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‘NEGOTIATING THROUGH TRANSITION’



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Meeting
report

“**hd**” Centre for
Humanitarian
Dialogue


NORWEGIAN MINISTRY
OF FOREIGN AFFAIRS

The Oslo Forum

Improving the Mediation of Armed Conflict

A global series of mediation retreats

The Oslo Forum is widely acknowledged as the leading international network of conflict mediation practitioners. Co-hosted by the Royal Norwegian Ministry of Foreign Affairs and the Centre for Humanitarian Dialogue, the Oslo Forum regularly convenes conflict mediators, peacemakers, high level decision makers and key peace process actors in a series of informal and discreet retreats.

The Oslo Forum features an annual global event in Oslo and is complemented by regional retreats in Africa and Asia. The aim is to improve conflict mediation practice through facilitating open exchange and reflection across institutional and conceptual divides, providing informal networking opportunities that encourage coordination and cooperation when needed, and allowing space for conflict parties to advance their negotiations.

Sharing experiences and insights

Mediation is increasingly seen as an effective means of resolving armed conflicts and the growing number of actors involved testifies to its emergence as a distinct field of international diplomacy. The pressured working environment of mediation rarely provides opportunities for reflection. Given the immense challenges in bringing about sustainable negotiated solutions to violent conflict, mediators benefit from looking beyond their own particular experiences for inspiration, lessons and support.

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

Where politics meets practice

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

Participants have included **Kofi Annan**, former Secretary-General of the United Nations; **Daw Aung San Suu Kyi**, General Secretary of the National League for Democracy in Myanmar; **President Martti Ahtisaari**, President and Chairman of the Board of the Crisis Management Initiative and former President of Finland; **President Mohammad Khatami**, former President of the Islamic Republic of Iran; **Gerry Adams**, President of Sinn Féin; **Dr Surin Pitsuwan**, Secretary-General, Association of Southeast Asian Nations and former Foreign Minister of Thailand; **Dr Salim Ahmed Salim**, former Secretary general of the Organisation of African Unity and Special Envoy of the African Union; and **Ambassador Thomas Pickering**, former US Under-Secretary of State for Political Affairs. The Oslo Forum is proud to have hosted several Nobel Peace Prize laureates.

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

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

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Overview

Over one hundred of the world's eminent senior mediators and peace process actors attended the 2012 Oslo Forum, sharing practical experiences and engaging in lively debates on current peacemaking practice and mediation trends. Participants included the General Secretary of the National League for Democracy in Myanmar, **Daw Aung San Suu Kyi**; lead singer of U2, **Bono**; Norwegian Minister of Foreign Affairs, **Jonas Gahr Støre**; Swedish Minister of Foreign Affairs, **Carl Bildt**; Myanmar's Minister of Industry, **U Soe Thane**; President of the International Crisis Group **Louise Arbour**; and Head of the Office of the Presidential Adviser on the Peace Process in the Philippines, **Teresita Quintos Deles**.

With major political change continuing across the Middle East and Asia, the retreat focused on the role of dialogue in transition, examining, among other things, the function of mediation in political transition and democratic consolidation, and the challenges commonly faced in peacebuilding and institution-building processes. A common observation was that broad, inclusive consultations and genuine dialogue could help to build societies' belief in transition. Change could, of course, be positive or negative and successful transitions depended, to a large extent, on the constructive role of civil society; the use of inclusive dialogue as a problem-solving tool; and strong institutions to safeguard and promote popular aspirations.

Myanmar, one of the countries discussed at the retreat, was notable for its 'top-down' transition, in contrast to the Arab Spring countries where change was driven from the grassroots level. Aung San Suu Kyi described the approach to dialogue practiced by her National League for Democracy, which had pursued conflict resolution through peaceful means, in the conviction that the wounds of violent conflict would inevitably take longer to heal. In Myanmar, while historic progress had recently been made on peace processes with ethnic groups as well as political and economic reform, complex challenges still lay ahead; transforming the political dynamics, while simultaneously overhauling the economy and engaging with armed groups, would be a difficult assignment.

Bono recalled the Troubles in Northern Ireland, an experience through which he had realised that the mentalities of conflict parties set too easily in concrete; effective peacemakers, he emphasised, needed open minds and a belief that attitudes could change. He underscored the importance of identifying partners for change and suggested that, without a de Klerk, 'there could have been no Mandela'. In Myanmar, too, Aung San Suu Kyi had identified interlocutors among her former captors with whom she could genuinely work to affect change.

During a discussion on whether lessons learnt from the mediated transition in Yemen could be applied to the situation in Syria, the general view was that the two contexts were quite distinct. In contrast, the opposition had been more united in Yemen, where a finer balance of power had existed between the regime of Yemeni President Saleh and the opposition, and where the international community had united behind a preferred outcome.

Meanwhile, Egyptians, Tunisians and Libyans continued to consolidate the achievements of their Arab Spring, although progress was sometimes frustratingly sluggish. In Egypt, distrust between newly emerging political actors

was still profound; Libya still lacked the strong institutions that could help consolidate its democratic transition; while Tunisia had the advantage of launching its ‘renewal’ from a relatively firm economic base. Political Islam would invariably play a greater role in many of the Arab Spring countries now that its representatives were freer to participate in political life. The role of mediators in the three transitions had been notably limited and this was arguably due to the local ‘allergy’ to outside interference; the home-grown and bottom-up nature of the transitions; and an already strong local conviction about the change that was needed and how it was to be achieved. Nevertheless, mediators could play a helpful role in consolidating these transitions, including through the provision of advice on various aspects of state-building.

Afghanistan also finds itself in an important transitional phase. While needing to depend increasingly on its neighbours for its economic development and security, it also has to be wary of political meddling by outsiders. Participants also addressed the Palestinian/Israeli conflict, with many arguing that time was running out for a two state solution which remained, in most people’s eyes, the most desirable outcome.

