



Background Paper 4d

The Role of Civil Society in Peace Processes in the South and South East Asian Regions

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1. Introduction

There is a broad ranging debate on the meaning of the term civil society (for more on which see Appendix 1). Essentially we use “civil society,” to refer to non-governmental, non-profit organizations, networks and voluntary organizations, including interest or sectoral groups, organized at the national and local level and the sphere of voluntary organizing in those “civil society organizations” (CSOs) function. This paper seeks to examine specifically the role of peace CSOs in **peace negotiations** between governments and rebel groups, as usually mediated by third-party governments and/or inter-governmental organizations, and on the basis that the formal mediation forms only a part of the broader peace process. It assesses the range of direct and indirect support that CSOs provide to peace processes, the positive and negative impacts of this; it then analyses where the aims and approaches of CSOs and formal mediators overlap and contradict, before offering options for how the two tracks can best address the reality and work together for sustainable peace.

a. Tracks 1 and 2, and the regional context

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In most literature on diplomacy and peace-making, the official mediated peace negotiations we are concerned with here is referred to as **Track 1**. **Track 2** would then refer to unofficial, informal peacemaking by conflict resolution professionals and NGOs, usually non-governmental and unofficial groups and individuals, often parallel to and in support of Track 1. In other literature on multi-track or multi-actor diplomacy, *Track 2* is delimited for government officials operating unofficially, followed by **Track 3** for NGOs and **Track 4** for other CSOs like religious, women's and youth groups. It is the role of Tracks 2, 3 and 4, as the case may be, in relation to Track 1 that we are most concerned with here.

We look at the role of peace CSOs in peace negotiations as played out in South and Southeast Asia. But really we will be trying to draw from only **five country experiences** in this regard: the Philippines, Aceh, and Burma in Southeast Asia; and Sri Lanka and Nepal in South Asia. While there may be commonalities in these cases, each country engagement is really best done on a *case-to-case* basis because of the quite different national contexts of each. In **Philippines**, there are an old peace agreement on autonomy under implementation with one major Moro rebel group (MNLF), on-and-off (currently ongoing) peace negotiations with a ceasefire with another major Moro rebel group (MILF), and off-and-on (mostly suspended) peace negotiations without a ceasefire with a communist rebel group (NDF). In **Aceh**, there is a new peace agreement with the major rebel group there (GAM) on autonomy starting to be implemented with a major post-tsunami reconstruction context. In **Burma**, the peace processes with the various armed ethnic opposition groups is really case by case, with ceasefire agreements in some cases, with the backdrop of a larger democratization process concerning majority Burmans. In **Sri Lanka**, there is off-and-on (currently suspended) peace negotiations with a ceasefire with the major Tamil rebel group (LTTE), also with a rehabilitation context for Tamil areas even before the tsunami and more so after. And in **Nepal**, there is a currently scrapped peace negotiations and ceasefire with the Maoist rebel group (CPN[M]), also with the backdrop of a democratization issue against monarchical rule.

The references on the five country experiences availed of for this paper are expectedly uneven in quantity and quality. These are supplemented by more general but current peace and conflict-resolution references on civil society peace work as well as the writer's personal experiences and observations not only in his home country the Philippines (where he is himself a peace advocate and peace researcher) but also from short visits to and interactions with colleagues in Sri Lanka and Nepal mainly in his capacity as an anti-landmines campaigner. But a short background paper like this cannot capture the rich detail of civil society peace work in five countries. A list of references is provided at the end for deeper reading.

2. Various Roles & Capacities

a. Scope of activities and aims

In the Philippine case, CSO peace interventions have been categorized in two ways: according to activities, and according to aims. These provide a good overview of the scope of civil society peace work not necessarily limited to the Philippines. *According to activities*, we have the following:

1. Peace constituency-building

2. Conflict-reduction efforts
3. Conflict-settlement efforts
4. Peace research and training
5. Social development work

And according to aims, we have the following:

- a. Intervening directly in conflict
- b. Addressing the consequences of conflict/violence
- c. Working on the social fabric

