, and when.

Questions that challenged the Peacebuilder to take a long-term perspective, to examine his motives, working assumptions, commitment and capacity to do the work, and reinforced respect for the Local Actors helped to support ethical and professionally responsible conduct.

8.3.4 Value of the Model to Peacebuilding

The Peacebuilding Assistance Model is valuable in the following key ways:

- it reflects a philosophical approach to peacebuilding;
- it provides structure to peacebuilding;

- it reflects a comprehensive approach, attending to the relationship between Peacebuilding, Peacemaking and Peacekeeping; and
- it heightens awareness of issues that might otherwise be overlooked or forgotten.

The Model provides explicit guidance to design peacebuilding activities intended to restructure power in political conflict. It attends to root causes of political conflict and it challenges the Peacebuilder to strive for realistic objectives that are responsive to the overall Context and the capabilities of the Peacebuilder and the Local Actors. It emphasizes timing and appropriateness of planned activities. It asks whether the intended peacebuilding activity should be delayed for security reasons, and it integrates strategic dimensions. It operationalizes the “architecture for peacebuilding” in a practical way.

The Model responds to the issues in peacebuilding identified at the outset of this research: the issue of defining peacebuilding; the issue of the relationship of Peacebuilding to Peacemaking and Peacekeeping; the strategic issues, such as coordination of actor activities - and the related need for concurrency; the issue of measuring success; and it responds to the issue of a need for a peacebuilding framework.

The Model builds on Lederach’s Conflict Transformation Framework. It reflects the contribution from the three cases of action research in peacebuilding in Mostar, Romania and Canada. It improved the quality of the peacebuilding initiative in the Crimea.

8.4 SUMMARY AND CONCLUSIONS

This chapter demonstrated the application of the Peacebuilding Assistance Model to a peacebuilding initiative in the Crimea. The reader was referred to Appendix D for more of the descriptive aspects of the field work in Crimea as the Model itself is analytical rather than descriptive. **Part I** of the chapter is literally a “walk through” the Model, to test its value in an applied setting.

Part II of the chapter discussed the overall value of the Model to practical work in peacebuilding, having considered the structure of the Model and the questions that are presented in it.

The author concludes that the Peacebuilding Assistance Model, while intended to reflect the characteristics of flexibility, interactivity and concurrence fails to do so dynamically as a result of the linearity that the Model imposes on the peacebuilder by virtue of its structure. Events in the real world “run ahead” of the Model and the Phases and Steps may overlap in reality. While this fact is anticipated and addressed in the description of the Model, it nevertheless poses a problem for applications in the field.

The author also concludes that notwithstanding this limitation, the Model does structure thinking for the Peacebuilder, it encourages the Peacebuilder to anticipate the consequences of actions and to make adjustments. The Model provides a comprehensive framework in which to prepare, execute and follow up Peacebuilding.

The Model is considered to be a useful contribution to the field of Peacebuilding, worthy of further testing and refinement.

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Limitations, critical questions, and the need for further work on an “architecture for peacebuilding” are addressed in the next and final chapter, Towards an Architecture for Peacebuilding.

CHAPTER 9

Towards An Architecture For Peacebuilding

9.1 INTRODUCTION

The fundamental thesis asserted in this study is that peacebuilding entails the restructuring of power. This thesis was developed over the course of the study, commencing with a proposed “process-promoting” (reconciliation) workshop in Mostar and ending with a peacebuilding initiative in the Crimea, using a Peacebuilding Assistance Model developed in the course of conducting the research here.

The Peacebuilding Assistance Model operationalizes an “architecture for peacebuilding” which builds on the strengths and seeks to overcome the deficiencies of the Conflict Transformation Framework by asserting that peacebuilding strives for the ideal of positive peace through practical social-psychological and institution building initiatives that essentially transform power. It is the transformation of power from violent forms to peaceful forms that becomes central to the definition and practice of peacebuilding. Thus, the Peacemaker, the Peacekeeper, and the “Peacebuilder” may each build peace so

long as their efforts are to eliminate the structures of violence and construct the structures of peace; that is, they effect a restructuring of power from forms of “power over” to forms of “power with”.

Thus, peacebuilding may take place in a war torn society or a mature democracy so long as the ideal of positive peace is being pursued. Positive peace is a condition in which both overt hostility and structural violence do not exist. As such, it is identified here as an ideal. Our findings, however, demonstrate the crucial role of context and caution against too much emphasis being placed on middle-range actors without attention to context, or on social-psychological peacebuilding initiatives, especially without concomitant institutional capacity building initiatives. Various limits to peacebuilding exist, and a practical assessment of what is achievable is important, where the measures of success must include both process (how peacebuilding is done) and outcome (what is done) measures.

In this concluding chapter, a review of the overall study is presented, restating its Aim, recapping the Methodology, noting the Limitations. The test of the Conflict Transformation Framework is highlighted, leading to the principal contribution, “an architecture for peacebuilding”. A discussion of the practical product of the “architecture,” the Peacebuilding Assistance Model, follows.

Critical questions requiring further research are identified.

9.2 REVISITING THE AIM OF THIS RESEARCH

The genesis of the thesis that peacebuilding entails the restructuring of power was a query into the role and place of reconciliation in re-building war-torn societies.

An early foray into the literature and an opportunity which arose through the Post War Reconstruction and Development Unit at the University of York to conduct a reconciliation workshop in war-torn Yugoslavia shifted the focus.

It became apparent that both theory and practice in building peace, or “peacebuilding” as a discrete peace-nurturing function, was undeveloped. The literature and practice in peacebuilding lacked coherence; rather there were threads of thought, more questions than answers, and a host of issues that needed to be addressed.

We were able to identify key issues, including a pressing need for a framework to guide peacebuilding. One of the key issues was the definition, itself, of peacebuilding. Two of three frameworks that could be identified were posited by the author, the Disaster Management Plus Development Framework and the Developmental Reconstructionist Framework. The third, the Conflict Transformation Framework, was explicitly recognizable and attributed to the work of Jean Paul Lederach. Lederach’s Comprehensive Strategy for Conflict Transformation had a philosophical basis, operational directives, it placed reconciliation at the centre of peacebuilding, and it postulated the significance of middle-range actors to building a sustainable peace.

Our query thus resulted a broader and deeper challenge than initially envisaged. The research agenda in peacebuilding appeared enormous. Based on comments made by leading authors in the field, we took the view that the notion of building peace suggests, at the very least, that metaphors taken from the discipline of architecture would inform Peacebuilding as one of the three peace-nurturing functions, including Peacemaking and Peacekeeping.

The challenge of Peacebuilding was characterized as the “brief” that the peacebuilder may receive. We considered the brief at length, to provide a realistic perspective for the research and the intellectual inquiry.

The brief, as will be recalled, outlined the challenges as follows:

- ▶ the scale and scope of physical, social, economic and political destruction;
- ▶ the nature of the conflict, including the likelihood of a protracted, deeply rooted, violent, at times anarchical warfare;
- ▶ the massive migrations of internally displaced persons, and refugees;
- ▶ the lack of models or an experiential base to guide peacebuilding;
- ▶ the international community’s constraints which are a function of the war being “internal”, “intra-state”;
- ▶ the levels at which intervention can and must take place, from the strategic, international level, to the operational, regional and national level, to the tactical, grass roots level;
- ▶ the multiplicity of actors, with different jurisdictions, mandates, experience, strengths and weaknesses;
- ▶ the financial costs, to deploy and maintain a peacekeeping force; to finance and deliver humanitarian relief in the form of food, emergency shelter, medical and psychological services; to finance and provide reconstruction of the *destroyed physical environment, including water and electrical services, communication and transportation infrastructure, housing, public buildings and services, cultural monuments and heritage sites*;
- ▶ the challenge to build the foundations of peace, to work with the political representatives and members of the warring factions and the affected communities, to demilitarize troops and rogue warriors, to establish the rule of law, and to create a new political, social and economic reality, a new society that is sustainable.

Lederach's Conflict Transformation Framework was deemed to be most responsive to the challenges of the brief. The aim of this study became clear: through action research in peacebuilding, to test the Conflict Transformation Framework with the overall goal of contributing to an "architecture for peacebuilding".

9.3 CONSTRUCTING A METHODOLOGY

A comprehensive methodology based on action research in peacebuilding was developed. The design of the research was conceived of as a "dialectical methodology" and it had four main components, some of which required detailed articulation of hypotheses and tests that were suited to the case study action research approach.

The dialectic approach structured iterations of theory informing practice so that practice could inform the development of theory. The four broad components included the epistemological context of the research, the line of inquiry to be followed throughout the study, factors relating to case study action research, and the selection of cases.

The epistemological context situated this research in an historical context and acknowledged the influence of three pioneers in peace and conflict studies, Johan Galtung, Adam Curle and John Burton. The fact that this action research in peacebuilding was not value neutral was made explicit. Peacebuilders seek the goal of peace; therefore what would be done and the research findings are thus influenced.

The line of inquiry required that the cases be viewed from three levels: from the perspective of the Conflict Transformation Framework; from the perspective of the key issues identified in the literature; and with respect to three imperatives of peacebuilding stipulated by Lederach (the importance of time; attending to the systemic roots of conflict; the critical role of middle-range actors in building a sustainable peace).

Three of the cases, a process-promoting workshop in Mostar, conflict resolution capacity-building in Romania, and designing an Indian land claim dispute resolution mechanism in Canada were treated as “contributing” cases. Their analysis resulted in a critique of the Conflict Transformation Framework and the synthesis of that analysis formed the basis for work on a fourth, central case, Peacebuilding in Crimea.

The synthesis, an “*architecture for peacebuilding*” was the product of theory-informed practice; the fourth case became its test.

9.4 LIMITATIONS OF THE RESEARCH

Four distinct limitations of this research, its field-based findings, and resulting “architecture for peacebuilding” with its practical product, the Peacebuilding Assistance Model, must be noted.

First, as action research in peacebuilding it is non value neutral. From a social science research perspective, the action taken, the data collected, their analysis and interpretation are all influenced by the researcher’s inherent bias to peace, the objective of peacebuilding, and the object of study.

Second, inasmuch as the selection of cases is subject to opportunities to be engaged in peacebuilding activities, case selection itself is limited. The cases are real, the people involved are real, the laboratory was the real world. Access to cases, however, and the range of cases that may be drawn upon at any given time limit the perspective and the contribution here. As our findings note, this became especially relevant in this study as our cases did not include any that focused on Track I, diplomatic peacemaking and related peacebuilding and high level actor activity. Our contribution suffers for lack of insight into that domain, which was identified in the course of conducting the research as a *crucial* domain.

Third, as the findings of this study make abundantly clear, peacebuilding is a long-term initiative. Time is thus a critical element. After three years of action research (and in three of the four cases, ongoing work in peacebuilding), we report here on the relatively early stages of peacebuilding. While some of the peacebuilding initiatives in the cases reported here have modified as they have matured, the long-term nature of peacebuilding limits our findings.

Fourth, and perhaps most importantly in action research in peacebuilding, are the limitations of the researcher himself. The extent to which the philosophical or ideological, the clinical and knowledge limitations of the researcher shaped the work and limit the contributions of this thesis is a key consideration.

9.5 TESTING THE CONFLICT TRANSFORMATION FRAMEWORK

This study has tested the Conflict Transformation Framework, which has resulted in the development of “architecture for peacebuilding”. The Conflict

Transformation Framework was found to have considerable strengths, including a well articulated philosophical basis and comprehensiveness.

Whereas Lederach identifies five elements (structure, process, reconciliation, resources and coordination) our research suggests a need for more emphasis on certain elements. In particular, structure (especially context and Track I activity); the “issues” (especially distribution of power through institution building); and the context (appreciated as an organic whole).

The five questions Lederach developed in the context of his comprehensive strategy (that relate the dimensions of structure and process) and what has been called here the “three imperatives” (time, root causes, role of middle-range actors) are validated. A long term time perspective rather than a crisis orientation is necessary in peacebuilding; attention to the systemic root causes of conflict is a key diagnostic requirement; and middle-range actors have an important role to play in building a sustainable peace.

We concluded, however, that while the middle-out approach is achievable in some cases, our findings gave us caution against placing too much hope in peacebuilding that is exclusively focused on middle-range actors.

The Conflict Transformation Framework is considerably strong as a philosophical model. Its tenacity in placing and holding human beings at the centre of peacebuilding is consistent with the definition of positive peace adopted here, with the goal of justice, and the ongoing human and social dynamic of building peace step by step.

While the Conflict Transformation Framework speaks to the definition of peacebuilding used here (including transforming violence and creating structures of peace) it gives little specific guidance, however, on building institutions or

mechanisms that provide a capacity for non-violent expression and resolution of conflict.

The Conflict Transformation Framework acknowledges the relationship of the three peace-nurturing functions (peacemaking, peacebuilding, peacekeeping) but does not illuminate their relationship, conceptually or practically.

The Conflict Transformation Framework, tested, reinforces the importance of theory, illustrates the value of a framework, and draws attention to the urgent need for practical guidance based on research, applied work and critical reflection. We concluded that it highlights the uncharted terrain of peacebuilding and it moved us towards an architecture for peacebuilding.

9.6 THE CONTRIBUTION: TOWARDS AN ARCHITECTURE FOR PEACEBUILDING

Building on the analysis of the three “contributing” cases and the critique of the Conflict Transformation Framework, an architecture for peacebuilding was developed and tested in the fourth and central case, Peacebuilding in Crimea.

As an architecture for peacebuilding, it needed to be prescriptive. It had to declare what peacebuilding is and to direct us in how to build peace.

The following definition of peacebuilding was adopted: the transformation of violence in a society through destruction of the structures of violence and construction of the structures of peace including building the capacity for the non-violent expression and resolution of conflict.

Most importantly, the research had demonstrated that peacebuilding is fundamentally concerned with re-structuring power in political conflict. The architecture would have to move beyond conflict transformation as it is presently expressed to provide practical guidance on re-structuring power in political conflict.

The challenge to build peace, we argued, may occur at any point on the continuum from war and other forms of political violence to positive peace: the essence of peacebuilding is the transformation of structural and overt violence into positive peace. On that continuum it may be necessary to establish negative peace, the cessation of overt hostilities; to build the institutions of a civil society; to create a culture of peace - to strive for the ideal.

We claimed that an architecture for peacebuilding must be theory-informed; it must have principles upon which it stands; it must have clearly defined terms and concepts; it must challenge the peacebuilder and elevate him by and toward those principles; ultimately, it must be practical.

To meet these specifications the architecture for peacebuilding included a conceptual basis, definition of key terms, philosophical principles, and it was operationalized as the Peacebuilding Assistance Model.

The Peacebuilding Assistance Model was used to prepare for, execute, and follow-up a peacebuilding initiative in Crimea. Four essential elements are taken into account in the Model: the Peacebuilder; the Local Actors; the Peacebuilding Activity; and the overall Context within which and with which these interact.

The Model is essentially a series of questions organized into three phases as a guide to prepare, execute, and provide follow-up to a peacebuilding initiative. The Model presents the questions in a narrative context which is intended to provide

a philosophical framework to each particular question, and to integrate all questions in a manner that reflects and supports the operationalization of the “philosophical principles” of the “architecture for peacebuilding”.

9.7 VALUE OF THE PEACEBUILDING ASSISTANCE MODEL

The Peacebuilding Assistance Model was employed in peacebuilding work in Crimea. Our assessment of the Model was taken from the perspective of the third party Peacebuilder, the user of the Model.

The Peacebuilding Assistance Model was deemed valuable in the following key ways:

- it reflects a philosophical approach to peacebuilding;
- it provides structure to peacebuilding;
- it reflects a comprehensive approach, attending to the relationship between Peacebuilding, Peacemaking and Peacekeeping;
- it heightens awareness of issues that might otherwise be overlooked or forgotten;
- it provides explicit guidance to design peacebuilding activities intended to restructure power in political conflict;
- it attends to root causes of political conflict and it challenges the peacebuilder to strive for realistic objectives that are responsive to the overall context and the capabilities of the Peacebuilder and the Local Actors;
- it emphasizes timing and appropriateness of planned activities;
- it asks whether the intended peacebuilding activity should be delayed for security reasons, and it integrates strategic dimensions;

- it operationalizes the “architecture for peacebuilding” in a practical way.

The Model responds to the issues in peacebuilding identified at the outset of this research: the issue of defining peacebuilding; the issue of the relationship of peacebuilding to peacemaking and peacekeeping; the strategic issues, such as actor approach and coordination - and the related need for concurrency; the issue of measuring success (stressing the importance of both process and outcome objectives); and it responds to the issue of a need for a peacebuilding framework.

The Model builds on Lederach’s Conflict Transformation Framework. It reflects the contribution from the three cases of peacebuilding fieldwork in Mostar, Romania and Canada. From the perspective of the Peacebuilder, it improved the quality of the peacebuilding initiative in the Crimea.

A critique of the Model was conducted on two levels: the utility of the structure of the Model and from the perspective of the questions presented within each of the phases and steps of the Model.

Structuring the Model in three phases provided an overall logical order to the preparation, execution and follow-up of the peacebuilding activity. The intended flexibility of the Model, however, was less obvious when working with it. As in the case of most “questionnaires” or “forms”, the Model failed to capture the “real world” by imposing a linearity that cannot always be applied in the field. To conform to the “form” of the Model, in the strictest sense, becomes unrealistic in the field.

Notwithstanding the limitations or “artificiality” of the Model the structure does work to order thinking, anticipate consequences and make adjustments. To bring the Model “to life” as a planning tool and a guide to practice (a companion in the

field), and as a post-peacebuilding evaluation tool, some improvements are required.

The questions were found to be comprehensive; some were particularly incisive; they were specific enough to focus effort and provide practical guidance; and they challenged the peacebuilder to remain engaged in an ethically and professionally responsible way - the long-term perspective was reinforced at different points throughout the process.

More guidance on how to use the Model is required. Inclusion of the narrative which provides philosophical insight into the questions and makes them more meaningful is necessary. Simple innovations like a “user’s guide” and the requirement to “log entries” at time points throughout the peacebuilding initiative would help.

As a concrete product of this research the Peacebuilding Assistance Model is deemed to be a contribution to the field of peacebuilding, as is the thesis upon which it is founded. That is, peacebuilding entails the restructuring of power in situations of political conflict.

9.8 CRITICAL QUESTIONS REQUIRING FURTHER WORK

Many questions remain. Some of these questions arose as a product of the casework and the theory developed here relating to an architecture for peacebuilding. Some are questions that could not be explored in this study because of the explicit limitations of the research or because they were recognized

during the research as valid and requiring response but fell outside the scope of the study.

We address here what are considered to be the most crucial questions confronting peacebuilding at this time.

1. The definition of peacebuilding remains crucial.

Our research adopted the distinction between negative and positive peace. It placed positive peace as an ideal. The definition of peacebuilding adopted here assumes that peacebuilding is directed at violence by re-structuring power in political conflict; peacebuilding pursues the ideal of positive peace.

What becomes crucial for practical purposes is determining exactly which activities are peacebuilding, and what are not. Questions may arise as to whether even a basic development activity, such as restoring access to water (a resource) qualifies as peacebuilding; because power may shift with new resources - potentially leading to more conflict. Or at the other extreme, do institutional refinements in a democratic, civil society also qualify?

Our definition of peacebuilding makes it clear that power is central and it asserts three forms of power. Theoretically, the test of whether some activity is peacebuilding is whether power - as - violence is being transformed into power - as - peace; into "power with", the form of power associated with peace.

The concepts of "power with", "power through" and "power over" require more critical reflection and testing as they relate to this definition of peacebuilding: that is, peacebuilding is a shift of the form of power, with appropriate structures. Re-structuring power should be implicit in the intent, and explicit in the actual peacebuilding activity. The definition of peacebuilding adopted here, and re-

affirmed in the casework, thus has the strength of broadening the range and scope of peacebuilding. We are able to point to certain social-psychological or institutional capacity-building activities as activities that re-structure power-as-violence into power-as-peace. Nevertheless, the definition used here must be tested further. The notion of three different forms of power require more exploration and testing.

2. How is power re-structured?

Our architecture and the Peacebuilding Assistance Model direct us to root causes of conflict and encourage a realistic assessment of peacebuilding outcome objectives. The long term perspective to achieve these objectives is also underscored. The importance of Track I, diplomatic efforts at peacemaking, such as achieving cease fires and peace accords are recognized as essential issues in that they embrace peacebuilding and should extend to practical Peacebuilding initiatives. But what are the practical techniques required at both the social-psychological and institutional level to give the parties the incentive to re-distribute power peacefully in order to achieve a sustainable peace? How do we prepare the parties to do so, and how do we integrate activities at the high, middle-range and grass roots level? The practical questions associated with restructuring power require further study, at both the Track I and Track II level and in both social-psychological and institutional capacity-building applications.

3. This study concluded that peacebuilding is not an “intervention” but “assistance”.

The role of local actors as the most significant factor in attaining a “sustainable peace” was underlined. The question arises, however, as to whether the distinction between “assistance” and “intervention” holds up, especially in cases of Track I peacebuilding? Do financial incentives, arms embargoes and economic sanctions

not undermine the notion that peacebuilding is “assistance”? More study, involving Track I cases is urgently required to address this significant question.

4. What is the place of establishing the rule of law in peacebuilding?

Establishing the rule of law has been identified as central to peacebuilding. Legitimate law, whether customary or of another form, is essential to peace. The means of establishing rule of law, the role of external actors such as Peacekeepers, the development of and institutionalizing rule of law, internalizing it into the fabric of a society, especially a war-torn, anarchic society requires study. At a philosophical level, and relating to the peacebuilding agenda, the question of modifying existing dispute resolution mechanisms where the rule of law is established but structural violence remains is also a question of importance. This is especially so if dispute resolution mechanisms themselves are a symbol and measure of the distribution of power and justice in a society, a vehicle to obtain justice, to re-distribute power - the capacity to express and resolve conflict non-violently.

5. What is the potential and what are the limits of peacebuilding through middle-range actors?

Our research has validated the role of middle-range actors in peacebuilding. Their exact place in an overall architecture for peacebuilding is less certain. We found that too much emphasis upon middle-range approaches, especially in the form of social-psychological initiatives arising from the field of conflict resolution, may be unwarranted. In the absence of institution-building, of Track I initiatives, community-based, social-psychological peacebuilding efforts may have too much expected of them and of the people involved. Furthermore, isolated peacebuilding initiatives of any sort are questionable. This points again to the need for coordination and the requirement for more research in achieving it.

6. How can optimal coordination be achieved in peacebuilding?

This study sets out a theory-informed process for planning and executing a peacebuilding initiative and places a demand upon the peacebuilder, at any level, to consider the relationship between peacemaking, peacekeeping and peacebuilding, and the general coordination of activities. Is an architecture for peacebuilding, as outlined and operationalized here, adequate in providing practical means of achieving coordination? What are the essential considerations and practical elements at both the macro (Track I) and micro (community-based) level to enhance coordination in order to achieve the desired results? For example, if a war-torn society could be viewed metaphorically as a patient in critical condition, what vital signs does one check, what systems and functions does one restore, in what priority and what sequence (i.e. stabilize through an enforced negative peace/cease fire, establish a peace accord, demobilize the warring factions, provide relief, restore physical services, reconstruct social and political systems)? How would such a plan accord with our findings that a concurrent, interactive, flexible approach to peacebuilding is required while addressing the need for coordination? Research efforts to encourage and support concurrent efforts informed by the concepts of power presented here are necessary. While the idea of a “strategic plan for peacebuilding” or an “ordered approach” may be appealing - they must be informed by a theoretically valid perspective. More study on the philosophical principles of peacebuilding developed in this study is required from the perspective of Peacebuilding, Peacemaking and Peacekeeping.

9.9 SUMMARY AND CONCLUSIONS

“Towards an Architecture for Peacebuilding” is an ambitious work. With so little to work with when the research began and so much to explore, the challenge grew as the work progressed. On many occasions the Methodology saved the author from wondering into the desert; it provided discipline and offered a structure for a rigorous analysis of the casework which provided a basis for the critique of the Conflict Transformation Framework. The “Architecture for Peacebuilding” was derived from an interaction between theory and critical reflection on practice.

At the very least, this thesis brings together many of the threads of thought and practices in peacebuilding, which remains a young emerging field of study. It identifies the key issues reported in the literature and discussed among practitioners. It addresses certain techniques of conflict resolution as they are applied in peacebuilding. So there may be more order and clarity to the question of peacebuilding than when the study began three years ago.

At the very most, this study provides us with a more coherent examination of peacebuilding than existed, moving beyond conflict transformation to a deeper notion of restructuring power in political conflict. We begin to glimpse an “architecture for peacebuilding”.

It is only a glimpse, however, as shown by the many unanswered questions which remain.

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APPENDICES

APPENDIX A CASE1 - PEACEBUILDING AND URBAN
RECONSTRUCTION IN MOSTAR: SUPPORTING
DOCUMENTS

APPENDIX B CASE 2 - CONFLICT RESOLUTION CAPACITY
BUILDING IN ROMANIA: SUPPORTING
DOCUMENTS

APPENDIX C CASE 3 - DESIGNING A DISPUTE RESOLUTION
MECHANISM FOR INDIAN LAND CLAIMS IN
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APPENDIX D CASE 4 - PEACEBUILDING IN CRIMEA:
SUPPORTING DOCUMENTS

APPENDIX A

CASE 1 - PEACEBUILDING AND URBAN RECONSTRUCTION IN MOSTAR: SUPPORTING DOCUMENTS

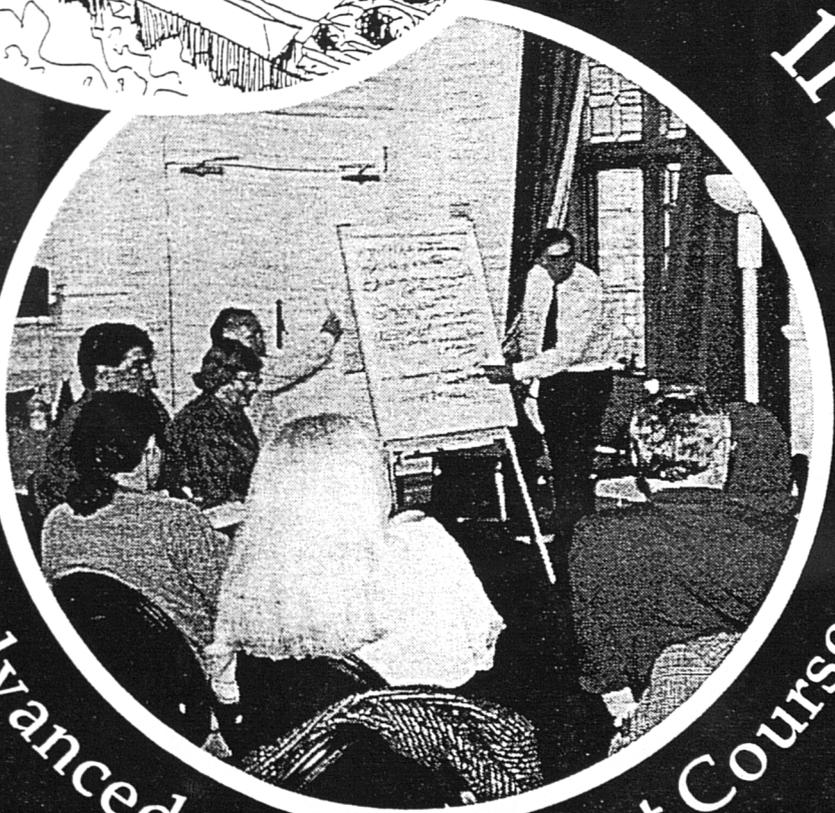
ITEM: 1

ITEM - 1

Peace-building and Urban Reconstruction in Mostar



A Series of Advanced Training Short Courses



Advanced Training on Peace-building and Urban Reconstruction in Mostar

A series of short courses organised by The European Union Administration of Mostar (EUAM) in partnership with the Post-war Reconstruction and Development Unit (PRDU) at the University of York, England.

Training Aim

The aim is to build a sustainable capacity of professionals who could contribute to the future reconstruction of the City of Mostar and its surrounding areas.

The courses will be delivered on the basis of an adult education model developed by the University of York, drawing on interactive learning exercises and encouraging participants to bring their own experience and knowledge to give cultural relevance and practical realism to the training material.

Who Should Attend

We are seeking applications from professionals with various reconstruction related backgrounds, such as: planning, economics, architecture, conservation, engineering, finance, law, political science, social development, etc. Professionals working for NGOs as well as local authorities are welcome to apply.



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Applicants can participate in one or more of the short courses. There is however, an upper limit of 15 participants.

Scholarships

Applicants should write to Dr Sultan Barakat, Director, PRDU either at the York or Mostar address. European Union Scholarships covering the Tuition Fees of £600 per course are available for successful applicants.

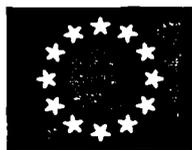
University Certification

Participants successfully completing the courses will be awarded a University of York Certificate of Attendance and will have the option to carry on with their academic studies toward an MA in Post-war Recovery Studies in York.

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STRATEGIC PLANNING, PROGRAMMING AND EVALUATION OF POST-WAR RECONSTRUCTION PROJECTS

Monday 3 June - Friday 7 June 1996

The aim of this course is to train a body of professionals in the planning and management skills required to propose, design and execute social recovery programmes and projects which would enable sensitive intervention in the considerable challenge of rebuilding Bosnian societies.

Participants will explore the dynamics of rebuilding a war-torn society – social, economic, psychological, political and physical – and understand how post-war reconstruction differs from normal processes of building and planning.

Participants will also be provided with a general introduction to the fields of emergency relief, rehabilitation and reconstruction. They will be invited to relate the course information to the current relief and rehabilitation activities which are being undertaken in Mostar.

CONFLICT RESOLUTION

Monday 10 - Tuesday 11 June 1996

This course provides participants with a general introduction to the field of conflict resolution and the practical skill areas within it. It is an "intermediate" level course that includes topics such as the structure of conflict, and how it can be of benefit.

Conflict itself is seen as a natural feature in any society, and the emphasis is on its constructive, non-violent management. Participants are invited to relate the course information to their current situation and challenges. Brief problem-solving sessions offer each participant some insight into how the material might be applied in a practical way.

NEGOTIATION SKILLS

Wednesday 12 - Friday 14 June 1996

A generic course presenting the latest theory and techniques for effective negotiation. It outlines a general framework for preparing for negotiation, deals with tough issues that confront the negotiator, and provides ample opportunity for skill practice.

Suitable for business, government and NGO personnel wishing to improve their negotiating skills.

THE RESTORATION OF CULTURAL HERITAGE DAMAGED BY WAR

Monday 24 - Friday 28 June 1996

This is an advanced specialised course for architects, planners, building surveyors and decision makers. It focuses on the challenge of rebuilding war-damaged cultural heritage.

This course would be of particular relevance to Mostar because of its rich cultural heritage environment. It is very much a 'hands on' course utilising local reconstruction case studies. It will cover the philosophical basis for repair, damage assessment, prioritisation, monitoring and recording of repair strategies as well as 'first aid' repair to historic monuments.

COMMUNITY PARTICIPATION IN RECONSTRUCTION (working with the affected community, refugees and displaced)

Monday 1 - Wednesday 3 July 1996

This course is relevant to a wide audience and imparts the principles and ethics of working with local communities, to help them help themselves. It covers issues of planning and management of emergency shelters and settlement planning for refugees and displaced people; the role of the public and private sectors in reconstruction; and understanding Non-Governmental Organisations (NGOs).

MEDIATION SKILLS

Monday 5 - Wednesday 7 August 1996

This course should interest anyone who has to solve problems between people, groups, or organizations.

The role of the mediator, and mediation functions, are increasingly recognized for their value in building peace between groups, improving collaboration in business and community relations, and finding creative solutions to society and workplace problems.

DESIGNING DISPUTE RESOLUTION SYSTEMS

Thursday 8 - Friday 9 August 1996

Managers, planners, lawyers, advocates, and government officials are responsible for establishing systems to resolve disputes. Typical methods of grievance and complaint settlement include regulations, international tribunals and the courts. New alternatives for resolving disputes are taking the place of adversarial, time consuming, expensive and relationship destroying methods.

This course introduces participants to the application of Alternative Dispute Resolution in the interpersonal, national, and international context. Participants are given assistance in designing new systems of dispute resolution for their own community/workplace.

TRAINING THE TRAINERS

Monday 12 - Wednesday 14 August 1996

This is a major peacebuilding seminar at which a selected group of course participants will take part in a "Train-the-Trainers" workshop, covering basic management and facilitation skills. In addition, the participants will discuss how they might form the nucleus of a sustainable training programme at Mostar's Training Centre, in collaboration with the PRDU.

Peace-building and Urban Reconstruction

DM 118,000 Training Contract

The PRDU has recently developed an integrated series of modular Advanced Training Programmes, at the request of the European Union Administration of Mostar (EUAM). The aim: to build a sustainable capacity of local professionals who could contribute to the future reconstruction of the City of Mostar and its surrounding areas.