Expert practitioners provided updates on the situations in the Philippines and the Sahel. In the former, the Government was aiming to conclude outstanding peace agreements before the end of its term. This requires further democratisation, a concerted institution-building effort, and clear peace dividends. Meanwhile, the recent convergence of a number of conflict drivers in the Sahel (including governance crises, rebellions, the emergence of Al Qaeda, and the trafficking of drugs and arms) risked destabilising that region, and potentially beyond.

During discussions on ‘grasping the results’ of peace processes, a number of suggestions were made for improving mediation practice, including the development of normative standards and strict selection criteria for mediators. Ongoing transformation in the Middle East had also made it clear that outsiders needed to be careful about how they engaged in domestic contexts – they should take care not to contribute to internal disunity and recognise that their most useful role may sometimes be limited to dialogue facilitation or advice. In a session on ‘the politicisation of humanitarian aid’ it was noted that, while humanitarian actors and mediators pursued slightly different goals, they often shared similar interests and concerns, and could work together in some contexts.

The closing plenary session addressed the theme of ‘Dialogue as a tool for change’, with some speakers arguing that mediation had, in recent years, become a more popular tool for resolving conflict. Others suggested that some conflicts could not be mediated, particularly where existential interests were at stake on all sides. Some argued that mediated outcomes could, in the long term, sometimes be less satisfactory than those achieved through military means.

Throughout the retreat, participants reiterated the need for the meaningful inclusion of different societal groups in peace processes. In Myanmar and Yemen, for example, transparency and inclusiveness in peacemaking were considered critical in reshaping relations between those engaged in conflict. A broad consensus emerged about the role, and value, of dialogue in the context of transition: dialogue allows conflicting parties to share and understand each other’s interests and fears; find common ground on issues of national importance; foster a sense of common purpose; and create a tradition of consultation as a method for long term conflict resolution.

Oslo Forum 2012 Agenda

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Monday
June 2012

10.00 – 11.30 Welcome and high level opening plenary

“Changing the ‘unchangeable’: the role of dialogue in Myanmar’s transition”

Introduction by Dr David Harland, followed by a high-level panel discussion, moderated by Foreign Minister Jonas Gahr Støre, between Daw Aung San Suu Kyi and Bono.

12.00 – 13.30 Lunch

14.00 – 16.00

Option 1

Option 2

Two parallel discussions for participants to choose from:

Afghanistan and its neighbours:
How the region will shape
the country’s future

Israel/Arab peace: Challenges
to the two-state solution

16.30 – 18.00

Option 1

Option 2

Two parallel discussions for participants to choose from:

Peace processes: Grasping results,
communicating knowlege

The politicisation of humanitarian
aid and operations

18.15 – 19.15

Mediators’ studio

19.30

Reception

20.00

Formal opening dinner

19

Tuesday
June 2012

9.00 – 12.30

Option 1

Arab Spring ‘Second Wave’

Option 2

Myanmar’s nascent peace process
and the way forward to lasting peace

Two parallel
discussions for
participants to
choose from:

Session 1: The role of mediation
in Syria and Yemen

Session 1: The reform agenda
up to the 2015 elections

Session 2: Internal Dynamics
in Negotiating Transitions:
Egypt, Libya and Tunisia

Session 2: Peace process
with ethnic groups

13.00 – 14.30

Informal buffet lunch

15.00 – 16.00

A choice of situation reports

Philippines

Sahel – Spiralling out of control?

16.15 – 17.45

Closing plenary

‘Dialogue as a tool for change’

18.00

Departure for boat trip

19.00

Boat trip/dinner

Opening Session: ‘Changing the unchangeable: the role of dialogue in transition’

The tenth Oslo Forum was opened by David Harland, Executive Director of the Centre for Humanitarian Dialogue (the HD Centre), who introduced the panel debate on “Changing the ‘unchangeable’: the role of dialogue in transition”. Aung San Suu Kyi (Nobel Peace Prize laureate and General Secretary of the National League for Democracy, NLD, in Myanmar) and Bono (lead singer of U2 and co-founder of the One foundation) participated in the panel which was chaired by Jonas Gahr Støre, Norway’s Minister of Foreign Affairs. The panel debate was broadcast live on the internet and can be viewed at the following link:

http://www.regjeringen.no/nb/dep/ud/lyd_bilde/nettforum---suu-kyi.html?id=685558

The Minister announced that the overarching theme of the Forum was ‘Negotiating Through Transition’. Transition, in the political context, could mean a process of change from, among other things, war to peace, or from dictatorship to democracy. It was frequently accompanied by considerable institution-building efforts. There were three important elements that played a key role in determining the success of transitions: the role of civil society (which was particularly important in bottom-up reform processes); the use of dialogue as a problem-solving tool (which the Minister considered ‘the strategy of the brave’); and the capacity of institutions (for transitions to be successful, it was important that institutions were strong, transparent and not corrupt).

Aung San Suu Kyi shared her reflections on the ongoing transition in Myanmar. The work of her NLD party was based on the principles of humanity, democracy, justice and peace. It aimed, above all, to focus on strengthening the rule of law, resolving ethnic conflicts, and amending an undemocratic constitution. For twenty years, the NLD had sought dialogue, as it believed that common ground could be found between the military and democracy activists. It had always pursued the resolution of conflict through peaceful means, in the conviction that wounds opened up through violent conflict would take longer to heal. The ultimate goals of the transition were peace and prosperity, two inter-related objectives. Peace (and particularly inter-ethnic peace) could not be achieved before Myanmar was governed by a genuine rule of law, which required strong institutions as well as a clean and independent judiciary and police force. Ethnic groups had to feel that their rights were properly protected and that they had recourse to justice. Separately, the NLD believed that the current constitution gave too much power to the military and planned to amend it, not through confrontation but through dialogue.