Aim a (Intervening directly in conflict) and *Activity 3* (Conflict-settlement efforts) relate closely and are also most relevant to the official mediated peace negotiations we are concerned with here. *Aim b* (Addressing conflict consequences) and *Activity 2* (Conflict-reduction efforts) relate closely and are also most relevant to the ceasefire and security component in the context of negotiations. *Activity 5* (Social development work) could also support *Aim b* and are most relevant to the rehabilitation and development components in the context of negotiations or implementation (post-conflict) of an agreement. In sum, it is *Aims a and b* and *Activities 3, 2 and 5* which official mediators and negotiators are most concerned with because these directly relate to their work and mandates. But there is also a role for civil society here as we shall tease out in this paper.

b. Indirect support to peace processes

Aim c (Working on the social fabric) and *Activity 1* (Peace constituency-building) relate closely. Though ***not directly*** intervening with the official mediated peace negotiations, they can provide the public support, favourable climate and political sustainability for the negotiations and the agreements arising there from. Herein, in fact, lies the ***most important role of civil society peace work***. *Activity 4* (Peace research and training) is basically a support activity which serves other activities and aims, including those related to official mediated peace negotiations.

In the Sri Lankan case, civil society peace work mainly contributes *indirectly* to ending wars, by placing pressure on or lending support to key actors, providing small-scale examples of dialogue and pointing to the possibilities of structural change. The role of peace movements endorsing alternative discourses and challenging the normalization of war and ethnic divides is emphasized. Stated otherwise, civil society actors there strive to contribute to peace processes by: (1) addressing *ethnic divides and public opinion* with education and awareness-raising programs, as well as cross-ethnic dialogue; (2) addressing *politics* with popular mobilization, advocacy work, and informal diplomacy; and (3) addressing *economic issues* through reconstruction and development.

c. Direct support to peace processes

Apart from the *indirect but most important role* of civil society peace work in building a constituency in support of the official mediated peace negotiations, there are *other more direct roles* which peace CSOs have played and can play in relation to those negotiations. Peace CSOs can act as a ***“citizen third-party”*** to the negotiations, ***accompanying*** (e.g. as “friends of the peace process”) the two parties in their negotiations, serving as watch-dog, critic, provider of

alternatives, or co-operator, as the case may be. The philosophical basis, if you will, of such citizen third-party intervention is the principle of *citizen participation* or public participation in the peace process because it is *their peace* that is at stake, something too important to be left to the official parties, negotiators and mediators. This is important for citizens to *own the process* and create the social basis for its legitimacy and sustainability. An important attribute of the more effective peace CSOs is their autonomy from the state and for that matter rebel groups. Peace CSOs generally have their own peace agenda and strategies, elements of which may or may not coincide or interface with those of the official parties. Citizen participation contemplates more than just mediation but rather involvement in various capacities and in a multiplicity of roles to realize the objectives of an eventual peace settlement. Civil society could bring a stronger commitment to neglected political values such as justice, participatory governance and inclusion, which could be the foundation of a real vision for peace to which the main parties could be held accountable.

d. Roles in unofficial or informal mediation

In the most developed cases, peace CSOs can do what amounts to *unofficial or informal facilitation or mediation* (or informal diplomacy) by serving as a mutually acceptable go-between to keep lines of communication open, provide safe venues for meeting, and allow dialogue to continue. This can be particularly valuable when there is no official third-party facilitator or mediator or, even when there is an official one, to supplement the latter, ideally in coordination. For some time, in the 1990s, before the much later entry as the foreign third-party facilitator (“outsiders-neutral”) of Norway in the peace negotiations between the Philippine government (GRP) and the communist-led NDF, the Catholic Bishops Conference of the Philippines (CBCP)-National Council of Churches of the Philippines (NCCP) Joint Peace Committee served as some kind of domestic third-party facilitator (“insiders-partial”) between the GRP and NDF. The CBCP-NCCP represented the highest councils of the dominant Catholic and Protestant Christian churches in the Philippines, and is only one of many examples not only there of the important role of religious leaders (who are also part of civil society) in peace-building [the major counter-example to this is the Buddhist clergy and voluntary associations who most vociferously oppose the peace process and peace NGOs in the Sri Lanka].

