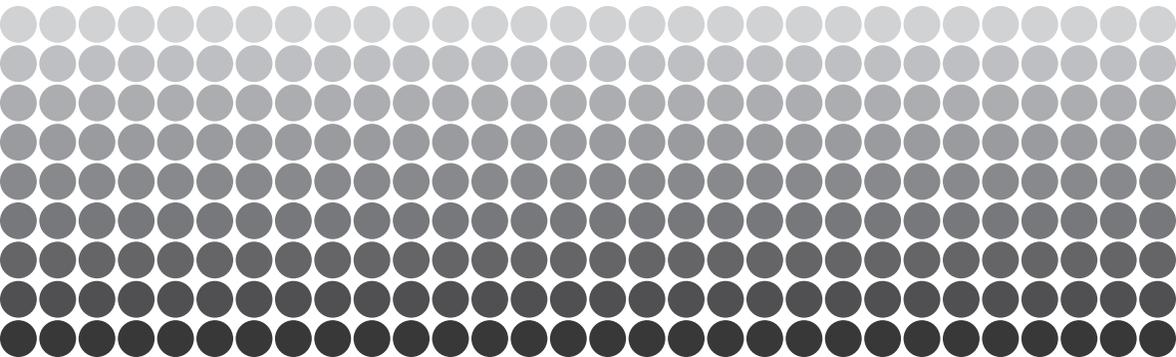


SIPRI YEARBOOK 2014

Armaments, Disarmament and International Security

Mediation and peace agreements

ISAK SVENSSON AND MAGNUS LUNDGREN



Mediation and peace agreements

ISAK SVENSSON AND MAGNUS LUNDGREN

Contents

Trends of mediation and peace agreements	43
Peace attempts in Syria	47
The peace process in the Philippines: the Moro Islamic Liberation Front negotiations	51
Conclusions	52
Table 2.1. Number of peace agreements signed between parties in state-based armed conflicts, 1989–2013	46

This is an offprint of section I of chapter 2 of

SIPRI Yearbook 2014: Armaments, Disarmament and International Security

Oxford University Press, 2014

Hardback, ISBN 978-0-19-871259-6, xxii+581 pp., £100/\$185

The SIPRI Yearbook is published and distributed in print and online by Oxford University Press—more information is available at <<http://www.sipriyearbook.org/>>

OXFORD
UNIVERSITY PRESS

www.sipriyearbook.org

I. Mediation and peace agreements

ISAK SVENSSON AND MAGNUS LUNDGREN

In 2013, third-party mediation in internal armed conflicts occurred in several instances around the world, with varying degrees of success. Examples include the roles of Qatar in Afghanistan, Norway and Cuba in Colombia, Uganda in eastern Democratic Republic of the Congo, the United States in Palestine, and Malaysia in southern Thailand. In other cases, such as Myanmar and Turkey, peace negotiations progressed without the aid of an external mediator.

This section provides an overview of patterns of mediation and mediated peace agreements in the past decade and situates the main developments of 2013 in relation to these patterns. Two cases are used to illustrate the conditions for peacemaking through mediation processes in contemporary armed conflicts: Syria, which is one of the most problematic cases of peacemaking, and the peace process between the Moro Islamic Liberal Front (MILF) and the Government of the Philippines over the contested area of Mindanao, which is one of the most promising cases.

Mediation is a form of non-violent intervention aimed at facilitating a negotiated agreement between conflict parties. Its outcomes build on the consent of the conflicting parties. It should thus be analytically distinguished from arbitration, which can result in an outcome being imposed on a party. Mediation may be initiated by a request from the parties, by an offer or mandate from an international organization or foreign country, or by a combination of these processes. In line with a growing body of research on international mediation, the definition of mediation is not limited to include a criterion of strict neutrality. In fact, mediators with particular ties to one side in a conflict—such as the USA in the Israel–Palestine conflict—may have certain advantages when acting as a mediator.¹

Trends of mediation and peace agreements

Since the end of the cold war, the incidence of mediation in armed conflict has increased dramatically. There were more mediation attempts during

¹ For an overview of mediation research see Wallensteen, P. and Svensson, I., 'Talking peace: international mediation in armed conflicts', *Journal of Peace Research*, vol. 51, no. 2 (Mar. 2014). For a broader introduction to conflict resolution in intrastate conflicts see Svensson, I., 'Conflict resolution in civil wars', eds E. Newman and K. DeRouen Jr, *Routledge Handbook of Civil War* (Routledge: Abingdon, 2014). On mediation in both intrastate and interstate conflicts see Greig, M. J. and Diehl, P. F., *International Mediation* (Polity: Cambridge, 2012). For mediation data trends see DeRouen, K. R. Jr, Bercovitch, J. and Pospieszna, P., 'Introducing the Civil Wars Mediation (CWM) dataset', *Journal of Peace Research*, vol. 48, no. 5 (Sep. 2011). For a theoretical overview from a bargaining perspective see Kydd, A. H., 'Rationalist approaches to conflict prevention and resolution', *Annual Review of Political Science*, vol. 13 (2010).