These short courses (between 2 and 5 days in length) are based on an adult education model developed by the University of York, drawing on interactive learning exercises and encouraging participants to bring their own experience and knowledge to give cultural relevance and practical realism to the training material.

With Mostar still a divided city, the training programmes have been designed to provide negotiation and mediation skills alongside post-war reconstruction methods. Ben Hoffman – Director of International Conflict Resolution at CIAN in Canada – who is undertaking his doctorate at PRDU, has played a key role in their development. The programmes are aimed at professionals from both sides of the City with various reconstruction related backgrounds – planning, economics, architecture, conservation, engineering, finance, law, political science, social development etc. – as well as those working for NGOs and local authorities.

The eight planned courses are:

- Strategic planning, programming and evaluation of post-war reconstruction projects;
- Conflict resolution;
- Negotiation skills;
- The restoration of cultural heritage damaged by war;
- Community participation in reconstruction;
- Mediation skills;
- Designing dispute resolution systems;
- Training the trainers.



The implementation of these programmes in Mostar is dependent on the EUAM being able to supply necessary logistic and administrative support.

£140,000 for Refugee Training Programme in Norway

The PRDU and the Norwegian University of Science and Technology have been working on a joint project to set up a professional development course on post-war reconstruction for Bosnian refugees. Funding from the Norwegian government has now been secured for the project, which has been publicised in past issues of *revival*.

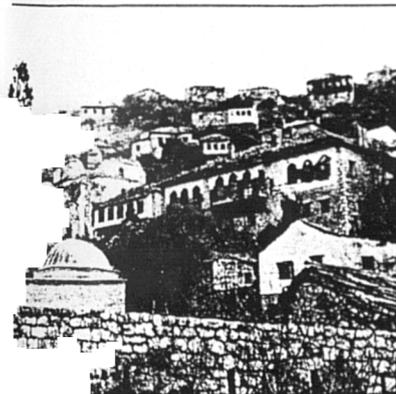
The programme is set up to help refugee professionals prepare for active participation in the rebuilding of their home country. By running part of the course as field work in the war-torn areas of former Yugoslavia the participants will be realistically introduced to the challenges of reconstruction, as well as prepared for the practical aspects of participating in the redevelopment of Bosnia-Herzegovina.

The funding, which will be administered by the host university in Trondheim, covers the first year of a three year programme, and subsequent financial support is anticipated if the initial courses prove successful.

PRDU Funding for Pocitelj continued from front page

with special reference to Sarajevo, Mostar and Pocitelj. She is an expert on the latter having authored an earlier revitalisation project of the settlement.

The main significance of the town is its position on a natural amphitheatrical slope overlooking the river Neretva.



Pocitelj 1996: the distinctive minaret and cupola have been demolished, along with some of the houses.

During the Turkish Empire it was a thriving place with a strategic role, but after the Austrian conquest the town declined rapidly. Eventually it became a rural settlement inhabited only by older people. In the 1960s a new road was built alongside the river, linking Mostar and Sarajevo with the Adriatic coast. This brought tourism, trade, and a new life for Pocitelj. Earlier surveys aimed to build on this foundation but tragically the war has intervened.

The objectives of our new proposal are to restore the built cultural heritage of the town and to bring about the return of the former inhabitants, thus ensuring a sympathetic revitalisation of the settlement. We hope that this will become a model for future action within the region and show how the built cultural heritage can be a means of bringing communities back together. The first stage will be a preliminary

study, starting in August 1996, for which \$25,000 has been given by the Samuel H Kress Foundation and the World Monument Fund.

Dr Simcic is Team Leader for the project, which will be directed by Dr Sultan Barakat (reconstruction) and Dr Roger Wools, architect/international heritage consultant (conservation). The Study Centre for Reconstruction and Development, Dubrovnik, will contribute technical expertise.

The World Monuments Watch, which is sponsored by the American Express Company, was established to identify and help preserve the world's most important and endangered cultural landmarks. It has two main tools: a List of 100 most endangered sites which is compiled annually; and a Fund from which grants are made to address threats that imperil specific sites from each year's List.

A Proposal to Provide Training Courses as Part of Establishing a Sustainable Professional Development Programme in Mostar, based at the European Union's Training Centre.

21 December 1995

1.0 THE PROPOSAL IN BRIEF:

The Post-war Reconstruction and Development Unit (PRDU) at the University of York and its associates in the UK, in collaboration with the Canadian International Institute of Applied Negotiation (CIAN) propose to offer a series of 8 courses (to be repeated every six months starting from January 1996) in post-war reconstruction and conflict resolution through the recently established training facility in Mostar with the aim of building a sustainable capacity in Mostar for professional development in these subject areas. The proposal includes a description of the trainers, our approach to the training, a strategic plan to guide our activities, an outline of the courses to be offered and a budget.

2.0 ABOUT THE PRDU AND CIAN:

The Post-war Reconstruction and Development Unit (PRDU) is part of the University of York's Institute of Advanced Architectural Studies, which is a leading research and Continuing Professional Development institution (rated excellent in 1994 by the Higher Education Council Quality Assessment). The PRDU is a leading academic unit with specialist knowledge of the training of professionals in, and research and consultancy on, issues of planning and management of recovery after war; utilising its experience in countries such as Afghanistan, Bosnia-Herzegovina, Croatia, Iran, Iraq, Jordan, Lebanon, Northern Ireland, Palestine & Yemen. It draws on the experience and knowledge of staff from different disciplines.

The PRDU provides the following:

- i. An accessible and professionally relevant multi-disciplinary training and post-graduate educational programme on issues of disaster intervention, complex emergencies and post-war reconstruction planning and management. The PRDU is particularly experienced in conducting training and problem solving workshops in areas of conflict, bringing together representatives of NGOs, local government and international agencies. All the workshops have been designed and delivered at the request of local counterparts and funded by international NGOs and UN Agencies.

PRDU Co-ordinators
Sultan Barakat
BSc MA DPhil (York) MICO
Charles Cockburn
AAdip: RegArch

Editor regional
Gavin Ward
BSc (UWIST)

Director of IoAAS
Professor John Worthington
AAdip: (Hons) MArch (Penn)

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The most rewarding of these have been held in Middle East, Amman (October 1993); Swat, Pakistan (April 1994); Sarajevo (May 1994); Dubrovnik, Croatia (September 1994); Kabul (September 1995) and Dubrovnik and Mostar (September 1995). We have published findings from all these workshops.

- ii. An extensive research resource, based on field work in countries devastated by war, to build on existing experience and to support local organisations through the sensitive transfer of relevant knowledge.
- iii. An international forum for the exchange of information and experience between practising disaster interventionists and reconstruction professionals.
- iv. A focus for the dissemination of knowledge on the subject of reconstruction through publishing bibliographies, series of Research Working Papers, Workshop Reports and a tri-annual Newsletter '*revival*', distributed to 1500 individuals and organisations in 82 countries. The forthcoming issues of *revival* will also be published on the Internet.
- v. We help to create and co-ordinate a network of Study Centres in countries devastated by war, aiming to intensify research, training of local personnel and the dissemination of knowledge through a range of in-country events. The Study Centre for Reconstruction and Development in Dubrovnik is a good example of such centres that are local sustainable.

In 1995, The PRDU established a strategic relationship with the Canadian International Institute of Applied Negotiation for the purposes of adding value to its training and research activities. CIAN is a non-profit organization based in Canada with an international advisory board which guides its programme activities. The Institute offers certificate training programs in Negotiation and Alternative Dispute Resolution to individuals who wish to distinguish themselves in the marketplace as having completed a senior course of professional training in skill areas, such as negotiation, conflict analysis, mediation, and dispute resolution systems design. The Institute provides training in the international community, including its program "Creating Common Ground: Negotiation and Mediation in Peacekeeping" and a number of exchange programs involving participants from the Baltic states and other countries. It is active now in an effort to establish a

sustainable training facility in Romania which will offer conflict resolution training as part of the country's efforts towards democratization and to deal preventively with inter-ethnic conflict.

3.0 PROPOSED APPROACH TO THE TRAINING PROGRAM IN MOSTAR:

Our aim is to contribute to peacebuilding in Mostar, and to support the Dayton peace agreement. We plan to offer a series of specific courses that will not only provide practical skills for the participants but enable us, in consultation with the Training Centre, to identify a number of local "champions" who will be encouraged and supported in their peacebuilding role in their respective communities. That is, after the proposed eight courses have been delivered, a group of some twelve key individuals (a peacebuilding constituency) will be invited to a major peacebuilding seminar at which they will participate in a "Train-the-Trainer" workshop and discuss how they might form the nucleus of a sustainable training program at Mostar's Training Centre.

At the technical level, the courses provided will be delivered on the basis of an adult education model, drawing on interactive learning exercises and encouraging participants to bring their own experience and knowledge to give cultural relevance and practical realism to the training material.

4.0 THE PRINCIPAL TRAINERS:

Dr Sultan BARAKAT BSc, MA, PhD, MICD
Architect/Planner, Director of the Post-war Reconstruction and Development Unit, University of York. Specialist and author on issues of rebuilding war-torn societies, local empowerment and community building with country experience in Afghanistan, Bosnia-Herzegovina, Croatia, Iran, Iraq, Jordan, Northern Ireland, Palestine and Yemen. Fluent Arabic speaker.

Mr. Ben Hoffman BA, MA (psychology) MA (international relations)
Director, International Conflict Resolution, CIAN. Mr Hoffman is recognized as one of the leading trainers, writers and practitioners in mediation and alternative conflict resolution techniques. He is author of three books on conflict resolution, including Conflict, Power and Persuasion: Negotiating Effectively, which will be used in the courses, and he has produced several training videotapes.

on conflict resolution. Mr Hoffman's background includes peacebuilding in North American Indigenous communities and participation on UN Working Groups on the Abuse of Power, Victimization, and Treaties. At present he is completing a doctorate at the PRDU in Peacebuilding.

Other training experts may be brought in when needed.

5.0 THE STRATEGIC PLAN: TOWARDS SUSTAINABILITY:

We are keen on sustaining the process of peacebuilding and reconstruction training as long as there is a need for it, not only in Mostar but elsewhere in Bosnia-Herzegovina. Therefore we suggest the following strategic plan.

1. To conduct a Training Needs Assessment visit, early in January 1996. The findings of this exercise will help us adapt our courses to the specific needs of professionals in Mostar. It will also introduce us to the staff and facilities available at the Training Centre. Finally, it will allow us to decide how should be attending what course or set of course.
2. We would expect the EUA in Mostar to fully subsidise this initiative for the first period of six months (January to June 1996), allowing the first set of courses to be offered free of charge to the participants. This support will give us space to do the following:
 - Evaluate the six month training and Identify our 8-12 local 'champions' or counterparts with whom we can sustain the training process in the future.
 - Prepare a three year business plan that would allow the training to continue under the banner of the University of York in partnership with local universities.
 - Approach other sources of funding (e.g. EU, HEFCE, ODA, World Bank, Norway, Canada, International NGOs, etc.).
3. For the second period of six months we would hope to raise 80% of the training cost with the participants contributing 20% in fees. Participation Fees can easily be raised by the participants from locally based NGOs and other relief and development agencies. During this period the 'local champions' would conduct up to 50% of the training, and therefore cut down the overall training cost. The Training

Centre would need, however, to continue to provide the expenses for local administrative cost.

4. Thereafter we would expect the Training Programme to be provided 100% by local trainers, with our role being scaled down to supervision and support when needed. This will cut down the cost even further. At the same time Participation Fees will have to meet 40% of the cost, with the remaining 60% being raised with our help from different funding agencies.

6.0 UNIVERSITY CERTIFICATION

Certificates of attendance issued by the University of York will be given to all participants.

7.0 THE PROPOSED COURSES

Each course is planned to accommodate 8 - 12 participants. The courses are each three days long. It is assumed that two days of instructor time will be spent on-site preparing for the course, three days delivering the course, and one day de-briefing with the Centre's staff. The courses are interactive skill development courses, mixing lectures, round-table discussions, simulated role plays, case studies and small discussion groups. The participants will be invited to share their own learning objectives at the start, materials will be presented in a manner that tracks and responds to these needs, and each course will be evaluated to provide the basis for modifications and improvements.

C1. UNDERSTANDING RELIEF, REHABILITATION AND RECONSTRUCTION

This course provides participants with a general introduction to the fields of emergency relief, rehabilitation and reconstruction. It is an "intermediate" level course that includes topics such as the principles of disaster management, understanding the overall picture of international relief and the scope of rehabilitation and reconstruction. Participants are invited to relate the course information to the current relief and rehabilitation activities undertaken in Mostar.

- Definitions and concepts of disasters.
- Types of disasters, differences between responding to natural disasters and war.

APPENDIX B

CASE 2 - CONFLICT RESOLUTION CAPACITY BUILDING IN ROMANIA: SUPPORTING DOCUMENTS

ITEMS: 1 - 9

ITEM - 1

RICH SEILOCK

RICH@NMS.AUBG.BG

THE INSTITUTE FOR SOUTHEASTERN EUROPEAN
COOPERATION AND DEVELOPMENT

INTRODUCTION

The Balkans is the most volatile area of Europe. The violent conflict in Bosnia continues and the potential for other conflicts remains high. Historical, religious, and economic linkages with peoples outside the region raise the possibility of more intensive involvements within the Balkans and even the spread of conflicts to other areas. In many respects, the situation is disturbingly similar to that at the beginning of this century.

Even if ongoing conflicts subside and others do not erupt, there are large social and economic losses due to isolation among the mutually distrusting and negatively stereotyped mosaic of the region's peoples. Without a transformation of attitudes about one another, the peoples of the Balkans are unlikely to share in the benefits of cross-national economic and cultural exchange as exhibited, for instance, amongst the nations of the European Union. There are numerous examples that these transformations can and do occur. For instance, the peoples of Sweden and Finland, England and France, France and Germany, and the United States and Mexico have all moved conditions of essentially continuous warfare or preparations for war to where cooperation and amity are natural and violence is an unthinkable option. The purpose The Institute for Southeastern European Cooperation and Development (ISECAD) is to assist in such a process by establishing a venue for conflict resolution and bridge building activities in the region.

The American University in Bulgaria (AUBG) has achieved recognition for the excellence of its programs. As such, it attracts some of the best and brightest students from Bulgaria and, increasingly, from the surrounding Eastern European nations. It has been

ITEM - 2

FOUNDATION FOR DEMOCRATIC CHANGE

Mailing address: OP 56 CP. 1 Bucharest - Romania, Fax: 0040-1-312.48.46

Dear Mr. Ben Hoffman,

Being aware about your activity and skill in the mediation process area, we would like to let you know about a new project that Foundation for Democratic Change intends to develop in Romania.

The name of the project is "Developing a model for constructive management by third-part consultation based on the specific features of the cultural background of the parties concerned. The project's aim is to identify newly but also old way of mediation of the already existing ethnic conflicts in Romania moreover to address the idea of preventing diplomacy in the conflictual areas.

The project' Director is Miss Carmen Semencescu and the contact persons are the following:

Miss Carmen Semencescu
Executive Director
OP 56 CP. 1
Bucharest - Romania
Phone(home): 0040 - 1 - 250.41.92

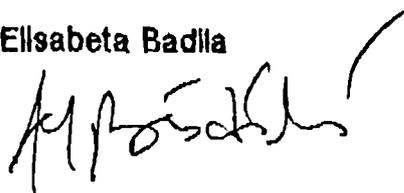
Mrs. Anca Elisabeta Badila
President
Foundation for Democratic Change
OP 56 CP. 1
Bucharest - Romania
Fax: 0040 - 1 - 312.48.46

Taking into account the novelty of a such a project in Romania, any possible help would be welcome and deeply appreciated by us and especially by the Project Direct.

Looking forward to receive an answer from you, please accept Mr. my best wishes in achieving your professional and personal goals.

Sincerely yours,

Anca Elisabeta Badila



ITEM - 3



FUNDAȚIA PENTRU SCHIMBĂRI DEMOCRATICE
FOUNDATION FOR DEMOCRATIC CHANGE

FUNDAȚIA PENTRU SCHIMBĂRI DEMOCRATICE a fost înființată în februarie 1995. Ideea constituirii acestei organizații a plecat de la un grup de foști participanți într-un program de rezolvare a conflictelor inter-etnice româno-maghiare, program organizat de KSCE - Consult, Germania și derulat pe parcursul a doi ani și jumătate (iunie 1992 - ianuarie 1995).

Principalul obiectiv al fundației este acela de a promova conceptul de **management al conflictelor prin asistarea părților implicate de către o a treia parte neutră**. Cu toate că la data constituirii fundației acest concept era extrem de puțin cunoscut în cadrul societății române, inițiatorii au plecat de la constatarea personală a existenței unor multiple stări conflictuale în România și, fiind avizați de existența tehnicilor de rezolvare a conflictelor și-au propus să le promoveze pe piața românească.

Pentru a putea promova conceptul de management al conflictelor prin asistarea de către o a treia parte neutră, inițiatorii au constatat necesitatea unei abordări graduale a pieței românești. Astfel, primul program derulat în acest sens a avut ca obiect **Dezvoltarea unui model specific de mediere și soluționare a conflictelor în România**.

Programul, a cărui derulare a început în 1996 și se va încheia în luna mai 1997, are ca obiectiv identificarea gradului de cunoaștere a conceptelor teoretice de management al conflictelor, a percepției față de aceste concepte teoretice, dar și a modul uzual în care românii reacționează într-o situație conflictuală și a dogmelor existente la nivel macro-social.

Încând de la premiza că orice model importat ca atare este vulnerabil, el poate păcătui prin necunoașterea specificului cultural local, inițiatorii programului cred că această etapă este absolut necesară și extrem de utilă pentru a identifica ce și, mai ales, cum trebuie procedat pe viitor în cazuri concrete, astfel încât rezultatul să fie cât mai aproape de cel scontat.

Ca ultimă etapă în program, seminarul **Rezolvarea conflictelor - soluții alternative** are ca obiectiv atât prezentarea modelelor teoretice de management al conflictelor prin asistarea de către o a treia parte neutră, cât și identificarea unor posibile zone pentru dezvoltarea ulterioară de teste pilot (rezolvări de cazuri concrete).

În elaborarea strategiei de abordare a pieței românești, precum și pe parcursul derulării acestui program, Fundația pentru Schimbări Democratice a beneficiat de permanentă consultanță din partea Canadian International Institute for Applied Negotiation (CIAN), ca partener în program. Totodată CIAN a făcut posibilă specializarea coordonatorului de program (Anca Bădilă Ciucă) și directorului științific al programului (Carmen Semenescu), prin participarea la cursurile organizate de institut în Canada.

Întru ca intenția de promovare a conceptelor privind rezolvarea conflictelor prin asistarea de către o a treia parte neutră să reușească, colaborarea cu alte instituții și organizații este văzută de inițiatorii programului ca esențială. În acest context ținem să mulțumim tuturor celor care au răspuns invitației noastre de a colabora în program, precum și tuturor celor care își vor manifesta această dorință și ne vor ajuta sub o formă sau alta să realizăm ceea ce ne-am propus.

Anca Bădilă Ciucă
șefedinte, Director Executiv

ITEM - 4

Canadian International Institute of Applied Negotiation

**CERTIFICATE
PROGRAMS IN:**

Negotiation

Alternative Dispute
Resolution

EXECUTIVE DIRECTOR
M. Storie

**DEPUTY ASSOCIATE
DIRECTOR, INTERNATIONAL
CONFLICT RESOLUTION**
Ben Hoffman

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Jeswald Salacuse
Bonita Thompson

Aug. 31 1995

Doris Bradbury
Program Coordinator,
Central and Eastern Europe
International and Canadian Programs
600-350 Albert Street
Ottawa, Ontario
K1R 1B1

Dear: Doris Bradbury

The Canadian International Institute of Applied Negotiations (CIAN) is pleased to announce that our 1995 Summer Institute in Negotiation and ADR was an unqualified success. Thanks to the support of the AUCC we were able to provide a fruitful learning experience to Anca Badila and Carmen Semenescu from Romania who represent the Foundation for Democratic Change (FDC).

In terms of reimbursing CIAN, who subsidized the cost of the participants travel, please find enclosed the requested copy of their travel tickets and an invoice from KLM documenting the U.S. dollar cost of \$2320.USD. CIAN requests reimbursement in the Canadian dollar amount of \$3241.61. Please make the cheque payable to the Canadian International Institute of Applied Negotiation.

As requested in your guidelines a two to three page report concerning the results of Carmen and Anca's visit will soon follow.

Yours truly



Alec Tedder Assistant to
Ben Hoffman Sr. Associate and Director of International Conflict Resolution

Suite 1422, 50 O'Connor Street, Ottawa, Ontario K1P 6L2 Canada

Telephone (613) 237-9050

Fax (613) 230-1651

ITEM - 5

Canadian International Institute of Applied Negotiation

June 13, 1995

CERTIFICATE

PROGRAMS IN:

Negotiation

Alternative Dispute
Resolution

Mr. Francois Carle, Deputy Director
Multilateral Development
Bureau of Assistance for Central and Europe
Ministry of Foreign Affairs and International Trade

Dear Mr. Carle:

This letter is further to my discussion with your colleague, Mr. Claude Lacharité, and our own telephone conversation of June 12, 1995.

EXECUTIVE DIRECTOR
M. M. Storie

DEPUTY ASSOCIATE
DIRECTOR, INTERNATIONAL
CONFLICT RESOLUTION
Benjamin Hoffman

ADMINISTRATOR
Wilson Wood

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Nathalie Rockhill
John Jeswald Salacuse
Bonnie Thompson
John Weiler

During my previous attendance at the OSCE sponsored "Dialogue on Conflict Resolution", in Austria, I was fortunate enough to meet a Ms. Anca Elisabeta Badila who represents The Foundation for Democratic Change (FDC), in Romania.

The FDC has since invited the Canadian International Institute of Applied Negotiation (CIAN) to collaborate on a project titled "Developing a Model for Constructive Management by Third Party Consultation", based on specific features of the cultural background of the parties concerned.

Specifically, the FDC has requested training in conflict management and mediation techniques and expansion of their theoretical knowledge of western approaches with a view toward its application in mitigating inter-ethnic conflict. Secondly, FDC has asked that CIAN develop a series of workshops for the promotion of western models of mediation and conflict resolution for presentation in Romania. Finally, FDC wishes to collaborate with CIAN in the development of a new "culturally sensitive" Romanian model of mediation by third party intervention.

At present CIAN is seeking funding from the Association of Universities and Colleges of Canada to have two representatives of FDC attend our Summer Institute in August.

CIAN is seeking support to enable it to contribute to this results oriented project. Your assistance in directing our proposal to the most appropriate program in your Ministry would be much appreciated; perhaps we might meet to discuss possibilities at your earliest convenience.

Yours truly,



Ben Hoffman

cc: Claude Lacharité

Suite 1422, 50 O'Connor Street, Ottawa, Ontario K1P 6L2 Canada

Phone (613) 237-9050

Fax (613) 230-1651

ITEM - 6

Canadian International Institute of Applied Negotiation

Aug. 21 1995

CERTIFICATE
PROGRAMS IN:

Negotiation

Alternative Dispute
Resolution

EXECUTIVE DIRECTOR
M. Storie

DEPUTY DIRECTOR
ASSOCIATE
DIRECTOR, INTERNATIONAL
CONFLICT RESOLUTION
Benjamin Hoffman

ADMINISTRATOR
Lison Wood

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Sylvia McMechan
Hon. Clive Milner
Charles Pou Jr.
Nathalie Rockhill
Hon. Jaswald Salacuse
Bonita Thompson
John Weiler

Re: CIAN hosted round table

As you may know, The Canadian International Institute of Applied Negotiation (CIAN) is currently hosting two representatives of the Romanian NGO Foundation for Democratic Change (FDC). After having met Ben Hoffman, Sr. Associate and Director International Conflict Resolution, at an OSCE sponsored meeting in Vienna the vision for a collaborative between FDC and CIAN began to grow. The objective of this project is to develop a culturally specific model of conflict management through third party intervention, the first phase of which was to have the two Romanian NGO representatives attend our Summer Institute in negotiation and ADR. In hosting Anca Badila and Carmen Semenescu our mutual goal was to establish the critical knowledge base from which we could carry on with the next phases of the project.

An important component of establishing the necessary knowledge base is an exchange of ideas and experiences. This is why CIAN wishes to hold an informal round table discussion centred around the issue of "conflict management in internal conflict in Eastern Europe".

We are bringing together members of the academic, governmental, institutional and NGO communities in what we feel is a unique opportunity to engage in a mutually beneficial exchange of views and experiences in conflict management. We hope a lively exchange of ideas will result in parties gaining greater insight into both conflict management techniques, and the current state of their use in internal conflict in an Eastern European society.

We hope you can attend on:

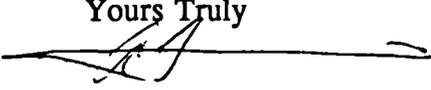
Thursday August 24 1995

Place: 50 O'Conner 10th Floor

Time: 6:30 to 9:00 (at the latest)

topic: "Conflict Management in Internal Conflict in Eastern Europe"

Yours Truly


Alec Tedder

Suite 1422, 50 O'Connor Street, Ottawa, Ontario K1P 6L2 Canada

Phone (613) 237-9050

Fax (613) 230-1651

ITEM - 7

PROPOSAL TO DEVELOP A ROMANIAN MEDIATION AND DISPUTE RESOLUTION CAPABILITY

Executive Summary

The Canadian International Institute of Applied Negotiation (CIAN) and the Romanian Foundation for Democratic Change (FDC) jointly propose to develop a self-sustaining capability for "culturally specific" mediation and dispute resolution in Romania and to promote the dissemination of conflict resolution knowledge and skills in that country. The project is seen as a key element in the process of democratization in Romania and as a preventive initiative with respect to inter-ethnic and other conflict. The project will be carried out in seven steps over three years, according to the following plan:

- 1) Contribute to a preliminary knowledge base for continuation of the project in Romania by having two participants from Romania come to Canada and attend courses in mediation and other dispute resolution techniques offered through CIAN, and by sending two CIAN staff members to Romania on a brief visit to review the local situation and institutional setting. (See Annex III of the Proposal for an overview of the results of the visit to Romania). In addition, Step 1 includes development and tabling of a comprehensive project proposal. Step 1 has now been completed and resulted in the development of a partnership between CIAN and the FDC. Funding for this step was generously provided by the Association of Universities and Colleges of Canada (AUCC) and also by CIAN;
- 2) Develop a "culturally specific" system of mediation and dispute resolution for Romania that draws together standard system-design and conflict resolution techniques and the in-country knowledge of the Foundation for Democratic Change; and identify a core group of Romanians who will play a central role in further CIAN/FDC work. Establish offices for the FDC - with some partial financial and other support from the Technical Assistance Branch of the Canadian Embassy in Bucharest - and assist the FDC in pursuing on-going research in conflict management practices in Romania and strengthening its contacts and involvement with other NGO partners;

3) Develop a core training package based on the "culturally-specific" system of mediation and dispute resolution. Also, at this stage, pilot test the draft mediation and dispute resolution system and package among the core group mentioned above; and make revisions to it on the basis of Romanian evaluation and feedback. Then inform CIDA and the Department of Foreign Affairs and International Trade about the progress of the work to date and solicit their comments on it. During this stage, the FDC will also develop a long-term partnership with the Soros Foundation;

4) Develop a 'train-the-trainers' package for use in Romania; and work with the FDC to identify resource persons for conflict resolution in Romania and to secure commitments from them and lay the foundations for a solid national conflict resolution network;

5) In Step 5, CIAN and the FDC will hold 'train-the-trainers' sessions in Romania for the core group mentioned above; and assist the Romanian trainers in launching a number of regional workshops aimed at:

- ▶ creating a network of potential resource-persons available for conflict resolution endeavours; and
- ▶ identifying a cross-section of sectoral leaders who are committed to peaceful conflict resolution mechanisms; and establishing linkages with them and obtaining feedback from them.

In this step, CIAN would also work with the FDC to establish a realistic business plan, to develop a training resources infrastructure, and to prepare the way towards the establishment of a new Romanian Centre for Conflict Resolution;

6) Step 6 marks the beginning of delivery of decentralized training to targetted centres and sectors. Advocacy and public education for conflict resolution and the promotion of its role in democratization will be a prime motivating force in this step. CIAN will also provide follow-up consultation and support to the Romanian Centre for Conflict Resolution;

7) Step 7 will be dedicated to fine-tuning the educational and training package as well as confirming the stand-alone capabilities of the Romanian Centre for Conflict Resolution.

This project will aim at creating a strong capability for conflict management and resolution in Romania, culminating in the establishment of a permanent self-sustaining facility for mediation and dispute resolution, including training and research.

The work for the project will be conducted in Romania and Canada, primarily in Bucharest and Ottawa. Work in Romania will be more widely dispersed as input will be sought from a sizeable cross section of sectoral leaders.

CIAN and the FDC are committed to this results-oriented project, aimed at promoting peace through democratic, social and economic development.

Through this work, CIAN will also aim at refining and field testing in Romania the "culturally specific" process of mediation and dispute resolution which - with necessary adjustments for specific national cases - may contribute significantly to Canadian efforts to promote democratic development in a range of countries around the world. This could be a major Canadian contribution to the search for international peace and development.

The funding situation of this project is as follows:

- ▶ Step 1 has already taken place, at a cost of over \$20,000 (\$5,430 was provided by the Association of Universities and Colleges of Canada (AUCC); and over \$14,000 of in-kind services and direct contributions by CIAN). No further funding is required for this step;
- ▶ The Funding Requirement from CIDA and/or other Canadian Government sources for Steps 2 to 7 is \$222,800. This would be spread over Three Years, from September 1996 to December 1999, and would be allocated as follows: \$117,200 for CIAN project operations; and \$105,600 for FDC project operations. A detailed budget is provided with the Project Proposal;
- ▶ The FDC will seek other funds as the project develops, from the Soros Foundation (which has already shown an interest), from other international foundations and NGOs, and from Romanian sources. After Year III i.e. from 1999 onwards, the project will be totally sustained from sources other than the Canadian Government (CIDA and/or other government departments or agencies).

ITEM - 8



FOUNDATION FOR DEMOCRATIC CHANGE
FUNDATIA PENTRU SCHIMBARI DEMOCRATICE

PO Box 56 -1 Bucharest 77750, ROMANIA Tel/Fax: +40-1-615.18.72

To: Mr. Ben Hoffman
CEO
Canadian International Institute for Applied Negotiation
Suite 1422, 50 O'Connor street,
Ottawa, Ontario K1P 6L3
CANADA
phone: 001-613-230-1775
fax: 001-613-230-1651

28th February 1997

Dear Mr. Hoffman,

Following our common efforts to create a Romanian self sustainable capacity for conflict resolution, the Foundation for Democratic Change is organizing a seminar to present our already done work and more important to provide basic information on conflict resolution by third - part consultation to a selected representatives from Romanian NGO, local administration, state agency and university field. The seminar will take place on 21st - 23rd March in Sinaia, Hotel Caraiman

On this occasion we invite you and your assistant Mr. Imre Richtshyd to present your experience in the field and some basics on conflict resolution. Unfortunately, because of small money we have to organize the seminar, we can not support your travel expenses or any other payment.

Because of your active role in the seminar, also for the purpose to organize our future work together, I hope you'll manage to arrive in Romania no later than 20th March

Looking forward to meet you in Bucharest, send my best regards to your colleagues.

Sincerely yours,

Anca Badila Ciuca
President & CEO

CERTIFICATE PROGRAMS IN:

- ▶ Negotiation
- ▶ Alternative Dispute Resolution

CHIEF EXECUTIVE OFFICER
Mr. Benjamin Hoffman

DIRECTOR, CERTIFICATE PROGRAMS
Ms. Fleurie Storie

DIRECTOR, INTERNATIONAL PROGRAMS
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DIRECTOR, ADMINISTRATION & FINANCE
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COORDINATOR
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Mr. Charles Pou Jr.
Ms. Nathalie Rockhill
Dean Jeswald Salacuse
Ms. Bonita Thompson

Conflict Resolution Capacity-Building in Romania

Project Description

Nature and Goals of Project: Since 1994, with assistance of the AUCC, the Canadian International Institute of Applied Negotiation (CIAN) has worked with a Romanian NGO partner to build a centre and capacity for conflict resolution in Romanian context. The first two phases of the project are complete: our Romanian partner received training in Canada in negotiation, mediation and conflict resolution in 1994. In 1995, a field visit was conducted in Romania by our experts. We have developed the concept of culturally appropriate conflict resolution. The next stage will be the delivery of a three-day seminar in Romania on March 21-23, 1997. The participants of the seminar will be from the Romanian NGO community, among labour representatives, ethnic and political leaders and journalists.

Relationship to Eastern Europe: The project is a response to the inter-ethnic conflict prevention agenda relating to the relationship of the Romanian ethnic minorities and the administrative structures of state power. The project will contribute to the enhancement of stability and security in Eastern Europe.