Civil society intervention in support of the peace negotiations can even be more specialized and technical than just advocacy and lobbying for peace talks. For example, the Coalition for Peace (CfP) in the Philippines once outlined certain specific tasks in relation to the GRP-NDF peace talks and in fact acted on some of these, as follows (in no particular order):

- **Monitor** the talks, including if possible through *observers or witnesses*.
- Serve as a credible source of *information and analysis* thereon.
- Give *inputs* on both the procedural and substantive aspects of the talks.
- Help articulate the peace or *reform agenda* of the basic sectors.
- Help *think through impasses* and deadlocks in the talks.
- Harness a pool of credible and competent *resource persons and even intermediaries* from various sectors and fields who may be tapped for the talks.
- **Network** with other peace advocates/groups and explore bilateral/multilateral working arrangements for citizen third-party intervention.

With regards to NGO observers and resource persons, the most developed examples are from the GRP-MILF peace negotiations. There are now official guidelines for NGO observers for the formal peace talks. For example, the NGO peace formation Mindanao Peoples Caucus (MPC) was an official observer during the second and third rounds of formal talks in Malaysia in 2001. At one point, one MPC representative of the indigenous peoples was able to sit in an executive (closed-door) session of the joint GRP-MILF technical committee as a resource person to give inputs on the ancestral domain agenda. This is also part of an effort to shape the agenda of the talks so that the interests of the indigenous peoples are not disregarded. Another MPC representative there was the editor of the credible *Mindanews* and she was able to file timely news reports and commentaries on the talks from the venue itself. In this way, MPC and *Mindanews* serve as an important intermediary between the official process and the general public in Mindanao, Southern Philippines. MPC is now one of seven peace networks which have come together in a new network of peace networks called Mindanao PeaceWeavers which makes for better pooling and maximization of admittedly still limited resources.

The best examples of regular peace monitoring by credible sources of information and analysis are in Sri Lanka such as those coming from the National Peace Council (NPC), Centre for Policy Alternatives (CPA), the publication *Pravada*, Berghof Foundation for Conflict Studies-Sri Lanka Office, and the International Working Group (IWG) on Sri Lanka. Information and analysis from NGO and academic sources are oftentimes better and more balanced than those from official sources, and even the latter would do well to tap the former. And because for NGOs, the point is not simply to understand what is happening but to change it for the better, NGOs usually do not lack perspectives on the proverbial question “What is to be done?” Even in Nepal, where there is an acknowledged relative weakness in civil society capacities for peacemaking, at least one leading peace CSO like the South Asia Partnership (SAP)-Nepal [secretariat of sorts for the Coalition for Peace there] had come up with “Strategies for Peace-building” and “Recommendations for Sustained Peace” from a civil society perspective. One research institute, the Centre for Economic and Social Development (CESOD) once recommended that any future peace talks to succeed should have an “all-party participation,” meaning from: (1) Royal Nepalese Government, (2) CPN(M), (3) major political parties, and (4) *civil society*. The latter was suggested to be included in each and every step of the negotiation process so that the people’s agenda would be among that placed on the negotiating table. Previous talks between the two main protagonists focused mainly on constitutional issues, far removed from the people’s grievances at the root of the conflict.

e. CSOs as a recruiting ground for negotiators and technical support

In the last round of peace talks between the Nepal government and the Maoist CPN(M) in 2004 which unfortunately collapsed, one of the official domestic facilitators had a human rights NGO background. Indeed, NGOs, the academe and other sectors of civil society have provided not only resource persons, facilitators and intermediaries for official peace talks but themselves are a ***recruiting ground for negotiators and technical support*** staff/working committees of the peace panels of both sides. The current Philippine government panel for peace talks with the MILF includes the chairperson of the leading NGO network in Mindanao. Sometimes, the NGO person concerned wears two hats – a government hat and an NGO hat. In other cases, there is a

complete “cross-over” from the NGO frame to a government frame. There are also similar two-hat and “cross-over” cases involving NGO persons and various rebel peace panels. This phenomenon is true for other country cases.