the 1990s than during the entire cold war era.² While the frequency of mediation diminished somewhat in the 2000s, its use as a conflict-management tool—often in parallel with other instruments, such as economic sanctions, intervention and humanitarian aid—remains common. The great majority of mediation attempts since 1990 have taken place in intrastate conflicts, reflecting the fact that this is the most common form of armed conflict (see section III below). Depending on where wars occur and variation in the ability to provide mediation, conflicts in some geographic regions (e.g. Europe and the Middle East) have been more likely to receive mediation than conflicts in other regions (e.g. East and South East Asia).³ While states remain the key mediators (accounting for 40 per cent of mediation episodes), other actors have displayed a growing interest and competence in providing mediation services.⁴ Here, the United Nations has remained a central actor and resource, but it has been gradually supplemented by a host of regional organizations that aspire to provide conflict-resolution functions in and near their geographic domain. Examples from the past few years include mediation by the African Union (AU) in Libya, by the League of Arab States in Syria and by the Organization of Islamic Cooperation (OIC) in the Philippines.⁵ Individuals and non-governmental organizations (NGOs), such as the Red Cross, account for less than 5 per cent of all mediation attempts, but there are signs that citizen diplomacy and mediation (known as ‘track 2’ processes) may be on the rise, due to the increased connectivity of the world and perceived frustrations with government-controlled (‘track 1’) initiatives.⁶ In the past decade there has been a general trend towards inclusion of non-state actors in international processes, reflecting a desire to address legitimacy deficits and better use the expertise and resources available in the non-state and transnational communities.⁷ Overall, there is an increasing reliance on multiparty mediation, whereby several actors, and actors of different types, cooperate to engage in a given conflict, in the belief that the pooling of resources, skills and relationships may increase the chances of success.⁸

A natural consequence of the ‘rise of mediation’ in the first decade after the end of the cold war was a drastic increase in the number of negotiated

² Greig and Diehl (note 1), p. 36.

³ On the factors affecting selection by mediators see Gartner, S. S., ‘Signs of trouble: regional organization mediation and civil war agreement durability’, *Journal of Politics*, vol. 73, no. 2 (Apr. 2011); and Greig and Diehl (note 1), p. 44.

⁴ DeRouen et al. (note 1); and Greig and Diehl (note 1), p. 63.

⁵ For brief descriptions and other details of the AU, the Arab League and the OIC (known as the Organization of the Islamic Conference until 2011) see annex B, section II, in this volume.

⁶ Greig and Diehl (note 1), p. 63.

⁷ Tallberg, J. et al., *The Opening up of International Organizations: Transnational Access in Global Governance* (Cambridge University Press: Cambridge, 2013).

⁸ Böhmelt, T., ‘Disaggregating mediations: the impact of multiparty mediation’, *British Journal of Political Science*, vol. 41, no. 4 (Oct. 2011).

peace agreements. During some years in the 1990s it was more likely for a given conflict to end in a peace agreement than in a military victory.⁹ In the first years of the 2000s, this positive trend proved durable, with many armed conflicts ending in peace agreements. However, few of the armed conflicts that ended in 2009–13 did so as a result of negotiation between warring parties. According to data from the Uppsala Conflict Data Program (UCDP), the average annual number of peace agreements fell from 8.5 in the period 2004–2008 to 2.8 in the period 2009–13 (see table 2.1).¹⁰ This means that less than one-tenth of ongoing conflicts were successfully brought to a negotiated agreement each year in this latter period. While the figures for 2012 and 2013 suggest an increase, the level is still lower than previously.

The falling number of peace agreements may indicate that opportunities for diplomatic peacemaking have decreased since the 1990s and early 2000s. Available data does not allow for clear-cut identification of the reasons for such a reduction, but it appears that factors shaping both the supply of and demand for mediation account for the observed trend. Some of the factors that have been suggested are a lower number of wars to mediate; the nature of contemporary wars; and a greater reliance on military instruments in the management of peace and security. In 2012 there were 32 state-based armed conflicts around the world (see section III), which is ‘a relatively low level in the context of the post-World War II period’.¹¹ With fewer state-based conflicts than a decade ago, there are naturally fewer opportunities to engage in mediation. Moreover, as several intrastate conflicts have been terminated in the preceding decade, the remaining group of wars contains a set of particularly protracted conflicts, many of which are fought over religious fault lines. Research suggests that such conflicts may be particularly resistant to external mediation and, hence, to termination through negotiated agreements.¹² Furthermore, it is possible that the foreign and security policies of powerful states have caused a ‘crowding out’ of mediation in certain areas and for certain issues. For example, the US-led ‘global war on terrorism’ and the perceived effectiveness of its associated security management strategies—military interventions with remote capabilities, such as unmanned aerial vehicles

⁹ Themnér, L., and Wallensteen, P., ‘Armed conflicts, 1946–2011’, *Journal of Peace Research*, vol. 49, no. 4 (July 2012).