Relevance to Economic and Democratic Development: The skills of conflict resolution are essential in the economic, social and political arenas of an ethnically heterogeneous emerging democracy and market economy. At the "hard" end, disputes may be resolved more cost-effectively than through civil strife or at the 'front' end, these processes and systems enhance organizational development, business practices, labour-management relations and negotiated agreements.

Role of Women in the Project: Our partner, the Foundation for Democratic Change is headed by two women: Ms. Anca Badila, President and Ms. Carmen Semencescu, Executive Director. Both women are working with little financial support to create a viable, active NGO that has selected capacity-building in conflict resolution as its main agenda. The role of women in society, including issues of violence against women are matters addressed in the field of conflict resolution.



**FUNDAȚIA PENTRU SCHIMBĂRI DEMOCRATICE
FOUNDATION FOR DEMOCRATIC CHANGE**

&

**Canadian International Institute for Applied Negotiation
(CIAN)**

Rezolvarea conflictelor - soluții alternative

**21 - 23 martie 1997
Sinaia, Hotel Caraiman**

Seminar organizat în cadrul programului:
Dezvoltarea unui model specific de mediere și soluționare a conflictelor în România

Cu sprijinul financiar al
**Delegația Comisiei Europene - Programul PHARE pentru societatea civilă
Ambasada Canadei la București**

Materiale realizate în colaborare cu
Fundația CIVITAS

ITEM - 9

FOUNDATION FOR DEMOCRATIC CHANGE

ACTION IDEAS TO BE DEVELOPED INTO A STRATEGIC PLAN

IMMEDIATE - WEEK OF MARCH 24TH

1. Press Release
2. 2-page letter for Tudor Pendiuc, Mayor of Pitesti, to take to the Canadian Ambassador.

WEEKS OF MARCH 31ST AND APRIL 7TH

1. 2-page executive summary of Seminar to all participants (action ideas and commitments highlighted)
2. Seminar Report
3. Follow-up with funding contacts, Dana Diaconu from Phare Foundation and Andrei Soiciu from Soros Foundation, who were present at the Seminar
4. Begin preparation for City Hall Seminar
5. Begin preparation of F.D.C. Brochure and business cards

INTERMEDIATE TIMELINE

1. Secure funding
2. 3-month progress report on ideas and commitments of seminar participants
3. Start 2-page newsletter as a means of networking
4. Start a Speaker's Bureau
5. Hold mini-seminars
6. Organize a roundtable with academics

LONGER TERM

1. Publishing of conflict resolution materials
2. Train mediators
3. Training of Trainers

APPENDIX C

**CASE 3 - DESIGNING A DISPUTE RESOLUTION
MECHANISM FOR INDIAN LAND CLAIMS IN
CANADA: SUPPORTING DOCUMENTS**

ITEMS: 1 - 4

ITEM - 1

Protests by Aboriginal Peoples Since 1969

1977. ? - Indian efforts to block or slow down Alaska pipeline
- 1988, March-October - Akwesasne
- 1988, June - Teme -augama - Anishnabai
- 1988, Sept. - Algonquins (South Ottawa)
- 1988, Sept.- Mi'kmaq, Nova Scotia
- 1988, Sept.- Gitskan, Wet'suwet'en From Drumbeat
- 1988, Fall - Innu of Ungava
- 1988, October- Lubicon of Alberta
- 1989, Sept.- Algonquins, Barrier Lake
1990. August-October - Indians blockade bridge to Montreal wanting a stop to development of burial ground into a golf course. One police officer killed.
- 1990, July - In sympathy with OKA - Nawash Band blockaded Highway #6, in Central Ontario.
- 1994, December - Nawash Band members took over a residential area noting it was a burial ground.
- 1995, September - Ipperwash, land claim protest staged. Dudley George, protester, shot by Lambton County police.
- 1995, Summer - Gustafsen Lake, B.C. Standoff on private ranchland by aboriginal peoples claiming land was sacred ground.
- 1996, Summer- Indian occupation of Victoria Island, Ottawa.
- 1997, April - National day of protest by First Nations.

Other reported incidences that may have a connection to land claims for example aboriginal street gangs in Winnipeg (1996, Globe and Mail)

Sources

DIAND- Land Claims and Historical Research
Library

National Library - Globe and Mail

Darlene Johnson (lawyer)- Researcher at Cape Croker Band Office

David MacLaren - Legal Advisor to Cape Croker

Drumbeat (1989) - Anger and renewal in indian country. editor Boyce Richardson.

Protests by Aboriginal Peoples Since 1969

According to history through sources such as Drumbeat (Richardson, (Ed.), 1989) and documentation found in the Department of Indian Affairs and Northern Development (DIAND) there has been tension and distrust between aboriginal peoples (First Nations) and the Canadian Federal Government since the beginning of their tenuous relationship in the 18th century.

Since the first treaties between the Federal Government of Canada and First Nation peoples situations of conflict have occurred due to misperceptions of social/political expectations and/or unspecified, inconsistent processes for dealing with issues. Many of the current issues of conflict stem from frustrated efforts to have problems resolved in a reasonable time period, conflict between local, provincial and federal government interests, issues of racism, clashes of cultural values, and poor documentation and communication of data and processes (Hoffman, 1996; Richardson, 1989) . Due to these ongoing issues the Federal Government and the First Nations peoples remain in a state of negative peace, that is, persistent state of hostility and distrust.

A comprehensive overview of acts of protest by First Nations peoples is not represented in this historical review. However, the review attempts to represent patterns of passive (latent) and aggressive (manifest) protests by First Nations peoples that have occurred since the White Paper (1969), a statement of policy regarding First Nations and Federal Government interactions (see Figure 1). Reviewing the situation since 1969 was a choice for practical reasons . A study of all incidents of protest would be overwhelming. Moreover, the trend should be similar to the since many of the issues of conflict are longstanding. However, it should be made clear that protests have been organized and occurred previous to 1969. For example, from 1906-1910 the Cowichan Petition lobbying for the inclusion of native members in the decision for land use was comprised and a series of protests were organized by the Chiefs of British Columbia (Galois, 1992).

The main purpose of this research is to determine if historical mapping can identify a

Background
by T. Mann Apr

pattern of escalating violence. Following is a series of vignettes depicting acts of protests, civil disobedience, and armed resistance by First Nations peoples since 1969.

Vignettes

1977, March, (British Columbia)

Native bands form together to demand the return of 36, 000 acres of land marked by the provincial government in the 1950's for development even though it was designated native land.

1977, Fall (East Coast).

The Federal Government and the United States had come to an agreement to have the Alaska Pipeline, a pipe carrying natural gas to the United States, strung through Canada. The report describing this venture indicated the loss of communities such as Old Crow, a predominantly native community and environmental costs. No native members were consulted. Native communities along the proposed pipeline staged protests with the hopes of stopping or delaying the pipeline.

1988, March-October - Akwesasne (Ontario)

The issue is recognition of border-crossing rights afforded first nations peoples in the Jay Treaty of 1794. In 1968, 50 Mohawks were arrested for blocking the International Bridge in Cornwall. Since then there have been numerous confrontations between Mohawks and customs officials. In 1988 confrontations occurred throughout the year ending in an organized invasion of 250 police, from Canada and the United States isolating the community and searching 12 homes. The purpose of the invasion was to intercept illegal cigarette dealing. The Mohawks have begun the process of establishing a form of nationhood due to their frustration in not being included in full partnership with officials to resolve the issue of the treaty application and the ensuing

problems such as smuggling.

1988, June - Teme -augama - Anishnabai (North Ontario)

To protect the last of an ancient white pine forest from being logged members of the Teme-Augama set up a blockade on a road being built to access logging sites on June 1, 1988. The blockade ended on December 8, 1988 by order from the Ontario Court of Appeal along with an interdict to the province to cease any further work on the road. The Teme-Augama peoples reported that the blockade occurred after 112 years of fruitless negotiations with the Ontario Government the definition and protection of their homeland and human rights. *

* while a provincial issue all land claims fall under federal jurisdiction. A point of contention is the passing on of responsibility for native concerns to provincial interests by the federal government who is considered trustee of aboriginal rights (White Paper, 1969)..

1988, Sept. - Algonquins (South Ottawa)

To force a decision on the control and harvesting of resources first made in 1772 in the Algonquin Park area, the Algonquin's of Golden Lake First Nations set up a road block to the National Park on the long weekend in September, 1988. They asked travelers to sign a petition to recognize the rights of native peoples. The last petition made in 1983 had not yet received a response. After the blockade another submission was submitted which was submerged in bureaucratic process. For example, the band was asked to resubmit the request in another form to be considered for negotiation. Statements by the chief indicated the band would go to "whatever lengths necessary" to get this issue resolved.

1988, Sept. - Mi'kmaq, (Nova Scotia)

September 17, 1988 100 Mi'kmaq Harvesters began a 2 week Treaty Moose Harvest. Having been warned that the harvest was unauthorized, game wardens and RCMP awaited the harvesters but the harvesters proceeded. A tense but non-violent confrontation followed. While

no resolution of government - first nations relations was achieved in 1989, a summit of Mi'kmaq leaders affirmed their right to nationhood in Declaration of Mi'kmaq Nation Rights.

1988, Sept. - Gitskan and Wet'suwet'en (North British Columbia)

The Gitskan set up barricades at Sam Green Creek preventing the building of a bridge over the Babine River. This protest marked over a hundred years of conflict focused on rights to cultural rites and land resources. In 1986, 100's of native people and supporters staged an armed confrontation with local police and RCMP. The confrontation ended with an attack of marshmallows by the Gitskan people ending another series of 10 years of undercover raids and law suits against Gitskan and against the government of British Columbia. Since the 1960's clear-cut logging had taken opportunities for employment and land for community members. The barricade in 1988 forced a political and legal confrontation that ended with an injunction stopping the logging company from crossing the bridge. At the reporting of the Gustafson Lake stand-off in 1995 the Gitskan people still had blockades around their traditional lands.

1988, Fall - Innu of Ungava (Labrador)

The Innu of Ungava live in western Labrador. In the fall of 1988 the Innu staged a sit-in within the Goose Bay air force base protesting an \$800 million Tactical Fighter Weapons Training Centre in their homeland. The Innu continue to protest the appropriation of their land and the destruction of their lifestyle and culture.

1988, October- Lubicon of Alberta

In October 1988, the Cree of Lubicon withdrew from legal proceedings no longer giving recognition to Canadian governing. They formed a law forbidding access to their land for the purpose of development or acquisition of resources. They claimed jurisdiction, ownership,

management, control and administration of the land. Blockades were set up on all access points to their traditional lands. After 5 days of the blockades RCMP broke through the blockades and arrested 27 people. Tentative agreement was made between the chief and the premier of Alberta in January, 1989.

1989, Sept.- Algonquins, Barrier Lake, Quebec

In fall of 1988 Algonquins set up tents on Parliament Hill to gain attention and resolution to their concerns about the depletion of lands and resources due to clear cut logging. Arrests were made for creating a nuisance. In September, 1989 blockades were established at every access to logging camps. The core issue is that for 200 years hunting and logging and settlement have occurred without the permission of the Algonquin nation who lived on the land and who were directly affected by any change in the resources. Settlers and government decisions to use the land have excluded discussion and cooperative decision making with native residents.

1990, July (British Columbia)

Chilcotin peoples blockade access to a clear cut logging site.

1990, July (Alberta)

There was a meeting of the First Nations Chiefs in Edmonton. Prime Minister Mulroney and Minister of Indian Affairs, Tom Siddon were invited and neither attended.

1990, July - September , (Quebec)

In a small community called Oka, Kanasatake Mohawk Indians blockaded a bridge to Montreal protesting the development of a burial ground into a golf course. They were joined in solidarity by a neighbouring native community of Kanawake Mohawk. It was an armed

confrontation with high levels of tension with the local police. During an explosion of this tension (no one knew who shot the first shot) one police officer was killed.

1990, July - (Central Ontario)

In sympathy with OKA - Nawash Band of the Cape Croker Reserve blockaded Highway #6. (Johnson, D & MacLaren, D. - (personal communication April 21, 1997)

1994, December (Central Ontario)

Nawash Band members staged a sit-in in a residential area of Owen Sound noting it was a burial ground. Land claims for this area had been before the courts for many years but did not deter the development of the property by provincial and municipal government. Documentation was obtained to indicate remains were found on the site and removed unceremoniously. The result was four residents lost their homes and the area was returned to the band administration. (Johnson, D & MacLaren, D. - (personal communication April 21, 1997)

1995, July (Ontario)

For two years the Chippewas peoples had occupied the Canadian Forces Base at Ipperwash. The land had been used by the Canadian Government during WWII with a promise of the land being returned. However, the land has not been returned to the band. Over the last few months before the death of Dudley George, a band member, tensions had been increasing and incidents of physical confrontations had risen. During one of these confrontations Dudley George was killed by a Lambton police officer.

1995, Summer - Gustafson Lake (British Columbia)

Every summer the local bands gather at Gustafson Lake for a festival. The first nations peoples have always held that the area was sacred to their people. In the summer of 1995, a group of armed native members remained at the camp when the gathering ended laying claim to the land

1

which was privately owned. Shots were fired periodically at passers by ^{and} at police. Ovide Mercredi acted as a negotiator to find a method of resolution.

1996, Summer- Indian occupation of Victoria Island, Ottawa.

1997, April - National day of protest by First Nations. First Nations Chiefs took over the prime minister's offices for 2 hours.

This brief historical overview of protests by First Nations peoples indicated an ongoing series of events occurring throughout Canada. Given the description of these incidences the trend towards escalation seems self-evident and has approached a level of localized violence (see Figure 1).

With the White Paper, read in the Senate in 1969, Federal jurisdiction over aboriginal affairs was maintained. Some of the points for change emphasized in the paper were methods of dealing with social issues, complaint processes and recognition of the benefits of self-determination. Two periods of time have occurred since then that encouraged First Nations to believe that resolution of the historical issues were ingrained in a national process only to find that the application of policies and attention to these issues such as land claims changed with election results (Liberal to Conservative) (Erasmus, G. (1989) in Richardson, (1989) and even ministers (Crombie to McKnight). Since then several national aboriginal groups have formed. They have begun to organize a system of protests and rallies to show solidarity and to gain public support for their grievances. At this time one police officer (OKA), and a native man (Ipperwash) have died as a result of confrontations. As recently as 2 weeks ago a national protest was held and the prime minister's offices were held by native leaders.

Whether this should be considered a critical point for intervention should be considered in light of several factors;

1. Imbalance of power - in the past the federal government has held an advantage of power over First Nation peoples. Lack of education within a British system left First Nation peoples

unable to compete within the system and they could not create a "common playing field" using their own political processes. This factor matched with the political agenda to assimilate native peoples into the non-native society and the geographical isolation of First Nation peoples within Canada had at one time lead Canadian society that the aboriginal peoples of Canada were a dying culture. However, with the access to mainstream education getting easier, the healthy strong members of the native population becoming larger and better connected through easier communication processes and transportation the imbalance of power is slowly but surely eroding away.

2. Democratic Process - both parties Federal Government and First Nations philosophically maintain and use the democratic process for decision making. It might even be said that the First Nations people because of a tradition of decision making through discussion and council have been good role models of a collaborative leadership.

However, as the native elders die the next generation is greatly lacking in the values and teachings of their elders. The influence of the adversarial models of problem-solving and a strong American militant culture are becoming prevalent within the young First Nations members.

3. Public Opinion - in the 60's and 70's native life style and plight of the noble Indian were romanticized and public opinion favored the empowerment of native peoples. As we approach the next millennium the politics of the time advocates a deprived next generation with little access to limited resources. As this opinion becomes more prevalent the population seems to be voicing less tolerance of anyone who would deplete these seemingly disappearing resources. The potential for First Nation's land claims becoming an even greater threat to local residents will no doubt increase as we approach the year 2,000.

The results of this research indicate that a pattern of escalating violence is emerging between the Canadian Federal Government and First Nation peoples. Hopefully, intentional planning for peacebuilding on a national scale is underway in order to prevent any further loss of life. We need only ask family, friends and the community of the police officer in Oka and the Chippewa band member to understand the far reaching affect of violence.

Sources

Galois, R. M. (1992). Native studies review. Indian Rights Association. Department of Indian Affairs and Northern Development. Land claims and historical research unit.

Globe and Mail

March 26, 1977

September 1, 1977

September 2, 1977 - journalist J.D. Morton

July 2, 1990

July 12, 1990

July 15, 1995 - journalist Peter Moon

August 21, 1995 - journalist Miro Cernetig

Concorde Incorporated. (1996). Review of the Indian specific claims commission.

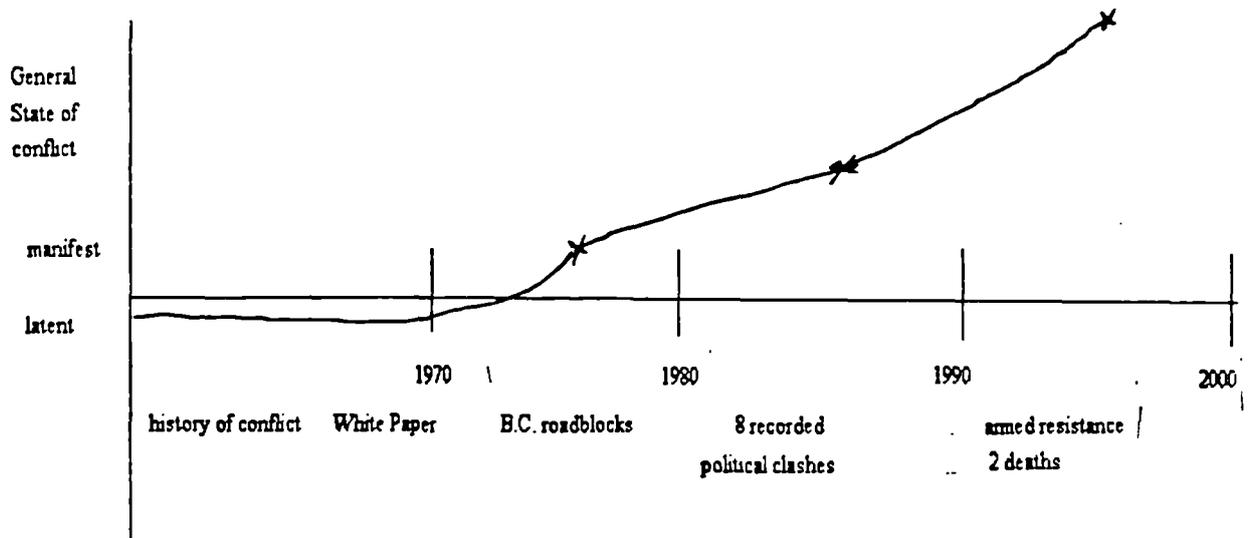
Sim, H. (1977). Indian coverage in Canadian daily newspapers. unpublished manuscript. Department of Indian Affairs and Northern Development. Land claims and historical research unit.

Statement of the Government of Canada on Indian Policy. (1969). (White Paper).

Richardson, B. (Ed.) (1989). Drumbeat: anger and renewal in Indian country. Summerhill press, Toronto.

Figure 1

Canada - First Nations Conflict



The Modified Life Cycle Conflict Model and the Canadian Native Issue

Captain Shane B Schreiber

This model is based upon the Life Cycle Model developed by Ben Hoffman and used at the Pearson Peacekeeping Center to teach conflict resolution.

The modified model accepts that conflict naturally exists between any two actors, even in the most amicable of relationships. It accepts that conflict appears to be a precondition of existence; "I conflict, therefore, I am." The level of violence, however, can be differentiated by the *content of violence* incorporated into any conflict - from peaceful negotiation to continuous, long term total war.

Where the conflict moves from simple competition or disagreement (latent) to violence or threats of violence, (active) this is known as the "conflict threshold." Below this line, the conflict may be said to be "latent."

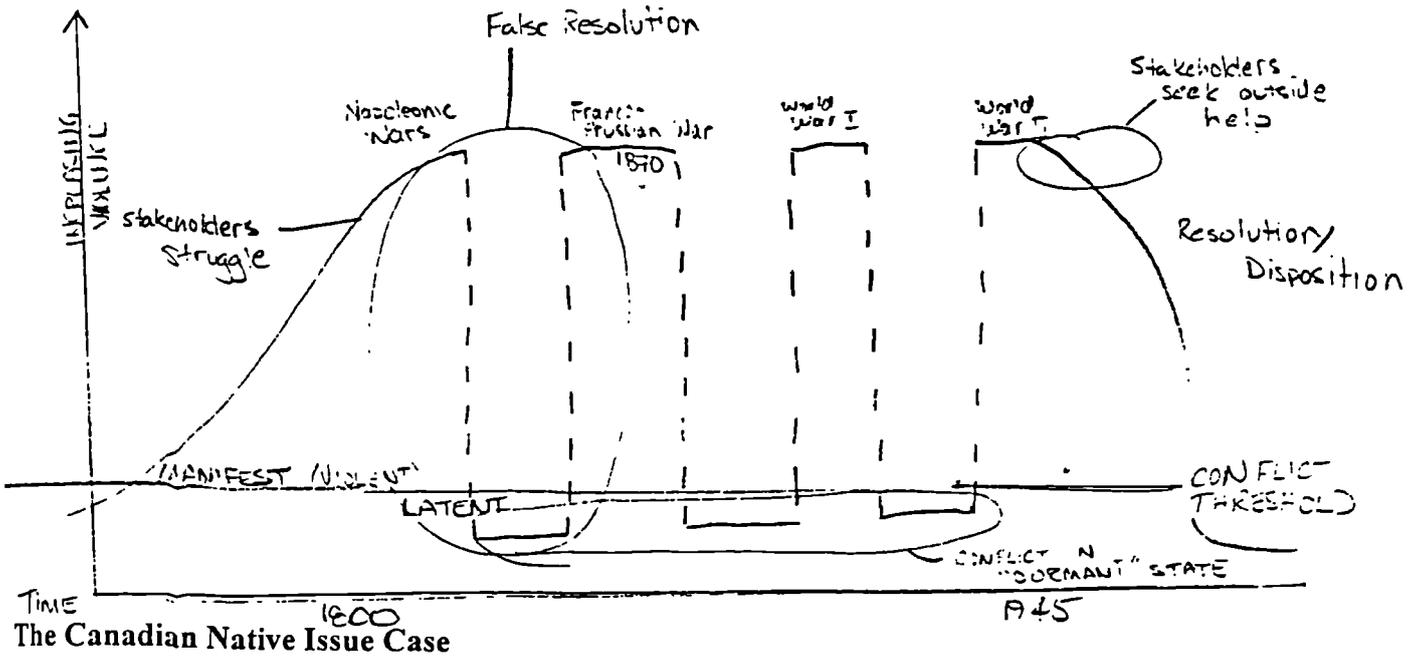
This conflict threshold shifts, and the resort to or level of violence can be affected by a wide variety of factors (recency, repetition, media attention, "copycat" actions of a similar nature, and so forth). The phenomenon of outside conditions changing the speed at which the conflict moves into the active area can be understood by using a chemistry analogy; these outside events may be said to be "conflict catalysts," lowering the likelihood that the conflict will become active, or raising the violent content of the conflict should it become active.

Perception is critical to the modified life cycle model. One or more of the stakeholders may perceive the conflict as resolved, when in fact, it has merely moved temporarily to a latent or "dormant" phase without true resolution or disposition, much like the remission of a cancerous disease. This misperception may create a "False Resolution." A false resolution means that if the conflict is not addressed and resolved in its latent form, it may flare back up almost instantaneously to its previous level of violence. This is especially true if negotiated settlements are not fair, wise, enduring, and economical.

The modified model also postulates that conflict has a "micro-macro" systemic nature. Each model has, in fact, a large number of levels that have a interdependent, symbiotic relationship. More important, a change at any level may be felt throughout the entire system. Therefore, what happens in a local, short term "micro" conflict affects the long term conflict "macro" model, and vice-versa.

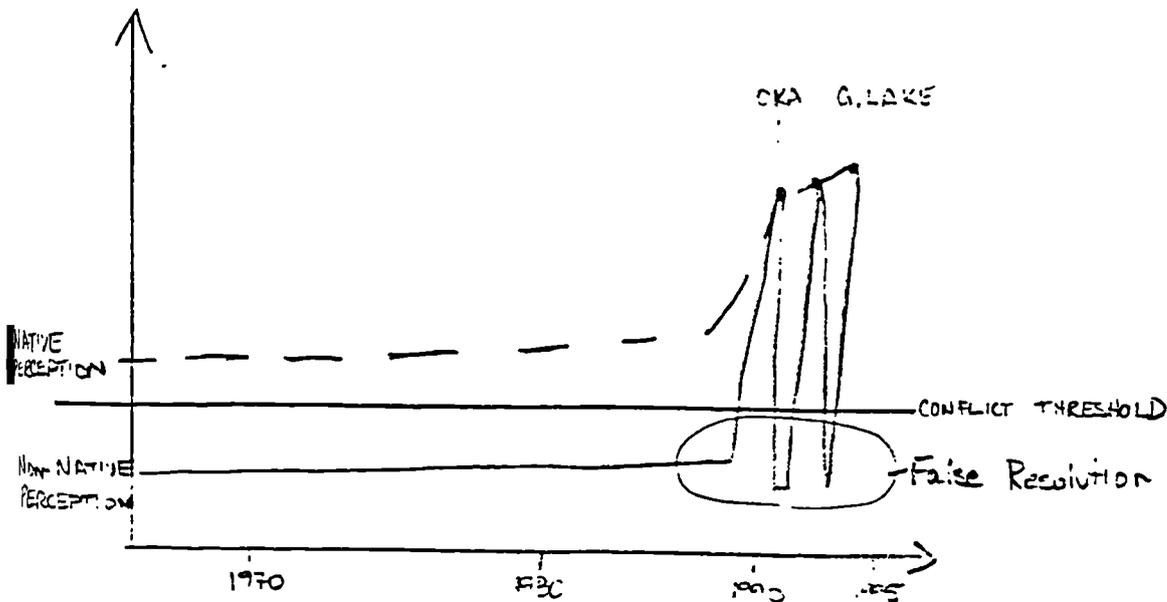
An historical example used to illustrate the modified life cycle model is the Franco-German conflict of 1870-1945 (See Figure 2). These two stakeholders were brought into conflict naturally by their geopolitical positions in Europe.

Figure 2 FRANCO-GERMAN CONFLICT



The perception of the content of violence in the conflict is perceived to be greater by the Canadian natives than it is by the society as a whole, and therefore the government. This is due to a geographical, racial, economical, and historical context of the conflict. The Federal governments perception, until recently, has been that the natives were relatively satisfied with the conflict resolution mechanisms in place. This, in fact, was a "false resolution."

Figure 3 - Native Conflict - Macro Level (Nationwide)



At the micro level, the modified life cycle model can be used to examine the conditions surrounding several specific conflicts. Three examples used will be the Oka Crisis of 1991, the Mic Mac roadblocks in New Brunswick 1992-95, and the Gustafson Lake Standoff of 1995.

OKA (See Graph)

In this case, a longstanding low content of violence conflict erupted due to a specific trigger incident - the dispute over the golf course land. This led to a rapid escalation of violence that threatened to spiral upwards until all sides realized that negotiation and strategy of "postponement" would be more advantageous. The immediate crisis has been resolved, but longstanding issues remain unresolved, and therefore, it can be argued that the conflict has gone into the "dormant" stage and could re-ignite to the previous level of violence if native concerns are not adequately addressed. Note also that the presence of "Warriors" from outside of group concerned acted as a conflict catalyst to lower the threshold of active conflict.

MIC MAC ROADBLOCKS

"Lateral catalyst" of the Oka crisis led to a "copycat" action of a similar nature in New Brunswick (and other places). This case best shows a continual repetition of the denial phase. This issue has not yet been fully resolved, and this may force the native stakeholders to escalate the violence of the conflict to force resolution.

GUSTAFSON LAKE

Note again the presence of outside catalysts and the "copycat" nature vis a vis Oka. This specific "micro" conflict was resolved, but its occurrence may act as a catalyst on the macro situation throughout Canada.

PROGNOSIS -- MACRO LEVEL - ROYAL COMMISSION REPORT

Increased incidents of local conflicts act as a catalyst thereby increasing the level of violence in the overall system. This, in turn, leads to an increased incidence of conflict at the micro-level. The Report of the Royal Commission of November 1996, echoes the predictions of the model, with the expectation that native incidents will become more numerous and violent as time progresses unless real progress is made.

CONCLUSIONS

The model points to three key conclusions:

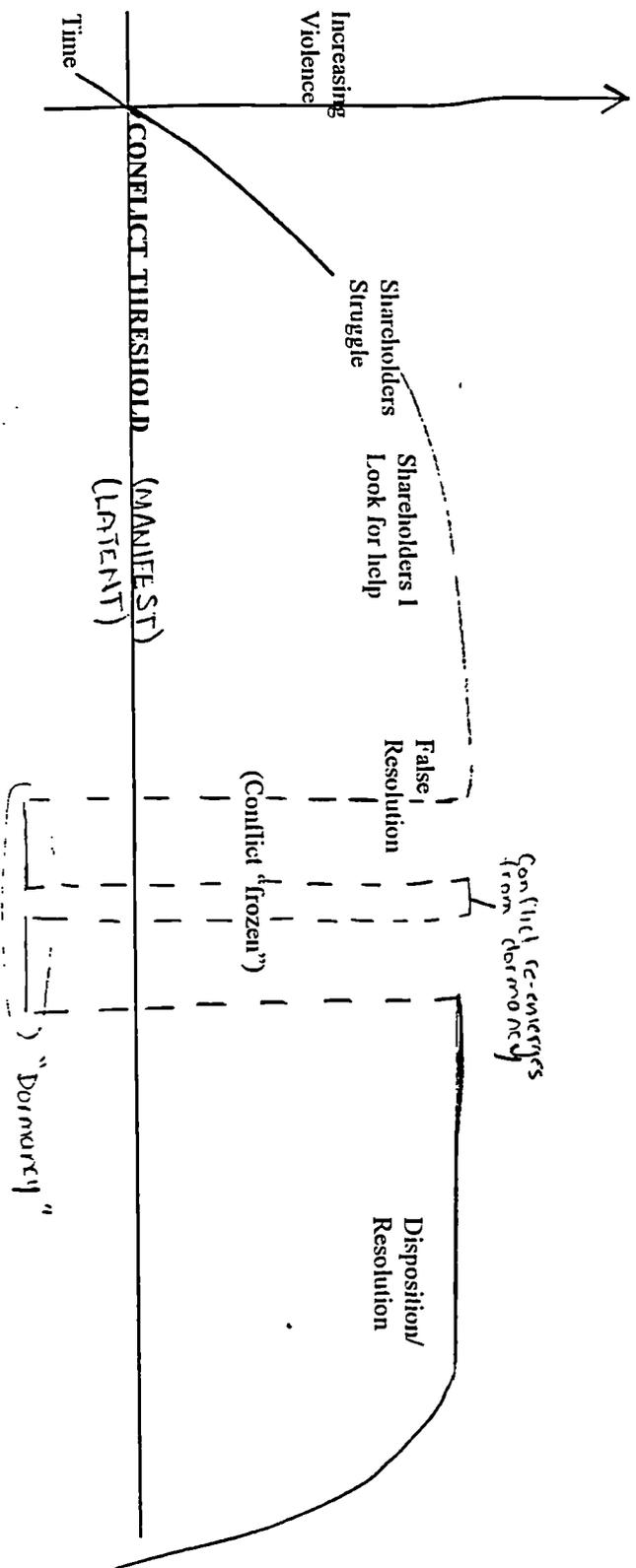
MODEL

1. Conflict models include macro and micro components
2. Concept of outside forces acting as “conflict catalysts”
3. Danger of “False Resolution” based on misperception or miscommunication.

REALITY

1. Canadian Governments must begin to deal both with individual bands/groups, and the larger native group as a whole. Simultaneous resolution at both the micro and macro levels.
 2. Must understand the dangers of “conflict catalysts,” including outside sources.
 3. Long term dialogues must accompany short term solutions to guard against “False Resolution.”
- 1.