The NLD had taken a calculated risk in contesting recent bi-elections because it sought to open a channel for co-operating with the government on the transition process. It believed that the President genuinely wanted reform, which could best be pursued by establishing a tradition of dialogue and consensus. However, the challenges ahead in Myanmar’s transition remain considerable. The poor education system means that capacity gaps are enormous. The population desperately needs vocational training in order to allow people access to emerging opportunities. In this regard, it was incumbent on the donor community to co-ordinate its support carefully, based on proper needs

assessments. International support needs to broaden inclusivity, rather than strengthen the old guard. This means avoiding the trap of dealing only with English-speaking Burmese, who are the privileged, educated few that represent only a small proportion of the population.

Bono commended the peacemaking efforts of the HD Centre and other mediators ('work that everyone else runs away from'). He recalled one of his personal experiences during the Troubles in Northern Ireland, namely a discussion with then US President Clinton regarding the issuance of entry visas to Martin McGuinness and Gerry Adams, who were associated with the militarised wing of the republican movement. Against Bono's advice, Clinton issued the requested visas. In retrospect, he had made the right call in what turned out to be a transformative moment in the conflict. Putting at risk his relationship with the UK, Clinton took the path of inclusion, stressing that 'you must always keep talking.' That experience taught Bono that mentalities (even his own, which he considered liberal) often set in concrete too easily and that, in peacemaking, one needed to keep an open mind and believe that attitudes could change.

Remarking on the role of activists in instigating change, Bono recalled U2's strong support to Aung San Suu Kyi's cause over many years. Activists are, in reality, an extension of the media: with the aid of technology, their ideas could become very powerful. They play an important role in transmitting information, thus enhancing transparency. Thanks, in large part, to the efforts of activists, the Arab Spring had demonstrated that the world had changed; the 'pyramid of conventional wisdom' had been upended as power concentrated increasingly at its base rather than tip. Drawing on the South African example, Bono observed that partnerships on both sides of a conflict made successful transitions more feasible – 'there couldn't be a Mandela without an FW de Klerk'. Similarly in Myanmar there was a sense that, in the President and likeminded ministers, Aung San Suu Kyi had found possible partners for change. Bono praised the latter's belief in the humanity of her former captors.

Aung San Suu Kyi urged the audience not to blindly assume that 'change' would always lead to positive outcomes - the opposite could also be true. In order for positive change to occur, the transition in Myanmar had to be inclusive and not empower those who were already privileged. In other words, a transition would not be genuine if it produced 'old wine in new bottles'.



Aung San Suu Kyi, Norwegian Foreign Minister Jonas Gahr Støre and rock star Bono.

Afghanistan and its neighbours :

How the region will shape the country's future

As international forces prepare to end their troop deployments to Afghanistan, the country's leadership is increasingly paying attention to its immediate neighbourhood, as it seeks to boost Afghanistan's economic development and ensure national and regional security. The development of Afghanistan increasingly depends on trade and foreign investment rather than aid. Ensuring stability will be key to building confidence among investors and Afghanistan, to a growing extent, has to rely on its neighbours rather than international forces for its security and economic prospects. At the same time, regional stakeholders continue to pursue their own vested interests and try to influence the direction of the country in their favour, making Afghanistan vulnerable to manipulation by outsiders. Regional interference in Afghanistan is nothing new, and has been made inevitable by weak leadership and governance structures.

Within the region, neighbouring countries are concerned by the increasing influence and radicalisation of militant groups and the narcotics trade. China is a major and growing market for the latter and demand remains high in Russia and Central Asia. Touching on the role of the US in the region, some participants contended that while Afghanistan continues to rely on US support for the advancement of the country, the Afghan population is increasingly critical of US troops, some of whom have shown a lack of respect towards the Afghans' culture and religion.. Nevertheless, the relationship will remain crucial after the withdrawal of US combat troops, in the context of which the recently signed strategic partnership agreement was a significant development.

Participants observed that, given the interconnectedness of the two countries and their interests, Pakistan and Afghanistan needed to work together to ensure the latter's economic development and combat the radicalisation of Afghan society. Importantly, Pakistan was also encouraged to play a strong stabilising role in the region, which would help combat the expansion of the threat posed by the Taliban and other militant groups. This would become particularly vital once US troops withdrew, which could leave a vacuum for a resurgent Taliban to fill. One speaker recalled that when the Taliban came to power in the 1990's, there was hope that it would bring peace to the country. Instead it 'killed the cultural life' of Afghanistan and limited access to education, thereby diminishing the ability of future generations to resist radicalisation. The rights of women had been severely curtailed under the Taliban regime and one speaker warned that, although the situation of women had improved recently, progress on this front could easily be reversed should the Taliban regain power.

There was a common understanding that for Afghanistan to move in a positive direction in the years ahead, constructive regional engagement was imperative. Some speakers expressed confidence that the Istanbul process, which provided a platform for addressing common regional challenges, showed great promise in this regard.

Israel/Arab peace: Challenges to the two-state solution

This session offered participants the opportunity to explore whether the current climate in the Middle East presented any realistic prospects for peace between the Israelis and Palestinians.

One participant declared that the peace process was already dead: the wrong parties were involved and were focusing on the wrong issues. Neither side was representing all of its people (for example, the Israeli settlers and the Palestinian Islamists lacked a voice) and the rhetoric, which focused on 1967 borders, was too narrow. As a result, the whole issue needed to be recast.

There was a sense that majorities on both sides wanted 'peace', but that they differed about how it was defined. Palestinians are increasingly frustrated with Israel's settlement policies and movement restrictions, and internal disputes between Fatah and Hamas continue to play into Israel's hands. On the other side, Israeli Prime Minister Netanyahu (bolstered at the time of the Forum by a national unity government, which has since been disbanded) was empowered to take forward the peace process; some believed that if he acted quickly, he could leave behind a heroic legacy. However, some participants disagreed that the current situation was propitious for progress: the two populations are not coalescing around the idea of a two state solution, there is a high level of distrust between the sides, a 'hawkish' right-wing Prime Minister at the helm in Israel, and a distinct lack of chemistry between the two leaders.