f. Roles in the implementation phase

Aside from the official mediated peace negotiations, it is important to note the role or possible *role of civil society in the ceasefire and security component and in the rehabilitation and development component*, which are themselves important, if not indispensable, for the whole process. Again, we see here the rationale for citizen participation – security and development, in which citizens have a stake, are too important to be left to the warring parties. Again, the best example of citizen participation in a ceasefire process. As part of the official process, Local Monitoring Teams (LMTs) were created which included representatives of NGOs nominated by the GRP, NGOs nominated by the MILF, and the religious sector (which may be Muslim or Christian) chosen under mutual agreement. But outside of and to supplement such official mechanisms, the NGO peace network MPC initiated, with other civil society convenors, the grassroots-led “Bantay Ceasefire” (*Ceasefire Watch*). On occasion, “Bantay Ceasefire” has undertaken field investigation in cooperation with the joint GRP-MILF ceasefire committee. Recently, “Bantay Ceasefire” conducted an “*Accompaniment Mission*” which accompanied farmers displaced by a fire fight so that they could return securely to their communities and harvest their crops. This calls to mind concepts and practices of “*accompaniment*” involving non-violent action by activists who would put their unarmed bodies between two contending armed forces/groups in order to prevent a fire fight or to protect civilians from any crossfire. Some forms of this are being worked out or tested by the international NGO Non-violent Peace force (NP) especially in Sri Lanka.

Rehabilitation and development can take place during a peace or ceasefire process like in Sri Lanka that it usually takes place post-conflict/settlement like in Aceh. As regards this component, it is not usually focused peace CSOs but secondary peace CSOs, especially humanitarian, rehabilitation and development NGOs, including prominently international ones, that are mainly and directly involved. Post-conflict and post-tsunami recovery and reconstruction work in Aceh, especially by international NGOs and inter-governmental organizations, require more sensitivity to the conflict environment and dynamics there. Such work can benefit from the *local knowledge and understanding* provided by Acehnese CSOs, especially peace CSOs. For example, this is reflected in the suggestion that the DDR (Disarmament, Demobilization and Reintegration) programs be given a name and acronym which means more to the local people. One suggestion is to rename the program P-KBG. This stands for “Pulang Kampung, Pulang Barak, Pulang Gudang” (Return to the village, Return to the barracks, Turn in the weapons). Development actors in Aceh are now urged to bring the people into the process because a major weakness of the preceding Finish-mediated Helsinki peace process has been the lack of Acehnese civil society involvement.

3. Impact: Successes & Failures

The impact of civil society peace work is difficult to assess. Also, this is more practicably done on a country rather than regional basis. From the literature available to us, this

has been done with academic rigor, only for Sri Lanka (by Dr. Camilla Orjuela of Goteborg University, Sweden) and the Philippines (by Prof. Miriam Coronel Ferrer of the University of the Philippines), among the five countries covered by this paper. We share here the highlights of these two assessments of the impact of civil society peace work in general and *from here one might infer the impact of civil society work on peace negotiations in particular.*

a. Sri Lanka

In the **Sri Lankan case**, such impact has been assessed along *three different aspects*: (1) official, top-level change, (2) local change, and (3) the strength of the peace movement itself. **Official, top-level changes** like variations between military escalation and peace attempts were not directly linked to, nor followed the shifts in intensity and struggles of civil society peace work. Other factors – e.g. international donor pressure, the global war on terror, national economics, war fatigue, military gains and losses, political power struggles and propaganda - influenced the situation – influenced the situation, such that in comparison the importance of civil society peace work shrunk dramatically. Peace movement activities and discourses mainly served to give legitimacy to peace moves rather than instigate them.

Generally, **local level impact** of civil society peace work in Sri Lanka was sporadic and small-scale. Although these types of changes serve to lay the ground for top-level peace moves and could serve as positive examples to be used even by the main actors, so far they have not been widespread and systematic enough to visibly have an effect beyond the personal, local and occasional. Evidence of changes in public opinion (e.g. in opinion polls and voting patterns) could not be directly linked with civil society attempts to change attitudes.

As for impact on the **strength of the peace movement** in Sri Lanka, on one hand, civil society peace work was increasingly appreciated, valued and demanded, with its representatives visible in public debate. On the other hand, the movement failed to attract large numbers of demonstrators or vociferous protesters against the war. Many of the peace organizations were not institutionalized but led insecure existences dependent funding from foreign donor agencies. The movement also suffered from a lack of well-established contact and cooperation between the South and the North of the country, and from a number of internal divisions along ethnic, political party, rural-urban and other lines.