Modified Life Cycle Model

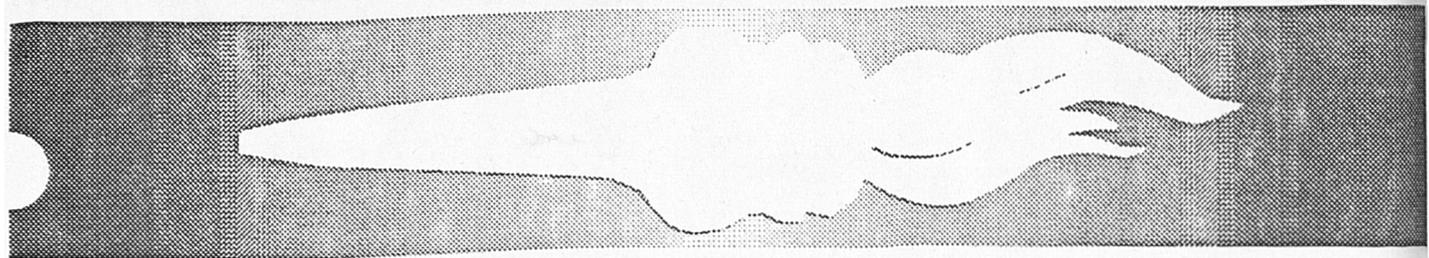
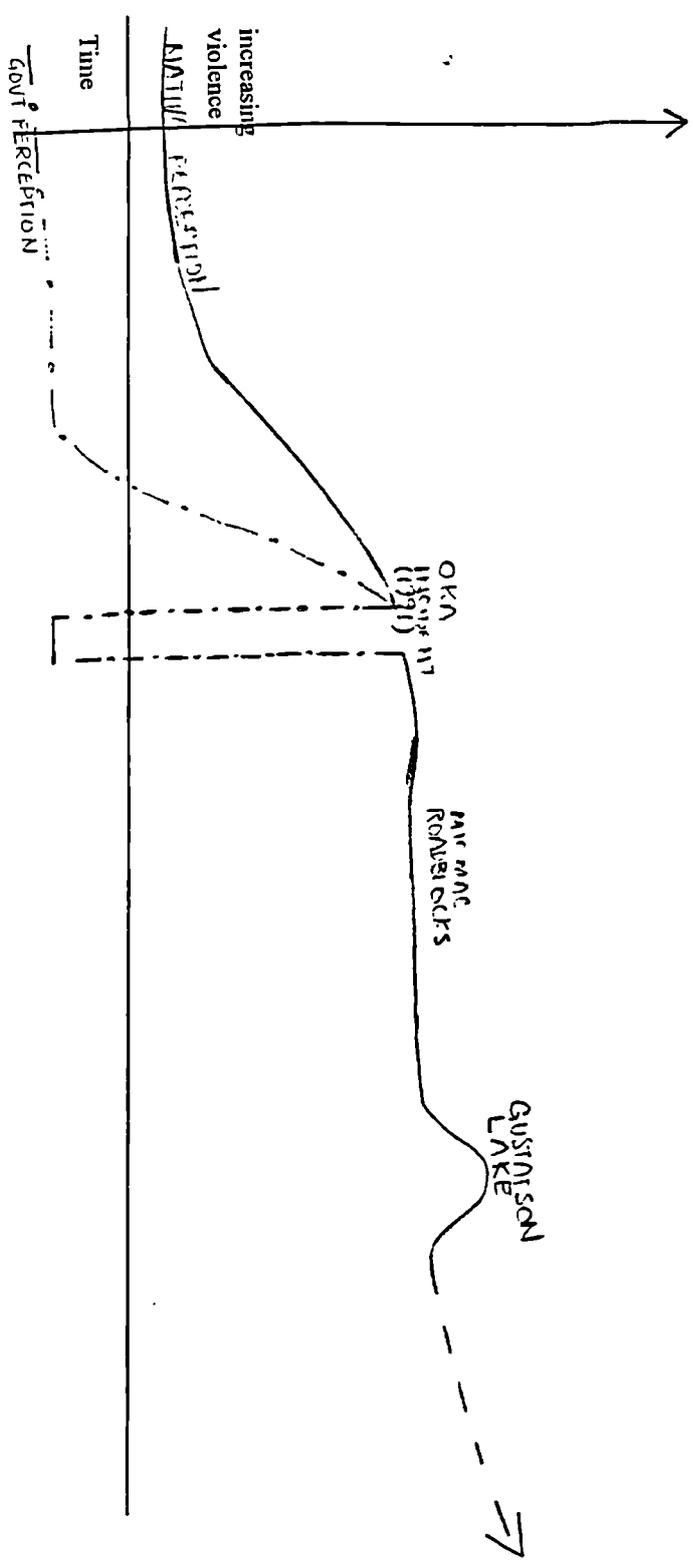


Modified Life Cycle Model

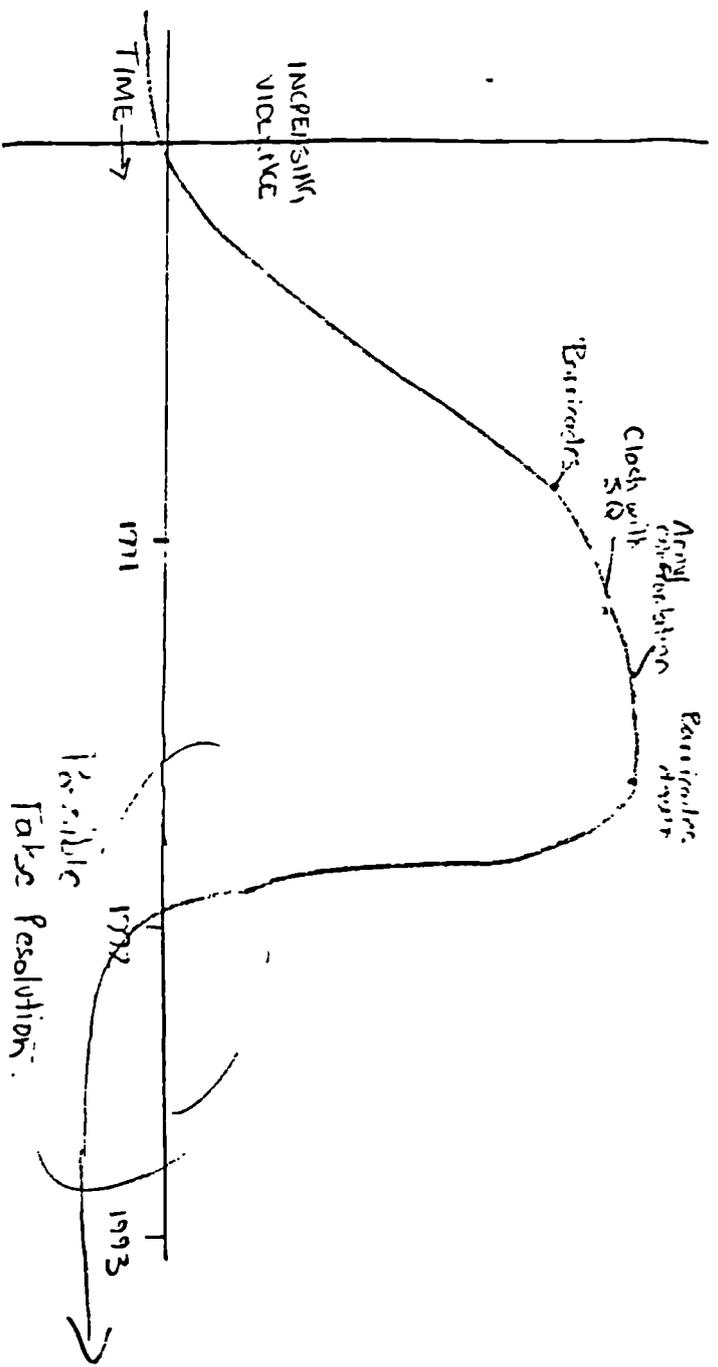
- ★ *Perception is critical* -- misperception may lead to “false resolution”
- ★ Micro - Macro System concept - conflicts within conflicts that are symbiotically linked
- ★ “Catalyst” effect that may run through Conflict Systems



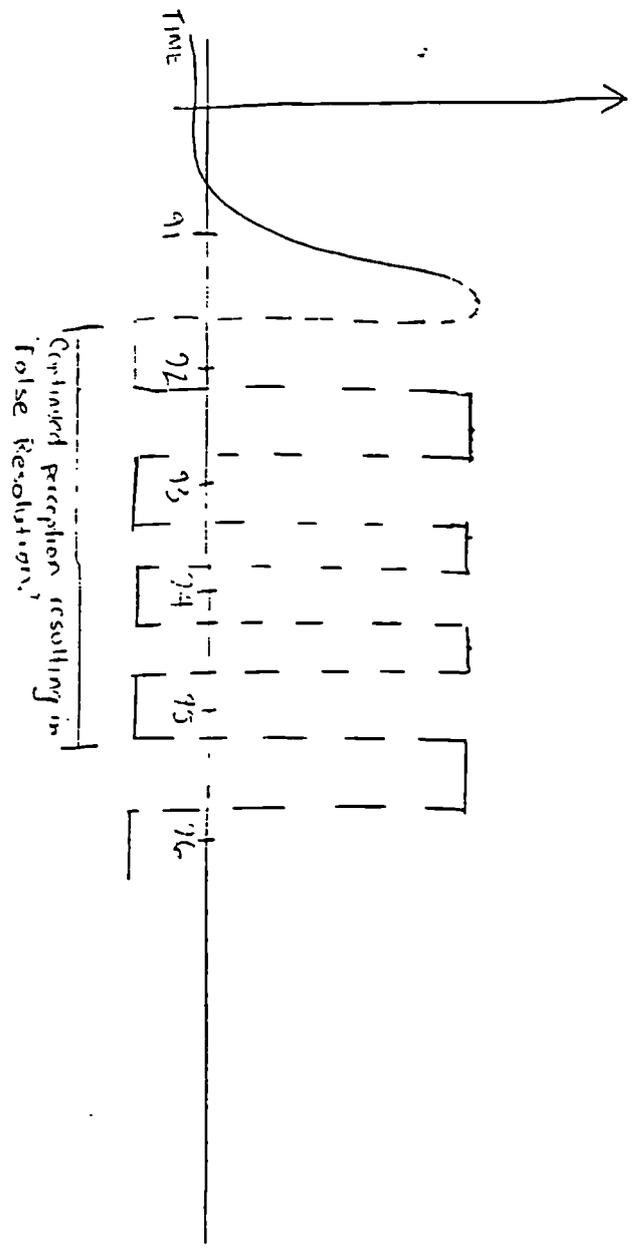
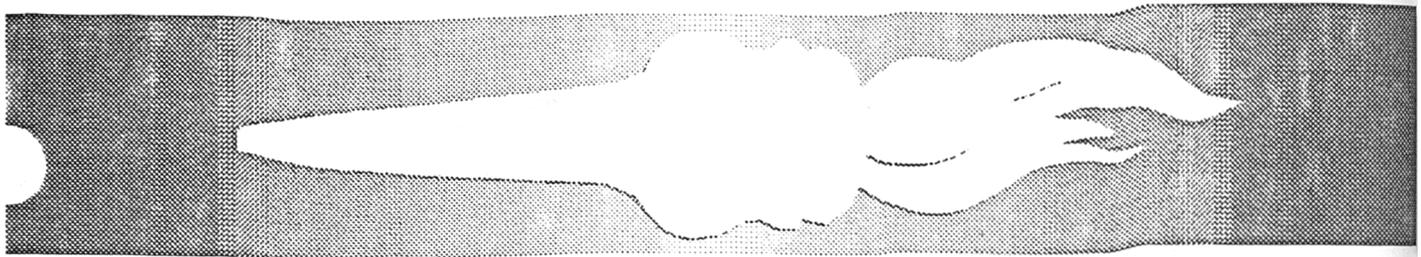
Native Uprisings-Macro View



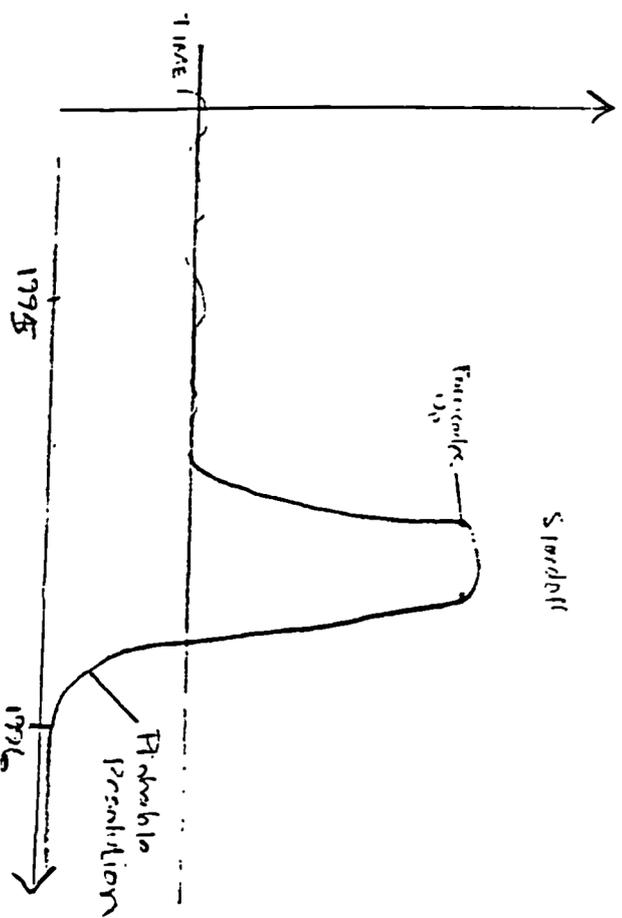
Oka crisis - Summer 1991



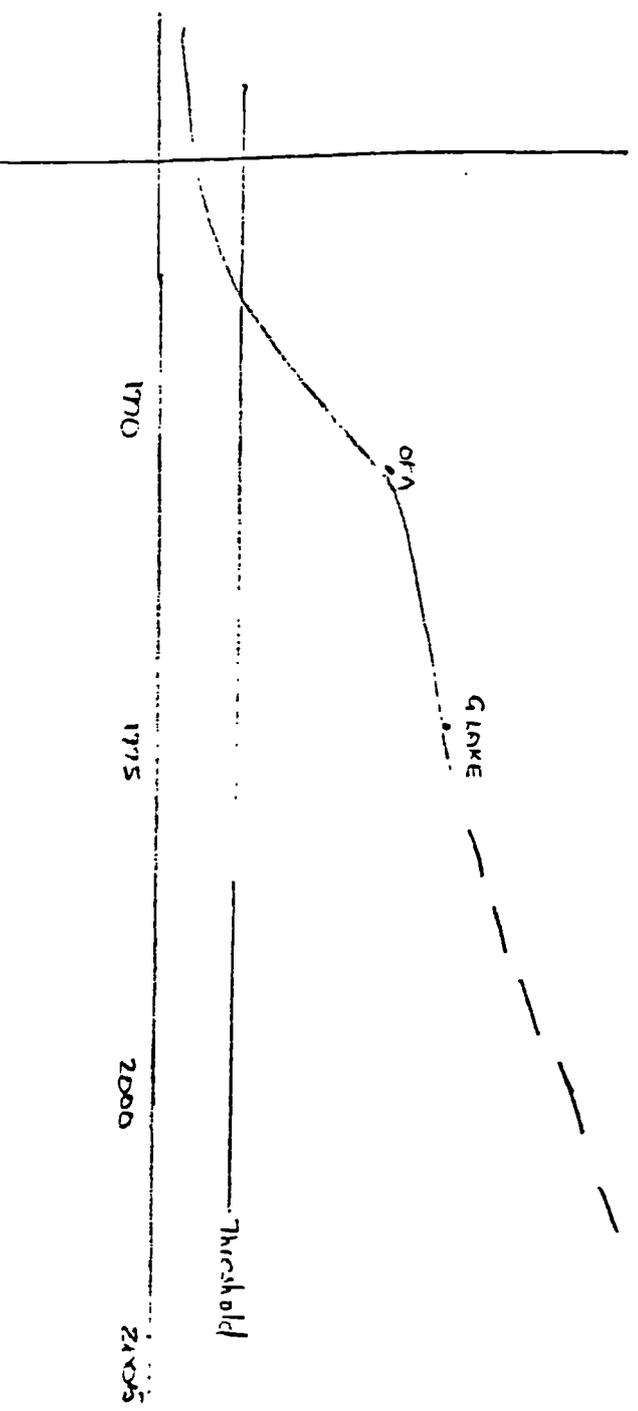
Mic Mac Unrest - NB 1993-95



Gustafson Lake - Summer 1995



Prognosis - Royal Commission Report, 1996 (Macro Level)



Implications

★ MODEL

- ★ Macro and Micro level influence each other
- ★ concept of “Conflict Catalysts”
- ★ Danger of “False Disposition”

★ REALITY

- ★ Govt must deal with both indiv groups and larger native pop as a whole
- ★ Danger of “Outside Catalysts”
- ★ requires Long-term solutions to decrease danger of false

ITEM - 2

REDRAFT

TERMS OF REFERENCE FOR A REVIEW OF THE INDIAN SPECIFIC CLAIMS COMMISSION

The First Nations and Canada jointly undertake to assess and evaluate the Indian Specific Claims Commission's (hereinafter the Commission) effectiveness and experience with respect to its operation as an interim body to review and make recommendations with regard to federal government decisions arrived at pursuant to its specific claims policy.

THE REVIEW

The review process must be conducted in a thorough and comprehensive manner and should examine all of the operational aspects and experiences of the Commission with respect to conducting inquiries, the establishment of panels, securing of evidence, procedures and standards for making recommendations, securing of conciliation and mediation services and ensuring adequate administrative support.

In assessing the experience, mandate and structure of the Commission, the review process shall utilize studies and information based upon the experience and effectiveness of other similar dispute resolution mechanisms in order to provide a basis for comparison and to facilitate the development of a more effective claims resolution process under the specific claims policy.

A: The Joint Committee and Reviewing Body

- - *establishment of a reviewing body*
 - *composition of the reviewing body*
 - *tasks of the reviewing body (some of these are set out directly below and again under the heading process)*
 - *deadlines*
- The reviewing body will report to and be accountable to a joint committee of representatives from the Assembly of First Nations and the Government of Canada.
- - *composition of the joint committee*
 - *does this joint committee make recommendations? to whom?*

B: Objectives

The Review of the Commission's effectiveness and experiences should provide recommendations with respect to:

- a) its ability to operate effectively within its existing mandate to review federal government decisions under the existing specific claims policy;
- b) the relative adequacy or inadequacy of its authority under the Inquiries Act to conduct inquiries, compel evidence and make recommendations to the Governor in Council;
- c) the use and effectiveness of mediation services and other alternative dispute resolution measures employed by the Commission;
- d) legal, procedural, financial and administrative considerations.

C: Process

To obtain the information required, a joint committee of the AFN and Canada will *direct the reviewing body* to conduct the following activities:

- a) to examine all aspects of how the Commission addresses First Nations' petitions based upon government decisions on the acceptance or rejection of specific claims for negotiation, on the compensation criteria applied in the negotiation of settlement agreements, as well as on the provision of mediation services where requested to facilitate negotiations.
- b) to assess the Commission's operation in order to determine its effectiveness in achieving its purposes and to identify specific examples for refinement and increased effectiveness.
- c) to examine and consider those aspects of the Commission's operation which will be most useful in determining the appropriate scope, mandate, authorities, and decision-making powers, if any, of an independent dispute resolution mechanism which reviews claims under the specific claims policy
- d) based upon the assessment of the interim Commission's strengths and deficiencies, to identify and consider additional issues to be addressed in establishing an effective, independent and impartial specific claims resolution mechanism;
- e) To review the Commission's present structure and administrative procedures
- f) To review a record of its performance and the participation of the parties in the process;
- g) To examine the views and recommendations of its present Commissioners and of employees of the Commission;
- h) To examine the views, opinions and recommendations of the parties involved in the process;

- i) To identify and examine the positive and negative experiences of the Commission;
- j) To review the mandate, authorities and reporting procedures of the Commission as compared to the characteristics and relative effectiveness of other similar systems for conflict resolution;
- k) To review the adequacy, allocation and availability of resources for an effective and efficient process;
- l) To identify and review the Commission's criteria for establishing any necessary priorities for resolving claims before it and for minimizing or removing the Commission's backlog in claims, if any;
- m) To review the composition, adequacy and effectiveness of the Commission's panels conducting hearings; and/or
- n) To review the effectiveness and adequacy of the administration and staffing of the Commission.

ITEM - 3

CONCORDE INC.

- *Consensus Building & Conflict Resolution*
- *Organizational Development* • *Professional Development*

October 21, 1996

TRANSMITTED BY FAX: 604

Dear Chief

As you are most likely aware from our previous correspondence, our company has been contracted to assess and evaluate the Indian Specific Claims Commission's effectiveness with respect to its operation as an interim body and to make recommendations directed at developing a more effective claims resolution process. Our report is due November 7th, 1996.

To date our work has involved reviewing and analyzing all the written documentation relating to this area; conducting interviews with representatives of the AFN, the Specific Claims branch of DIAND, and the Indian Specific Claims Commission; preparing and distributing a written questionnaire to representatives of both First Nations and Canada with respect to each claim that has been submitted to the Commission.

As our next step in our review we have identified six cases that have been before the Commission which we feel are representative of (1) the types of issues involved in claims and (2) the processes employed by the Commission in carrying out its mandate. We are intending to interview key participants in each case. In this regard we would like to interview you and/or legal counsel concerning the following case Homalco Band - Aupe Indian Reserves No. 6 & 6A. Please be assured our interview will be of a confidential nature and we do not intend to quote an individual without receiving written authorization beforehand.

. . . 2

Someone from our office will be in contact within the next few days to arrange a time for this interview to take place. It is important that our review be as informed as it can possibly be to ensure a quality report. Your Band's experience during the Commission's processes are important to ensuring our report has integrity and credibility. Should you have any questions on this matter please feel free to contact Tamara Hoffman at Concorde (613) 230-1775.

Yours truly,
CONCORDE INC.

Ben Hoffman
President & CEO

c.c.

CONCORDE INC.

- *Consensus Building & Conflict Resolution*
- *Organizational Development*
- *Professional Development*

September 30, 1996

TRANSMITTED BY FAX: 306-

Dear Chief

Concorde Inc., a dispute resolution firm in Ottawa, is under contract with the Assembly of First Nations to conduct an independent review of the Indian Specific Claims Commission. The review is part of the Federal Cabinet's initiative with respect to Specific Claims and Concorde is committed to a comprehensive exercise to be completed in a short time frame. Our report will be presented to the AFN and the Specific Claims Branch, Department of Indian and Northern Affairs on November 7, 1996.

As someone who has used the services of the Commission, your cooperation in filling out the attached survey is vital to the success of our review.

I thank you in advance of your anticipated cooperation. With the critical input of those groups and individuals who have actually been involved in the Commission's process, we are confident that the report will have both integrity and validity.

I ask that your response be faxed (613-230-1651) to our office by October 8, 1996. Additionally, if you have any questions of us, please do not hesitate to contact me directly.

Yours truly,
CONCORDE INC.

Ben Hoffman
President & CEO

Attachment

It is important that our review be as informed as it can possibly be to ensure a quality report. Your views based on your experience during the Commission's processes are important in adding to the integrity and credibility of the report. We look forward to speaking with you soon.

Yours truly,
CONCORDE INC.

Ben Hoffman
President & CEO

c.c.

**Review of Indian Specific Claims Commission
Survey by Concorde Inc./96**

Thank you for taking the time to answer the following questions. Your responses will not be attributed to you, although they may appear in Concorde's report and will assist in developing recommendations in our review of the Indian Specific Claims Commission. Participants in every case (68 in total) that appeared before the Commission are being surveyed. **Please name the case and fill out a separate survey for each case you were on.**

Please indicate the reason this case came before the Commission:

- (i) the claim was rejected by Canada
- (ii) compensation criteria were disputed
- (iii) mediation was requested by both parties
- (iv) other: please explain

How long was the case before the Commission? _____

- Was this: acceptable
 unacceptable

Please explain _____

What was the Commission's recommendation in regards to your case?

Did you agree with the Commission's view yes no

Please comment: _____

What is the status of the claim now? _____

How would you describe the Commission's role in your case? For example, did it clarify issues? Did it influence the parties' conduct? Did it facilitate negotiations? Was it ineffective in some way? _____

In your opinion, were the Commissioners and staff members neutral and objective in your case? yes no

If "no" please explain: _____

Was the process the Commission used:

very satisfactory somewhat satisfactory not satisfactory

Please explain: _____

SPECIFIC CLAIMS PROCESSES - COMPARATIVE: CANADIAN AND INTERNATIONAL

OVERVIEW

Canadian federal claims processes may be compared with those operating now or previously in Ontario, British Columbia, mainland United States, Alaska, New Zealand, Australia and South Africa. Various other countries have significant indigenous populations, but their political, social, economic and other characteristics are too different from Canada's to provide worthwhile and valid comparisons.

CANADA - FEDERAL

The present system is a complex one, involving the federal government (especially DIAND and the Dept. of Justice), as well as the ICC (ISCC) and the claimants (the bands). The ICC itself was set up in 1991 as an interim measure. It might be continued for a further period beyond March 1997, possibly with modified powers and processes (e.g. for a further 18-24 months); and then a new commission with more permanence, independence and a stronger mandate might be considered for the period after that. (All the above is subject to federal government decisions on the future of the specific claims process).

ONTARIO

The Ontario claims process is a tripartite one involving the federal government and the First Nations as well as the Ontario government. The Indian Commission of Ontario is an independent body, but it does not have decision-making powers. It can persuade the parties to find suitable solutions (which it describes itself as the 'classic role of the mediator'), as well as authorizing fact-finding and similar. Its powers are described in pages 18 and 19 of its Report of December 1994 (see Annex I below).

BRITISH COLUMBIA

The British Columbia Treaty Commission (1992) is markedly different from the ICC in that its mandate is to work mainly on the establishment of new treaties (since B.C. has very few existing land settlement treaties, covering only a very small area of its territory). The 1993-94 Annual Report of the Commission listed its processes and activities (see Annex II below).

UNITED STATES - MAINLAND

An Indian Claims Commission operated in the United States from 1946 to 1978, aimed at the settlement of claims still outstanding when it was set up (i.e. 1946). It had powers to 'hear and determine' claims i.e. **decide** on them. Another major difference with Canada was that awards were solely in the form of monetary settlements.

Prior to the Commission's establishment, claims had been handled by the Court of Claims. This body remained in existence and tackled new claims arising in the late 1940s and afterwards. It is still in operation, I believe.

See Annex III below on the United States Indian claims issue.

ALASKA

The Alaska claims system was designed to ensure the implementation of a particular negotiated (not adjudicated) settlement i.e. the Alaska Native Claims Settlement Act 1971. The setting and processes resemble those relating to Canadian **comprehensive** claims rather than **specific** ones, and indeed the Alaska settlement and system had a significant impact on subsequent developments in Canada's Northwest Territories. The history of the Alaska land claims settlement is described briefly in Annex IV below (from Olive Patricia Dickason, **Canada's First Nations**).

NEW ZEALAND

The Waitangi Tribunal is New Zealand's principal agency in the land claims area, serving as a fact-finding, mediation and advisory body. Its role has been significant, mainly because the government 'listens to its recommendations'.

The Treaty of Waitangi (1840) and the Waitangi Tribunal (1975) are briefly described in Annex V, together with the Waitangi claims process. A major variation with Canada is the enormous difference in the potential scope of total claims i.e. a recent Waitangi settlement affecting much of the whole South Island of the country was valued at \$160 million (cash plus Crown assets including farmland etc.). The average claim in Canada is estimated to be about \$2.5 million, but there could be 2,000 or more of them.

AUSTRALIA

Under the Native Title Act (1993), there is a National Native Title Tribunal. The process seems to be more concerned with 'comprehensive' claims (to use a Canadian term), than with specific ones; and it also allows applications by non-natives (i.e. by 'non-claimants', and state or federal governments, interested in mining or other development projects). In the claims process, a considerable amount of work seems to go into the 'front end' i.e. to see if the claim is a reasonable one in relation to the Tribunal's mandate and to establish whether the applicant has valid credentials. Then the process goes on to negotiation, mediation, 'determination', and possible referral to the Federal Court. One of the pathways through the system is indicated in Annex VI.

The Australian process as a whole seems quite complex, and does not appear to have much appeal to Canada's native peoples. It seems to be an attempt to strike a balance between aboriginal rights on the one hand and the needs of development on the other, but the AFN perceives it as giving too much leeway to the latter.

SOUTH AFRICA

A new Commission on Restitution of Land Rights was established under the act of the same name of 1994. It appears to provide a possible model for an eventual independent specific claims commission in Canada, involving a series of steps including: an initial phase (application, deed research, fact-finding, registration, etc.); negotiations; mediation; settlement, or referral to a land claims court for adjudication; and monitoring of implementation. (See Annex VII for more details).

Comparisons of the Canadian and South African situations is interesting here. The Bantu population of South Africa is arguably not the originally indigenous people (they and the Whites arrived in the last few hundred years; prior to that the population was mainly Bushmen/San). But they may certainly be termed the main native population. The Bantu greatly outnumber the rest of the South African population (Whites etc.), and now control the government (both of which conditions are very different from Canada's, even though the native peoples in this country now have much more political clout than indigenous peoples in most of the rest of the world). The land claims situations themselves are not so different, though, since in both countries the native peoples have been left with a small proportion of the national territory and the question is how to extend these lands to some degree while improving security of ownership and also promoting native economic, social, cultural and other development.

30/10/96

APPENDIX F

SURVEY: PROTOCOL OF THE CASES THE COMMISSION HAS OR IS DEALING WITH

A questionnaire survey was faxed to groups and individuals who have been involved in some capacity with the Indian Specific Claims Commission. The primary goal was to gather data on the effectiveness of the ISCC and any recommendations for design work.

Questionnaires were sent out to 68 claimant groups across the country who were or are currently involved with the Indian Specific Claims Commission. Eleven responses (16%) were received to the questionnaire.

QUESTIONS ASKED:

Please see attached blank questionnaire. Briefly:

How long was the case before the Commission?

What was the Commission's recommendation in regards to your case?

Do you agree with the Commission's view?

What is the status of the claim now?

In your opinion, were the Commissioners and staff members neutral and objective in your case?

How would you describe the Commission's role in your case? For example, did it clarify issues?

Did it influence the parties' conduct? Did it facilitate negotiations? Was it ineffective in some way?

HOMALCO INDIAN BAND (AUPE INDIAN RESERVES NO.6 AND 6A INQUIRY)

THE CLAIM

This particular claim involves lands allotted to the Band at Aupe Indian Reserve (IR) 6 and the adjoining reserve Aupe IR 6A. The main thrust of the claim is that the land set aside for both reserves was inadequate for a number of reasons. There are essentially three issues in the claim. The first issue deals with a discrepancy in the allotment of land for the reserve. The band maintains that the reserve was to comprise 25 acres however the initial survey produced a reserve of 14 acres (11 acre discrepancy). Secondly, Homalco made a request in 1907 for an additional 80 acres of land that could be used agriculturally and also contained the Band's graveyard--they were refused. Thirdly, in 1908 the federal schoolteacher and his wife applied for a pre-emption claim on the same land that the Band had requested. They received 160 acres which held the Band's school house and graveyard.

ISSUES IDENTIFIED BY THE ISCC

In July 1992, Homalco submitted their claim to DIAND and was rejected on March 15, 1994. The three issues outlined by the ISCC were:

1. Did Canada breach a lawful obligation in the allotment process for Aupe 1R6?
2. Did Canada have an obligation to acquire 80 additional acres of reserve land when requested by the Band in 1907? If so, did Canada breach that obligation?
3. Did Canada have an obligation to protect the Band's settlement lands from Mr. Thompson's pre-emption claim? If so, did Canada breach that obligation?

ISCC RECOMMENDATIONS

ISSUE 1: A breach of obligation arising out of the Order in Council appointing Commissioner O'Reilly (allotted acreage for reserve)

ISSUE 2: The ISCC did not find a lawful obligation to acquire 80 additional acres of land for the Band according to the Specific Claims policy.

ISSUE 3: Fraud by an Employee of Indian Affairs; a breach of Canada's fiduciary obligation to the Band.

INTERVIEW HIGHLIGHTS: THE ISCC AS A DISPUTE RESOLUTION MECHANISM

The following are general comments obtained from interviews with key participants on the ISCC as it relates to key characteristics of an effective dispute resolution mechanism.

Participants interviewed generally felt that the ISCC process was flexible, accessible and culturally sensitive.

There were mixed views on costs. One point that was raised was that the amount of compensation in question was much smaller than the total cost of the claim's process and that perhaps a fast-tracking of certain claims be offered.

When questioned as to true interests underlying the case, most interviewees agreed that not only "compensation" an issue but there was a sense that having the grievance "heard" was important. All parties interviewed felt that having a "fair" hearing of their positions and wrongs addressed were also strong interests.

It was generally acknowledged that the Commission attempted to "balance" the power within the process though this was not always experienced as such--different sides getting more "air-time" in some cases.

There absolutely seems to be no sense of finality in the process. This appears to be due largely due to the lack of a substantive, timely response to the ISCC recommendations or that the Commission authority was limited.

As to the question whether the ISCC should have binding powers of some form, the response is mixed and cautious. Questions of whether it would make the whole process more adversarial were raised and the suggestion that the Commission be comprised of a more equal "representation" of all parties involved.

The issue of "justice" is paramount for any dispute resolution mechanism. Comments raised regarding the issue of justice included having the grievance heard and that the First Nation needs to know why the claim was originally rejected by Canada.