Some participants argued that the two state solution is imperative for Israel – it is the only way the country can retain its democratic and Jewish qualities. However, one participant suggested that Israel had never been committed to a two state solution and was, at best, 'strategically ambiguous' about the idea. Another participant remarked that achieving real peace would require both a top-down and a bottom-up approach, and direct negotiations, accompanied by back-channel talks, to restart as soon as possible.

In terms of third party involvement, one participant believed that a trusted third party could be useful in safeguarding 'mutual deposits' (possible compromises) from either side and that, although US policy had been 'misguided' in recent years, the lack of other credible interlocutors meant that both sides had the most faith in a US-led process. The 'Quartet' had initially been a good concept, but eventually 'withered on the vine'. The UN, according to one participant, had poorly handled the issue of dealing with Hamas which needed to be involved in any genuine peace process. Another participant believed that Israel does not consider the UN a credible partner as it was biased in favour of the Palestinians.

In the absence of serious negotiations, one participant argued that unilateral steps could be instigated by Israelis outside the government to consolidate public support for a two state vision. Such a policy of 'constructive unilateralism' could, if backed by the international community, build momentum towards a final 'end of conflict'. This

approach would include outreach to the settlers (at least 100,000 of whom would have to be uprooted to enable the emergence of two viable states) in an effort to air and address their concerns. One contributor argued that, given adequate compensation, a large proportion of settlers would relocate. Other aspects of this ‘constructive unilateralism’ would include insisting on a return to negotiations without preconditions and giving up claims east of the security barrier – although it remained unclear what validity such a declaration would have without the government’s blessing.

In response to the argument for ‘constructive unilateralism’, one participant countered that Palestinians reflexively opposed any unilateral action, which tended to create unalterable ‘facts on the ground’ and positions from which negotiations were impossible. Another speaker insisted that progress is entirely up to the two leaderships – as in Northern Ireland, once leaders are able to change their minds and compromise, even an unlikely peace becomes tenable.

One participant questioned whether the two state option was necessarily the only solution worth pursuing. South Africa had demonstrated that two communities could achieve peace without formally separating. The arrangement had worked well thus far: white business leaders continued to advance the South African economy (helped by their international ‘legitimation’ after the 1994 elections) despite losing their dominance of the political scene. Perhaps a similar one-state compromise could be found between the Palestinians and Israelis?

Overall, most participants acknowledged that the two state solution was in danger of becoming less feasible as time passed. It was broadly accepted that a rapid return to genuine negotiations is needed, and should be supported by a credible third party – namely the United States.



Participants in one of the Oslo Forum sessions

Peace processes : Grasping results, communicating knowledge

Following the 2011 Oslo Forum debate on the tools used to evaluate mediation practice, this session aimed to move the discussion forward, encouraging participants to reflect on the degree to which the lessons captured in evaluations were readily transferred and translated across the mediation profession. The session examined how knowledge was generated by practitioners and then communicated, and whether lessons learned were utilised in subsequent peace processes.

Given the complex and often confused environment in which mediators function, there are inherent difficulties in measuring the impact of specific contributions made by formal and informal mediators. Some practitioners recommended that professional standards or guidelines be devised (for example, in the form of 'wallet cards') to encourage adherence to common principles such as: building a solid knowledge of the history of the conflict, the stakeholders, key issues and political intricacies; being culturally sensitive; telling the truth about the state of play; realistically presenting the options; promoting inclusivity, where appropriate; and acting impartially. Others cautioned that there are significant constraints preventing any form of regulation of the mediation field, not least the fact that crises often require the quick deployment of mediators, before all conditions have been fully met. One speaker suggested the option of developing a learning tool akin to a 'mental mapping' exercise, through which mediators could systematically plot the different dimensions of a peace process and the broad options available as well as alternatives for managing typical situations (for example, how to organise 'groups of friends', or how/when it would be best to involve civil society actors).

Another participant suggested that introducing selection criteria prior to the deployment of mediation teams may help professionalise the field by ensuring that mediators were appointed on the basis of merit and expertise rather than geographical balance or political pressure.

Participants agreed that an abundance of mediation expertise had already been committed to paper. In recent years, organisations have developed a growing body of work to capture best practice and consolidate norms, policies and guidance into various toolkits and handbooks. Operationalising these guidelines and best practice, however, remains a major challenge. Faced with information overload, particularly in the crisis conditions in which they work, mediators lack the time or the willingness to absorb the key lessons emerging from other peace processes. There was broad agreement that hefty volumes of material and evaluations remained largely unread and unlearned by practitioners and, therefore, the important messages identified within them did not lead to appropriate changes in strategy, techniques and procedures.

In this context, some participants contended that the problem lay in the methods of conveying knowledge. As they were tied to donors' reporting requirements, evaluations of peace processes had become standardised, predictable products that focus too much on illustrating success or masking mistakes and, as a result, they contribute little to the improvement of practice. One participant suggested that evaluations may be 'the wrong tool for asking the right questions'. Given the range of challenges confronted by mediators and the pressure to deliver, peer reviews could, perhaps, contribute more to information exchange and to dynamic learning than public evaluations. One way this could be done, at least to promote internal organisational learning, would be to task someone who was trusted, but independent enough, to ask the tough questions in the middle of a mediation process.

A range of other suggestions were made during the discussion. One participant emphasised the key role of mediation support staff in drawing together experiences from other processes; as technical experts, they were best placed to advise lead mediators (who were often busy political appointees with a focus on the larger issues) on the strategies and options available, and to critically assess the utility of various options. Another participant suggested the need for 'translators' – experts who could credibly bridge the knowledge gap between the academic world and the mediation support departments and, by extension, the mediators themselves. Overall, there was a sense that for mediation to develop further as a profession, considerably more attention needed to be directed towards learning lessons and sharing knowledge.