¹⁰ Högbladh, S., ‘Peace agreements 1975–2011: updating the UCDP Peace Agreement dataset’, eds T. Pettersson and L. Themnér, *States in Armed Conflict 2011*, Department of Peace and Conflict Research Report no. 99 (Uppsala University: Uppsala, 2012).

¹¹ Themnér, L. and Wallensteen, P., ‘Armed conflicts, 1946–2012’, *Journal of Peace Research*, vol. 50, no. 4 (July 2013), p. 509.

¹² Svensson, I., ‘Fighting with faith: religion and conflict resolution in civil wars’, *Journal of Conflict Resolution*, vol. 51, no. 6 (Dec. 2007).

Table 2.1. Number of peace agreements signed between parties in state-based armed conflicts, 1989–2013

Year	No. of agreements	Conflict ^a
1989	2	Angola, Chad–Libya
1990	9	El Salvador ⁽³⁾ , Guatemala, Liberia ⁽³⁾ , South Africa ⁽²⁾
1991	19	Angola, Cambodia, Colombia, El Salvador ⁽⁴⁾ , Guatemala ⁽²⁾ , Liberia ⁽²⁾ , Mali (Azawad), Mozambique ⁽³⁾ , Papua New Guinea (Bougainville), Rwanda, South Africa, Yugoslavia (Slovenia)
1992	8	Chad, El Salvador ⁽²⁾ , Mali (Azawad), Mozambique ⁽²⁾ , Rwanda, South Africa
1993	15	Afghanistan ⁽²⁾ , Chad, Haiti, India (Bodoland), India (Tripura), Israel (Palestinian territories), Liberia, Niger, Rwanda ⁽⁴⁾ , Somalia, South Africa
1994	18	Angola, Bosnia and Herzegovina (Croats), Chad ⁽²⁾ , Chad–Libya, Djibouti, Georgia (Abkhazia), Guatemala ⁽⁵⁾ , Israel (Palestinian territories) ⁽²⁾ , Liberia, Niger (Air and Azawad), Papua New Guinea (Bougainville), Somalia
1995	9	Bosnia and Herzegovina (Serbs), Chad, Croatia (Serbs), Guatemala, Israel (Palestinian territories), Liberia, Niger (Air and Azawad), Philippines, Tajikistan
1996	13	Afghanistan, Guatemala ⁽⁷⁾ , Liberia, Mexico, Philippines (Mindanao), Sierra Leone, Tajikistan
1997	8	Bangladesh (Chittagong Hill Tracts), Chad, Israel (Palestinian territories), Moldova (Trans-Dniester), Somalia, Tajikistan ⁽³⁾
1998	5	Chad, Ecuador–Peru, Guinea-Bissau, Israel (Palestinian territories), United Kingdom (Northern Ireland)
1999	7	Chad, Colombia, Rep. of Congo, DRC, Israel (Palestinian territories), Sierra Leone, Yugoslavia (Kosovo)
2000	5	Burundi, Comoros (Anjouan), Djibouti, Eritrea–Ethiopia, Sierra Leone,
2001	7	Colombia, Comoros (Anjouan), DRC, Djibouti, FYR Macedonia, Papua New Guinea (Bougainville), Philippines (Mindanao),
2002	9	Angola, Burundi, Chad, Colombia, DRC ⁽²⁾ , Indonesia (Aceh), Sudan, Uganda
2003	10	Burundi ⁽³⁾ , DRC, Comoros (Anjouan), Côte d'Ivoire ⁽²⁾ , Liberia ⁽²⁾ , Sudan
2004	6	Côte d'Ivoire, Senegal (Casamance), Sudan ⁽⁴⁾
2005	6	Chad, Côte d'Ivoire, Indonesia (Aceh), Sudan ⁽³⁾
2006	10	Angola (Cabinda), Burundi ⁽²⁾ , Cameroon–Nigeria, Chad, Nepal ⁽⁴⁾ , Sudan
2007	8	CAR, Côte d'Ivoire ⁽⁴⁾ , Israel (Palestinian territories), Uganda ⁽²⁾
2008	10	Burundi, CAR, Côte d'Ivoire, Somalia ⁽²⁾ , Uganda ⁽⁵⁾
2009	1	DRC
2010	2	Djibouti–Eritrea, Sudan
2011	1	Sudan
2012	4	CAR, Philippines, South Sudan, South Sudan–Sudan
2013	6	Philippines ⁽³⁾ , CAR, DRC, South Sudan–Sudan

CAR = Central African Republic; DRC = Democratic Republic of the Congo.