COLD LAKE AND CANOE LAKE (PRIMROSE LAKE AIR WEAPONS RANGE)

THE CLAIM

This following was a joint claim by two First Nations that was submitted in 1975 and subsequently rejected. The two First Nations (Cold Lake First Nations and Canoe Lake Cree Nations) were part of different treaties (Treaty 6 and Treaty 10). Both Nations relied heavily for their livelihood on an area around Primrose Lake. For example, Canoe Lake members derived 75 per cent of their livelihood from these traditional lands.

In 1951, the Department of National Defense announced that it would utilize this key area around Primrose Lake for a Air Weapons Range. Since this event, the livelihood of these First Nations has greatly suffered and these First Nations have since fallen into a desperate and impoverished situation.

The claim "alleged a breach of the federal government's trust responsibilities to the claimants, as evidenced by the failure to provide adequate compensation and the failure to provide sufficient retraining and economic rehabilitation. The claim also noted that some Bands, and some individuals, had received no compensation at all" Indian Claims Proceedings 1994, 1994, page 12).

ISSUES IDENTIFIED BY THE ISCC

Taken directly from (Indian Claims Proceedings, 1994, page 128)

1. Did the Government of Canada breach its treaties with the peoples of Cold Lake First Nations and the Canoe Lake Cree Nation by excluding their people from their traditional hunting, trapping, and fishing territories in the early 1950's so that those lands could be converted for use as the Primrose Lake Air Weapons Range?
2. Did the Government of Canada breach any fiduciary obligation owed to the First Nations, following the exclusion of their people from their traditional territories?

ISCC RECOMMENDATIONS

The ISCC found that the Crown breached treaty and fiduciary obligations. The ISCC recommended that these claims be accepted for negotiations under the specific claims process.

INTERVIEW HIGHLIGHTS: THE ISCC AS A DISPUTE RESOLUTION MECHANISM

Parties interviewed felt that the process was accessible, flexible, and culturally sensitive. Reasons given included: that flexibility is the Commission's primary goal, funded participation by the Band, and that Commission's responsiveness to the individual First Nation's traditional customs etc. One party noted that the process was somewhat adversarial but that this was first case to be dealt with and has improved since then.

It was noted by the parties interviewed that the community sessions are obviously costly but

probably are necessary given their cathartic purposes.

It seems that "being heard" was identified as a key underlying interest for all parties. Compensation and a fair process were also important.

The parties report that in the process proceedings the Commission is largely able to balance the power of the parties within the proceedings.

There was no feeling of finality. It was noted that much time elapsed between the Commission's report and DIAND's response--this caused feelings of insecurity in the community.

As to the question regarding binding powers of a Commission, the comments were mixed. The concerns had to do with whether it would be more adversarial and should be binding for both parties.

Comments on questions of "justice" revolved around the suggestion that it was procedural justice that was being served. To some degree, it was felt that justice of a restorative nature "catharsis" was attempted.

APPENDIX H

REVIEW OF CASES WHICH COULD HAVE GONE TO THE COMMISSION BUT DID NOT

Based on a list provided by the Department of Indian and Northern Development, there appears to have been 76 specific claims rejected from 1970.01.01 to 1996.10.01.

Out of those 76, it appears that approximately 40 per cent (30-32) chose not to submit their case to the Indian Specific Claims Commission.

These claimant groups were contacted, and telephone discussions were held with 10 claimants (approximately 30%).

The primary question asked was "why was the ISCC not chosen as a route to address a claim that was formally rejected by the Indian Specific Claims Commission".

FINDINGS

Many of the claimant groups did not choose to go to the Indian Specific Claims Commission not because they had strong feelings against the Commission but rather another route had been chosen (administrative, re-submission, or simply unaware of history of claim).

Claimants, however, did express a number of issues with respect to the Indian Specific Claims Commission. One central one was the perception that the Commission had no real powers. Other comments included: questionable neutrality, composition of the Commission without consultation with First Nations, restrictive mandate.

ITEM - 4

EXECUTIVE SUMMARY

In July, 1996 the Indian Claims Commissioners wrote to the Prime Minister and to Grand Chief Ovide Mercredi, Assembly of First Nations, (AFN), to announce that they had decided to terminate their work on the Commission on March 31, 1997, the date of the end of the existing mandate. After reviewing the work of the Commission since its establishment in 1991, they stated their belief that the Commission, although created as an interim body with real limitations in its mandate, had established its credibility as a fair and independent review body. They continued to feel very strongly, however, that the reform process was not moving quickly enough and that the Commission itself ought to be replaced by a permanent claims body.

The AFN was concerned that a dispute resolution mechanism be available to replace the vacancy left by the Commission; and the Specific Claims Branch, Department of Indian and Northern Affairs, (DIAND), agreed that a review was in order. The time-frame for completion of the review was extremely narrow, from September 9, 1996 to November 7, 1996. Time was and is of the essence.

As one of Canada's leading firms in Alternative Dispute Resolution and the secretariat for the Canadian International Institute of Applied Negotiation, Concorde Inc. was mandated to deliver a report that would not be compromised because of time limitations. Our review was to focus on the Commission and the specific claims settlement process, not the Specific Claims Policy, which is about to undergo reform.

This review therefore assesses and evaluates the Indian Specific Claims Commission's (the Commission) effectiveness with respect to its operation as an interim body and makes recommendations directed at developing a more effective claims resolution process.

Our knowledge and experience in designing dispute resolution systems informs this review, such that we have:

- ▶ tested the Commission's effectiveness and experience against measures of success applicable in the field of alternative dispute resolution. These measures include accessibility, flexibility, transaction costs, client satisfaction, and measures of restorative and reparative justice
- ▶ examined the relevance and relationship of the three principal methods of dispute resolution (Power, Interests and Rights) as they bear on the mandate and procedures of the Commission
- ▶ identified the resistance or constraints to dispute resolution as they may have impacted the Commission or will affect future efforts.

Our methodology included:

- ▶ an extensive document review;
- ▶ individual interviews with key informants;
- ▶ separate group sessions with officials at DIAND, the AFN, Department of Justice Canada, and the Privy Council Office (PCO);
- ▶ a meeting with the Commissioners;

- ▶ a broad survey of the cases the Commission has previously, or is now, dealing with;
- ▶ an in-depth case study of six representative inquiries conducted by the Commission;
- ▶ a review of the cases of rejected claims which could have gone to the Commission but did not;
- ▶ an international comparative study;
- ▶ observation of a "community session" held by the Commission; and
- ▶ an informal claims settlement process co-design exercise utilizing a focus group.

The Commission's mandate, under the authority of the Inquiries Act, is to:

- 1) inquire into and report on:
 - a) the rejection of a specific claim by the Minister, or
 - b) compensation criteria that apply in the negotiation of a settlement;
- 2) provide advice and information to the Joint Working Group on Specific Claims;
- 3) prepare an annual report and such other reports as the Commission considers to be required to the Governor in Council; and
- 4) provide mediation to the parties when both parties request it.

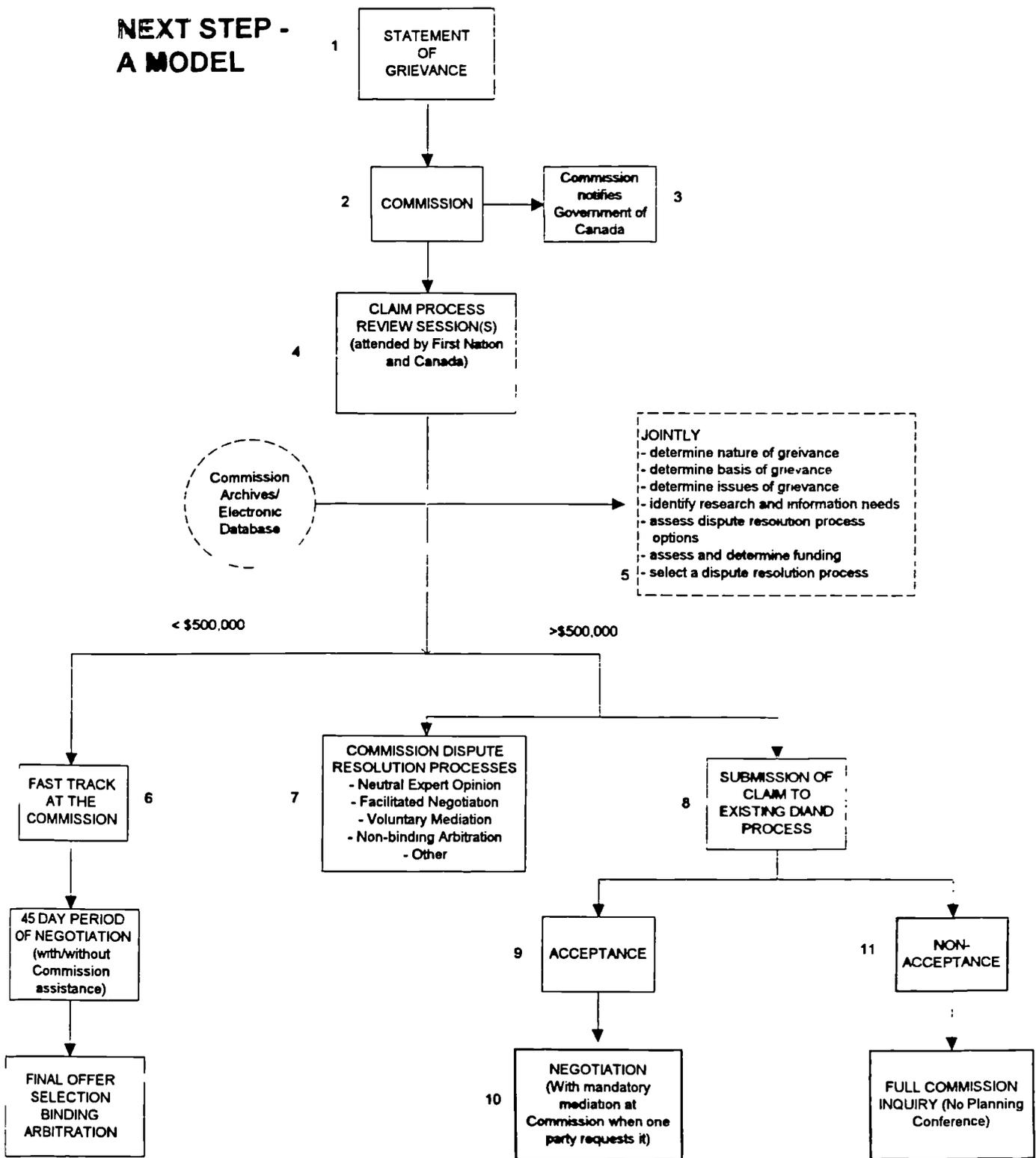
This Review found that in the six years of operation the Commission completed 18 inquiry reports. In the 12 cases when the Commission recommended the claim for negotiation, in whole or in part, Canada has yet to acknowledge any outstanding lawful obligation. There was only one case regarding compensation criteria--in this case the Commission recommended that the parties enter a mediation process to jointly develop a surrender clause which accepted aboriginal rights, and the case presently remains unresolved. In two cases when Canada did not formally accept the recommendation, Canada did, nevertheless, commence negotiations with the First Nation. The Commission has been involved in a relatively minor number of cases involving instances of mediation (at the request of both parties).

Our Review also examined the "transaction" costs of processing a Specific Claim. The average transaction cost per claim is \$2,603,000 and the average claim settlement amount is \$2,500,000.

Our Review has resulted in the development of 15 observations that form the basis of the recommendations which appear in Section F.

The Recommendations include references to a Model to be adopted as the "next step" in the development of the Specific claims settlement process in Canada. The Model places a renewed Commission at the front end of the process to ensure neutrality and achieve cost-effective resolution of claims. The Model is to take effect April 1, 1997 for a fixed two-year period during which it is recommended that the AFN and Canada undertake a policy and process reform initiative which will establish an independent, quasi-judicial body on April 1, 1999. We recommend that body be called the Indian Claims Resolution Commission.

NEXT STEP - A MODEL



STEPS OF THE MODEL

1. Once a First Nation becomes aware of possible grievance with Canada, it conducts an initial review utilizing its own resources. It then prepares a preliminary assessment of its findings in the form of a Statement of Grievance. This Statement of Grievance is not to contain all of the detailed research results and legal opinions presently found in a claim submission but contain the type of information which would have been necessary to enable the First Nation to apply for funding to DIAND for in depth research of a potential claim under the existing system.
2. The First Nation submits the Statement of Grievance directly to the Commission.
3. The Commission, upon receipt of the Statement of Grievance, shall notify Canada by forwarding a copy of the Statement of Grievance to DIAND.
4. The Commission shall convene the parties, upon execution of a "joint process protocol", within an established period of time, in a joint "Claim Process Review Session" (CRPS). The protocol serves as a process guideline, provides ground rules, and will address issues such as: commitment to good faith dealing, agenda making, participants, authority and timelines. Depending on the nature and complexity of the claim this session could last a matter of hours or entail a series of meetings over time. This process would belong to the parties but must be completed within a time frame of three months. This session helps the parties to articulate the claim, that is, determine what the nature of and the basis for the grievance is so as to better understand and identify the issues. Additionally, the Commission will assess the research and information needs of the parties and review process options. A joint risk assessment of the grievance representing a possible outstanding lawful obligation will be explored. The primary purpose of the process review session is to assist the parties to engage in a case review in a manner that will lead to the most cost effective resolution while recognizing the legitimate interests of both sides. The Commission will also in consultation with the parties assess and determine the funding needs required by the First Nation.
5. During the CPRS, the parties will select a dispute resolution process from the options being offered through the assistance of the Commission. These include a Fast Track process for claims the parties agree that the claim amount is \$500,000 or less; for claims in excess of \$500,000 the First Nation may elect either to utilize the Dispute Resolution Processes provided through the Commission followed by the existing DIAND Claims process in the event the parties are unable to settle; or proceed directly to DIAND. Mandatory mediation shall be available to the parties once a claim is accepted for negotiation whether the First Nation utilizes the DR processes of

the Commission or proceeds directly to DIAND.

6. The Fast Track - In claims following this stream the parties will have a 45 day window, which period of time shall commence at the conclusion of the Claims Process Review Session, within which to negotiate a settlement of the grievance with or without the assistance of the Commission. In the event negotiations are unsuccessful, the matter will come before the Commission for a binding decision. The Commission will make available an arbitrator acceptable to the parties and chosen from an agreed upon roster, to conduct the arbitration. A process will be employed that ensures the hearing will be conducted in a way that is consistent with the concept of a fast tracked system, based upon the submission of written material only. In the event the arbitrator determines compensation is due by Canada to the First Nation the amount of compensation shall be determined within 10 days, failing agreement by the parties, using final offer selection arbitration.
7. If the claim is considered to exceed \$500,000 the Commission is available to assist the parties in obtaining any appropriate dispute resolution mechanism including facilitated negotiations, mediation, neutral or expert opinions, non-binding arbitration.
8. Other than for Fast Tracked Claims, the First Nation shall have the option at any time after the CPRS of submitting its grievance directly to DIAND and to have the matter follow the existing specific claims process.
9. If the claim is accepted for negotiation at DIAND, the parties shall have the option of having mandatory mediation as set out in stage 10.
10. Mandatory mediation shall mean that either party can request the Commission convene a mediation session and the other party shall attend the first session. Following a first session, further participation is voluntary.
11. If the claim is rejected by Canada, the Commission shall move directly to the inquiry stage without the necessity of a planning conference. The Commission shall have the flexibility of employing any of the processes available in Stage 7.

Explanatory Notes

We have designed this model with the view to addressing the strengths and weaknesses we have observed in the current process during our review. We acknowledge the importance of a joint design exercise attended by representatives of DIAND, the AFN, Justice and the Commission which has been most helpful in informing our thinking. We present this Model as a next step in the evolution of processes for resolving First Nation Land Claims. The stages that are set out in the Model (see diagram) and explained in more detail here are reflective of the recommendations contained in Section F.

The key features that inform the design are:

- ▶ Grievances are filed initially with the Commission rather than DIAND, to ensure a perception of neutrality in the beginning stages.
- ▶ The Commission's role begins at the front end of the process, before the parties become entrenched in their positions, to encourage them to work together to determine the nature of the dispute, the process to be employed, and the allocation of resources for its resolution in an efficient and effective way. In this way the overall costs of processing claims may be reduced and the resulting savings be made available for settlements.
- ▶ In order to further the perception of neutrality and to reduce any levels of distrust engendered by Canada not only assessing the claim but deciding what funding will be made available to the First Nation, the Model empowers the Commission with the responsibility of assessing and determining funding needs. This would be done within the parameters of criteria provided to the Commission.
- ▶ An archive of research information on an electronic database, which will be shared by Canada and First Nations, is to be maintained by the Commission. This will assist in reducing the duplication of research presently occurring which results in wasted resources. The creation of a neutral database is also to encourage and support joint fact finding and collaborative processes under the auspices of the Commission.
- ▶ In order to gain experience with the concept of binding authority, we have recommended final offer arbitration in the Fast Track stream following a fixed

period of negotiation. This will allow a gradual move towards the Commission having an expanded authority if the experience is positive, and increase the comfort levels of the parties during any transition.

- ▶ The concept of mandatory mediation is introduced if the First Nation decides to follow the existing claims process after participating in the Claims Process Review Session convened by the Commission. It should be noted that this only applies if the claim is accepted for negotiation and therefore relates only to the issue of compensation. Further, a party is only required to attend one mediation session, following which participation is purely voluntary. Again, this is designed to help the parties become more familiar with the mediation process in a gradual way and allow experience to inform future thinking.

- ▶ In the event a claim goes to the Commission, it will proceed to a full inquiry as many of the steps taken during Planning Conferences should already have occurred during the Claims Process Review Session. Nevertheless, there exists flexibility within the Commission to ensure that whatever process is required at the inquiry stage that was not fulfilled earlier, can then be implemented.

APPENDIX D

CASE 4 - PEACEBUILDING IN CRIMEA: SUPPORTING DOCUMENTS

ITEMS: 1 - 11

ITEM - 1

Canadian International Institute of Applied Negotiation

CERTIFICATE PROGRAMS IN:

- ▶ Negotiation
- ▶ Alternative
Dispute
Resolution

CHIEF EXECUTIVE OFFICER
Mr. Benjamin Hoffman

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PROGRAMS**
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Dean Jeswald Salacuse
Ms. Bonita Thompson

PROJECT DESCRIPTION

The International Renaissance Foundation (IRF) is a Ukrainian non governmental organization concerned about re-settlement of the Tartars in the Crimea. The Foundation wishes to offer constructive support (including educational projects) in the Crimea but has requested advice, direction and support on a proposal which has been developed by a team of experts.

The Canadian International Institute of Applied Negotiation (CIAN) has been active in building conflict resolution capability in Romania and in training representatives from the Baltic states as well as Peacekeepers from Ukraine.

Mr. Ben Hoffman, CIAN's CEO has been invited by IRF to conduct a field visit to assess the proposal and to develop a more comprehensive response, including options for preventive peacebuilding.

Ukraine



ITEM - 2

INTERNATIONAL RENAISSANCE FOUNDATION МІЖНАРОДНИЙ ФОНД "ВІДРОДЖЕННЯ"

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INTERNET:

uari@vidi.kiev.ua

Bank-Accounts:

Account Name:

Ukrainian-American
Renaissance Foundation

Bank Name: Export-Import

Bank of Ukraine

Bank Address:

8 Khreschatyk,
Kiev, Ukraine 252001

Account Nr.:

5120178700(USD)

000700411(Hrn.)

MFO 322313

To: Ben Hoffman
President & CEO
Concorde Inc.

To: Piotr Dutkiewicz
Carelton University

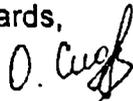
cc: Doris Bradbury
Central and East European Unit
International and Canadian Programs
AUCC

I am pleased to invite you to take part in the preparation of proposals as to development of the Program "Integration into Ukrainian Society of Crimean Tatars and National Minorities who Underwent Deportation".

We invite you to come for approximately a 7-day visit to Kyiv and Crimea in order to thoroughly examine the situation there which will promote working out the proposals. This visit may take place in January on the dates which are convenient for you.

Thank you for your cooperation and support.

Best regards,



Oleksander Sydorenko,
Deputy Executive Director.

ITEM - 3

Return-Path: iopaliopa.freenet.kiev.ua!osydorenko@freelunch.freenet.kiev.ua
X-Authentication-Warning: freelunch.freenet.kiev.ua: uuiopa set sender to
iopaliopa.freenet.kiev.ua!osydorenko using -f
To: conciiian@intranet.on.ca
Organization: In-t of Public Administration
From: Oleksander Sydorenko <osydorenko@iopa.freenet.kiev.ua>
Date: Thu, 16 Jan 97 22:19:59 +0200
Return-Receipt-To: osydorenko@iopa.freenet.kiev.ua
Subject: Att. Mr.Ben Hoffman / Ukraine visit
Lines: 629

INTERNATIONAL RENAISSANCE FOUNDATION

RESEARCH

SOME ASPECTS OF SOCIAL-ECONOMIC, LEGAL-POLITICAL, AND INTER-ETHNIC SITUATION IN THE AUTONOMOUS REPUBLIC OF THE CRIMEA

(in reference to the integration of the Crimean Tatar people as well as individuals of
German, Armenian, Bulgarian, and Greek nationalities deported
during the Second World War)

The research was conducted by a group of experts over three months (from October 15, 1996
to January 15, 1997) by the group of experts including :

Coordinator of the group of experts :

Yuriy Buznytsky, Chairman, Migration Problems Research Center

Experts :

Natalia Belitser, Ph.D., Coordinator, Center for Pluralism,
Pylyp Orlyk Institute for Democracy;

Oleg Gabrielian, Ph.D., First Deputy Chairman, State Committee for Nationalities and
Deported Citizens, the ARC;

Vladimir Prytula, Director, Crimean Center for Independent Political Studies;

Enver Umerov, Candidate of Science, Deputy Minister of Education, the ARC

Kyiv - Simferopol, January 1997

The final document summarizing the results of research is based on the data obtained from different public bodies of the Autonomous Republic of the Crimea (the ARC) and Ukraine, international (inter-governmental organizations which have their representative bodies in the Crimea as well as members of international, national and regional NGOs and other representatives of the "third sector". The research makes use of contemporary scientific and analytical literature on the issues concerning the Crimea and Crimean Tatars, inter-ethnic relations, rights of indigenous peoples and national minorities, printed matters of all-Ukrainian and local mass media. During the sessions in the Crimea which brought together all members of the expert group a series of meetings, interviews, discussions were conducted with the representatives of authorities and public bodies of the Crimea, leaders of the Mejlis of the Crimean Tatar people as well as leaders of the national-cultural societies of the Crimea.

This research did not have as its objective the reconstruction of a wide-scope multi-facet picture of current the situation in the ARC. The main target was the study of the issues connected, in this way or another, with the integration into the Crimean and Ukrainian community of the formerly deported Crimean Tatar people, and also Armenians, Bulgarians, Greeks, and Germans. That is why, a lot of current problems which exercise a significant influence on public life, political and economic situation in the Crimea - such as the Black Sea Fleet, geopolitical influence of the neighboring countries, environmental issues - remain beyond the scope of this survey.

Part of the materials which were used in this research is submitted in the form of the Supplement.

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6. Conclusionspp. 22 - 30pp. 31-33

1. Specificity of ethnic situation and inter-ethnic relations in the CrimeaIn many aspects the region of the Crimea is unique for Ukraine. Ethnic composition of its population is one of the main peculiarities of the peninsula : it is the only administrative territory in Ukraine where the ethnic Russian population prevails (about 60%). Besides, ethnic Ukrainians who reside in the Crimea (about 23%) were russified to a greater extend than in any other region of Ukraine - according to the results of the 1989 census, more than half of Ukrainians living in the Crimea considered Russian their native language.

At the end of the 1980s mass homecoming of Crimean Tatars, the indigenous population of the Crimea who underwent mass deportation in May of 1944, began; this was accompanied by repatriation of the representatives of other nationalities - Armenians, Bulgarians, Germans, and Greeks - who were also deported during the WW II. Their return changed essentially the ethnic composition of the Crimean population (at present, the Crimean Tatars comprise 10% of the population), whereas other ethnic groups only slightly influence the ethnic structure of the peninsula. Nevertheless, there is some evidence that at present more than one hundred small ethnic groups reside in the Crimea, including Karaims, Krymchaks, and Greeks-Urums. Such ethnic diversity is complemented by variety of tongues, cultural and religious traditions which may serve as a guarantee to the restoration of the Crimea as a tolerant, open, and polycultural community it has once been, capable of integration into the Ukrainian community. At the same time, the conflict of rights, interests, expectations and aspirations of different groups of inhabitants of the Crimea, against the setting of social-economic crisis characteristic of the states during the transition period from totalitarian regime to democracy makes this region most troublesome and demands enormous effort for peaceful settlement of the conflicts which emerge.

Historic background of the Crimean peninsula which traditionally hosted poly-ethnic community provides some grounds for optimism. It is common knowledge that for centuries, the Crimea was one of the most poly-ethnic regions in Europe. From times immemorial it was being inhabited by representatives of different ethnics, who had different cultural traditions and religious views. At the same time, the Crimean Tatar people regard the Crimea as their sole historic motherland where they developed as an ethnic community.

Before the Second World War 1,126,529 people resided on the territory of the Crimea. The

national composition of the population was as follows :

Nationality Number of inhabitants (according to the 1939 census) % of the population
 Russians 558 481 49.5
 Crimean Tatars 218 87 91.4
 Ukrainians 154 123 13.7
 Jews 65 459 5.8
 Germans 51 299 4.6
 Greeks 20 652 1.8
 Bulgarians 15 344 1.4
 Armenians 12 923 1.1
 Others 29 276 2.7

According to the zoning undertaken in 1935, territories where certain national groups prevailed were partitioned as independent administrative units. Thus, in Alushta, Balaklava, Bakhchisaray, Karasubazar, Kuybyshev, Sudak, Yalta rayons (administrative units) Crimean Tatars prevail, while in Biyuk-Orlansky and Telmansky rayons the majority of the population was comprised of Germans, and in Larindorfsky and Fraydorsky of Jews. 25 rayons incorporated 441 bodies of self-government (local councils), among them 177 were Crimean Tatars', 130 -Russians', 40 - Germans; 32 - Jews', 72 represented Greek, Armenian, Bulgarian and other population.

Hundreds of the so-called "national" schools where education was carried out in different native tongues - Russian, Crimean Tatar, Ukrainian, German, Jewish, Greek, Armenian, Bulgarian, and others - were in operation in the Crimea. Books, magazines, and newspapers were issued in many languages.

At the same time, many people at that period fell victims of Stalinist repression. Under false accusations in "nationalism" and "nationalistic bias" many leaders and statesmen of the Republic, public figures, scientists, educators, cultural activists of Crimean Tatar origin were arrested and perished in camps. The church was persecuted as well. Hundreds of ministers of religion were harassed, 39 Muslim mosques were ruined, as well as dozens of Christian cathedrals, Jewish synagogues and other religious buildings. In the environment of sweeping repressions and growing suspicion encouraged by the Stalinist regime, the attitude towards representatives of different ethnic groups started to change gradually; this first of all concerned the Germans who were seen as potential accomplices of the German Fascism. Due to this, in 1938 German national rayons (units) and local councils were annulled and national schools closed.

In August 1941, soon after the beginning of the war, 61 thousand individuals were deported from the Crimea, among them 50.2 thousand Germans as well as individuals of other nationalities who were members of their families. In April 1944 during the liberation of the Crimea another 2,230 citizens of German origin were exiled to Omsk region, Siberia. Alongside with this, preparatory measures for expulsion of Crimean Tatars, Armenians, Bulgarians and Greeks were being taken.

The deportation of Crimean Tatars started on May 18, 1944, which became the day of national mourning, and was over by the end of May 20. During the sixty hours necessary for the completion of the deportation 187,859 people in 71 echelons were driven away from the territory of the Crimea.

About 70% of settlers were destined for special settlements in Uzbek SSR, the rest - for Mordovia ASSR and Gorky, Sverdlovsk, Kostroma regions of the Russian Federation. The majority of deported citizens was comprised of the elderly, women, and children. At the front, special

orders were issued which released Crimean Tatars from the Army. They too were directed to special settlements. Together with the former military men, the total number of deported Crimean Tatars exceeded 200 thousand people.

The fate of the Crimean Tatars was soon shared by Armenians, Bulgarians and Greeks. Their expulsion from the Crimea started on June 24, 1944. 9,620 Armenians, 12,420 Bulgarians, and 15,040 Greeks were deported to Kazakhstan, the Urals and Siberia.

As stated by the newspaper "Avdet" with reference to the State Archives of the Crimea, 188,626 Crimean Tatars and members of their families were driven away from the Crimea in 1944. As the result of the deportation, many towns and villages were desolated. Crimean Tatars were deprived of more than 80 thousand houses, 34 thousand gardens and plots of land, 500 thousand of livestock, 360 hectares of arable land belonging to collective farms, 360 apiaries, about 40 thousand tons of agricultural goods.

In the summer of 1944 by the moment of arrival to the places of settlement 228,392 individuals deported from the Crimea were registered. Able-bodied special settlers had to start working immediately at the nearest enterprises, collective and state farms. Living and working conditions were extremely hard. Due to improper nourishment, diseases, and harsh weather conditions in 1944-1948 44, 887 people died.

The deportation of the Crimean Tatars people, Armenians, Bulgarians, Greeks, Germans resulted in demolition of the system of national education and national culture, liquidation of national libraries; national historic and cultural heritage was either ruined or taken away from the territory of the Crimea, nearly all Crimean Tatars, Armenian, German and other national toponyms were substituted. But the main consequence of the deportation was the outbreak of a stereotype regarding the deported peoples as national groups as traitors and collaborationists, and the existence of a strong "anti-Tatars syndrome" with the significant part of the non-Tatar population of the Crimea.

Only in 1989, as the result of insistent demands of Crimean Tatars their spontaneous return to the homeland commenced. All formal limitations which precluded the return of Crimean Tatars and other deported peoples to the Crimea were abolished. The Declaration of November 14, 1989 adopted by the Supreme Soviet of the USSR recognized repressive acts against the deported peoples and their expulsion as unlawful and criminal. Starting from that time, the process of return of the deported people to the Crimea has been under way.

Following the data of the Informational Analytical Center of the ARC Government, by the beginning of 1996 the population of the Crimea (excluding Sevastopol) included : Russians - 1,660,000 people, Ukrainians - 670,000 people, Crimean Tatars - 250,000 people, Armenians - 4,500 people, Greeks - 3,400 people, Germans - 2,100 people, Bulgarians - 1,200 people.

According to the statistics of the State Committee for Nationalities, ARC, by October 1, 1996 about 260 thousand Crimean Tatars returned for permanent residence to the Autonomous Republic of the Crimea (excluding Sevastopol). Among them, 242,600 are registered with the

Crimean authorities, as testified by GU, Ministry of Internal Affairs of Ukraine in the Crimea. The share of Crimean Tatars in the population of the peninsula has reached 9.5%, and in some parts - Bakhchisaray, Belogorsky, Kyrovsky, Pervomysky and some other rayons - it comprises 22-30 %.

Dynamics of the repatriation process of Crimean Tatars (1988-1996)

The number of Crimean Tatars who returned to the Crimea by 01.03.1988 (following the operational data of the Department of Statistics of the Crimea) 17,250 by 01.01.1989 (following the results of the census) 38,365 by 01.05.1990 (following the data of the Department of Interior, Regional Executive council of the Crimea 83,116 by 01.04.1991 (following the data of the Department of Interior , Crimean ASSR) 124,911 by 01.01.1992 (following the data of the Department of Interior, Crimean ASSR)

157,862 by 1993 (following the data of the Department of Interior , the Republic of the Crimea) 200,523 by 1995 (following the data of GU, Ministry of Internal Affairs of Ukraine in the ARC) 211,369 by 15.06.1996 (following the data of the State Committee for Nationalities, ARC) 258,168

Dynamics of settlement of Crimean Tatars in different parts of the Crimea looks as follows : Cities, towns and rayons 1989 (number of people) 1995 (number of people) the city of Simferopol 2,185 13,859 the city of Alushta 432 237 the city of Feo

osia 1984 907 Pervomaysky rayon 3565,726 the city of Evpatoria 6479,546 the city of Krasnoperekopsk 49688 Nizhnegorsky rayon 7358,435 Bakhchisaray rayon 1,859 21,362 Sudak rayon 5375,378 Saky rayon 1,447 12,473 the city of Kerch 2031,540 Simferopolsky rayon 3,781 26,571 Krasnogvardeysky rayon 2,242 15,412 Chernomorsky

rayon 9415,784 Leninsky rayon 2,426 14203 Djankoy rayon 3,134 17,810 the city of Saky 3061,739 the city of Djankoy 5352,933 Kirovsky rayon 3,615 15,916 Belgorodsky rayon 5,473 22,118 the city of Yalta 2571,003 Krasnoperekopsky rayon 1,7796

356 Sovetsky rayon 2,907 8,471 The majority of repatriates came from Uzbekistan (72%) and Russian Federation (16%). The expected number of returnees varies between 150-250 thousand people, the first figure seems more viable. The annual reduction of the number of returnees (from 42,400 in 1991 to 9,200 in 1995) testifies that en masse those willing to repatriate have already done so in spite of financial difficulties and certain problems of legal character. The areas most densely populated by Crimean

atars beyond the boundaries of the peninsula are Uzbekistan (predicted number of 100-110 thousand people), Krasnodar and Stavropol regions of the Russian Federation (10-12 thousand people), Kherson, Nikolayev and Zaporizhzhia regions of Ukraine (7-8 thousand people). No doubt, part of them will move in the nearest future to the Crimea, but there is no way the exact figure can be predicted. A lot will depend upon the development of events in the Crimea and Ukraine, the scale of assistance to repatriate

provided by the state and the contribution of the international community to the solution of the problem.