A panel discussion at the Oslo Forum

The politicisation of humanitarian aid and operations

In setting the context for the debate, participants observed that the field was dominated by a few large humanitarian organisations, which were often significantly more powerful than local actors. Concurrently, the field was growing more complex, thanks to a number of factors including a greater diversification of local stakeholders and the global war on terror. Increasingly, humanitarian organisations needed to engage with ‘new’ non-governmental interlocutors, such as religious or armed groups, as these actors often determined access to operational areas.

In some situations, humanitarian actors and mediators could work together to engage with these new actors. However the former, in particular, have to tread carefully, so as not to damage their perceived neutrality and avoid being dragged into messy local politics. At the same time, humanitarian organisations enjoy access to many of the key interlocutors that mediators need to work with. The two groups have different, but often complementary, underlying objectives: while mediators seek to address the causes of conflict in order to bring about lasting peace, humanitarian actors have to address the more immediate needs of local populations. In some cases, they could complement each other by facilitating contacts at an informal level without necessarily committing to formal cooperation.

Participants also debated the question of the independence of humanitarian agencies. There were varied opinions as to whether the humanitarian mandate was strictly limited to providing services, or whether humanitarian workers could/should speak out on behalf of beneficiaries who were not empowered to air their own grievances. In practice, some organisations were more outspoken than others and some exerted pressure on their host governments. Accordingly, humanitarian agencies were vulnerable to accusations of political bias, particularly when backed by large donors with their own political ambitions. The question of independence was a vexed one; while the foremost responsibility of humanitarian agencies is to address the needs of their beneficiaries rather than to represent any political agenda, in practice the line could be somewhat blurred. For example, owing to security risks and various political constraints, humanitarian agencies sometimes rely on the intervention of their donors to gain access to beneficiaries – in such cases, the weight of outside political support and influence can be crucial.

While humanitarian actors need to avoid associating with any stakeholder’s political goals, they also need to exercise a high degree of political awareness. In conflict situations, establishing professional links with the different parties often enables them to more effectively discharge their mandate. For example, by leveraging relationships with conflict parties, they may be able to secure a temporary suspension of hostilities, allowing access to beneficiaries in urgent need of relief. In these circumstances, mediators and humanitarian actors often shared the same immediate goals, and cooperation between them should be encouraged.

Broadly speaking, there was a sense among participants that, given the case-specific political sensitivities faced by mediators and humanitarian actors, cooperation should be considered on an ad hoc basis. While it was unlikely to lead to joint activities per se between mediators and humanitarian agencies, there was certainly potential in some contexts for greater cooperation and coordination.

Arab Spring I: The role of mediation in Syria and Yemen

The first part of the 'Arab Spring: Second Wave' session focused on the negotiated transition in Yemen. Participants were invited to debate whether, and how, the 'Yemeni solution' could inform mediation efforts in other contexts, most particularly in Syria.

One of the speakers observed that the situation in Yemen was highly complex even before the early 2011 uprising, marked by armed conflicts in the separatist south of the country and the Houthi rebellion in the north. Al Qaeda had also established a stronghold in parts of the country and aimed, unusually for the organisation, to occupy territory in the south. International attention had refocused on Yemen following the March 2011 attack on peaceful demonstrators in Sana'a. A transitional arrangement, sponsored by the Gulf Cooperation Council, eventually led to President Saleh's departure from office. That deal was praised for potentially saving the lives of many Yemenis, but also criticised for granting the President immunity for some of the human rights violations and crimes he had committed while in office. As the transition continues, ensuring the meaningful inclusion of different societal groups (including the Houthis, southern separatists, women and youth) in the process of longer term institution-building and democratic consolidation remains a key challenge.

Participants discussed whether the 'Yemeni model' of transition backed by mediation was transferable to Syria. Some speakers rejected the idea that the two situations were analogous: among many distinctions, the opposition in Yemen was seen as more united; there was a fine balance of power between the Yemeni regime and the opposition; and the regime enjoyed the support of few international players. Another key difference was that President Saleh had not been convinced that he would ultimately defeat his opposition by military means, while President Assad still felt that he could achieve this in Syria. Furthermore, leading up to the transition negotiations, there had been less violence in Yemen than there has been in Syria, which meant that the conflict parties' positions in Yemen were not as entrenched. President Saleh's weakness was also compounded by the high level of early defections from his regime. Accordingly, with little room for manoeuvre and few alternatives, he calculated that he had little choice but to agree to direct talks on a transition of power. Crucially, the use of a single mediator to guide the talks prevented the confusion and potential for undermining existing efforts that can often accompany international involvement in conflict management. Importantly also, in the case of Yemen geopolitics pushed in the direction of change, with the UN Security Council calling for transition. A number of key elements therefore worked in unison to force President Saleh's hand in Yemen, but these are not lining up in the same way in Syria.

There was also a discussion about the current state of the Syrian opposition. A number of contributors made the point that there were many opposition groups in the country, some with contrasting methods and goals. While some were willing to engage with the regime, others were not, and views also varied on the acceptability of armed

conflict as a way of forcing the regime from power. As a result of these differences (complicated further by sectarian and political divisions), there was growing distrust between some opposition groups, as the struggle for power was viewed increasingly through a prism of competition for influence in a future (post-Assad) Syria.

In addition, there is a complex relationship between the diaspora and those oppositionists remaining in Syria, whose strategies did not always align. Some groups felt that their views were not adequately represented by those claiming to speak on behalf of ‘the opposition’, while others were concerned that they, as minorities, would be excluded from transitional governance structures. Consequently, the opposition was perceived to be fragmented. In response, one participant made the observation that, in a society where opposition voices had traditionally been repressed, it would inevitably take time for any coherent, strong opposition to emerge.

Speakers discussed in some depth the various opportunities that had emerged to facilitate the greater integration of opposition groups (for example, international meetings), and their prospects for success. Another robust discussion addressed the impact of regional and global players on the conflict. There was broad acknowledgement that important aspects of the Annan Plan were not being implemented and that, with violence only increasing, what remained of mutual trust between the sides was quickly diminishing. Critically, the permanent members of the UN Security Council remained divided on what to do about Syria.