^a When there was more than one peace agreement in a given location in one year, the total number of agreements appears in parentheses.

Sources: UCDP Peace Agreement Dataset v. 2.0, 1975–2011, <<http://www.pcr.uu.se/research/ucdp/datasets/>>; and Themnér, L. and Wallensteen, P., 'Armed conflicts, 1946–2012', *Journal of Peace Research*, vol. 50, no. 4 (July 2013).

(UAVs or drones)—in addressing localized insurgencies may have reduced incentives to engage in non-coercive forms of conflict resolution such as mediation. While the US administration of President Barack Obama has re-emphasized diplomacy in US foreign policy, military instruments remain a cornerstone of the USA's approach to many of the regions where violence was prevalent in 2013, including the Middle East and Africa.¹³

Peace attempts in Syria

In Syria an intrastate conflict pitting the regime of President Bashar al-Assad against a loose, Sunni-dominated rebel coalition, ground on into its third year in 2013.¹⁴ By the end of the year, at least 130 000 people had been killed over the course of the war according to data collected by local Syrian NGOs, ranking it among the 20 per cent most severe civil wars since 1945.¹⁵ The humanitarian situation inside the country was dire, with widespread displacement, malnutrition and physical destruction.

On the battlefield, 2013 was characterized by a re-balancing of power relations.¹⁶ Bolstered by active support from Iran and the Lebanese Shiite militia Hezbollah, the Syrian Army was able to achieve a series of battlefield victories. This defied expectations from 2012, when rebels were on the verge of taking Damascus and commentators predicted al-Assad's imminent demise. Despite consistent attempts to promote unity among rebel ranks, fragmentation and squabbling continued. The Free Syrian Army (FSA), the military arm of the original mainstream opposition, a loose umbrella organization that has received backing from Turkey and several Western countries, remained important but it lost influence relative to more radical and seemingly more effective actors. These included jihadist groups, notably the al-Nusra Front and the Islamic State in Iraq and al-Sham (ISIS), both affiliates of al-Qaeda. Organizationally adept and resourced, these groups established control in the northern and eastern parts of the country, now largely vacated by the Syrian regime, and extended across the porous border with neighbouring Iraq. Adherents of extreme interpretations of Islam and viewing Shia Muslims as apostates, these groups have functioned to underline the sectarian nature of Syria's

¹³ See e.g. White House, *National Security Strategy* (White House: Washington, DC, May 2010); and US Department of Defense (DOD), *Quadrennial Defense Review 2014* (DOD: Washington, DC, 2014).

¹⁴ On the development of the conflict in Syria see Allansson, M. et al., 'The first year of the Arab Spring', *SIPRI Yearbook 2012*; and Allansson, M., Sollenberg, M. and Themnér, L., 'Armed conflict in the wake of the Arab Spring', *SIPRI Yearbook 2013*.

¹⁵ Syrian Observatory for Human Rights, 'More than 130 thousand people killed so far in Syria', 1 Jan. 2014, <http://syriaahr.com/en/index.php?option=com_news&id=1312&Itemid=2&task=display_news>. Casualty figures from Syria are highly uncertain.

¹⁶ For further background see International Crisis Group (ICG), *Syria's Metastasising Conflicts*, Middle East Report no. 143 (ICG: Brussels, 27 June 2013).

civil war, which is increasingly regarded as one facet of a larger, regional rivalry between the two main denominations of Islam. Receiving support from Iran, the key Shiite power, and Shiite-dominated Iraq, the Syrian regime has played into this dynamic, and this was further underlined by its reliance on Hezbollah to boost its battlefield performance. Despite efforts by Western countries to enhance the standing of non-extremist rebels, trends in 2013 suggested that religion would remain a key fault line into 2014.¹⁷

Since the Syrian crisis erupted in 2011, there have been several attempts at mediation. In 2011 and 2012 the Arab League sought to mediate the gradually worsening conflict, proposing an Arab Plan of Action that called for the cessation of violence, the withdrawal of military equipment and the initiation of a national dialogue process.¹⁸ The Arab League combined mediation with punitive and coercive measures, such as the suspension of Syria from its membership and the imposition of economic sanctions and an arms embargo.¹⁹ After the Syrian Government had agreed to the Action Plan in December 2011, the Arab League deployed a multinational monitoring mission—the Arab League Observer Mission to Syria—but it proved short-lived and ultimately ineffective, as violence continued unabated.²⁰