In sum, civil society peace work in Sri Lanka has had a *mainly indirect impact*. It does not provide *the* solution to identity-based armed conflicts, but makes up one piece in the jigsaw puzzle of conflict-resolution. A civil-society contribution to peace is *necessary but not enough*. Popular support and legitimacy from below for peace processes and agreements are needed for them to be lasting. Civil society here has been weakened by decades of political patronage and then protracted war. The 2002 ceasefire and peace process have generated new optimism but CSOs have a largely low-key supportive role as the government pushes the process forward. If the glass here seems to be “half-empty,” that of the next case may seem “half-full.”

In the **Philippine case**, the impact of civil society peace work has also been assessed along *three different aspects*: (1) on policy, (2) on the ground-level situation, and (3) on perceptions, attitudes and behaviour of primary stakeholders. Civil society **input to government policy-making** has brought about laudable policy frameworks like the “Six Paths to Peace” and

the “Social Reform Agenda,” and noteworthy legislation like those creating the National Anti-Poverty Commission and the National Commission of Indigenous Peoples. With pressure to bear by the peace coalitions, the negotiation track between the government and the different rebel groups has been pursued. They have sustained the high visibility of the peace process in the national consciousness, including at the level of government policy and the mass media. In terms of representation, lobby work undertaken by peace advocates has put in the government negotiating panels women and indigenous peoples’ representatives. Specific concerns like the release of prisoners (held by both sides) were also effected by civil society pressure. However, continuing governance problems did not bring about the thorough reforms demanded by a comprehensive peace agenda. Also, policy-making remains the domain of the powerful; it is a process that is affected or determined not only by inputs from civil society, which may in fact be the weakest factor in some cases.

b. The Philippines

Civil society peace-building efforts *addressing the needs of the people on the ground* where conflict takes place have been significant and essential in the Philippines. Campaigns have supported the holding and maintenance of ceasefires. Human rights violations were mitigated and addressed through fact-finding and relief missions. NGO and church intervention along the lines of psycho-social rehabilitation have helped restore a measure of peace needed to start the rebuilding of lives and communities. Gains in specific communities include improvements in health, sanitation, and housing conditions; educational services and facilities; and the healing of wounds bridging of divides. Consequently, the empowered communities themselves are taking a proactive role in conflict prevention and peace-building, and have enhanced their own capacities to respond to human rights violations and emergencies.

Indicators of positive *changes in norms* (as reflected in perceptions, attitudes and behaviour) on the part of government and rebel groups in the Philippines include a palpably greater consciousness on their part to respect and observe human rights (HR) and international humanitarian law (IHL) over and above their military objectives. However, these are just incremental changes in some areas and instances but on the whole HR and IHL violations continue.

In sum, while still an uphill climb, there is a growing active peace constituency in the Philippines. It should be noted that while civil society here is relatively strong and dynamic, the peace movement is fairly young compared, for example, to the human rights and women’s movements. Thus, government has tended to rebuff organized civil society pressure, saying they make up a small constituency with the silent majority presumably in favour of war against the rebel groups. In varying degrees, the rebel groups with their respective constituencies do not easily accept a citizen third-party as a legitimate interlocutor. But this is all the more reason for citizen participation to assert itself in the peace process.

4. Pros & Cons; Dilemmas & Challenges

General literature on conflict-resolution and peace-building, such as from Conciliation Resources-London, have already discussed the pros and cons of Track 2/3/4 approaches and actors (esp. NGOs) vis-à-vis Track 1.

a. The Pros

Track 2 actors are less threatening to rebel groups and find it easier to work flexibly, unofficially and off-the-record, and have less to be concerned about in terms of conveying official/legal recognition. Lacking geopolitical interests and stakes in the conflict, they may be more impartial, forming relationships with a wider variety of actors in the conflict, including local communities, and hearing things official actors do not. They often have access to sources of information that Track 1 actors do not, or even when talking with the same source, the source may be more open with an unofficial intermediary. They have increased access to areas inaccessible to official actors and function without the narrow foreign policy constraints of state institutions. They can talk to several parties at once without losing credibility. They can deal directly with grassroots populations and operate without political or public scrutiny. They can more effectively build networks with other civil society representatives to focus on long-term perspectives. They are less subject to complaints about outside interference or breaches of sovereignty (a particularly sensitive matter in the Nepal Peace Process, thus the use of domestic rather than foreign third-party facilitators there).