Arab Spring II – Internal dynamics in negotiating transitions: Egypt, Libya and Tunisia

The second part of the Arab Spring session assessed the reform efforts underway in Egypt, Libya and Tunisia. Participants discussed the impact of the Arab Spring on local politics and society; the challenges of consolidating transition; democratisation efforts; and the internal power struggles that had inevitably emerged in the affected countries.

Contributors reflected on the relatively limited role of outside mediation in the three transitions. According to some, this was due to a combination of factors, including the local populations’ ‘allergy’ to outside interference, the home-grown and bottom-up nature of the transitions, and an already strong conviction among those pressuring for change (particularly the younger ‘Twitter generation’) about what was needed and how to achieve it. In Libya, one observer recalled that there had been many failed mediation attempts prior to the toppling of Gaddafi and, in any case, it was doubtful that a mediated outcome would have satisfied the local population. Mediation professionals could still play an important role in the Arab Spring countries, perhaps through providing advice on various aspects of state-building rather than through traditional mediation.

On Tunisia, one contributor believed the country to be on the right track towards democratic transition. For example, the new Government (dominated by the ruling moderate Islamist Ennahda party) was building bridges between conservative and liberal elements across the political spectrum. Tunisia's comparative advantage was that, even before the uprising, its economic situation was better, and the level of repression lower, than in other Arab Spring countries. This had given it a head start in terms of post-uprising renewal. Nevertheless, owing to corruption and the retention of many 'old guard' civil servants, the reform process has been slow.

There was a sense among the participants that developments in Egypt, the regional 'heavyweight', would inevitably influence the entire region and needed to be watched closely. In comparison to Tunisia, Egypt was far more complex, with a politicised army and a parliament that was still defining its powers and procedures. Efforts to reform the parliament and constitutional assembly in Egypt had recently suffered a setback in what one contributor referred to as a 'military coup', whereby the Supreme Council of the Armed Forces (SCAF) had influenced the Supreme Court to dissolve the Muslim Brotherhood (MB)-dominated parliament. The SCAF was expected to challenge the powers of the future president, should the MB candidate be elected. However, in the assessment of some participants good, albeit slow, progress was being made. In contrast to the Mubarak era, for example, real space had been created for political parties and trade unions to operate. However, there is a long way to go before democracy becomes entrenched and Egyptians have full trust in their political system. Distrust between political actors is profound: political Islamists are sceptical that their rights will be respected in the new system, while liberals and secularists are concerned that, should Islamists win power, their interests will be neglected.

While Libyans were looking forward to their upcoming elections, as a result of Gaddafi's wilful negligence they still lack many of the institutions that could consolidate the democratic transition. Libya's advantage over other countries affected by the Arab Spring is its abundance of natural resources, which could help fund its state-building efforts. One contributor suggested that, as the sense of a national identity was still weak, a federalist, decentralised system of government would suit Libya best. Such a system was more likely to encourage cities and regions with separatist tendencies to join in the building of a strong Libyan state.

In responding to a question regarding the potential for Islamist extremists to gain a foothold in Libya, one expert suggested that, while Libyan society was relatively religious and conservative and lacked explicitly 'secular' political movements, Libyans would resist extremists who sought to operate in their midst. Some participants suggested that the media was exaggerating the threat posed by a growing Salafist movement. In terms of the impact of the Arab Spring on Al Qaeda, although the group had managed to establish a relatively strong presence in Yemen, it appeared not to have made great inroads in Egypt, Tunisia or Libya. The more serious potential threat was that of home-grown or returnee extremists. More broadly, some argued that political Islam would inevitably play a greater role in the Arab Spring countries, as its previously repressed and exiled representatives were now freer to participate in political life.

Myanmar Session I: The reform agenda up to the 2015 elections

This session examined the reform process in Myanmar, focusing on the government's efforts to liberalise the political system and the economy, and considered how best to consolidate the historic changes underway in the country.

Speakers noted that external stakeholders rarely appreciated the complex challenges faced by President Thein Sein in implementing reform. While having to balance diverse national and international interests and sensitivities, President Thein Sein had embarked on a three-fold transitional process: from military rule to democracy; from war to peace; and from isolationist policies towards socio-economic development in partnership with the outside world. The overall process faces enormous challenges as it relies on a newly established Parliament, a new Constitution and a bureaucracy whose administrative capacity is limited. A delicate balancing act is required to find the right path between expediting reforms and avoiding the overburdening of Myanmar's inexperienced institutions.

Besides seeking to ensure wide support for his reformist agenda, the President had launched a national peace and reconciliation process, reaching out to eleven ethnic armed groups and signing ceasefires with nearly all of them. A micro-finance law has also been enacted by Parliament, as have bills relating to land management and environmental conservation. The legislature is also debating a new foreign investment law as part of the broader shift in the Government's approach to economic governance.

While acknowledging that these measures constituted signs of political commitment, participants cautioned that complex challenges still lay ahead. Unlike other transitional processes that had galvanised attention in the past year, political change in Myanmar had been top-down. The government was expected to deliver tangible improvements to its population as well as to consolidate political gains over the long term. Speakers stressed that changing the political dynamics, while simultaneously overhauling the economy and engaging with over a dozen armed groups, would prove extremely difficult. Myanmar's future is also likely to be shaped by the ethnic tensions and competing business interests at play.



Myanmar Industry Minister U Soe Thane, Historian and author Thant Myint-U

For the foreseeable future, the reform process is focused on poverty reduction strategies, land management, citizenship and labour rights. Looking ahead, most participants were hopeful that the momentum for change would continue. Some participants, however, questioned the extent to which economic growth would benefit the majority of the population, while others doubted the breadth of democratic development.