Consequently, the UN took a leading role, and in February 2012 Kofi Annan, a former UN Secretary-General, was appointed as UN–Arab League Joint Special Envoy for Syria. Based on wide consultations, in March 2012 Annan presented a six-point plan that outlined a framework for a UN-supervised ceasefire.²¹ The Syrian Government and some key rebel actors agreed to the plan and a ceasefire was established in early April 2012. The UN subsequently deployed a military monitoring mission (the UN Supervision Mission in Syria, UNSMIS), which set up a presence around the country.²² Within a few months, however, the ceasefire had fallen apart, with fighting reaching unprecedented levels of intensity and geographic spread. The UN-led process then focused on assembling an ‘action group’, consisting of representatives of the UN, the Arab League, the five permanent members of the UN Security Council (China, France, Russia, the United

¹⁷ On Western efforts to supply military equipment to some opposition groups see chapter 1, section II, in this volume.

¹⁸ The plan of action is annexed to Arab League Council Resolution 7436, 2 Nov. 2011 (in Arabic). See also ‘Syria accepts Arab League peace plan after Cairo talks’, BBC News, 2 Nov. 2011, <<http://www.bbc.co.uk/news/world-middle-east-15560322>>.

¹⁹ On developments related to Syria, arms supplies and multilateral arms embargoes see chapter 1, section II, and chapter 10, section II, in this volume.

²⁰ On the Arab League mission see Fanchini, C., ‘New peace operations in 2011’, *SIPRI Yearbook 2012*, pp. 104–105.

²¹ United Nations, Security Council, ‘In Presidential Statement, Security Council gives full support to efforts of Joint Special Envoy of United Nations, Arab League to end violence in Syria’, Press release, SC/10583, 21 Mar. 2013.

²² On UNSMIS see Dundon, J. and van der Lijn, J., ‘New peace operations in 2012’, *SIPRI Yearbook 2013*, pp. 67–69.

Kingdom and the USA), Iraq, Kuwait, Qatar and Turkey. This group, meeting in Geneva in June 2012, agreed a communiqué that called for a ‘transitional governing body’ in Syria.²³ The Geneva communiqué appeared to unite the world powers behind a common approach, but unity dissolved as it became clear that interpretations of the adopted text diverged, especially with regard to the question of al-Assad’s inclusion in a future political process.²⁴

In August 2012 the position as joint UN–Arab League envoy was transferred to Lakhdar Brahimi, a senior Algerian diplomat and widely experienced mediator.²⁵ Working mainly with the USA and Russia, Brahimi sought to maintain the momentum around a peace conference, dubbed Geneva II, building on a preliminary framework for negotiations established in the first meeting in Geneva. Intense behind-the-scenes negotiations continued in the second half of 2013 on the framework of a Geneva II conference, planned for the first months of 2014.²⁶

There were several sticking points relating to the structure of a new peace conference, including disagreement over the participants and the agenda for the talks.²⁷ A key question was whether the Geneva II conference should lead to the establishment of a transitional government, which the Syrian Government opposed but which several opposition factions had set as a precondition for participation. Another key issue was whether Iran and Saudi Arabia would participate. While both the UN and Russia supported a place for Iran, the USA had intense reservations, citing Iran’s role as the primary patron of the Assad regime.

As 2013 came to a close, it was uncertain if the conference would take place as planned and which actors would participate. The key opposition bloc based outside Syria, the National Coalition for Syrian Revolutionary and Opposition Forces (Syrian National Coalition, SNC), was reluctant to commit to participation, fearing that a negotiation that failed to deliver on the primary goal—the end of the Assad regime—would further degrade its falling legitimacy among fighters inside Syria. Under pressure from the USA, Qatar and other countries, the SNC finally agreed to participate subject to certain conditions, but this position was subsequently subject to

²³ Action Group for Syria, Final communiqué, Geneva, 30 June 2012, <<https://www.un.org/News/dh/infocus/Syria/FinalCommuniqueActionGroupforSyria.pdf>>.

²⁴ Cumming-Bruce, N. and Nordland, R., ‘Talks come up with plan for Syria, but not for Assad’s exit’, *New York Times*, 30 June 2012.

²⁵ United Nations, Statement attributable to the spokesperson for the Secretary-General on appointment of Joint Special Representative for Syria, 17 Aug. 2012, <<http://www.un.org/sg/statements/index.asp?nid=6253>>.

²⁶ UN mediators, UN Department of Political Affairs, Interviews with author, Jan. 2014.