Certain peace calls or proposals, such as for ceasefires which may affect the military balance of power, are sometimes better made by or coursed through credible peace CSOs. The latter can also often make constructive criticisms and suggestions to the leadership of the official parties which their rank and file may have difficulty doing because of institutional/organizational culture.

b. The Cons

Track 2 actors lack the capacity to compel or coerce parties, can have a harder time “gaining entry” to a conflict (especially with state actors) and cannot provide the same incentives and guarantees as a third-party government or inter-governmental organization. Importantly, they often lack political influence, resources and funding, especially for more long-term work that is “out of the spotlight.” They may lack information or awareness about certain sensitive or confidential matters in peace negotiations. They do not always conduct themselves responsibly or act with sufficient accountability or coordination. The multiplicity of unofficial actors can be confusing for all concerned, increasing the risk of misunderstandings and disagreements. It can be especially confusing for rebel groups when Track 2 actors appear to speak for a country or state they do not necessarily represent, and NGOs sometimes underestimate rebel groups’ confusion between the NGO and the state representatives of the country where the NGO has its head office. Quite often, warring parties do not necessarily grasp the difference between state and NGO intermediaries, confounding informal Track 2 positions on certain issues with state positions.

c. Working together: not *if* but *how*

In the overall balance of pros and cons, *the dilemma* is not so much *whether* Track 1 should work with Track 2 but rather *how* Tracks 1 and 2 can work together well. Track 2, at least the peace CSOs/movement, will assert itself on the basis of the citizen participation principle, *whether Track 1 likes it or not*. Track 1 might as well, therefore, engage Track 2 constructively. There will be some specific recommendations in the last section of this paper. At this point, it is also important to outline some *challenges or issues* likely to arise in this constructive engagement around official mediated peace negotiations.

1. Track 1 desire for full control of the process vs. Track 2/NGO assertion of integrity, independence or autonomy
2. Track 2/NGO concerns not to be used or manipulated for counter-insurgency, tactical intelligence-gathering and propaganda which serves one or the other side
3. Track 2/NGO requests for access to documents, key persons and groups, and for security guarantees when contacting rebel groups (who would also require the same)
4. Track 1 confidentiality vs. Track 2/NGO demands for transparency
5. Awareness and respect for each other's boundaries and constraints

Perhaps the most challenging issues here are Nos. 1 and 4. In fact, it is a paradox of peace negotiations in general that they need both somewhat contradictory imperatives - *confidentiality and transparency* – in some kind of unity of opposites. The trick is trying to strike the proper balance between the two, something easier said than done. But the task becomes much easier when there is a working partnership of sorts between Tracks 1 and 2.

5. Influence of the International Context

While understanding the country context is indispensable for each country engagement, one must also understand how the international context affects civil society peace work across countries. While this context is extremely complex, we limit ourselves here to two main determinants or features: globalization, and the post-9/11 “global war on terror.”

Globalization as the intensification of global inter-connectedness, particularly through the revolution in information technology, of course also contributes positively to the development of global civil society, including the linkages among peace CSOs across countries. This has eroded tendencies of insularity or parochialism that have tended to be entrenched in island or land-locked countries, giving rise to more cosmopolitanism in some civil society circles. The global civil society peace linkages are of varying degrees per country with Sri Lanka and the Philippines at the high end and with Burma at the low end. The increasing linkages are not only virtual but also face-to-face through conferences, exchange visits, missions and other activities which bring NGO and academe peace advocates, researchers and educators from various countries together. In recent years, venues for this have been provided by such networks or conferences as the Southeast Asian Conflict Studies Network (SEACSN), Asia-

Pacific Peace Research Association (APRA) and the 2003 “Waging Peace in the Philippines and Asia: Facilitating Processes, Consolidating Participation” conference.