For local authorities settlement and accommodation of those repatriates who returned to the Crimea became a serious challenge they were not prepared to handle. Lack of the legal basis regulating the process of return and settlement of repatriates, absence of programs of material assistance to returnees, construction materials, as well as bureaucratic delays with registration (propiska), employment, allocation of construction sites forced repatriate to resort

to unsanctioned meetings, picketing, and seizures of collective and state farms' lands for unauthorized construction of housing.

Meanwhile, unorganized nature of the repatriation process, separate cases of national extremism strengthened suspicion between Crimean Tatars and local population, the latter still having in mind the stereotypes of the old days which were inflicted in the people's consciousness for many years. The image of the Crimean Tatar as an accomplice of fascist invaders was widely spread and essentially influenced the stabilization of inter-ethnic relations in the Crimea.

At the initial stage of repatriation process before the collapse of the USSR, the position the leaders of the Crimean Regional Committee of Communist Party of Ukraine and Crimean Regional Executive Council had a significant effect upon the public opinion. In 1987-1989 under the initiative of the party and state bodies of the Crimean region, a strong anti-Tatar propaganda campaign in mass media was unleashed; at enterprises and organizations meetings of personnel were held with the purpose "to condemn the position of national extremists among the citizens of Tatar origin". The above mentioned resulted in suspicious and sometimes hostile attitude to repatriates shown by the majority of the population of the Crimea and authorities of all levels. Suspicion was intensified by unauthorized seizure of lands and clashes with militia and volunteer public order squads provoked by the authorities. One of the most serious incidents occurred in the village of Krasny Ray, Alushta rayon on October 1, 1992 when unauthorized settlement and housing constructions were ruined and 40 Crimean Tatars settlers arrested by special units of the bodies of public order and representatives of local population. The incident resulted in mass disturbances among the Crimean Tatar population; in Simferopol, several thousands of Crimean Tatars attacked the building of the Supreme Soviet of the Crimea and damaged the ground floor.

While assessing the inter-ethnic situation in the Crimea after the formation of an independent Ukrainian state, it is worth mentioning that the above described event raised the issue of inter-ethnic relations to a new level. Unlike many other republics of the former Soviet Union, Ukraine managed to avoid inter-ethnic conflicts during the state formation process, which testifies to its well-balanced national policy. Declaration of Rights of the Nationalities of Ukraine adopted by the Supreme Rada of Ukraine on November 1, 1991 which guarantees equal rights to all ethnics and ethnic groups residing in the country became one of the most important documents to lay the legal foundation for inter-ethnic policy.

Assistance to repatriation and settlement of the deported citizens became one of the most important aspects of the national policy of Ukraine. Over the last few years Ukraine alone finances all the expenses related to the repatriation and resettlement processes in the Crimea providing the funds for this from its state budget. To coordinate the efforts of different agencies, Republican Commission on the Deported Peoples of the Crimea and Intergovernmental Ukrainian-German Commission on the Deported Germans were established. By the Decree of the President of Ukraine the Ukrainian-German Fund was established in 1992 and by the Resolution of the Cabinet of Ministers of Ukraine the Fund

of the Deported Peoples of the Crimea initiated.

With the establishment in 1991 of national cultural-educational societies of Armenians, Bulgarians, Greeks, and Germans, activities aimed at organization of homecoming process for compatriots deported during the war intensified. In June 1992, the Division for Deported Armenians, Bulgarians, Greeks, and Germans was organized with the Council of Ministers of the Crimea, which started working on a forecast lay-out for settlement of repatriates returning to the Crimea over 1992-2000. It should be mentioned t

at unlike the Crimean Tatars' return, the framework for repatriation of the deported Armenian Bulgarians, Greeks, and Germans foresees an organized repatriation process which would go on as the construction of the necessary housing, infrastructure, job creation proceed. This allowed to avoid the spontaneity of unorganized flows of migrants. Thus, by the middle of 1992, the Crimea had a developed system of public bodies responsible for assistance with return and settlement of the deported citizens o

the Crimea. Formation in November 1993 of the State Committee on nationalities became the outcome of the activities described above.

Expulsion of Crimean Tatars to Central Asia was aimed, besides other reasons, at their quick assimilation with the local population rather similar to Crimean Tatars in their language, religion, and culture. This did not happen. The Crimean Tatar people were able to preserve their ethnic identity, though a lot of cultural heritage accumulated over centuries was lost. Deported Armenians, Bulgarians, Greeks and Germans suffered similar losses. New generations returning to the Crimea have lost most of e
hnic specificity, majority do not speak their native tongues. In this connection, the process of social adaptation and national-cultural renaissance aimed at formation of environment of inter-ethnic trust and tolerance, interaction and enrichment of different cultures, respect to the customs and traditions of every ethnic group should become no less important than construction, housing, and amenities.

For Armenians, Bulgarians, Greeks and Germans the homecoming started in the 1960-s - 1970-s. But up till now this process has not acquired a mass character because of differences in approaches towards organization and implementation of repatriation and settlement. Also one of the peculiarities is such that among all the Armenian, Bulgarian, Greek, and German inhabitants of the Crimea, which amount by July 1996 according to the State Committee for Nationalities of the Crimea to 11.3 thousand people, only 28.6% (3.2 thousand people) have the status of citizens, among them : Armenians - 27 individuals, Bulgarians - 408, Greeks - 2,054, Germans - 497. Part of the citizens mentioned above who do not possess the status of deported citizens are refugees from the "burning spots" of the former USSR. Following GU, Ministry of Internal Affairs of Ukraine data, at present 3.6 thousand deported Armenians, Bulgarians, Greeks and Germans reside in the Crimea. Alongside with this, the records of Division for Return and Settlement of Armenians, Bulgarians, Greeks, and Germans, the State Committee for Nationalities have registered 12,765 families of the deported citizens of these nationalities who expressed their desire to return to their native lands during the implementation of the program. Their total number is estimated as 45-46 thousand people.

Thus, the predicted return of repatriates of all nationalities in the nearest future may annually reach 7-8 thousand, and 10-15 thousand under more favorable conditions. It is reasonable to expect, that by the beginning of the next century the number of formerly deported citizens and their descendants and natural population growth will exceed 300,000 people.

Current period in the life of the Crimean Tatar people can be characterized as the stage of reintegration and "rooting" anew in the Crimea. It is evident, that at this stage Crimean Tatars, as well as Germans, Greeks and other nationalities, will strive for political and economic self-government, restoration of the system of national education and culture, and equal relations with other ethnics. Many aspects of the above mentioned processes are being implemented already, and a number of problems were revealed, some of them unique and unheard of in the international community.

Specific features of reintegration of Crimean Tatars, as well as representatives of other ethnic groups deported from the Crimea, lie in the following :

first of all, it represents a unique case in the world history. As a rule, the issue of integration arises when ethnic communities emerge in new localities separated from their nation-state and surrounded by absolutely new language and socio-cultural environment and values orientation. Such situation is characteristic of Turks in the countries of Western Europe, Italians, Chinese, and eastern Europeans in the USA, descendants of Africa in France and so on. In our case, unification of socio-cultural e

vironment characteristic of the former Soviet Union under the repatriation process plays a positive role as the deported citizens do not face the challenges of a new tongue, there is no necessity to acquire new professional qualifications, or master new educational standards;

secondly, in this case we observe a unique case of acquiring the Motherland, not losing it. Such circumstances create a completely different psychological background, because Crimean Tatars despite their long deportation, always remained loyal patriots to the Crimea.

Unfortunately, alongside with positive factors, which facilitate the reintegration process, negative factors started to reveal themselves more vigorously. Repatriation is taking place under the circumstances of collapse of totalitarian regime and economic transition. Resettlement and accommodation of large groups of people are easier under centralized economy with high proportion of public sector, something the post-socialist society is eliminating radically. This to a great extent explains the difficulties faced by Ukraine in the repatriation process, and also hardships suffered by repatriates while solving the issues of housing, employment, and social protection.

2. Current social-economic situation in the Crimea

The majority of Crimean Tatars who risked moving and resettling in the Crimea from the very first days after arrival faced hardships. Public housing seemed an opportunity removed far into the future because the construction of housing for settlers only started, while the queue for obtaining public housing in 1989 included more than 159,000 Crimean families and

another 100,000 people lodged in hostels and dormitories. The first repatriates were able to buy several thousand houses from the local population, but on the eve of collapse of the USSR the prices of housing grew enormously and few could afford buying a house. Allocation of plots of land for individual housing construction was carried out by bodies of local executive power with a lot of delay and usually in inconvenient and remote localities which lacked infrastructure. In this connection, accelerated allocation of plots of land for gardening among local communities caused indignation on the part of Crimean Tatars. Finally, all repatriates had to face the problem of employment. Following the statistics of Division on Employment and Social Issues of the Crimean Regional Executive Committee, by this time all collective and state farms of the Crimea were fully provided with labor. The manufacturing sector as a result of new economic conditions faced the reduction of labor equal to 30.5 thousand employees. Crimean Tatar intelligentsia found itself in a difficult conditions not being able to find employment according to qualifications.

Estimates revealed that to provide 270,000 expected repatriates with housing additional investments of 1.5 billion rubles (in prices of 1984, or about 1.5 billion US dollars) are necessary, and the construction of the necessary infrastructure will demand another 1.3 billion rubles (or 1.3 billion US dollars). The figures of projected expenses testified that financing of such costs was possible only on the all-union level, with the participation of all union republics. After the events of 1991 Ukrainian state and the Crimea were left to deal with the challenges alone.

Nevertheless, the local authorities were trying to meet the demands of repatriates within the limits of their possibilities. In October 1990, by the decision of the Crimean Regional Executive Committee the Committee on the Deported Peoples was established vested with the task of practical solution of the issues concerning the return and accommodation of Crimean Tatars. The principle of single contractor is introduced. The staff of municipal, town and village executive committees now include the position of a representative of the Committee on the Deported Peoples responsible for the operational provisions and solution of the issues connected with return and repatriation at the local level. To implement the construction program, within the construction corporation "Krymoblagrostroy" a construction trust "Krymspetsagrostroy-2" is being established, and within the firm "Krymstroy" construction trust "Grazhdanstroy" is organized which mainly employ the Crimean Tatar population. Two Crimean Tatar collective farms "Avdet" and "Vodopoyny" and one state farm "Agrarny" are organized in the localities of Crimean Tatars settlements. Out of 50,000 able-bodied Tatars by April 1991 34,000 found employment.

To provide some material assistance to repatriates Regional Council approves a number of resolutions on compensations of the travel costs, providing credits and construction materials reimbursement for costs of temporary housing and others. But, due to lack of necessary funds these decisions were not fully implemented.

Understanding the complexity of the situation which emerged, the Crimean Regional Executive Committee starting from 1991 undertakes steps to organize housing construction

and development of communal services for Crimean Tatars. It was planned throughout 1991 via public investment to construct 54 thousand square meters of housing, but the collapse of the USSR and above mentioned financing problems did not allow to completely implement these plans. 30.5 thousand square meters of housing and 53 kilometers of communication lines were completed. At the same time, significant resources were directed towards the development of procurement and equipment supply of established construction firms. Part of the funding was transferred to local executive committees to be used on shared construction of housing and development of infrastructure. All in all, in 1991 in different cities, towns and villages of the Crimea about 300 construction sites for Crimean Tatars were initiated, among them more than 10 blocks of flats and 240 individual houses, a hospital, two medical centers etc. Districts for compact settlement of Crimean Tatars were organized: in Simferopol - Beloye-1 and Beloye-2, town Molodezhny, villages Lugovoye and Kamenka, in Belogorsk - neighborhood Sary-Soo, in Evpatoria - neighborhood Ismail-Bey and others.

The first state budget of independent Ukraine of 1992 allocated 6.76 billion karbovanets to finance the return and settlement process, which included 4.1 billion karbovanets on capital construction, 2.1 billion karbovanets of assistance to construction of private housing. In general, these resources were utilized. 46.2 thousand square meters of housing were completed, as well as two medical centers, 18.7 kilometers of water-pipes, 80 kilometers of electric transmission system were put into operation.

Several thousand people involved with private housing construction were rendered assistance with construction supplies, the total sum being 2.1 billion karbovanets. But the deep economic crisis drastically told on the realization of the program. Allocation of funds for the program annually reduced. (See the Supplement).

On the total, over the five years of implementation of construction program of repatriates' settlement the following objects were put into operation:

Construction completed	1991	1992	1993	1994	1995	Total
Housing (thousand square meters)	30.5	46.2	251.2	59.6	53.4	240.9
water-supply system (kilometers)	7.0	18.7	755.5	99.5	142.6	323.3
electric transmission system (kilometers)	46.2	280.2	2215.9	168.1	219.3	2972.7
roads and highways (kilometers)	22.0	29.0	15.0	15.1	1.1	82.2

Due to the aggravation of social-economic conditions in the country, and also because of new arrivals of repatriates, the issue of their settlement still remains unresolved. By the beginning of 1996, about 120 thousand out of 240 thousand of Crimean Tatar returnees and hundreds of families of deported Armenians, Bulgarians, Greeks and Germans did not have housing. Among 250 towns and neighborhoods of compact settlement of repatriates more than 100 did not have water supplies or electricity. Most of residential areas do not have telephone and transport connection with the central areas, many lack food stores, medical centers, nursery schools and other objects of infrastructure.

Due to further curtailment of funding and irregular transfers of allocated resources in 1996 the implementation of construction program faced most serious problems. By the beginning of

November 1996, out of all the fund allocated on capital construction (28 million of grivnas , about 14 million US dollars) and social-cultural development (14 million of grivnas, about 7 million US dollars) for the deported citizens, only one fifth reached the State Committee for Nationalities and Deported Citizens. Thi

resulted in the interruption of construction program for 1996, halt in operation of construction firms and layout of thousands of employees. During the ten months of 1996 only 3.5 thousand sq. m. of housing and 31 km of communication lines were completed, the actual plan being 45 thousand sq. m. of housing and 250 km. of communication lines.

The estimates conducted by professionals hold that to meet the demands of repatriates who have returned to the Crimea, it is necessary to build more than 2 million square meters of housing, to lay 2.5 kilometers of communication lines, to create 30 thousand jobs, and to put into operation 160 objects of social-cultural function. At the present rate of funding, the solution of existing problems will take several dozens of years. It should be born in mind, though, that repatriation process is going on, in spite of the annual reduction of the number of returnees, and tens of thousand other deported citizens will arrive in the Crimea in the nearest future thus adding to the quantities of those badly in need of housing, employment and social protection. At the same time, Emergency Program for Settlement of Deported Citizens for 1996-2000 adopted by the Cabinet of Ministers of Ukraine on March 1996, plans the construction of no more than 100,000 square meters of housing and further reduction of funding. It is evident, that without additional investments and funding, the implementation of the necessary steps will take decades.

>From the outset of Crimean Tatars' return, authorities took measures to resolve some humanitarian issues following the insistence of national communities. The Resolution of the Crimean Regional Executive Committee of August 7, 1990 made provisions for construction and putting into operation educational, cultural and medical establishments, organization of educational programs in the native language and publication of textbooks. But because of economic conditions most of the programs were not implemented

In July 1989, the State Teleradiocorporation of the Crimea started broadcasting radio programs, and in September 1989 TV programs in the Crimean Tatar language. In 1990 divisions of Crimean Tatar language and literature were opened with the Department of Philology, Simferopol State University, and specialization "Crimean Tatar language and literature" introduced. In 1991 in 159 schools of the Crimea children studies the Crimean Tatar language as a subject, and 165 schools taught it as an optional course.

Following the resolution of the Crimean Council of Ministers, the Crimean Tatar dance group "Khaytarma", the publishing house for Crimean Tatar literature and editorial board of the newspaper "Yanyy Diunua" returned to the peninsula. The National gallery is established and Association of Crimean Tatar painters organized, the State Crimean Tatar musical-drama theater opens in Simferopol, the magazine "Yildyz" was issued. The Supreme Soviet of the Crimea adopts the resolution which recognizes May 18 the Memorial Day to commemorate the victims of deportation and Muslim holidays are established.

The year of 1993 is characterized by further social-cultural adaptation of deported citizens. Bodies of public education taught 50,000 students of Crimean Tatar nationality, 350 common public schools educate 35,000 Crimean Tatar children. In Simferopol the Pedagogical college which trains teachers for nursery and primary schools was opened. The decision was approved on opening the Crimean State Industrial-Pedagogical Institute which admitted first students in September 1994. Every year, more than 100 teachers of Crimean Tatar took a professional retraining course with the Republican Institute for Professional Development of Educators. Sunday schools which teach Armenian, Greek, Bulgarian and German were opened within schools and national-cultural centers in Simferopol, Djankoy, Kerch, Evpatoria, Stary Crimean, Feodosia, Yalta and other cities and towns.

The whole network of national arts groups and societies is created, and an educational-pedagogical publishing house is established. The restoration activities of the historical monuments, including the mosque "Djuma-Djami" in Evpatoria and "Mufti-Djami" in Feodosia, are under way. The Armenian monastery Surb-Khach is being reconstructed, as well as churches in Feodosia, Evpatoria and Yalta which are already open for believers. Lutheran churches are open in Yalta and Simferopol. In 1995, 80 historical and cultural monuments of Crimean Tatars, Armenians, Bulgarians, and Germans are under protection of the state. Soon, the Armenian, Bulgarian, Greek, and German TV companies will be open with the State TV Corporation of the Crimea.

All in all, over the last years a considerable improvement is observed in satisfying cultural, educational and humanitarian needs of repatriates. At the same time, a lot of problems growing in intensity remain unattended. For example, at present there are 6 national Crimean Tatar school in the Crimea. Though the native tongue is learnt by the major part of schoolchildren, at least 10-12 more schools of such type are necessary. Due to the absence of the necessary resources, school buildings are not raised, as the result the existing schools are overcrowded. Finally, in many localities children from remote villages are delivered to schools by bus. Lack of funds to pay for the transportation service very often result in the fact that thousands of children are deprived of the possibility to attend schools regularly. As stated by Ilmi Umerov, Vice Premier of the ARC Government, in 1996 state funding of social-cultural events within the program of settlement of the deported peoples was contracted by four times in comparison with the previous year, besides only 20% of the announced amount of money was actually appropriated.

Similar problems are characteristic of health care. In spite of formation of the Republican Medical Center catering for the needs of the deported citizens and carrying out intense preventive activities and providing medical services to the population in the localities, the situation with medical care still remains troublesome. Hard living conditions, inadequate nourishment, low quality water, absence of medical units in most of the new residential neighborhoods resulted in the growth of diseases, especially tuberculosis, hepatitis, gastric-intestinal and bronchial-pulmonary infections. Following the data of the Republican Medical Center, more than 60% of Crimean Tatars suffer from different chronic diseases.

The issues of religious renaissance occupy an important place in the process of social-cultural adaptation of repatriate. Most of Crimean Tatars who returned to the Crimea consider themselves Muslims. According to the results of sociological polls conducted by Center for Regional Development with the ARC Government, 93.8% of Crimean Tatars consider themselves Islam believers, 39.2 % observe Islamic rituals.

رسول

ITEM - 4

CRIMEAN CRISIS-1994: A ROLE OF INTERNATIONAL INSTITUTIONS, NGO'S, GOVERNMENTAL BODIES, AND CIVIL SOCIETY

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The passed year added many new turns to the already chronic crisis exhibited by a political, interethnic, social, economic, and criminal life of the Crimea. Eventually, peaks of tensions having appeared throughout this and previous years, while strongly suggesting a high possibility of violent conflict, did manage to attract close attention of many officials, expert and public bodies of domestic origin, as well as from "near" and "far" abroad.

An altered attitude towards the seemingly yet peaceful Crimea was expressed in several international projects having been initiated in order to help to resolve numerous problems of the peninsula. Quite a few conferences, seminars, workshops, round tables, other public events in 1994 also have dealt with either exceptionally Crimean issues, or these and related items have been included into their agendas. So, notwithstanding the statement often repeated that "Crimean problems are internal problems of Ukraine, and therefore, it's for Ukraine to handle them", in 1994, international community seemed much more engaged in Crimea-oriented activities than over the years before.

The full impact of this involvement is still awaiting a special analysis, but some outcomes can already be referred and discussed from the standpoint of bringing either positive or negative results.

As the most serious achievement of the last year, the project launched by the UN office in Ukraine should be recalled. It is named "Development Programme on Areas of Intergration of Crimean Tatars and Ethnic Minorities in Crimea". The Project Brief provides a background information on the indigenous population of Crimea which was forcibly deported in 1944. The objectives of the project are a) to assist the returning population through the provision of building materials, municipal services and residential dwellings, as well as through the establishment of schools and vocational training facilities, and b) to support their integration into Crimean society through the strengthening of community-based services (hospitals and clinics, libraries, community centres and small-scale enterprise promotion centres). The project fulfillment would, while redressing a great historical tragedy, accelerate the resettlement and reintegration process, lessen ethnic tensions, and contribute to greater political stability in the region. Duration of the project is five years (1994-1999). UN Development Programme (Office of Project Services and the Humanitarian Programme), Habitat, UNESCO, other agencies made responsible for its implementation. The main obstacle foreseen is, as usual, financing. The whole budget was estimated around 15.000.000 USD, and the lion share of this sum was anticipated to come from voluntary governmental donations by countries considered able (and wishing) to provide a financial support for this project. Until recently, responses to such a request were rather moderate. E.g., to a special conference called by the UN Office in Kiev on November 10, of all Embassies invited only a few had sent their representatives, and only three countries - Italy, The Netherlands, and Finland - asserted their participation, and named concrete sums of donations. However, several more ambassadors, after consulting their governments, promised to join this project later. Unfortunately, the Russian Federation, though responsible for the repatriation of people once deported by the Soviet regime (in accordance with the self-proclaimed

status of being the only successor state of former USSR), utterly rejected a proposal to take part in joint project. Mr. Leonid Smoliakov, Ambassador of the RF to Ukraine, explained this refusal by the economic hardship his country is now going through. But it should be kept in mind that this explanation was given just one month before the beginning of the Chechen war, which costs Russia, apart from all other tragic consequences, many times more expenditure than the whole programme of repatriation of all deported peoples would do...

Some other signs of the increased world interest in the affairs of Crimea consisted of a number of international discussions which had collected a rather impressive audience of lawyers, experts, politicians, and well-known public figures. The most representative gathering was, perhaps, a conference "Development in Crimea: Challenge for Ukraine and Implications for Regional Security". Having been sponsored by the American Association for the Advancement of Science, in cooperation with the Ukrainian Center for Independent Political Research, and Harriman Institute (Columbia University, New York), it was held in Kiev on October 23-25, 1994. Advantageous to the participants, many working papers, reports, other documents had been prepared well beforehand, and disseminated at the noon of the sitting. Among those papers, English version of the Chronology of Events in Crimea (from 1775 up to October 1994) compiled by Svetlana Svetova, Roman Solchanyk, and Mariana Budzheryn, provide a valuable source of information for everybody inclined to comprehend the current situation. The participants, apart from quite a number of people from the USA, represented some official bodies, scholars, and NGO activists from Ukraine, Crimea, Russia, Turkey, and Canada; mass media and embassies have also shown a great interest in the event.

Later, in December 1994, a sort of continuation of this conference took place in the Harriman Institute. This time, Mr. Mustafa Djemilev, Chair of the Mejlis of Crimean Tatars, received a personal invitation, and presented there his estimation of the situation in Crimea, and possible solutions for solving Crimean problems. Despite the well-known orientation on exclusively peaceful and democratic ways of settling the Crimean crisis, his own as well as that of Mejlis, the very fact of this invitation of the Mejlis leader to the USA seemed to bring the Crimean power-holders off balance. Resulting campaign in local mass media once more accused Crimean Tatars of the "Tatars' and Muslim's nationalism", "stirring interethnic and interreligious hostilities", "attempting to quarrel Ukraine with Russia", and in general, of being the main source of regional conflict in Ukraine. Regrettable, Crimean residents at large are scarcely aware of the convincing evidence of the opposite, provided by the publications issued either abroad or in Ukraine. And the reason for this is obvious: the informational space in Crimea is heavily dominated by local and Russian newspapers, the latter not at all those strongholds of Russian democracy as e.g. "Izvestia", but rather representative of chauvinistic and communistic standpoints, now becoming equally aggressive as one can see by looking through "Pravda", "Pravda Zhyrinovskogo" and other of the same kind.

Essential role of neighbouring country in fueling separatist and anti-Muslim passions in Crimea is not confined to media intervention. Many politicians and public figures from the RF had visited Crimea in 1994. They belong to widely range of political parties and orientations, but their rethorics seemed dangerous, and. Even such a respectable personality as Yuri Luzkov, the Mayor of Moscow

declared in Sevastopol that "this city should become the eleventh prefecture of Moscow". What then be expected of the leaders of Russian fascists upon their visits to this region, or paramilitary troops of Russian Cossaks, or hot pursuers of "Slavic Unity", calling to join ranks against all the enemies coming from the West and the Muslim world?

Let me present only one striking illustration of the political climate in the Crimea, and peculiar interplay of different involvements. By the end of November 1994, the two events happened to coincide in time and place. The first one was a movie film festival "Saga on Sarajevo" organized jointly by the International Renaissance Foundation and newly established democratic NGOs of Crimea: Union of Independent Journalists and Foundation for Rebirth of Crimea. Just before the start, the head of the administration of president of the Republic Crimea passed a decree to the director of the TV and Radio Company of Crimea where the festival would have to take place. By this document, the festival was prohibited as "aimed at destabilization of the situation in Crimea by stirring interethnic and interreligious hatred". Of course, the president of Crimea, by that time stripped of any real power after unseccessful coup of September-October, proved unable to tear down the planned arrangement. The festival went through, and impressed deeply the people who had come to see videofilms, and to discuss possible analogies between Bosnia and Crimea. But no one leader of the Crimean parliament took part in either review or subsequent discussions. They were engaged in other happening, - establishing Congress of Crimean Cossaks. What atmosphere ruled in that other hall, becomes clear from some sentencies like: "for us, arms is no problem, we can firmly reckon upon the assistance of our Russian brothers..." And beside the political establishment of the Crimea including the General Procurator, showed off Dmitry Vasiliev (leader of the Moscow "Pamyat", one of the most extreme right wing organizations of Russia) in his escort and guards in black uniform. His speech recorded by the Crimean journalist Tatyana Korobova is quite remarkable, especially an open admission that he indeed considers himself a fascist, and doesn't see anything wrong by this belonging.

Of course, without serious sociological studies, it is difficult to evaluate the extent of damage done by such provocative speeches to the fragile and doubtful political stability at the peninsula, or comprehend its actual influence on the state of minds of Crimeans. But the seeds of dissention are sown, "the process is going on", and would we be able to prevent this crop from eventual ripening?

In this context, it seems necessary to stress once more the complicated, multidimensional structure of the Crimean conflict, and the necessity to collect, before any attempt of intervention, the information as accurate, full, and objective as only possible. Unfortunately, current reality doesn't always demonstrate just this approach to be chosen by some actors from the outside, even if guided by the best of intentions.

This point will be illustrated in more detail by the story concerning the political consultations held at the Institute of International Relations of the Netherlands, in Hague, April 21 -24, 1994. The consultations were focused on the two cases, namely, Crimea and Kazakhstan. Explicit intentions of the organizers and attendants to the meeting were evident. The objectives included expert analysis of the current situation, to be followed by the recommendations to the

governments of respective countries, NGOs, international institutions and organizations, in order to decrease the tensions existing in these regions.

But the outcome Memorandum issued by Mr. Heyard Isham, the Vice President of the Institute for East-West Studies (USA), is by no means a success. A main failure of this document seems the lack of full and objective picture, which would be basic for working out the recommendations. This failure might have been determined by the specific composition of the attendants, since beyond American and West European political analysts, and representatives of the office of the CSCE High Commissioner for National Minorities, the experts from only Russia had been invited, and neither Ukraine/Crimea, nor Kazakhstan were represented. To a certain extent, this document may evidence that the practice of political decision-making (and "recommendation-making", too) remained largely the same closed process excluding the most interested parties as it had been during the times of a bipolar world.

Addressing the case of the Crimea, the absence of independent experts from the region under discussion could have been compensated by the reports of numerous fact finding missions (e.g. those organized by the Minority Rights Group, International Alert, Helsinki Watch, Helsinki Citizens' Assembly, Soros Foundation etc.), also by analytical papers and other publications. These documents, together with data collected by sociological research studies, and the results of public polls, would have ensured a deeper insight into the case. Unfortunately, neither of this documentation seemed to be taken into account.

So, no wonder of finding in Memorandum such sentences as, e.g.: "Tatars are not a homogenous group; the Ukrainian nationalist organization Rukh (!) supports one faction, and the Ukrainian government another". This particular statement seems either misunderstanding or misinterpretation, because it's hardly believable that any expert reporting on the case of Crimea, could have presented an assertion so out of touch with reality. (Alleged splits within the Crimean Tatar National Movement had been used as a trump card whenever their problems had been discussed. But this argument might have seemed convincing only until the results of elections to the Crimean parliament in March-April 1994 were acknowledged. It occurred that after the hard struggle with the political "hawks" of the Supreme Council of the Crimea, temporary amendments to the election law were adopted, and Crimean Tatars received a quota of 14 seats to the parliament. 4 lists of candidates were proposed to the electorate, but only one nominated by Kurultai - the national congress - won the overwhelming majority of voices thus providing all 14 M.P.s from the Crimean Tatar people).

There are other odd statements like: "Ukrainian government... supports this resettlement (of Crimean Tatars) as a way of diluting Russian power on the peninsula". Interpretation so cynical of the endeavours (though yet far from sufficient) to restore the rights of indigenous people subjected to genocidal deportation from the Crimea in 1944, might be taken for granted by some professional politicians, but it is completely unacceptable for civil society longing to introduce higher ethical and moral standards into what is called "big political games". The abovementioned statement exhibits also rather exaggerated assumption that Russia is "so powerful an obsession" for Ukrainians, that most if not all initiatives taken by our fledgling state have to be regarded from the standpoint of Ukraine - Russia relations (see Chapter 4 of A.J.Motyl "Dilemmas

of Independence - Ukraine after Totalitarianism, Council on Foreign Relations Press, New York, 1993).

As a result of somewhat perfunctory evaluation of the historical background and current situation, recommendations to the governments of all the sides involved in a potential conflict in the Crimea, inevitably look a bit of "disbalanced". For instance, implementation of the proposal to "modify existing language laws and other regulations to reduce the "Ukrainization effect" would mean that a quarter of the population of the Crimea, still unable to educate their children by mother tongue, would be conserved under conditions obviously violating their linguistic, cultural, and ethnic rights. The same is true regarding Crimean Tatars, Armenians, Bulgarians etc., because all secondary schools in Crimea are yet Russian. As to the threat of the "Ukrainization effect" in the Crimea, the press-conference given in Simferopol by the Ambassador of the RF to Ukraine deserves to be mentioned. After his speech considering negative aspects of the "forced Ukrainization of the Crimea", journalist L. Pilunski asked for at least one concrete example, and after a somewhat confused pause Mr. Smoliakov admitted that he was actually unaware of such cases.

Ukrainian side was also recommended to "continue to restrain Ukrainian nationalist organizations from interfering..." (thus recognizing the absence of such interference). Meanwhile, similar proposal to Russian government to "discourage nationalist Russian organizations and media from interference and distorted, inflammatory reporting" was applied to the situation when many such groups and individual visitors, including state officials and paramilitary troops of Russian Cossaks, came to the peninsula on missions overtly provocative, and were doing so without any restraint.

The most striking of "confidence-building proposals" is relevant to the most painful problem of the Crimea, i.e., to the repatriation of Crimean Tatar people and other ethnic groups and national minorities deported from Crimea. Up to date, Ukraine was the only successor state of the ex-USSR which had been trying to resolve this problem by giving financial support to this most vulnerable part of the Crimea residents. In spite of this, the government of just that side was proposed to "seek resources for additional assistance to Tatars...", thus leaving the government of the RF, as well as that of Uzbekistan and other countries of Central Asia, comfortably aside of a whole process.