The international community has an important role to play. Some contributors stressed that a 'do no harm' attitude was essential, particularly given the home-grown nature of internal change. In this context, sanctions were identified as a harmful measure that stifles growth and reduces the chances of successful reform. Participants also raised concerns about unreasonable expectations, arguing that international pressure to reform everything at once is unreasonable.

The session drew attention to the fact that change in Myanmar would not happen in diplomatic or economic isolation. By virtue of its position at a strategic crossroad between growing economies in China, India and Southeast Asia, Myanmar is bound to suffer knock-on effects when its neighbours experience political unrest or economic decline. At a time when Myanmar is trying to normalise relations with the West, it remains critical that it also cultivate its relationships with influential regional actors.

Myanmar Session II: Peace process with ethnic groups

This discussion focused on ethnic conflict in Myanmar; progress in the peace process; and what was required to drive the peace process forward in a sustainable way.

Participants emphasised that, while decision-making in the country had traditionally followed a top-down pattern, the peace process must also be reinforced from the ground up. Functioning 'under the radar', civil society organisations had laid the groundwork for peace, engaging for the past decade in developmental activities that had built trust between divided communities. There was space (albeit limited) for civil society to operate effectively and this had enabled peace committees to be established which had supported and deepened the peace process.

According to one participant, the key difference between the 'old peace' and the 'new peace' was the degree of information made available to the public; in the spirit of transparency, people were now informed through the print media about ongoing negotiations and ceasefire agreements. In the 1990's, ceasefires were agreed upon surreptitiously and, out of seventeen such agreements, all but one were verbal. They were also of questionable legality as

they had been negotiated by the intelligence services. In contrast, the current process relied on formalised peace committees which were headed by the President, included the military, and were responsible for implementing the outcomes of negotiations.

Nevertheless, while political space has certainly grown, civil society groups still have to capitalise on it. There is a need to expand the engagement of civil society in all phases of the peace process, to make peace relevant to local populations, and to accommodate their voices in decisions that would impact their future. Linking up Track I and Track II processes emerged as a central concern during the session.

More fundamentally, the peace process sought to bring about a common definition of the ‘Union of Myanmar’. Different ethnic minorities see themselves as the co-founders of a multi-ethnic state, whereas the majority of the Burmese consider the country a Burman state to be ‘shared’ with the minorities. According to some participants, moving beyond ceasefires and creating a multi-ethnic, multilingual country at peace with its diversity requires the full buy-in not only of the ethnic minorities, but also the ethnic majority. One participant warned against underestimating the importance of enabling this psychological and political shift, arguing that a common vision of nationhood was the cornerstone of real peace.

Participants observed that the peace process, having reached the ceasefire stage, has essentially only just begun. Political dialogue, debate in Parliament on how to reform the Constitution, and engagement with grassroots leaders needs to follow in order to pave the way for a long term political settlement. To that end, both ethnic groups and government representatives have been receiving training in negotiation techniques and strategic planning.

In an additional effort to build momentum for peace, international actors such as Norway have been establishing pilot projects in the areas directly affected by armed conflict. Their goal is to test the credibility of ceasefires, promote confidence in the process, and open up space for humanitarian assistance. The ‘infrastructure for peace’ in Myanmar also includes other donors and actors supporting the peace process, who are engaged in a co-ordinated approach so as not to overlap with, contradict or duplicate what is already happening on the ground.

Situation report: the Philippines



Norwegian Special Envoy Ture Lundh, NDFP Negotiating Panel Chairperson Luis G. Jalandoni, MILF Negotiating Panel Chairperson Marvic Leonen, Government Negotiating Panel Chairperson Alexander Padilla

The Philippines was the subject of an informal situation report, with the speaker providing an overview of the peace process and an update on the status of the talks.

Since 1986, when the Philippines transitioned from a dictatorship to a democratic government, subsequent administrations have attempted to reach a peaceful settlement of the country's long-running armed conflicts. For several decades, the Philippines had confronted three insurgencies involving the military, the National Democratic Front, and the Muslim separatist movement. While two peace agreements were reached during the terms of previous administrations, their implementation was flawed and disarmament remained incomplete.

The current government aimed to conclude all outstanding peace agreements before the end of its term. The goal was to pursue a comprehensive peace, in contrast to the policies of previous administrations of 'all-out war' or separate peace talks with each armed group. According to the speaker, the government's approach to negotiations was inclusive, transparent and respected the Constitution while also recognising the flexibility built into its provisions. It also applied lessons learned from the past and carefully considered actual capacity to deliver on agreements. Progress in the peace process was scrutinised by an international monitoring team among others.

There was a discussion on the challenges still faced by the Philippines in pursuing peace. For peace to be sustainable there needed to be a genuine democratic transition, truth-telling, institution-building, clear peace dividends, as well as timely compensation to the victims of conflict. Separately, in ensuring the implementation of ceasefires, responsibility did not solely rest with the political leadership; every tactical operation by the armed forces could have strategic implications for the whole peace process. Confidence-building measures would be important in helping to prevent the collapse of peace talks. Lastly, the speaker made the point that, in complex cases of ethnic conflict influenced by religious undercurrents, it was essential that successive administrations continued negotiations launched by their predecessors as seamlessly as possible.

Situation report: Sahel – Spiralling out of control?

In a briefing on the latest developments in the Sahel, the speakers described the recent convergence of a number of conflict drivers that threatened to destabilise the region and, potentially, the continent and beyond. These included the crisis of governance in Bamako following the military coup in March; the outbreak of the Tuareg rebellion in northern Mali; the involvement of other insurgent groups seeking to exploit the political turmoil; and the trafficking of drugs and arms through the region. Worryingly too, the governance and security vacuum was providing space for terrorist groups to operate and potentially link up – for example, there were concerns that Al Qaeda was using the Sahel to deepen its relationships with Boko Haram, Al Shabaab and other groups, thus creating a ‘band of instability’ from the Sahel towards the Horn of Africa. In the words of one participant, the Sahel was becoming an ‘incubator for terrorism’.