The erosion of the autonomy of the state resulting from globalization has led to the emergence of a range of non-state actors, including NGOs, as global actors. There is a clear trend to extend international legal obligations and processes to these new global actors, including in mechanisms of various inter-governmental organizations led by the U.N. However, unequal global North-South relations of dependency are often mirrored in funding and working relationships between Northern-based international NGOs and Southern local/country NGOs, some of which strive for relations of equality and co-responsibility. The cultural aspect of globalization has a downside in its predominant Americanization which impinges on the cultural and religious identities and customs of many peoples. This has led to a counter-reaction especially in Muslim societies, including those found in Southeast and South Asia. This has been aggravated by the “global war on terror” which has come to be perceived in the Muslim as a war on Islam or against Muslims. It must be noted that there is also a developing Muslim civil society, including peace CSOs. In Mindanao, Southern Philippines, there is still some Muslim-Christian imbalance (in favour of the latter) in the NGO sector since there is no NGO tradition in Muslim Mindanao like there is in Christian Mindanao. But recent years have seen the rise of Moro (Muslim) CSOs, including those which do peace work.

The **post-9/11 period** is a new stage of escalation of international violence by the international terrorism of mainly Islamist armed groups and the countervailing U.S.-led “global war on terror.” This has also brought about global tightening of security often at the expense of human rights and civil liberties. This has also affected the work for peace through the predominance of military solutions in addressing not only terrorism but also rebellion and internal armed conflict. In particular, it has become more difficult and dangerous for peace CSOs to constructively engage rebel groups, especially those labelled “terrorist,” at a time when there is a desperate need to do so, particularly in peace processes.

In the final analysis, there is a correlation between the development of those specific civil war dynamics post-Cold war and post-9/11, on one hand, and a state’s character and relations with its society, on the other. The changing global contexts influence local conditions differently, as there are specific conditions that trigger such wars, shaped basically by a distinct combination of global and domestic forces. Any country-level engagement must perforce be *context-based, case-specific and culture-sensitive*.

6. Recommendations: How Best Can Mediators Maximize the Positive Role of Civil Society?

Maximization arises from *appreciation and understanding*, more precisely an appreciation of the role of civil society and an understanding of its dynamics. While the positive role can be appreciated in general beginning with the citizen participation principle, the dynamics of civil society can only be understood in particular – country to country. First of all, mediators must get out of the traditional mindset of viewing peacemaking as a quintessentially governmental activity where there is no or little space for public participation. For understanding the country dynamics, it is advisable for mediators to have a *good map of the*

political terrain of the country concerned and its civil society peace sector. This will help the mediator navigate around potential political landmines. This will help the mediator know *who is doing what or who can do what – both positively and negatively* - in relation to the official mediated peace negotiations. Even if the mediator does not tap peace CSOs, it still makes good sense to know what they are doing of relevance to the process.

Civil society does not exist in a vacuum from the political forces in a country. There are usually political connections. While a premium might be placed on credible impartial or non-partisan peace CSOs, there is also ***a role for those aligned or associated with one side*** or the other. The latter partisan peace CSOs are often part of the constituency of one side and therefore could be bridges to reach that side either for access, when this is a problem, or to exert indirect influence or even pressure, as may be necessary for the peace process. These interlocutors or intermediaries are what are referred to in mediation theory and practice as “insiders-partial” who have good access to or enjoy the confidence of one or more parties to the conflict.

In certain countries or situations, there might be room only for “insiders-partial” but not “outsiders-neutral” who come from abroad and are perceived as impartial and competent to mediate an internal armed conflict. Where an ideal combination of both cannot for some reason be employed, such as where international mediation is rejected, one possibility is to work out a channel for external expert advice to internal facilitators who may need it. Good mediator traits of sensitivity, intuition and empathy should be particularly ***careful that their work does not mirror exclusionary social structures or offend local sensitivities*** like the oft-heard complaints of recruitment of non-locals to better-paid posts or of international NGOs edging out local NGOs for work which the latter can do even better with less cost. Sensitivity to issues of culture, religion, ethnicity, nationality and so forth are constant requirements for those working in such situations.