One more comment on Crimean Tatar issue concerns the status of Mejlis, the latter recommended (to Crimean government) to be recognized "as a public organization". Meanwhile, everybody engaged in peaceful resolution of the Crimean crisis is well aware that Mejlis, being the democratically elected representative body of Crimean Tatar people, utterly rejects the very idea of being regarded as just one of public organizations (to be sure, Crimean government has been and still is ready to reduce the status of Mejlis to that of "public organization"). In this context, it seems relevant to mention that provisions of international law exhibit growing acceptance of indigenous peoples' right for self-governmental and ruling bodies elected according to their own will, and following the procedures elaborated by themselves.

And the last critics concerns a trend of proposals to be concentrated on the president Meshkov, the latter taken for a key element in a political, social, and economic life of the Crimea, and in Kiev - Simferopol relationship. Meanwhile, by the time the Consultations were taking place, the prestige Meshkov enjoyed

before the elections, has already decreased significantly (as soon as 3 months after the elections, his popularity dropped so dramatically that the results of sociological polls were prohibited to disseminate). No wonder that the September 1994 crisis resulted in Meshkov's deprivation of his main powers. This development was not only predictable but actually predicted by some analysts in Ukraine and abroad. Hence, the recommendations addressing predominantly Meshkov's administration hadn't been the best choice when seeking influential forces affecting and/or controlling the situation. This choice suggests one more a shortage of competent expert analysis to precede elaboration of all these recommendations.

ITEM - 5

PROGRAM

INTEGRATION OF FORMERLY DEPORTED CRIMEAN TATARS, GERMANS, GREEKS, BULGARIANS, ARMENIANS INTO UKRAINIAN COMMUNITY

A renowned American philanthropist George Soros and International Renaissance Foundation of Ukraine for which he provides funding in appeal to the President and Government of Ukraine to the international community to assist in the solution of the problems of the deported people initiate a new Program "Integration of Formerly Deported Crimean Tatars, Germans, Greeks, Bulgarians, Armenians into Ukrainian Community".

Understanding the complexity of the issue and multiplicity of problems linked to it, International Renaissance Foundation by the decision of its Executive Committee of October 13, 1993 (minutes # 53) established a group of six experts from Kyiv and the Crimea to undertake a research and elaborate this program. The work of the group consisting of five people continued from October 15, 1996 to January 15, 1997. The following outcome of the activities undertaken is offered for consideration :

Background and Justification of the Program

After the beginning of the Great Patriotic War, in September 1941 61 thousand people were deported from the Crimea, among them 50,200 Germans and individuals of other nationalities who were members of their families.

In May 1944, the Stalinist regime undertook the deportation of the whole Crimean Tatar people from the territory of the peninsula. About 200 thousand individuals were driven to Uzbekistan and some areas of Kazakhstan, Kirgistan, Tajikistan and Russia. During the deportation, Crimean Tatars were deprived of more than 80 thousand of houses, 34 thousand plots of cultivated farmers' land, nearly 500 thousand of livestock and a lot more. In exile living and working conditions were so hard, that 44,887 people died throughout 1944-1948.

Soon the fate of Crimean Tatars was shared by Armenians, Bulgarians, and Greeks. Their expulsion from the Crimea started on June 24, 1944. 9,620 Armenians, 12,420 Bulgarians, and 15,040 Greeks were deported to Kazakhstan, the Urals and Siberia. After the undertaken acts a lot of localities became

members of their families, and their descendants returned to the Crimea. At present, 4.98 thousand Armenians, 1.3 thousand Bulgarians, 3.5 thousand Greeks, 2.4 thousand Germans already reside in the Crimea. It is worth while mentioning, that following the data of the Informative-Analytical Center of the Government of the Autonomous Republic of the Crimea, about 2.5 million people reside in the Crimea

(without the population of Sevastopol), among them 1.66 million Russians, 0.67 million Ukrainians, and representatives of more than 24 other national groups. The deported citizens amount to about 9% of the total population of the Crimea. Crimean Tatars inhabit 9 cities and 14 rayons (administrative units) of the peninsula, the majority in the city of Simferopol (13.8 thousand), the Simferopol rayon (26.5 thousand), Krasnogvardeysky rayon (15.4 thousand), Leninsky rayon (14.2 thousand).

The process of return and settlement of the deported requires a lot of funds, and Ukraine alone bears the burden of financial costs, though in October 1992 under Ukraine's initiative the Agreement on the Issues of Restoration of Rights of the Deported Individuals, National Minorities and Peoples was signed in Bishkek by the CIS states. To date, this Agreement has been ratified by Ukraine, Tajikistan, Uzbekistan, and Armenia only.

To solve internal organizational problems, the Republican Commission on the Issues of the Formerly Deported Peoples of the Crimea and Inter-state Ukrainian-German Commission on the Deported Germans Who Return to Ukraine were established. To solve the issues linked to settlement of returnees, the Ukrainian-German Fund was set by the Decree of the president of Ukraine, and the Fund for the Deported Peoples of the Crimea by the Resolution of the Cabinet of Ministers of Ukraine. In September 1996, the Government of Ukraine adopted the Emergency Program for Settlement and Accommodation of the Deported Crimean Tatars and Individuals of Other Nationalities Who Returned and Reside in the Crimea. In spite of economic difficulties, the Government of Ukraine allocates the funds for settlement of the deported. In 1992, they amounted to 10 billion karbovanets, 1993 - 110 billion karbovanets, 1994 - 1,275 billion karbovanets. In 1996, 3.6 trillion karbovanets were allocated for the needs of the deported. On the whole, by the year of 2000 the total amount of money for these purposes will amount to \$102.7 million (in 1995 year dollars).

The resources allocated for the needs of the deported are mainly directed towards construction of housing, development of communication, public utilities, and communal services. Taking into consideration, that for settlement of the deported, according to modern standards, more than 1.84 billion US dollars are

necessary and the state of Ukraine can only finance 5% of the required amount, cultural sphere and education do not receive the necessary funding.

The situation is further complicated by the fact that following the calculations, under the positive scenario, the amount of the deported who may arrive to the Crimea annually will equal 10-15 thousand, while the total number of the deported citizens in the Crimea by 2000 will amount to 300 thousand people.

The situation in the area of education looks as follows. While the number of pupils of Crimean Tatar nationality equals 40 thousand, in 1996-1997 academic years there are only two schools with education in Crimean Tatar to cater for their needs. Three schools where Crimean Tatar is taught at the advanced level and one school with two languages - Crimean Tatar and Russian - were opened in August-September 1996. In other 574 schools of the Crimea, the Crimean Tatar language is only taught in 40 classes, and this takes place in rayons and districts of compact residence where Crimean Tatar population comprises 10% to 30% of the population.

As for supply of learning materials, textbooks and manuals in Crimean Tatar (which are issued at the expense of the state budget) there is hardly enough books on the course "Crimean Tatar Language and Literature" to meet requirements of schools of the First and Second degree. As for other textbooks (all in all, 132 titles), they are not yet prepared. The activities of the groups of authors who were hired to prepare the textbooks are not financed properly.

The situation is not much better in the sphere of primary education for Armenians, Bulgarians, Greeks and Germans. For them, education in native languages is practically limited to Sunday schools financed from public funds, the money being supplied with delay and irregularly.

It is evident that inter-ethnic consent and flourishing of cultures depend to a great extent on the possibilities provided by education, especially in the native tongue, which lays the foundation for national identity, fulfillment, self-respect and respectful attitude to one's own culture and history as well as to other peoples' who reside in the Crimea. The latter is especially important for Crimean Tatars for whom the Crimea and Ukraine is the only homeland as they do not have any other.

At the same time, it is important that the integration process should not result in national isolation or assimilation. Integration should have a two-facet nature, especially in the sphere of education. This means that alongside with revival of national education, learning and expansion of native languages, it is necessary for

the pupils of Crimean Tatar, Armenian, Bulgarian, Greek, and German nationalities to learn Ukrainian as a state language, as well. Lack of knowledge of the state language (which is widely spread today in the Crimea) limits the possibilities of an individual, does not allow him/her to use the cultural heritage gained by many nationalities of the people of Ukraine, constraints access to higher and professional education in the educational establishments of Ukraine, deprives of the opportunity to advance in a political, administrative, scientific or other carrier beyond the territory of the Crimea and in future inside the Crimea. In other words, primary and secondary education in native language should not be separated from learning the Ukrainian language, while textbooks and methodology used in national schools should meet the requirements set by the state and fit into the national program of education which is guaranteed by Ukrainian legislation.

A significant influence on the process of harmonization of inter-ethnic relations in the Crimea, and integration of the deported into Ukrainian community specifically, is exercised by mass media. Local Crimean printed mass media, the print run of which consists of 1.1 million copies (55.6%), have the greatest circulation and are most popular in the Autonomous Republic of the Crimea. Following the official data, 252 publications are registered and issued in the Autonomous Republic of the Crimea, out of total amount 208 are Russian, 4 are published in Crimean Tatar and Russian, 3 in Russian and Ukrainian, in Armenian, Greek, and German - one of each. The majority of printed organs, being politically and economically dependent on their publishers, are prejudiced and biased in the coverage of events concerning Crimean Tatars and other formerly deported national minorities. At the same time, coverage of topics on multi-culturalism and inter-ethnic consent is poor and low quality; most popular printed organs, TV and radio companies ignore the issues of history, culture, traditions of the formerly deported. Of course, such situation can not contribute to stability and inter-ethnic consensus. Inability to work in a poly-ethnic environment, political bias, and, sometimes, low professional qualifications of journalists are the reasons for persistent suspicion and distrust to repatriates shown by Russian speaking population.

A significant role in formation of open society in the Autonomous Republic of the Crimea is played by the "third sector" - non-for-profit, non-governmental organizations (NGOs). To date, more than 500 organizations, republican or local status, are registered in the Crimea. Among them, about 50 represent the interests of the deported people. But, only few of them are involved with the solution of issues of integration of the deported individuals into Ukrainian community. Specifically, they include Foundation for Revival of the Crimea, Crimean Association of Independent Journalists, Crimean Independent center for

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Political Studies. Crimean Scientific Society “The Crimea with Ukraine” and some others. The “third sector” of the Crimea is going through the stage of its formation and development which requires significant financial and organizational support.

It is presumed that submitted Program will be implemented in close cooperation and coordination with the bodies of public power of Ukraine and international organizations which operate in Ukraine. Among those are the United Nations Organization, International Organization for Migrations, Organization for Security and Cooperation in Europe and others. Such approach will help avoid duplication in funding and direct the effort towards issues solutions for which requires significant costs. The Program includes a number of steps which will promote inter-ethnic peace in the multi-national setting of the Crimea, mutual understanding among representatives of different nationalities, revival of tolerant atmosphere and agreement, enrichment and penetration of cultures of different peoples and ethnic groups.

Taking the above mentioned into consideration, we propose the Program including the following :

Integrational Center
I. Crimean Soros Integrational-Educational Center (CSIEC)

Objective : establishment of a unified coordination center for support and development of education in native languages, preparation of high quality professionals, learning materials, provisions for equipment and procurement necessary for development of the system of national education for Crimean Tatars, Germans, Armenians, Bulgarians which reside in the Crimea.

The founders of the Center can include :

International Renaissance Foundation,
Ministry of Education of the Autonomous Republic of the Crimea,
Kyiv Mohyla Academy,
Simferopol Industrial-Pedagogical Institute.

The premises for the Center can be provided by Simferopol Industrial-Pedagogical Institute in accordance with the agreement on cooperation. This will allow to save the costs of buying or renting the premises and, also, to use the Institute's experience gained in teaching in national languages : in teachers' preparation, elaboration of textbooks and manuals and improvement of methodology. No doubt, that academic staff from Simferopol State University,

Crimean Republican Institute of Professional Development of Teachers, Center for Education and other educational establishments of the Autonomous Republic of the Crimea should be recruited to participate in the activities of the Center.

Legal status of the Center - independent, non-governmental, non-for-profit organization of educational character.

The Center, to carry out its goal, should be well equipped, have up-to-date computer software and a specialized library.

Functions of the Center :

1. Elaboration, publication, and dissemination of learning portfolios (textbooks, workbooks, manuals, teacher's books in different national languages of the Crimea) for Crimean schools.
2. Preparation pilot textbooks in Crimean Tatar, Ukrainian, Russian, their publication in small series, testing and certification.
3. Scientific and methodological support to the network of newly created educational establishments with native languages of education.
4. Research in different areas of linguistics, ethnopedagogics, ethnopsychology, ethnography, (establishment of scientific-research laboratories).
5. Professional development of scientists, researchers, other professionals capable of creation and implementation of new teaching methods, textbooks, teacher's books which are in accord with modern standards of education.
6. Professional development of teachers of all levels teaching in the native language.
7. Library procurement and informational services to teachers, pupils, and students via universal computerized information network.
8. Conduct of scientific and practical conferences on teaching methods, seminars, competitions.
9. Organization of competitions and preliminary language training for pupils and students to study in higher educational establishments of Ukraine and abroad, as well as internships and fellowships for teachers
10. Establishment and development of links with other similar educational and scientific centers, international organizations interested in cooperation.
11. Raising funds for further development and operation of education system in native languages in the Crimea.

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12. Organizational of professional training and retraining courses and assistance with employment to individuals who returned from deportation.
13. Establishment and support to educational establishments of different types, especially in the sphere of primary and secondary education.

Activities of the Center :

Legal and administrative activities of the Center, regulations for establishment and operations of managerial, supervisory, and advisory bodies, appointment and dismissal of the leadership of the Center will take place in accordance with its Statute adopted by the founders.

Funding of the activities of the Center will be carried out accordingly to the program for the Center adopted by the Supervisory Board (the regulation is enclosed) and Executive Committee of IRF through annual budget; the resources will be allocated via bidding process between different competitive projects submitted for consideration and selected by the leading organs of the Program, groups of experts and leadership of IRF. The existing IRF system for financing the projects and financial accounting will be implemented. Those activities of the Center which require according to acting legislation of Ukraine approval, certification, coordination of other form of permission on the part of the corresponding public bodies of Ukraine and the Autonomous Republic of the Crimea, are approved by the leadership of the Program, Supervisory Board, and leadership of IRF only on condition there is the necessary authorization provided by corresponding public bodies and institutions.

Expected results :

Crimean Soros Integrational-Educational Center will create conditions for centralization of effort of public and non-governmental organizations on development and support to education in native tongues accompanied by efficient usage of the Ukrainian language, which will facilitate and harmonize the process of integration of the deported into community.

Structure of Crimean Soros Integrational-Educational Center (CSIEC)

1. **The Board of the Center** - the highest leading organ of the Center.

The Board includes representatives of International Renaissance Foundation, ministry of Education of the Autonomous Republic of the Crimea, Kyiv Mohyla Academy, Crimean Industrial-Pedagogical Institute , Simferopol State University, other educational, scientific, and humanitarian bodies of the Crimea.

representatives of Mejlis of the Crimean Tatar people, and societies of formerly deported Germans, Armenians, Bulgarians, Greeks. The total number of the members of the Board is to be 10 to 15 individuals. Functions and formation of the Board are included into the Statute of the Center and Regulation on the Board of the Center, which are adopted by the founders.

2. **Administrative Body of the Center** consists of Director of the Center and his Deputies. Director and his Deputies are appointed by the board of the center. Administrative Body operates in accordance with the Statute of the Center and Regulation on the Administrative Body of the Center.

3. **Departments of the Center** include the managers and staff subordinate to the Administrative body of the Center.

The departments may include the following :

- specialized library,
- didactic center (unit),
- linguistic center (unit),
- informative-analytical unit,
- scientific-research library.

It should be born in mind, that certain provision can be made in the agreement with the Crimean Industrial-Pedagogical Institute allowing to use premises, equipment and technical, material, scientific resources of the Institute , which will create opportunities to minimize the clerical-administrative staff of the Center (8 to 10 employees), but, of course, to accommodate the leadership of the Center and carry out its main activities separate premises are required.

Funding : Alongside with resources allocated for implementation of the Program, other sponsors' funds, of international and private organizations and individuals, will be encouraged. As for financial priorities, it is reasonable to concentrate on those doings which are already financed from other sources (for instance, publication of textbooks).

SCHEDULE

for implementation and funding of activities of CSIEC

Funding is calculated for three years, from 1997 up to 1999

#	Activity	Allocation of funds in 1997 US \$	Total allocation of funds US \$	Duration/ completion date	Remarks
	<u>Administrative costs</u>				
1	Creation of CSIEC, purchase of equipment, salaries to employees	60,000	130,000	February-April 1997	
2	Establishment of scientific-research laboratory for elaboration of learning and teaching materials	50,000	90,000	First half of 1997	
3	Establishment of linguistic and didactic Centers	30,000	80,000	Second half of 1997	
4	Creation of scientific-informative division	35,000	80,000	First half of 1997	
5	Establishment of a specialized scientific-educational library	40,000	90,000	First half of 1997	
6	Formation of a unified computerized information network for educational establishments, and its connection with "Internet"	30,000	80,000	I half of 1997	
	<u>Funding of activities</u>				
7	Elaboration of new syllabi for education in three languages in comprehensive schools	30,000	75,000	starting from II half of 1997	Under concrete projects
8	Elaboration of new textbooks	40,000	90,000	starting from II quarter of	Under concrete

	for comprehensive schools in three languages			1997	projects
9	Publication of pilot textbooks	25,000	60,000	starting from III quarter of 1997	Under concrete projects
10	Publication of textbooks approved and authorized for publishing		425,000	starting from 1998	Under concrete projects
11	Professional development and training for school teachers and administration	20,000	50,000	starting from II quarter of 1997	Under concrete projects
12	Organization and conduct of international, republican scientific-practical conferences, seminars, round table etc.	30,000	50,000	starting from March 1997	Under concrete projects
13	Organization of professional retraining courses and assistance with employment	35,000	50,000	starting from II half of 1997	Under concrete projects
	Total :	425,000	1,350,000		

Funding for activities will be drawn from public and non-governmental organizations, as part of the described above activities are already financed via different financial sources.

II. Support to Mass Media

Mass media has a strong influence of public opinion in the sphere of inter-ethnic relations and establishment of stability in the community, especially with reference to the Crimea. Politicians, national leaders, the opposition, the state - all make use of them to influence and shape public opinion.

The role of mass media in promoting cultural and economic environment of the Crimea, its integration into Ukrainian and international informational space, formation of national identity of the indigenous peoples of the Crimea,

harmonization of inter-ethnic relations should be raised to a qualitatively new level. In this context, special attention should be paid to professional preparation of journalists and reporters and utilization of international experience of correspondents' working in multi-national surrounding.

Objective : to encourage development of independent and pluralistic mass media in the Crimea; to support the press in its attempts to protect peace in multi-national environment and promote ethnic tolerance; to facilitate the process of integration via improving the conditions of communications; to expand and develop informational flow in two directions - from the Crime and to the Crimea.

To achieve the objective, the following steps are proposed :

To take part in creation of the Crimean Press-Center IREX ProMedia which will :

1. provide informational support and research assistance to independent mass media organs via access to the central data bank situated in Kyiv, library of regional, national and international publications, on-line services, Internet, computerized information networks, as well as topical selections of printed materials;
2. function as a non-governmental center for briefings and press-conferences;
3. provide training courses on computerized publishing, editing, utilization of electronic sources of information, like Internet, and data base of the press-center;
4. organize training seminars for mass media professionals on modern journalism techniques, information systems, administration and financial management, existing practices in news coverage and interpretation of democratic, ethnic, social and economic aspects of modern life;
5. assist in establishing the network uniting Crimean mass media professionals with colleagues in other regions and countries;
6. collect information on projects implemented in the peninsula and disseminate it among local and national authorities, donors and mass media which will improve coordination between the bodies involved and increase efficiency of international assistance.

Besides the above mentioned, other activities include :

- organization and conduct together with the program IREX ProMedia of a series of seminars for journalists (managers, designers, editors),
- organization of a contest for the best publication on the issues of inter-ethnic relations,

- expansion of cooperation via meetings and exchange of journalists with journalists from Central and Eastern Europe, especially the countries having experience in dealing with inter-ethnic conflicts (to be carried out jointly with the program "East-East" run by IRF),
- competition among newspapers for the most popular printed organ which exercise significant and actual influence on integrational processes in the Crimea.

Expected results : the goal of the project is to make a contribution into strengthening democracy and augmentation of free press.

**SCHEDULE
for implementation and funding**

#	Activity	Allocation of funds in 1997 US \$	Total allocation of funds US \$	Duration/ completion date for 1997	Remarks
1	Organization of seminars, round tables etc.	40,000	90,000	II - III quarter of 1997	Topics to be agreed later
2	Organizations of contests	30,000	100,000	on a yearly basis	
3	Consultations for mass media professionals	10,000	40,000	starting from III quarter of 1997	
4	Establishment of Crimean Press-Center IREX ProMedia	140,000	190,000	II - III quarter of 1997	On agreement with IREX ProMedia
	Total :	220,000	420,000		

III. Support to Development of NGOs Network

In spite of the fact that more than 500 civic organizations are registered in the Crimea, one can not assert that the "third sector" is having an influence on social-economic life of the peninsula. This can be explained by difficult economic conditions and, as a consequence, low social-political participation of citizens, as well as lack of experience and managerial skills in NGOs sector and absence of the necessary funding for projects and NGOs activities on the whole.

Lately, a rise was observed in the activities of some non-governmental organizations in the Crimea including those whose activities embrace different spheres of life including those contributing to the improvement of inter-ethnic relations in the region. One of specific features of NGOs is that they are grouped and carry out their activities not on a national principle (though there are 22 national societies in the Crimea united into the Association of National Societies and communities of peoples of the Crimea), but depending upon the type of work they do. Objectives of the Program - to encourage and assist development of such organizations. At the same time, it is important to ensure the integration of different sections of the Program - joint activities to achieve a common goal.

Objective of the project : to promote development and encourage growth of NGOs involved with formation and strengthening of multi-culturalism, inter-ethnic consent, and generation of efficient forms of NGOs cooperation. Such NGOs should be oriented towards conflict prevention and be able to succeed in multi-national surrounding.

Implementation steps include :

- bidding for seed-grants to establish an NGO (jointly with Eurasia Foundation),
- contest (jointly with King Bodwain Fund) for the best project aimed at improving inter-ethnic relations in the district /rayon inhabited by different nationalities, one of the requirements for the project being that representatives of at least two different national-cultural societies or national civic organizations,
- conduct of training seminars for NGOs on the issues of management and fund-raising,
- bidding for initiation in the Crimea the resource center for non-profit organizations (jointly with Eurasia Foundation and Charles Mott Fund).

Expected results : Orientation of NGOs towards conflict prevention in a multi-national environment and actual influence of the "third sector" on formation and augmentation of open civic society in the Crimea will be among the outcomes of this project.

SCHEDULE
for implementation and funding

#	Activity	Allocation of funds in 1997 US \$	Total allocation of funds US \$	Duration/ completion date for 1997	Remarks
1	Organization of conferences, seminars, round tables	30,000	90,000	total 5 throughout the year	
2	Organization and conduct of training sessions	20,000	60,000	I - IV quarter	
3	Organization and conduct of contests	20,000	50,000	starting from III quarter	
4	Research on performance and development of NGOs	10,000	20,000	II quarter	
	Total :	80,000	220,000		

Financial contributions for these series of events are expected from Eurasia Foundation, King Bodwoin Fund, Charles Mott Fund and, presumably, other donors.

IV. Propagation of national cultures of the Crimea

This section of the Program presupposes support to initiatives which will advance implementation of the Program on the whole, promote expansion and popularization of the Program, and draw additional funding.

Objective of the project: to propagate goals and priorities of the Program, inform community on achieved results, and provide support to activities aimed at promotion of integrational process.

Implementation steps include :

- contest for the best research and publication devoted to formation and development of multi-national society in Ukraine and the Crimea,
- conduct of a series of seminars and scientific-practical conferences which encourage participation of famous scientists, experts, representatives of the deported, public and non-governmental organizations, international community,
- bidding for creation the Center of National Arts in the Crimea,
- support to publication of works by outstanding scholars, philosophers, writers of the past and contemporary authors which throw light upon cultural and national distinctions of multi-national population of the Autonomous Republic of the Crimea and Ukraine,
- contest for the best series of TV programs on Crimean and Ukrainian TV devoted to history and culture of the peoples which inhabit the Crimea and Ukraine.

Expected results : This project will result in promotion, expansion and further development of the Program, raising additional funds for its implementation, and support to scientific-cultural surroundings.

**SCHEDULE
for implementation and funding**

#	Activity	Allocation of funds in 1997 US \$	Total allocation of funds US \$	Duration/ completion date for 1997	Remarks
1	Organization and conduct of contests	10,000	40,000		under specific projects
2	Organization and conduct of seminars, scientific-practical conferences etc.	30,000	80,000		
3	Support to publications by outstanding scholars, philosophers, writers	30,000	80,000		
4	Creation of a series of TV programs	10,000	30,000	II half of the year	
5	Establishment of Center of	20,000	50,000	III quarter	

	National Arts of the Crimea				
	Total :	90,000	250,000		

EXPENDITURES ON IMPLEMENTATION OF THE PROGRAM

Activities	1997			1997 - 1999		
	Funding of activities	Administrative costs	Total	Funding of activities	Administrative costs	Total
Crimean Soros Integrational-Educational center	425,000	43,000	468,000	1,350,000	150,000	1,500,00
Support to mass media	220,000	25,000	245,000	420,000	45,000	465,000
Support to development of NGOs network	80,000	10,000	90,000	220,000	25,000	245,000
Propagation of national cultures of the Crimea	90,000	10,000	100,000	250,000	30,000	280,000
Total :	815,000	88,000	903,000	2,240,000	250,000	2,490,000

Total expenditures for implementation of subprogram Crimean Soros Integrational-Educational Center in 1997-1999 will amount to **US \$ 1,500,000**.

Total expenditures for subprograms "Support to mass media", Support to development of NGOs network and Propagation of national cultures in the Crimea equal **US \$ 990,000**.

Total budget for the Program Integration of Formerly Deported Crimean Tatars, Germans, Greeks, Bulgarians, Armenians into Ukrainian Community during 1997-1999 will equal **US \$ 2,490,000**, including administrative costs of **US \$ 250,000**. Out of this sum, **US \$ 903,000** is total funding for 1997, out of which **US \$ 88,000** represent administrative costs of the Program.

ORGANIZATIONAL FRAMEWORK FOR PROGRAM IMPLEMENTATION

Responsibility for implementation of the Program is vested with Directorate established by International Renaissance Foundation. The Directorate will function under leadership and supervision of the Supervisory Board of the Program.

The head of the Program is its Executive director appointed to this position by Director General of International Renaissance Foundation. Executive director of the Program is subordinate to Deputy Director General of IRF in charge of Civic Society Division. While dealing with implementation of educational section of the Program, Executive director works in close cooperation with Deputy Director General in charge of educational issues.

For daily operation on the territory of the Crimea, the Program establishes an office in Simferopol which functions in close cooperation with Crimean branch of IRF, UN Program for Development and Integration of the Crimea, UNHCR Office, and mission of OSCE. The office is headed by Deputy Executive Director of the Program.

International Renaissance Foundation approves regulations on the Program and Supervisory Board of the Program, as well as members of the Supervisory Board.

MEMBERS OF THE SUPERVISORY BOARD OF THE PROGRAM

***Piskun, Oleksander* -**

Advisor to Consultative-Advisory Board with the Supreme Rada of Ukraine
Co-Chairman

***Arifov, Lenur* -**

Deputy to the Supreme Rada, Head of Standing Committee on National Policy and Problems of the Deported Citizens with the Supreme Rada of Autonomous Republic of the Crimea, member of Presidium of Mejlis of Crimean Tatar people
Co-Chairman

Members :

1. ***Kuras, Ivan*** - Vice-Premier of Ukrainian Government on Humanitarian Issues
2. ***Taniuk, Les*** - Deputy to the Supreme Rada of Ukraine, member of Standing Committee on Cultural Issues
3. ***Bilukha, Yuriy*** - Deputy Head of State Committee of Ukraine for Nationalities and Migration
4. ***Kremin, Vasyl*** - Director, Division of Humanitarian Issues, President of Ukraine's Administration
5. ***Chaly, Petro*** - Head of Division on Citizenship, President of Ukraine's Administration
6. ***Bekirov, Nadir*** - Deputy to the Autonomous Republic of the Crimea, Head of Legal-Political Division, Mejlis of Crimean Tatar People
7. ***Umerov, Envar*** - Deputy Minister of Education of Autonomous Republic of the Crimea
8. ***Gabrielian, Oleg*** - First Deputy Head of State Committee of the Autonomous Republic of the Crimea on Nationalities and Deported Citizens
9. ***Yakovlev, Viktor*** - Chief Consultant to Secretariat Standing Committee of the Supreme Rada of Ukraine on Human Rights, National Minorities, and Inter-Ethnic Relations

10. *Prybytkova, Irena* - Professor, Kyiv Mohyla Academy
11. *Yakubov, Fevzi* - Academician, National Academy of Sciences of Ukraine, Rector of Crimean Industrial-Pedagogical Institute
12. *Renpening, Volodymyr* - Deputy to the Autonomous Republic of the Crimea, Chairman of Folksparlament of Germans of the Crimea
13. *Prytula, Volodymyr* - Director, Independent Crimean Center for Political Studies, correspondent of Radio Svoboda.

REGULATION ON THE SUPERVISORY BOARD

1. **Supervisory Board** is the body in charge of organizational matters, methodology, evaluation and control.
2. Supervisory Board of the Program includes 10 to 15 members, Ukrainian and foreign citizens.
3. **Supervisory Board** :
 - defines logical framework of the Program and activities as to its implementation as well as Program's constituents - regional and local projects;
 - considers, reviews and approves annual reports submitted by Executive director of the Program, Program coordinators in regional branched of IRF, and other actors involved with implementation of the Program;
 - sets rules for financing and budgeting, and expenditure standards;
 - informs the public on progress and accomplishments of the Program;
 - provides assistance in problem-solving connected with organizational, methodological and financial issues of Program implementation;
 - approves the position of Executive director of the Program
 - approves regional projects within the Program.
4. Supervisory Board sits when necessary under the call of Co-Chairman, or on requirement of no less than three members of Supervisory Board.

ITEM - 6

Крим
ІНТЕРНЕТ

Міжнародний Фонд "Відродження"

Кримське регіональне відділення

International Renaissance Foundation

Crimean regional branch

Schedule

21.01.97 - 24.01.97

+ Yuriy
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21.01.97, Tuesday	
13.50	arrival
14.30	hotel "Volga"
15.00 - 16.00	lunch
16.30 - 18.00	meeting with O.Gabrielyan (State Committee for Nationalities and Deported People)
19.00	dinner in the hotel
22.01.97, Wednesday	
8.30	breakfast in the hotel
9.30 - 11.00	meeting with Lubow Horich (Crimea Integration and Development Program Coordinator)
11.30 - 12.30	meeting with V.Pritula (Center for Independent Political Studies) and representatives of Ukrainian NGOs
12.30 - 13.30	lunch
14.00 - 15.00	meeting with Mustafa Jemilev (Crimean Tatar Mejlis Leader)
15.30 - 16.30	meeting with F. Yakubov (Rector of Crimean Industrial and Pedagogical Institute)
17.00 - 18.00	meeting with L.Arifov (Head of the Crimean Supreme Soviet Commission on National Policy and Deported People)
19.00	dinner in the hotel
23.01.97, Thursday	
8.30	breakfast in the hotel
9.30 - 10.30	meeting with Javier Honorato (United Nations High Commissioner for Refugees, Senior Field Officer)
10.30	visit to Sevastopol
19.00	dinner in the hotel
24.01.97, Friday	
8.30	breakfast in the hotel
9.00 - 13.30	visit to the national Crimean Tatar school
14.00	lunch
16.50	departure

м. Сімферополь, вул. Севастопольська, 8, офіс 99
тел. (0652) 274455 факс (0652) 273309

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ITEM - 7

Interview Protocol - Crimea

What is the International Renaissance Foundation? What are its goals, programs and who are its staff?

The team of experts has accomplished much? what is your understanding of my role?

Are Crimean Tatars viewed as an indigenous people? What status does that give them in general terms, in Eastern Europe, and historically?

Are there other indigenous people in the Crimea?

The research shows an urgent picture concerning the conditions of the Crimean Tatars; is there an urgency with respect to conflict or violence?

How would you describe the historical or culturally-specific means of resolving conflict within Crimean Tatar society? In Ukrainian society?

The deported people have been stereotyped as "traitors" and "collaborators" (with the Nazis): how strong is this stereotype? Does it have any justification? How might it be reduced?

Are other stereotypes operating in the Crimea?

What is the status of citizenship of deportees at this time?

What is meant by "Autonomous" Republic of Crimea? Is this consistent with self-government as called for by the Crimean Tatars?

The research of the committee of experts notes that in 1996, 1/5 of the total allocation

of 21 million US dollars for capital construction and social-cultural development reached the State committee for Nationalities and Deported citizens: can you explain why?

Are the main political demands of the deported people, in particular, Crimean Tatars, achievable?