One of the speakers argued that it was up to the countries of the region to take concerted action to counter terrorism and religious extremism, which were transnational threats. Unfortunately, the world had woken up too late to these and the other problems of the Sahel – only after the post-Libya fallout had made them too visible to ignore any longer.

In response to the coup d’état in Bamako, one of the participants insisted that the military junta should be pressured to establish an effective government in Mali as soon as possible. Only through the strengthening of governance could further conflicts be avoided. Should dialogue between the various stakeholders fail, regional powers had to consider military action. Otherwise, Mali risked being torn apart by actors pulling in different directions. This would have serious consequences beyond the region, as it challenged the fundamental principles of territorial unity and sovereignty in Africa. Another participant countered that rashly internationalising the problem also had its risks – the involvement of ‘too many hands’ could complicate the issue rather than resolve it. Major regional players needed to work together to develop a prudent strategy. According to another participant, stabilising Libya was the key to stabilising the Maghreb, which would have follow on effects in the Sahel. More broadly, one participant speculated that deeper regional integration across the continent would avoid the problem of disputes over national borders. Integration, as opposed to fragmentation, increased the chances of prosperity and stability.

On the issue of the Tuareg rebellion, one participant recalled that most of the Tuaregs had served in Gaddafi’s army; their recruitment had been a conscious effort by Gaddafi to destabilise the region. Later, one of the unintended consequences of NATO’s bombing of Libya was to unleash the well-armed Tuaregs on the region. Another contributor cautioned against drawing simplistic links between the Tuaregs and Al Qaeda in the Islamic Maghreb (AQIM) and presenting them as a common ‘Al Qaeda threat’ as the ‘Western narrative’ was prone to do. Participants acknowledged that Tuareg independence was not an option that was currently being seriously considered – in any case, not all Tuaregs favoured secession.

In their concluding remarks, participants emphasized that, the Sahel was proving a difficult environment for mediators: the deeper they dug, the more problems they uncovered. While there is a strong will to mediate the conflicts of the region, it has become clear that society itself needs to be fundamentally reconciled.

Closing Session : 'Dialogue as a tool for change'

The Oslo Forum concluded with a lively closing discussion focusing on the theme 'Dialogue as a tool for change'. The audience was invited to debate whether dialogue was always the best way to achieve peace or whether, in some cases, the use of other conflict resolution tools was more suitable.

One of the speakers argued that, in the case of Libya, dialogue and mediation would probably not have succeeded in satisfactorily ending the conflict between Gaddafi and his opponents. Meanwhile in Syria, it was proving very difficult to use mediation effectively, as the stakeholders were so entrenched in their positions. In other cases, such as the Middle East, dialogue seemed never-ending, and arguably produced little. Some actors were 'addicted to talking' as a substitute for other measures – and, in certain contexts, conflict parties had a vested interest in the continuation of talks (but not necessarily in their success) as they deemed the status quo acceptable. Separately, there were some types of conflicts (for example, those driven by organised crime) that did not necessarily lend themselves to traditional tools of conflict resolution.

It was argued that some conflicts could not be mediated – where 'existential' issues were at stake for both sides, sometimes neither would budge, regardless of the argument or apparent need for compromise. According to one participant, some contexts were simply not amenable to mediation. Croatia, whose peace had come at a considerable human cost through military, non-negotiated means, was now on its way to being a success story. In contrast, mediation in Bosnia had left the country in a 'massively dysfunctional' state. Sometimes, outside assistance was simply not needed: one participant argued, for example, that Myanmar's peace process was going well precisely because it was being driven by local actors. Another suggested that, in fact, many conflicts today were being resolved without the aid of outside mediation.

Some participants observed that the changing nature of conflict management impacted the way mediators should engage. Where dialogue used to follow other attempted methods of ending conflict (and, often, only once certain conditions had been met) now talking had become the 'natural way' out of conflict. Another speaker declared this the age of the 'cult of mediation', which had emerged from a period in which private mediation had been 'extremely unfashionable' (with little positive publicity, and against the 'intervention fashion' of the times). These days, many observers mistakenly assumed that mediation was the right tool for every problem. Consequently, in some ways, the profession had become a 'free for all'. In response, some participants recommended that more work be done on professionalising the mediation field, through the development of normative standards. Mediation, it seemed, was one of the few professions that dealt with matters of life and death yet lacked any formal standards or required qualifications.



From left: Swedish Foreign Minister Carl Bildt, NRK Senior Foreign Affairs Correspondent Gro Holm, HD Centre Executive Director David Harland, HD Centre Senior Adviser Kieran Prendergast

In summing up the discussions at the Oslo Forum, participants reflected on the types of transitions that were unfolding around the world, their characteristics, and the role of mediators. One of the speakers observed that mediation had played a strong role in Yemen's transition, largely helped by the fact that there was a single mediator in charge of the effort, rather than various stakeholders to confuse the process. In most of the Arab Spring countries, however, outside mediation had played a very limited role. Most transitions, with Myanmar's notable exception, had been driven from the bottom-up. Virtually all were indigenous and not particularly influenced by external actors (indeed, it was argued that 30 years of sanctions against Myanmar had achieved next to nothing to induce the recent changes there). In several cases, the local judiciaries, particularly constitutional courts, were playing an important role in consolidating transitions.

It had become clear that transitions did not follow a linear or predictable path, and that for them to succeed, transitions through dialogue had to be accompanied by good governance and institution-building. In some situations, conflict management tools were best applied in concert with others (such as sanctions, transitional justice and the use of force). To be effective, international support for peace processes needed to be long term and constant – Norway's approach was a good example of the dedication and stamina that was most helpful. It was noted that outsiders needed to be careful that they did not contribute to internal disunity (for example, by legitimising one emerging group relative to another), and to realise that their ideal role in some situations might be limited to dialogue facilitation and technical advice. In any case, where outside mediators had little direct impact in terms of 'traditional' forms of mediation, they could still play a considerable role in building local mediation capacity.

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