In dealing with peace CSOs, whether to pick their brains or for some other purpose, ***honesty or transparency is the best policy*** for mediators. Be open and above-board with peace CSOs, level with them. This way one gets the best out of them. They generally want to help but do not want to be used or manipulated or be unnecessarily kept in the dark or blind-sided. They expect their own openness and willingness to share information and views to be reciprocated. They will understand if told forthrightly what cannot be shared because it is confidential or what can be shared but must be kept off-the-record. It may be best to mutually agree on what specific negotiation information can be shared with a bigger audience, whether among just the peace CSOs or the general public. This is where the challenge of solving the dilemma between confidentiality and transparency can be worked out by responsible interlocutors on a case-to-case basis.

This can be done only if ***Track 1 and Track 2 actors communicate and network with each other*** on their complementary roles in the peace process. This is the only way to foster awareness and respect for each other’s concerns, boundaries and constraints. As the practice of Track 1-Track 2 interface develops, perhaps there will come a time when key practitioners of both tracks should hold a “*mediated retreat*” to assess with a view to ***improve the interface***, from which mutually acceptable “rules for the road” or guidelines might be developed.

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APPENDIX ONE

Definitions & Delimitations of Civil Society Organisations

This background paper has a more limited application of “civil society” and “peace processes.” By “civil society,” we refer basically to non-governmental, non-profit organizations, networks and voluntary organizations, including interest or sectoral groups, organized at the national and local level. This can be a very wide range, even as there can be academic differences of opinion as to the specific components of civil society which we need not get into here. What is clear is that civil society is more than its organizations; it is the sphere of voluntary organizing in which civil society organizations (CSOs) function. Still it is the CSOs like non-governmental organizations (NGOs) and people’s organizations (POs) which concern us most even if they do not constitute the totality of civil society. In particular we are concerned with **peace CSOs** or **civil society peace organizations** which have adopted as focused peace agenda – meaning they frame their campaigns, services and other activities within a peace perspective or advocacy, or at least undertake peace-related activities and consider themselves peace organizations. Like most CSOs, peace CSOs generally undertake any or all of *three roles in society* – watchdogs over the state, service-provider, and advocates of alternative policies.

A comprehensive academic study on civil society peace work in Sri Lanka, however, cautions against treating civil society and NGOs as a unitary or monolithic sector because there are important conflicts and contradictory forces within civil society itself. One must specify what sections and actors in civil society are important for peace – for which a *thorough empirical contextualization* is needed. In Sri Lanka, people organize in civil society also around values that are considered “uncivil” – voluntary popular mobilization has historically often been along racist or sectarian lines, including opposing peace negotiations and political concessions to ethnic minorities. In Burma, there are much more numerous ethnic minorities, but some exiles and campaigners generally say there is no civil society at all and they see it as a dead issue until there is regime change or a transition to democracy after decades-long military rule. Indeed, in a general sense, in both Southeast and South Asia, as elsewhere, there is a dialectical relationship between the *democratization* and peace processes, including the role of civil society in both.

At least in the Philippines, but conceivably also for other countries, peace CSOs are generally of *three categories*: (1) people’s or grassroots organizations at the sectoral or community levels, including community-based organizations (CBOs) [as referred to in the Burmese context]; (2) peace coalitions and networks at the country or sub-country level; and (3) NGOs, institutions and programs that are actively involved in the peace process as a response to continuing armed conflicts. *Focused peace CSOs* are those which often use the catchword “peace” to describe and distinguish themselves and their agenda which usually has to do with armed conflict-resolution. Most focused peace CSOs come from the second and third categories of peace CSOs, and are the ones most relevant to the concerns of this paper. *Secondary peace CSOs* are those whose primary identification is set in another frame (e.g. human rights, development, sectoral concerns) but nonetheless see their particular advocacy as interconnected to the quest for peace in a broader sense [One might cite the example of the Nobel *Peace Prize* being awarded for environmental work.].

In at least both the Philippines and Sri Lanka, one can talk about a **peace movement**, a *social movement* in its own right where there is an array of different organizations, networks, individuals and events striving towards the same goals. This gives the idea of a broader movement for social change (than does the narrower term “NGO”) and emphasizes the agency of people.