The IRF plans four program areas: 1) development of a system of education as an instrument of integration and conflict prevention; 2) support mass media as an instrument of stabilization and development of pluralism in civil society; 3) support NGOs to stabilize them and encourage mutual understanding; 4) support national cultures of the Crimea to build a poly-ethnic environment.

What is your view of the concept of "integration" (referred to as adaptation and mutual benefit resulting from revival of national cultures) used by the IRF?

Could programs of "cultural renaissance" as envisaged by the IRF actually increase ethnic cleavage and move Crimea in the direction of another Yugoslavia?

What other actors (parties) should be included in this process?

What areas or program activities planned by the IRF require assistance, support and collaboration the most?

Is there anything else you wish to add?

ITEM - 8

INDEPENDENT REVIEW

OF

**THE INTERNATIONAL RENAISSANCE FOUNDATION'S
PROPOSED PROGRAM:**

**INTEGRATION OF FORMERLY DEPORTED CRIMEAN TARTARS,
GERMANS, GREEKS, BULGARIANS, ARMENIANS
INTO UKRAINIAN COMMUNITY**

**SUBMITTED TO THE IRF by BEN HOFFMAN
Canadian International Institute of Applied
Negotiation**

JANUARY 31, 1997

GENERAL REMARKS

1. I visited Ukraine during the week of January 18- 25, 1997 as an independent expert in conflict resolution with experience in inter-ethnic conflict and issues relating to indigenous people. I was funded by the Canadian Association of Universities and Colleges and by the International Renaissance Foundation. My observations are based on preliminary research conducted in Canada, review of the research conducted by Ukrainian experts between October, 1996 and January, 1997; in-depth interviews with some 20 persons in Kiev and Crimea, including nongovernmental, governmental, academic, and international agency representatives; and review of the IRF's proposed Program.

2. General observations were made at three levels: the International Renaissance Foundation itself; the Expert's Research on "Some aspects of social-economic, legal-political, and inter-ethnic situation in the Autonomous Republic of the Crimea"; and the issue of Actors presently engaged in the Crimea.

i) The International Renaissance Foundation: Throughout my review I tested the perceived credibility of the IRF and its suitability to form and execute the Program as set forth in a detailed document prepared for submission to the Soros Foundation. My impressions are that the IRF is an active, constructive nongovernmental body that enjoys a good reputation and sufficient sectorial and multi-ethnic participation to be seen as a credible and suitable body to execute the proposed Program. The IRF has a number of regional offices including one in Simferopol, Crimea. The administrative practices of the IRF appear to be of a professional standard and the staff in the Crimea are enthusiastic and deeply committed to the various projects there, including the proposed Program.

ii) The Expert's Research: This 30-page study is a comprehensive document covering the following topics:

Current socio-economic situation in the Crimea;

Some aspects of legal-political situation in the Autonomous Republic of Crimea;

Role of international community in the solution of the problems of deported citizens;

Factors which influence the stability of the situation in the Crimea and integration of the Crimean Tartar people, Armenians, Bulgarians, Germans, and Greeks into the Ukrainian Community; and

Conclusions.

The research presents an urgent picture concerning the conditions of the Crimean Tartars in particular, noting the numbers of people struggling to integrate into society in the Crimea, difficulties to overcome, including physical, economic, political, and social. The research draws attention to sensitive and significant obstacles such as

negative stereotypes held by others of Crimean Tartars. The implicit threat of the formerly deported people to the Russian speaking population, which is now well established in the Crimea, is evident.

The research highlights difficulties with respect to citizenship of the returned deportees and the needs and aspirations of the Crimean Tartars as an indigenous peoples. The nature of this "indigenous" peoples as it relates to political organization, cultural identity and aspirations, and political participation are highlighted.

Furthermore, the relationship between the political concept and reality of the "Autonomous Republic of Crimea" with Ukraine in general and the Crimean Tartars is also illuminated in a review of the research.

Finally, the geo-political dimensions of the situation are alluded to but not developed in the research as the work is concentrated on matters relating to inter-ethnic integration in the Crimea, per se.

The research leaves little doubt that the situation is complex, delicate, and has the potential for escalation of the inherent conflicts. Patience, good will, persistence, creative responses at the community level (local political and nongovernmental level) and the national level are required. In their absence, even if no external events precipitate conflict, the situation is difficult and requires conflict prevention.

Of course, the allocation of adequate funding by the national government and international community to address the human condition is a significant issue, especially as Ukraine is a transitional economy that is suffering relatively serious economic hardship. Thus, the economic environment does not generate optimism and provides a background of strain and stress against which integration of formerly deported peoples is made even more difficult.

Nevertheless, and perhaps to a fault, the research does not sharpen the picture for the outside reader. That is, while the historical picture, the facts and the challenges are presented they do not prepare the reader for the degree of difficulty that is obvious once a visit to the Crimea is undertaken and the hardships and challenges come to life. Perhaps this "gap" between the research findings and the hard reality reflects a research orientation that attempts to present the picture in clinically objective terms and style and/or it is a testimony to the general character of Ukrainians - a tolerant people who will overcome these difficulties given adequate time and resources.

As a general observation the research does underscore and give validity to the IRF's proposed Program.

iii) Actors engaged in the Crimea:

a) It is notable that some 500 NGOs are registered in the Crimea, although many are not fully functioning and some 20 - 30 appear to be relevant to the integration issue as it relates to the IRF Program. The UN Integration and Development Program and the UNHCR are supporting the growth of NGOs relevant to integration. A peculiar term, "ethnic NGO" is used to describe some local bodies that represent different ethnic groups and who are key to providing a form of organized and potentially collaborative efforts across ethnic groups.

b) The three international agency actors are the UN Integration and Development Program; the UN High Commissioner for Refugees; and the Organization for Security and Cooperation in Europe. It is apparent that these agencies, who share office space in Simferopol are aware of each other's efforts and a spirit of collaboration was evident among their representatives.

The presence in the Crimea of the International Renaissance Foundation through the Program adds another actor with the potential and intention to introduce other international actors. While the IRF's current activities are known to the three principal international agencies, its work as planned in the Program will require support and cooperation at a more technical level. Coordinated efforts at the high level are also needed on the matter of citizenship, program priorities and funding.

SPECIFIC OBSERVATIONS

1. I note two key general remarks included in the Program proposal:

a) "It is presumed that the submitted Program will be implemented in close cooperation and coordination with the bodies of public power of Ukraine and international organizations which operate in Ukraine. Among those are the United Nations Organization, International Organization for Migrations, Organization for Security and Cooperation in Europe and others. Such approach will help avoid duplication in funding and direct the efforts towards issues solutions for which requires significant costs."

b) "The Program includes a number of steps which will promote inter-ethnic peace in the multi-national setting of the Crimea. Mutual understanding among representatives of different nationalities, revival of tolerant atmosphere and agreement, enrichment and penetration of cultures of different peoples and ethnic groups."

This general attitude and approach is reflected in the specifics of the Program and are emphasized as essential by this writer.

A reasonable concern can be raised when the notion of restoring, regenerating, revitalizing cultural identities is presented. Fears that explicit activities directed in this way may fuel ethnonationalism and increase potential cleavages between ethnic groups in Crimea are realistic. On pressing the point during my field visit I was repeatedly assured that a poly-ethnic community existed in the Crimea prior to deportation in 1944 and such a peaceful cohabitation and enriched cultural life could return to the Crimea. Furthermore, it was asserted that the Crimean Tartars has undergone a near genocide, and certainly a form of cultural genocide. Restoration of cultural identity, language, and traditions is an essential first step prior to (or in parallel to) the possibility of a peaceful poly-ethnic reality. Furthermore, I was assured and the IRF's Program demonstrates that sensitive matters such as language in schools and treatment of cultural renaissance will support integration rather than generate isolation and ethnic conflict.

The Program proposal notes:

"It is evident that inter-ethnic consent and flourishing of cultures depend to a great extent on the possibilities provided by education, especially in the native tongue, which lays the foundation for national identity, fulfilment, self-respect and respectful of attitude to one's own culture and history as well as to other peoples' who reside in the Crimea. The latter is especially important for Crimean Tartars for whom the Crimea and Ukraine is the only homeland as they do not have any other.

At the same time, it is important that the integration process should not result in national isolation or assimilation. (bold added) Integration should have a two-faceted nature, especially in the sphere of education. This means that alongside with the revival of national education, learning and expansion of native languages, it is necessary for the pupils of Crimean Tartar, Armenian, Bulgarian, Greek, and German nationalities to learn Ukrainian as a state language, as well. Lack of knowledge of the state language (which is widely spread today in the Crimea) limits the possibilities of an individual, does not allow him/her to use the cultural heritage gains by many nationalities of the people of Ukraine, constraints access to higher and professional educational establishments of Ukraine, deprives of the opportunity to advance in a political, administrative, scientific or other career beyond the territory of the Crimea and in future inside the Crimea. **In other words, primary and secondary education in native language should not be separated form learning the Ukrainian language, while textbooks and methodology used in national schools should meet the requirements set by the state and fit into the national program of education which is guaranteed by Ukrainian legislation." (bold added)**

2. The four initiatives in the IRF's proposed Program are justified by the Expert Research and by the accounts given to me in my interviews with significant key individuals. The planned initiatives are:

1. Crimean Soros Integrational-Educational Center
2. Support to Mass Media
3. Support to Development of NGOs Network
4. Propagation of national cultures of the Crimea

1. Crimean Soros Integrational-Educational Center:

The objective is the "establishment of a unified center for support and development of education in native languages, preparation of high quality professionals, learning materials, provisions for equipment and procurement necessary for the development of the system of national education for Crimean Tartars, Germans, Armenians, Bulgarians which reside in the Crimea".

The purpose, functions, structure and funding requirements of the Center are presented adequately in the Proposal. Of special note are the following:

- ▶ the Center will be founded through a cooperative effort of key organizations that will give it credibility and the potential of sustainability beyond the three year funding set out in the Proposal. The potential founders include the International Renaissance Foundation; Ministry of Education of the Autonomous Republic of the Crimea; Kyiv Mohyla Academy; and Simferopol Industrial-Pedagogical Institute. Such a wide base of support will be necessary and my investigations indicate strong support from the Ministry of Education and the Industrial-Pedagogical Institute.
- ▶ the Center's approach of a balanced program of activities which will serve all deported ethnic groups should ensure that criticism of partiality or support for the political agenda of any particular deported group are minimized.
- ▶ in addition to the 13 enumerated functions (i.e, developing textbooks, research in areas of linguistics, ethnography, scientific and practical conferences) it would be helpful to the goal of peaceful integration to include a focus on conflict resolution, in areas such as curriculum development, teacher development, ethnography, and training materials.

2. Support to Mass Media:

The objective is "to encourage development of independent and pluralistic mass media in the Crimea; to support the press in its attempt to protect peace in multi-national environment and promote ethnic tolerance; to facilitate the process of integration via improving the conditions of communications; to expand and develop informational

flow in two directions - from the Crimea and to the Crimea".

Notable with respect to this initiative is the goal of this part of the Program is to strengthen democracy and augmentation of free press.

It was pointed out that none of the five daily newspapers in the Crimea are independent. Furthermore, ethnic publications are understandably partisan and in some cases they are the basis upon which strong negative stereotype of other groups are formed and supported.

A forum or fora in which impartial reporting and the possibility of professional and unbiased analysis of issues and events can take place is critical to the growth of democracy and the goal of peaceful integration.

In Australia and North America conflict resolution experts and organizations have begun to educate journalists and political columnists in the science of conflict analysis with a goal of less inflamed, balanced and accurate reporting. Awards are now given by the conflict resolution community for quality reporting. This type of training and relationship with the media should be included in the program.

Furthermore, the challenges and unique issues confronting the Crimea as it relates to the indigenous Crimean Tartar peoples deserves and will require greater international attention if adequate funding from the international community is to come, and reasonable political developments supportive of integration are to be achieved.

3. Support to Development of NGOs Network:

The objective is "to promote development and encourage growth of NGOs involved with formation and strengthening of multi-culturalism, inter-ethnic consent, and efficient forms of NGOs cooperation. Such NGOs should be oriented towards conflict prevention and be able to succeed in multi-national surrounding".

The work of the United Nations agencies in Crimea with respect to NGOs should be noted and this aspect of the IRF's proposed Program should be developed to ensure economies. Nevertheless, the IRF as a credible, multi-programme nongovernmental organization has a strong role to play in this area.

Linkages with NGOs active in conflict prevention, negotiation, mediation, and efforts to design culturally appropriate mechanisms of dispute resolution are important areas to pursue.

4. Propagation of national cultures in the Crimea:

The objective is "to promote goals and priorities of the Program, inform community on achieved results, and provide support to activities aimed at the promotion of integrational process".

Making provisions within the Program to generate additional revenues from other funding sources and to provide a form of public scrutiny and evaluation are excellent features. More thought might be given to a systematic evaluation which takes place as one of several planned and coordinated activities.

RECOMMENDATIONS

1. THAT THERE BE SUPPORT FOR THE INTERNATIONAL RENAISSANCE FOUNDATION'S PROGRAM FOR "INTEGRATION OF FORMERLY DEPORTED CRIMEAN TARTARS, GERMANS, GREEKS, BULGARIANS, ARMENIANS INTO UKRAINIAN COMMUNITY".
2. THAT THE OSCE MISSION IN UKRAINE CONVENE A HIGH LEVEL MEETING OF KEY ACTORS TO DEVELOP A STRATEGIC PLAN AND COORDINATED MEASURES TO ENSURE THAT POLITICAL ISSUES SUCH AS CITIZENSHIP AND OTHER OBSTACLES TO PEACEFUL INTEGRATION BE ADDRESSED AS A CONFLICT PREVENTION AGENDA.
3. THAT THE IRF'S PROGRAM SUPERVISORY BOARD, AS ONE OF ITS FIRST FUNCTIONS, ESTABLISH CRITERIA FOR THE EVALUATION OF FUNDING REQUESTS AND ALLOCATION AND MANAGEMENT OF THE MONIES IT DISTRIBUTES UNDER THE PROGRAM.
4. THAT MID-LEVEL ACTORS IN THE CRIMEA AND GRASS ROOTS ACTORS BE CONVENE BY THE UN AGENCIES ACTIVE IN THE CRIMEA ALONG WITH THE IRF TO ENSURE THAT RELATED ACTIVITIES ARE DESIGNED AND EXECUTED TO ACHIEVE ECONOMIES AND THE GOALS OF THESE KEY ACTORS.
5. THAT THE IRF ESTABLISH A METHOD FOR SELF-EVALUATION OF THE PROGRAM.
6. THAT THE IRF EMBARK IMMEDIATELY ON EFFORTS TO ATTRACT ADDITIONAL FUNDING, ESPECIALLY TO SUPPORT INTER-ETHNIC CONFLICT RESOLUTION AND DISPUTE RESOLUTION SYSTEM DESIGN ACTIVITIES AND THE LONG-TERM VIABILITY OF THE CRIMEAN SOROS INTEGRATIONAL-EDUCATIONAL CENTER.

ITEM - 9

Towards Peaceful Integration of Deported People in Crimea

A Set of Initiatives (Working Draft/Feb./97)

As a result of a field visit to Ukraine and the Crimea conducted by Mr. Ben Hoffman in Jan/97 and discussions held with Professor Petr Dutkiewicz, the Canadian International Institute of Applied Negotiation and the Centre for Central European Studies, Carleton University propose a number of initiatives, including but not limited to the following possibilities:

At the Strategic Level

(1) High level policy dialogue

▶ To be convened by the Ukraine mission of the OSCE, with facilitation assistance, policy dialogue on the critical issues of citizenship, inter-agency cooperation and international attention to the conflict prevention agenda in the Crimea.

(2) Mid-level strategic planning

▶ To be convened by the International Renaissance Foundation in cooperation with its Canadian partners, a strategic planning session of the major agencies and actors working in the Crimea towards peaceful integration. To ensure cooperation, economies, efficiency and cost-effectiveness of respective activities of agencies such as UNHCR, OSCE, UNIP, IRF.

At the Community Level

A series of clinical/applied initiatives and services such as:

(i) conflict resolution workshops for NGO's and local government representatives

(ii) minority rights workshops

(iii) dispute resolution system design workshops and technical work to build mechanisms for the resolution of conflict and specific disputes such as land use.

(2)

The International Level

A number of activities to promote awareness of and financial, political and moral support for peaceful integrations including:

(i) revision and publication of the research conducted by the Ukrainian Committee of Experts under the auspices of the IRF

(ii) creation of a number of governmental, academic and nongovernmental venues in North America for presentation of the facts, circumstances, and challenges with respect to integration of the Crimean Tartars and other deported people in Crimea

(iii) production of a video or other mass media on the Crimean Tartars as indigenous people in a sensitive and geopolitical soci-political context.

CIAN NEWS

Vol. 1, No.6, October 1997

Editor: Alec Tedder

THIS ISSUE

PEACEBUILDING IN CRIMEA:

Ben Hoffman, CEO

A TRIP TO AZERBAIJAN: Flaurie Storie

FIRST NATIONS RESERVES & DISPUTE MANAGEMENT:

Flaurie Storie

CIAN PUBLICATIONS: TOWARDS A CULTURALLY SPECIFIC MODEL OF MEDIATION:

Roger Hill's work

CONFLICT AND INTERCULTURAL TOLERANCE IN THE CRIMEA:

Mary Hutcheon

PROGRAM CHANGES AND GREETINGS TO CIANITES:

Tammy Hoffman

GREETINGS: Laurie Wright

BUILDING BRIDGES: Alec Tedder

PEACEBUILDING IN THE CRIMEA: by Ben Hoffman, CEO

The International Renaissance Foundation (IRF) is a Ukrainian non governmental organization concerned about re-settlement of the Crimean Tartars and other deported people in the Crimea and requested advice, direction and support on a proposal which had been developed by a team of experts.

In January, 1997 Mr. Ben Hoffman, CIAN's CEO conducted a field visit to assess the proposal and to

develop a more comprehensive response, including options for preventive peacebuilding.



Ben Hoffman with the Black Sea Fleet Sevastopol, Crimea

As a result CIAN and the Centre for Eastern European and Russian Area Studies (CERAS) Carleton

University proposed a number of initiatives, including but not limited to the following possibilities:

At the Strategic Level

(1) High level policy dialogue

* To be convened by the Ukraine mission of the OSCE, with facilitation assistance, policy dialogue on the critical issues of citizenship, interagency cooperation and international attention to the conflict prevention agenda in the Crimea.

(2) Mid-level strategic planning

* To be convened by the International Renaissance Foundation in cooperation with its Canadian partners, a strategic planning session of the major agencies and actors working in the Crimea towards peaceful integration. To ensure cooperation, economies, efficiency and cost-effectiveness of respective activities of agencies such as UNHCR, USCE, UNIP, IRF.

ITEM - 10

Canadian International Institute of Applied Negotiation

CERTIFICATE PROGRAMS IN:

Negotiation

Alternative
Dispute
Resolution

CHIEF EXECUTIVE OFFICER Benjamin Hoffman

DIRECTOR, CERTIFICATE PROGRAMS Raurie Storie

DIRECTOR, INTERNATIONAL PROGRAMS Roger Hill

DIRECTOR, ADMINISTRATION & FINANCE William Beacham

COORDINATOR Tamar Hoffmann

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Gen. Clive Milner
Mr. Charles Pou Jr.
Ms. Nathalie Rockhill
Mr. Ian Jeswald Salacuse
Ms. Bonita Thompson

TRANSMITTED BY FAX 011 380 44 216 7629

February 28, 1997

Mr. O. Sydorenko
Deputy Executive Director
International Renaissance Foundation
46 Artema Street
Kiev 254053 Ukraine

Mr. Buznytsky
International Renaissance Foundation
46 Artema Street
Kiev 254053 Ukraine

Dear Mr. Sydorenko and Mr. Buznytsky:

This letter is to invite you to visit Canada as part of the Canadian International Institute of Applied Negotiation (CIAN) for a series of workshops, discussions and strategic planning sessions relating to peaceful integration of deported people in the Crimea, Ukraine.

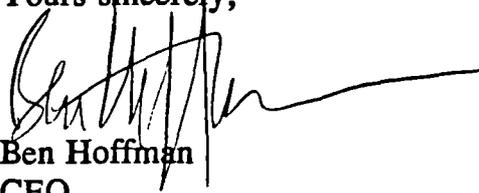
Your visit at this time is a significant and important step in the collaboration between the International Renaissance Foundation, CIAN and Carleton University.

When you arrive, we will engage you in a full itinerary, including visits with key individuals at CIDA and DFAIT, in academe and the NGO community, and Canadian federal departments active in issues of multiculturalism, minority rights and peacebuilding. Additionally, you will be invited to present the research findings of your team of experts who recently completed an extensive study, "Some Aspects of Social-Economic, Legal-Political, and Inter-Ethnic Situations in the Autonomous Republic of the Crimea".

... 2

This visit to Canada will be followed by further collaboration in Ukraine wherein a series of initiatives toward peaceful integration in Crimea will be realized.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Ben Hoffman", with a long horizontal flourish extending to the right.

Ben Hoffman
CEO

c.c. Piotr Dutkiewicz

DRAFT SEMINAR NOTICE

**THE CANADIAN INTERNATIONAL INSTITUTE OF APPLIED NEGOTIATION
AND
THE INSTITUTE OF CENTRAL/EASTERN EUROPEAN AND RUSSIAN AREA
STUDIES (CERAS), CARLETON UNIVERSITY**

SEMINAR NOTICE

In March 1997 Mr. Ben Hoffman, President, Canadian International Institute of Applied Negotiation (CIAN) and Professor Piotr Dutkiewicz, Deputy Director CERAS, Carleton University, visited Ukraine in connection with efforts to promote conflict resolution and inter-cultural tolerance in The Crimea. This was within the context of a possible project for the integration of formerly-deported Crimean Tartars and other ethnic groups being developed by the Association of Universities and Colleges of Canada (AUCC), Ottawa, and the International Renaissance Foundation (the Soros Foundation), in Kiev.

Now, in late April this year, three distinguished Ukrainian guests will be visiting Canada in connection with this project: Dr. B. Budzan, President, International Management Institute, Kiev, and former Director, International Renaissance Foundation, Kiev; Dr. O. Sydorenko, First Deputy Director, International Renaissance Foundation; and Dr. Y. Buzynsky, Director, Foundation for Migration for Ukraine.

On the occasion of this visit, the Canadian International Institute of Applied Negotiation and the Institute of Central/Eastern European and Russian Area Studies (CERAS), Carleton University, take pleasure in inviting you to a seminar on Wednesday 30 April 1997.

The seminar will be held in Salon B, on the 10th Floor, 50 O'Connor St., Ottawa, commencing at 9.15 a.m.

A Seminar Programme is attached at annex.

We hope that you will be able to join us for this event

Roger Hill
Director
International Programme
CIAN

**RSVP: Please respond as soon as possible,
to Laura Doehring, CIAN,**

THE CANADIAN INTERNATIONAL INSTITUTE OF APPLIED NEGOTIATION (CIAN)

AND
THE INSTITUTE OF CENTRAL/EASTERN EUROPEAN
AND RUSSIAN AREA STUDIES (CERAS), CARLETON UNIVERSITY

Conflict Resolution and
Inter-Cultural Tolerance in the Crimea:
Contributing to Ukraine's Democratic Development

Wednesday, April 30, 1997
Ottawa, Ontario

LIST OF PARTICIPANTS

Association of Universities and Colleges of Canada

Ms Doris Bradbury
International and Canadian Programs Branch

Ms. Marina Caparini
Program Officer
East and Central European Programs

Canadian Council for International Peace and Security

Ms Laurie Wright
Research Assistant, NATO Enlargement Project

Canadian International Institute of Applied Negotiation

The Honourable Justice Mark MacGuigan
Judge, Federal Court of Appeal and
Chair of CIAN

Mr. David Daubney
Coordinator, Sentencing Reform Team
Department of Justice and Boardmember

Mr. Ben Hoffman
Chief Executive Officer

Mr. Roger Hill
Director, International Programmes

Canadian International Development Agency (CID)

Mr. Maury Miloff
Senior Project Officer
Russia, Ukraine and Nuclear Programmes Division
Central and Eastern European Branch

Mr. R. Fraser
Senior Policy Advisor
Strategic Planning
Policy Branch

Canadian Society for International Health

Ms Paulette Schatz
Program Officer

Canadian Ukraine Monitor

Ms Nina Romas
Managing Editor

Carleton University

Professor C.H. McMillan
Director
Institute of Central/Eastern European and Russian
Studies (CERAS)

Professor P. Dutkiewicz
Deputy Director
Institute of Central/Eastern European and Russian
Studies (CERAS)

Professor D. Carment
Norman Paterson School of International Affairs

Confirmed as of 3:00 p.m. on April 29. Please contact CIAN at 613-237-9050 to add or correct any names on this list.

Professor F. Hampson
Associate Director
Norman Paterson School of International Affairs

Department of Foreign Affairs and International Trade

Mr. Robert Brooks
Deputy Director (Ukraine/CIS)
Eastern European Division

Mr. John Cockell
Policy Analyst
Peacebuilding and Human Development (AGP)

Department of National Defence

Ms. Michelle Lyons
Special Project Officer
Directorate of Public Policy

Embassy of Austria

His Excellency Walther Lichem
Ambassador

Embassy of Hungary

His Excellency Karoly Gedai
Ambassador

Embassy of Poland

Mr. Boleslaw Piechucki
First Secretary

Mr. Jacek Pisarek
Second Secretary (Economic Affairs)

Embassy of Romania

Mr. Liute Nicolas
Counsellor

Embassy of the Ukraine

His Excellency V. Furkalo
Ambassador

Embassy of Turkey

His Excellency Omer Ersun
Ambassador

Foundation for Migration of Ukraine (Kiev)

Dr. Y. Buzynsky
Director

International Development Research Centre (IDRC)

Mr. Jean Guilmette
Director
Office for Central and Eastern European Initiatives

International Management Institute (Kiev)

Dr. B. Budzan
President

International Renaissance Institute (Kiev)

Dr. A. Sydorenko
First Deputy Director

Parliamentary Centre for Foreign Affairs and Foreign Trade

Mr. Francis Kirkwood
Researcher

Red Cross of Canada

Ms. Kate Whidden
Officer, Ukrainian Desk

Ukrainian Canadian Congress

Mr Oleh Romaniw
President

Ms Marika Melanchuk
Executive Director

University of Ottawa

Dr. Errol Mendes
Director, Centre for Human Rights

Ms. R. Monroe-Blanchette
Human Rights Centre

Confirmed as of 3:00 p.m. on April 29. Please contact CIIAN at 613-237-9050 to add or correct any names on this list.

Professor Ellen B. Zweibel
Department of Common Law

Consultant

Ms. Theresa Dunn

UNCONFIRMED

Canadian Bureau for International Education

Mr. A. Berezowecki
Programme Manager, Partners and Civil Society
Programme

Carleton University

M.A. Students from Institute of Central/Eastern
European and Russian Area Studies (CERAS)

Confirmed as of 3:00 p.m. on April 29. Please contact CIIAN at 613-237-9050 to add or correct any names on this list.

ITEM - 11

CRISIS IN CRIMEA:

A DOCUMENTARY ON CONFLICT PREVENTION IN THE CRIMEAN PENINSULA

This is a proposal by **The Canadian International Institute of Applied Negotiation (CIAN)** for participation in the development of a film documentary on the brewing crisis in the Crimean Peninsula.

This documentary is intended for an international television audience, with initial screenings in Washington, Moscow, Kiev, Simferopol, Ottawa and other strategic capitals, in the form of gala fundraisers for the prevention of conflict in the Crimean Peninsula and surrounding regions.

For further information please contact:

Ben Hoffman, President & CEO
or
Jan Vavra, Project Coordinator
(Crimea Documentary)

at

**The Canadian International Institute
of Applied Negotiation (CIAN)**
50 O'Conner Street, Suite 1422
Ottawa, ON K1P 6L2
Tel: (613) 237-9050
Fax: (613) 230-1651

HISTORICAL BACKGROUND

(The Crimean Tartars)

Early 13th Century - Ghengis Khan and his Mongol warriors charge from the steppes of Mongolia and sweep across Asia leaving a trail of death and destruction stretching all the way from the Pacific Ocean to the borders of Eastern Europe.

1237 - Ghengis' son, Odegai, continues the campaign and is poised to invade Western Europe.

1241 - Odegai's premature death forces the Mongol invaders, also known as "Tartars", to retreat eastwards and consolidate their hold on present day Russia and Ukraine, including the Crimean Peninsula. The Mongol "Golden Horde" chains the Russian and Ukrainian people to the "Tartar Yolk" for 240 years.

Early 15th Century - The Crimean Khanate is created. The Mongols mix with the Muslim Turkic peoples, indigenous to the Crimean peninsula. Their descendants become known as the Crimean Tartars.

1475 - The Crimean Peninsula becomes a protectorate of the Ottoman Empire. The Crimean Tartars routinely terrorize Russian principalities and capture Slavs to support a thriving slave trade.

1774 - Catherine the Great of Russian defeats the Ottoman Empire and subsequently annexes the Crimean peninsula.

1944 - Stalin orders the mass deportation of the Crimean Tartars under trumped-up charges of Nazi collaboration. Within 48 hours, 200,000 Tartars are deprived of their homes, land and possessions at gun point, and are deported by cattle cars to central Asia. In the first four years of exile, 50,000 Tartars perish under extreme living and working conditions.

1954 - The USSR Transfers Crimea from Russia to the Ukraine.

1989 - The USSR recognizes the 1944 expulsion as unlawful and initiates the process of returning the deported peoples to the Crimea Peninsula.

Present day...

THE CHILDREN OF GHENGIS KHAN: THE CRIMEAN TARTARS

Vasfie Ablayeva, a 64 year old widow, has been saving her monthly pension of \$45 for three months in order to buy a tonne of cement. After seven years of hard work she has finally built the foundation of her house. She is one of the lucky ones. Many of her fellow Tartars live in shacks and trailers without electricity and running water. Although many Tartar families claim the rights to houses that they were forced to abandon in 1944, these homes are now occupied by Russians and Ukrainians who have lived in them for decades. Forced to squat on farmland, the Tartars have clashed with farmers who have bulldozed the Tartar's shantytowns. The local Russians and Ukrainians also see the Tartars as barbarians of Mongolian ancestry, who compete for scarce jobs in an impoverished economy. The Tartars also face official discrimination: complex bureaucratic rules stall many Tartars from obtaining Ukrainian citizenship, thereby keeping them from voting, holding public office, joining the army or police and obtaining employment with the state. The result has been violence, threat and murder. In response to such discrimination, the far from primitive Tartars have become a sophisticated and effective political force - a force that is straining the status quo to its limits and forcing a potential showdown in the Crimean. Even under such harsh and threatening conditions, the Crimean Tartars are elated about their homecoming. And they have no intentions of ever leaving again.

*Source: The Globe and Mail, Jan. 10, 1997,
Pages A7 and A9, supplemented by in-house
material.*

“The Tartars are like the American Indians, trespassers on our own land. The possibility of bloodshed is 50:50. We will not be the first to shoot. But if such attacks happen, we'll be forced to provide measures for the defense of our people. These days, automatic weapons are easier to obtain than butter!”

*- Mustafa Dzemiliev
Chairman, Mejlis of the Crimean Tartar People*

BACKGROUND OF THE FILM PROJECT

In early 1997, Ben Hoffman, president and CEO of the Canadian International Institute of Applied Negotiation (CIAN), was invited to review the work of an international task force in the Ukraine as an independent expert in conflict resolution with experience in inter-ethnic conflict relating to indigenous people. The task force focused on developing a program for the integration of peoples who were deported from the Ukraine - virtually overnight - under Stalin's order in the 1940's. Funded by the International Renaissance Foundation of Ukraine (in turn funded by American philanthropist, George Soros), Mr. Hoffman was asked to provide an independent evaluation of the Renaissance Foundation's projects and initiatives regarding the re-settlement of the formerly deported peoples, with a focus on the Tartars of the Crimean Peninsula. The overall objective is to prevent the crisis from escalating to war. Some fear another Chechnya, but on a greater magnitude.

While Mr. Hoffman supported the program for integration, one of his criticisms was that the research conducted by the task force was somewhat clinical and that it downplayed the severe hardships and challenges faced by the Crimean Tartars.

With the intent of bringing this human element to international attention, as well as to promote financial and political support for a peaceful settlement to the Crimean conflict, Mr. Hoffman would like to initiate the development of a documentary exposing the plight of the Crimean Tartars.

However, it will be very important to obtain the cooperation of the political stakeholders in the region: Russia, Ukraine or the Crimean Tartars. The film will therefore focus on the non-threatening topic of "crisis prevention", specifically with regard to Canadian and international peacebuilding efforts in Crimea. The Crimean Tartars will be incorporated into the film as one of the regional players. They will have an equal opportunity to present their case and viewpoints along with the Russians and Ukrainians. CIAN is especially concerned about avoiding a partisan film on the Tartars, since such a documentary could jeopardize its independent status in the current and future peacebuilding efforts.

It is therefore important to become aware of the politics in the region.