²⁷ Cumming-Bruce, N. and Gladstone, R., ‘Talks on ending Syria’s civil war to begin in January’, *New York Times*, 25 Nov. 2013.

intense debate.²⁸ Despite overtures from the main backers of Geneva II, a majority of fighting rebel factions rejected the initiative. Some hard-line groupings, such as the Islamic Front, warned that any participation in such negotiations would be regarded as ‘treason’.²⁹ The National Coordination Committee (NCC), a key group among the opposition within Syria, announced in January 2014 that it would not participate in Geneva II.³⁰

Overall, the UN-coordinated process made little tangible progress in 2013, with the Geneva II conference continuously postponed and subject to speculation and strategizing by the main parties. At the same time, however, the UN kept several information channels open, maintained a political presence in the Syrian capital, Damascus, and engaged with interested parties. These actions constitute footholds for the future. Negotiations, especially with Russia and the USA, continued through the year. Since these two countries can exert significant leverage over the relevant parties, both inside Syria and in the wider region, their negotiations on the Syrian issue were of particular consequence. Russia and the USA were seemingly in agreement on several issues: the need to end the civil war, the need to maintain a viable Syrian state, and the need to ensure the political marginalization of hard-line extremist groups such as the al-Nusra Front and ISIS. However, they disagreed on the terms of achieving these goals, in particular regarding the fate of the Assad regime.

There is little information to suggest that any track 2 initiatives were undertaken in the Syrian civil war in 2013. It is likely that the fragile security situation and the fragmentation of the rebel side placed significant constraints on any track 2 efforts as a means to deliver a comprehensive solution. However, in several instances during late 2013 and early 2014, local truces were mediated between community leaders and Syrian Government representatives, mainly in urban areas, including some parts of Damascus.³¹ In these localized deals, the government offered humanitarian aid in exchange for partial disarmament of rebel forces. However, deep-running, mutual mistrust between the parties prevented the scaling up of this type of confidence-building measure to a national agreement.

²⁸ ‘Syrian opposition to attend Geneva talks if West keeps “humanitarian aid” promises—SNC leader’, RT, 10 Nov. 2013, <<http://rt.com/news/syria-opposition-geneva-talks-488/>>.

²⁹ Lund, A., ‘The politics of the Islamic Front, part 3: negotiations’, Syria in Crisis, Carnegie Endowment for International Peace, 16 Jan. 2014, <<http://carnegieendowment.org/syriaincrisis/?fa=54213>>.

³⁰ ‘Syria National Coordination Committee to not participate in Geneva-2—Brahimi’, Voice of Russia, 16 Jan. 2014, <http://voiceofrussia.com/news/2014_01_16/Syria-National-Coordination-Committee-to-not-participate-in-Geneva-2-Brahimi-0270/>.

³¹ Haddad, R., ‘Syria army, rebels agree new Damascus area truce’, *Daily Star* (Beirut), 17 Feb. 2014.

The peace process in the Philippines: the Moro Islamic Liberation Front negotiations

The long and violent insurgency in Mindanao, a historically Muslim-dominated region in the south of the Philippines, can be traced back to before the formation of the Philippines as an independent state.³² A negotiation process had started in 1997 but was interrupted several times by violent fighting. The process was reinvigorated in 2011, in association with the new Philippine leadership, under President Benigno Aquino, and in October 2012 one of the main rebel groups, the MILF, and the government made a breakthrough settlement.³³ The framework agreement included the establishment of an autonomous political entity, to be called Bangsamoro, and stipulated a process through which negotiation on the conflict should take place.

The peace process in Mindanao illustrates three facets of contemporary peacemaking.

First, the peace process was supported by a refined and developed peace infrastructure consisting of various actors, both governmental and non-governmental. It thus has a high degree of inclusivity, something that studies on a global scale have shown contributes to peace durability.³⁴ International NGOs have supported the peace process with dialogue expertise and knowledge. Four such NGOs—the Asia Foundation, the Centre for Humanitarian Dialogue, Conciliation Resources and Muhammadiyah—are part of an international contact group together with four countries—Japan, Turkey, the UK and Saudi Arabia—which contribute resources to the peace process. The process is facilitated by Malaysia, an influential neighbouring country which shares religious identity ties with the Moro insurgency.

Second, it is a comprehensive settlement that seeks to address all the issues that need to be resolved in the conflict. Following the signing of the framework agreement in October 2012, negotiation delegations from the Philippine Government and MILF drafted and agreed on a set of annexes, specifying detailed provisions for transitional arrangements and modalities (in February 2013), wealth sharing (in July), power sharing (in December),

³² Mindanao is the name of a large island in the south of the Philippines and also of an island group consisting of the island of Mindanao and the nearby Sulu archipelago. The insurgency has been concentrated in the Sulu archipelago and a part of Mindanao island. For historical background see Majul, C. A., 'The Moro struggle in the Philippines', *Third World Quarterly*, vol. 10, no. 2 (Apr. 1988).

³³ Framework Agreement on the Bangsamoro, 15 Oct. 2012, <<http://peacemaker.un.org/philippines-bangsamoro-framework2012>>. A comprehensive agreement was reached in Mar. 2014.

³⁴ Nilsson, D., 'Anchoring the peace: civil society actors in peace accords and durable peace', *International Interactions*, vol. 38, no. 2 (2011).

normalization, including demilitarization and disarmament of the rebel group, and regulation of the control of water (both in January 2014).³⁵

Third, this process has been shown to be remarkably resilient in the face of violent provocations. There were two major incidents during 2013, both of which can be interpreted as spoiler activities intended to undermine the peace process. In the first incident, in February, a force called the Royal Soldiers of Sulu Sultanate entered Sabah, the eastern-most state of Malaysia. The group consists of militant followers of Jamalul Kiram III, who claimed to be sultan of Sulu, including part of Sabah, and it aspired to establish control of the contested territory.³⁶ A Malaysian security operation killed dozens and arrested hundreds. The second incident was when forces aligned with Nur Misuari, leader of the Moro National Liberation Front (MNLF), attacked Zamboanga City on Mindinao island, beginning on 9 September 2013. After the deployment of the Philippine armed forces resulted in intense urban fighting, reports indicate that over 200 people died and 10 000 were internally displaced. The OIC-led negotiation process on implementation of a 1996 agreement between the MNLF and the Philippine Government was stalled during 2013, and planned meetings were cancelled due to the events in Zamboanga City. However, while either the Zamboanga incident or the Sabah incident could have provoked a setback for the peace process between the government and MILF, neither did.

Conclusions

The landscape for mediation processes has changed. New challenges have arisen in terms of the possibilities of bringing armed conflicts to peaceful ends at the negotiation table. Syria and the Philippines can be seen as two contrasting examples of contemporary peacemaking, carried out under different contexts.

Mediation in the Philippines has been effective because the main external actor (Malaysia) has kinship and traditional ties to the rebel side, because the negotiations include the main actors on the rebel side and are not being obstructed by spoiling behaviour by other groups, and because the religious aspirations of the rebel group have been properly addressed and satisfied. Moreover, the parties to conflict in the Philippines have been able to identify a formula—‘a way out’—that has guided negotiations on details.³⁷

³⁵ Office of the President of the Philippines, Office of the Presidential Adviser on the Peace Process, ‘Annexes of the Framework Agreement on the Bangsamoro’, 27 Jan. 2014, <<http://www.opapp.gov.ph/milf/annexes-framework-agreement-bangsamoro>>.

³⁶ McGeown, K., ‘How do you solve a problem like Sabah?’, BBC News, 24 Feb. 2013, <<http://www.bbc.com/news/world-asia-21545162>>.

³⁷ Zartman, I. W., ‘The timing of peace initiatives: hurting stalemates and ripe moments’, *Global Review of Ethnopolitics*, vol. 1, no. 1 (Sep. 2001).

In contrast, in Syria several mediation efforts failed within a relatively short time, a function of the nature of the conflict and the way in which the mediation was carried out. With the parties clinging to irreconcilable positions on key bargaining issues, keeping military hopes alive, it seems as if Syria was not yet ready for mediation in 2013 and, with sectarianism emerging as a key leitmotif of the war, prospects for progress in 2014 remained bleak. Mediation in Syria was also complicated by the disjointed nature of the Syrian opposition, which lacked legitimate and coherent leadership, and its concomitant tendency to factionalize and engage in spoiling activities. Proxy interference and the military clout of religious hardliners compounded these problems. Further, mediation by external actors, including by the UN, primarily focused on developing accord between secondary parties outside Syria, rather than negotiating and building relationships with the primary parties inside Syria, which may have reduced the latter's willingness to come to the negotiation table under international auspices.

Overall, three main trajectories can be observed that have major implications for the design of peace processes.

First, there are the challenges and possibilities of mediating peace with religious actors. While the number of religious armed conflicts seems not to have increased, this type of conflict has become more common as other types of conflict have gradually decreased.³⁸ Making peace deals with religious militants is not impossible, and there have been cases such as Tajikistan in 1997 and the Philippines in 2012 where peacemaking has been fruitful. Yet, it seems that religious dynamics tend to make peace attempts more difficult. This can be explained by any of the four following factors associated with religious disputes: different world views; harder positions from which it is difficult to back down; irrational emotions, motivation structures or sentiments; or particular characteristics that religious actors share that impede mediation and negotiation processes. Research is not in consensus on how religious dynamics make conflict resolution more difficult, but there is a general consensus that it does.³⁹ Thus, if a larger proportion of armed conflicts have become religious, this creates obstacles for conflict resolution.

Second, an increasing problem in several intrastate armed conflicts has been the increased fragmentation of rebel groups.⁴⁰ This was observed in both of the cases analysed above, but was particularly acute in Syria, where it presented significant problems of coordination. With a multitude of rebel

³⁸ Svensson, I., *Ending Holy Wars: Religion and Conflict Resolution in Civil Wars* (University of Queensland Press: Brisbane, 2012).

³⁹ Svensson (note 38). See also Toft, M. D., 'Getting religion? The puzzling case of Islam and civil war', *International Security*, vol. 31, no. 4 (spring 2007); and Hassner, R. E., *War on Sacred Grounds* (Cornell University Press: Ithaca, NY, 2009).

⁴⁰ See e.g. Stepanova, E., 'Trends in armed conflicts', *SIPRI Yearbook 2008*.

actors, with diverse agendas, sponsors and philosophical world views, it is tremendously hard to develop a platform for negotiations. This has important implications for the conduct of contemporary mediation processes. In getting fragmented conflict parties to the negotiation table, a mediator faces the challenge of balancing inclusion, which may have important legitimacy benefits, with the desire to create a viable rebel coalition with clear modalities for leadership, participation and relative voting power. A key challenge is to identify which rebel actors have responsible aspirations and which are pursuing illicit or destabilizing ends. Research suggests that fragmented intrastate conflicts are much more likely to feature the use of spoiling tactics by individuals or groups, which may have incentives to employ violence as a bargaining tactic.⁴¹ If negotiations get underway, the mediator faces the challenge of maintaining the coherence of the rebel coalition, which may also require mediation of intra-rebel rivalries, to keep the peace process alive. The question of legitimate leadership is also central. For example, in Syria external powers placed a lot of emphasis in the early phase of the war on developing the opposition platform around the Syrian National Council (and later the SNC), a grouping of mainly expatriate Syrians whose 'luxury hotel diplomacy' sometimes harmonized badly with the aspirations of fighters on the ground.⁴² Hence, the question of fragmentation raises the challenge of promoting a viable rebel coalition, maintaining its coherence under the threat from spoilers, and prioritizing opposition representatives with robust grass-roots legitimacy among rebel constituencies.

Third, in a more optimistic development, the institutional architecture in support of mediation and non-coercive conflict management continues to strengthen. Over the past 10–15 years, there has been a serious effort by governments and civil society organizations to strengthen and refine institutional approaches and mechanisms, leading to the establishment of mediation support units, increased training for mediators, and local and regional structures for mediation coordination.⁴³

This institutional growth has been particularly strong among inter-governmental organizations, which are often called in to lead or coordinate contemporary mediation efforts.⁴⁴ For example, the UN Department of

⁴¹ Cunningham, D. E., 'Veto players and civil war duration', *American Journal of Political Science*, vol. 50, no. 4 (Oct. 2006); and Kydd, A. and Walter, B. F., 'Sabotaging the peace: the politics of extremist violence', *International Organization*, vol. 56, no. 2 (spring 2002).

⁴² See e.g. Alabaster, O., 'We're not a 5-star hotel opposition: Ameer', *Daily Star* (Beirut), 9 May 2014.

⁴³ United Nations, Security Council, Report of the Secretary-General on enhancing mediation and its support activities, S/2009/189, 8 Apr. 2009.

⁴⁴ Haftel, Y. Z., *Regional Economic Institutions and Conflict Mitigation: Design, Implementation, and the Promise of Peace* (University of Michigan Press: Ann Arbor, MI, 2012); and Lundgren, M., 'International organizations as peacemakers: the evolution and effectiveness of intergovernmental instruments to end civil war', PhD dissertation, Stockholm University, forthcoming 2014.

Political Affairs, which handles most of the UN's mediation efforts, has undergone a significant expansion, both in terms of staff and financial resources devoted to conflict analysis and resolution. In addition to resources at its Secretariat in New York, the UN has also established 15 political offices around the world, labelling them 'forward platforms for . . . preventive diplomacy': 10 in Africa, 4 in the Middle East and 1 in Central Asia.⁴⁵ Many regional organizations are also enhancing their mediation capacities, albeit from low levels. For example, the AU has established mediation capacities and protocols, and the Intergovernmental Authority on Development (IGAD), drawing on its long experience of mediation in and around the Horn of Africa, is setting up a mediation support unit.

Overall, international mediation, which has long been an ad hoc approach by countries and organizations, is becoming an instrument supported by a strengthening institutional framework and a greater degree of professionalization.

⁴⁵ United Nations, General Assembly, 'Overall policy matters pertaining to special political missions', Report of the Secretary-General, A/68/223, 29 July 2013, para. 32.